

Ventura Port District

Ventura Yacht Club
Dock Replacement Project
Initial Study / Mitigated Negative Declaration

Prepared by:

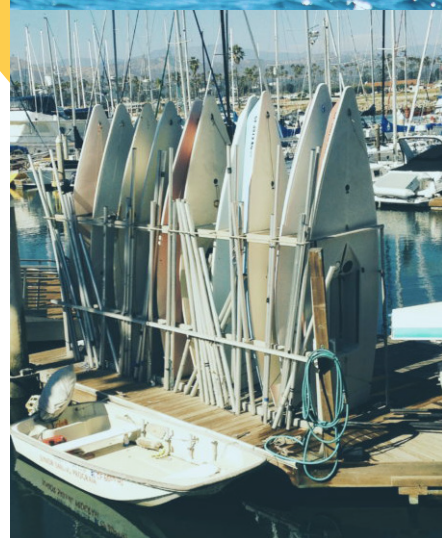
**IMPACT
SCIENCES**

811 W. 7th Street, Suite 200
Los Angeles, CA 90017

Prepared for:

Ventura Port District
1603 Anchors Way Drive
Ventura, CA 93001

December 2022



VENTURA YACHT CLUB DOCK REPLACEMENT PROJECT

Initial Study and Mitigated Negative Declaration

The following Initial Study has been prepared in compliance with the
California Environmental Quality Act.

Prepared For:

Ventura Port District
1603 Anchor's Way Drive
Ventura, California 93001

Prepared By:

Impact Sciences, Inc.
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December 2022

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INTRODUCTION

INITIAL STUDY

Pursuant to Section 15063 of the *California Environmental Quality Act (CEQA) Guidelines* (Title 14, California Code of Regulations, Sections 15000 et seq.), an initial study is a preliminary environmental analysis that is used by the lead agency (the public agency principally responsible for approving or carrying out the proposed project) as a basis for determining whether an environmental impact report, a mitigated negative declaration, or a negative declaration is required for a project. The *State CEQA Guidelines* require that an Initial Study contain a project description, description of existing setting, identification of environmental effects by checklist or other similar form, explanation of environmental effects, discussion of mitigation for significant environmental effects, evaluation of the project's consistency with existing, applicable land use controls, and the name of persons who prepared the study.

The purpose of this Initial Study is to evaluate the potential environmental impacts of the proposed Ventura Yacht Club Dock Replacement Project (herein referenced as the "Project"). The Project would replace two of the existing harbor dock areas within the Ventura Marina, B and D docks, with new docks and associated piles that are compliant with the intent of the *Guidelines for Marina Berthing Facilities* published by the California Department of Boating and Waterways (DBAW). The Project would also include a new gangway and a water lateral connection that would provide potable water for fire suppression events.

PUBLIC AND AGENCY REVIEW

This Initial Study / Proposed Mitigated Negative Declaration will be circulated for public and agency review from **December 14, 2022**, to **January 13, 2023**. Copies of this document are available for review at 603 Anchors Way Drive, Ventura, California, and on the Ventura Port District's website at <https://venturaharbor.com/environmental-documents/>. Comments on this Initial Study / Proposed Mitigated Negative Declaration must be received no later than 5:00 PM on **January 13, 2023**, and can be mailed or emailed to:

Ventura Port District
Jessica Rauch
Executive Assistant / Clerk of the Board
1603 Anchors Way Drive
Ventura, California 93001
jrauch@venturaharbor.com

ORGANIZATION OF THE INITIAL STUDY

This Initial Study is organized into the following sections:

- **Section I – Project Information:** provides summary background information about the Project, including Project location, lead agency, and contact information.
- **Section II – Project Location and Description:** includes a description of the Project, including the need for the Project, the Project objectives, and the elements included in the Project.
- **Section III – Environmental Factors Potentially Affected:** identifies what environmental resources, if any, would involve at least one significant or potentially significant impact that cannot be reduced to a less than significant level.
- **Section IV – Determination:** indicates whether impacts associated with the Project would be significant, and what, if any, additional environmental documentation is required.
- **Section V – Evaluation of Environmental Impacts:** contains the Environmental Checklist form for each resource and presents an explanation of all checklist answers. The checklist is used to assist in evaluating the potential environmental impacts of the Project and determining which impacts, if any, need to be further evaluated in an EIR.
- **Section VI – Supporting Information Sources:** lists references used in the preparation of this document.
- **Section VII – Initial Study Preparers:** lists the names of individuals involved in the preparation of this document.
- **Appendices:** present the technical studies used in the preparation of this Initial Study.

I. PROJECT INFORMATION

1. PROJECT TITLE

Ventura Yacht Club Dock Replacement Project

2. LEAD AGENCY NAME AND ADDRESS

Ventura Port District
1603 Anchors Way Drive
Ventura, California 93001

3. CONTACT PERSON AND PHONE NUMBER

Brian Pendleton
Ventura Port District General Manager
(805) 654-7869

4. PROJECT LOCATION

1755 Spinnaker Drive
Ventura, California 93001

5. PROJECT SPONSOR'S NAME AND ADDRESS

Ventura Yacht Club
1755 Spinnaker Drive
Ventura, California 93001

6. CITY OF VENTURA GENERAL PLAN DESIGNATION

Commerce

7. CITY OF VENTURA ZONING

Harbor Commercial

II. PROJECT LOCATION & DESCRIPTION

1. DESCRIPTION OF PROJECT

Location

The proposed Ventura Yacht Club Dock Replacement Project (Project) includes several improvements to the existing docks owned by the Ventura Yacht Club, located at 1755 Spinnaker Drive in the City of Ventura (Project Site). The Project Site is within the greater Ventura Harbor, approximately 1.32 miles south of the Ventura Freeway (US-101) and accessible by East Harbor Boulevard and Spinnaker Drive (see **Figure 1, Project Location**).

The Project Site is located within the Ventura Yacht Club Marina and is bounded by the Pacific Ocean to the west, commercial uses to the east and south, and open space to the south. Adjacent uses to the south and east include commercial uses such as the Harbor Village Shopping Center, and hotels along and adjacent to the Harbor's waterfront. Immediately to the west of the Project Site is Spinnaker Drive, which provides vehicular access to the Project Site. Regional access is provided via US-101 southbound. The Project Site includes the existing docks A through E of the Ventura Yacht Club, located directly east of the Yacht Club building with an associated surface parking lot (see **Figure 2, Project Site Plan**).

Background

The Ventura Port District (District) is an Independent Special District within the City of Ventura. Special Districts are independent, special-purpose governmental units that exist separately from local governments such as a city or county, with substantial administrative and fiscal independence. On April 15, 1952, the Board of Supervisors of Ventura County, ordered the formation of the District pursuant to the Harbors and Navigation Code of the State of California and by two Ventura County Resolutions. The District was organized for the purpose of acquiring, constructing, and operating a commercial and recreational boat harbor within the City of Ventura. The District's legal boundaries encompass all of the City of Ventura as well as some small areas outside the City limits.

The District is the owner/operator of the Ventura Harbor (Harbor). The Harbor operations include recreational fishing and commercial fishing small craft. With the exception of a 2.74-acre site owned by the National Park Service, the 274-acre Harbor (152 acres of land and 122 acres of water area) is owned and operated by the District.

The applicant for the Project is the Ventura Yacht Club. The Ventura Yacht Club was established in 1938. The Ventura Yacht Club maintains approximately 397 members. Additionally, the Ventura Yacht Club

holds a Juniors Program that consists of 30 Junior Members. The Ventura Yacht Club has been part of the Harbor since the beginning of the Harbor's operations in June 1963.

Today, the Ventura Yacht Club utilizes five docks (docks A, B, C, D, and E) within the Harbor. Currently, several slip fingers (i.e., the areas perpendicular to the docks where the boats are kept) within docks B and D have either reached or exceeded their expected 40-year service life. As such, the slip fingers are in need of repair and replacement. Further, the existing docks currently do not provide features that comply with the American Disabilities Act (ADA) and are inaccessible for patrons with disabilities.

Existing Conditions

The Project Site primarily consist of the Ventura Yacht Club Marina and the existing Harbor docks (docks A through E) of the Ventura Yacht Club. The Ventura Yacht Club is located within a 43.38-acre parcel that includes a two-story clubhouse located west of the existing docks, and a surface parking lot located west of the clubhouse (1.17 acres of land area). A pedestrian walkway is located north of the Ventura Yacht Club building and connects to the existing gangway that provides access to the existing docks (4.73 acres of combined land and water area).

The existing docks provide a total of 83 boat slips (spaces), wet storage, ranging between 30 to 63 feet in length (existing slip length is provided in **Table 1** below). The existing slip sizes on-site range between 43 feet (A dock) to 83.8 feet (B dock) in length, and between 12 feet (A dock) to 18 feet (B dock) in width. Additionally, 9 slips that are currently also allocated towards liveaboard boats for housing. Of these slips, 8 slips are currently located in docks B and D.

Project Features and Operations

The Project would demolish and replace the existing main walkway of docks B and D, and their associated fingers, slips, and pilings with new docks and associated features that comply with the California Department of Boating and Waterways (DBAW) Guidelines for Marina Berthing Facilities standards. The proposed dock replacement Project would be outfitted with upgraded electrical and potable utility lines, and a Class II fire suppression system would be installed within the Ventura Yacht Club property and along the new docks. In addition, the Project would include a new abutment gangway that would be ADA-compliant. The following details the specific improvements of the Project.

B and D Dock Replacement

The Project is limited to waterside improvements. The Project would not remove or alter the existing layout of docks A, C, and E. The proposed replacement and reconfiguration of docks B and D would result in a

dock layout that would be similar to the existing dock layout. However, the new configuration for the proposed B and D docks would be shifted approximately 11 feet, 6.5 inches eastward to increase the width behind the new slips at the lower end of the slips of both docks and the upper end of the slips of the existing docks A and C (see **Figure 2, Project Site Plan**). The Project would decrease the number of current slips in docks B and D from 41 to 40 slips. Accordingly, the Project would decrease the overall total number of existing slips in docks A through E from 84 to 83 slips. Specifically, the Project would increase the number of 42-foot-long slips and decrease the number of 36-foot-long slips in docks B and D to meet the current and projected demands of the boating market in this area. Due to the larger size of modern boats, smaller slips are no longer in demand. Further, as most 25- and 30-foot boats are generally on trailers, the need for smaller slips has diminished. **Table 1, Existing and Proposed Boat Slip Mix**, describes the proposed changes in the allocation of slip sizes. Furthermore, the Project would increase the overall dock area for the B and D docks from 26,337 square feet to approximately 27,130 square feet. Each slip would vary in width between 14 feet to approximately 18 feet. Finger lengths at each would remain 46 feet. Although no liveaboard slips are predesignated, the Yacht Club marina has an overall limit of up to 15 liveaboards.

Table 1
Existing and Proposed Boat Slip Mix

Slip Length (ft) ¹	Proposed A Dock	Proposed B Dock	Proposed C Dock	Proposed D Dock	Proposed E Dock	Total Proposed	Total Existing	Net Change
30	30	0	0	0	0	30	30	0
36	0	7	0	3	0	10	23	-13
37	0	0	8	0	0	8	8	0
42	0	10	0	6	5	21	9	+12
50	0	8	0	4	0	12	12	0
63	0	0	0	2	0	2	2	0
Total:	30	25	8	15	5	83	84	-1

Notes:

¹ ft. = feet.

Source:

¹Safe Harbor Marinas, 2022.

²Bellingham Marine, July 26, 2022.

Piling Replacement

The Project would decrease the number of pilings within the dock area from 58 to 19 concrete dock piles. Utilizing modern fiberglass reinforced plastic technology for both the pilings and walers would enable the Ventura Yacht Club to reduce the number of pilings and the amount of steel used in the replacement docks while ensuring the docks are able to comply with current standards. As shown in **Table 2, Proposed Pile Mix Chart**, the Project would remove a total of 54 14-inch round piles and install a total of 15 16-inch square piles. Similar to the existing layout, the proposed dock piles would include walkway piles with supplemented prestress guide piles along docks B, D, and E.

Table 2
Proposed Pile Mix Chart

	Size and Shape ¹	MW Entry	B Dock	D Dock	E Dock	Total
Existing Total		0	35	19	4	58
Existing to be Removed	14" Round	0	(35)	(19)	0	(54)
Existing to Remain	16" Round	0	0	0	4	4
Proposed	16" Square	1	9	5	0	15
New Total:		1	9	5	4	19

Note:

" = inch

Source:

¹Bellingham Marine, July 26, 2022.

ADA-Compliant Improvements

The overall layout of the pedestrian access to the proposed docks would be similar to existing conditions. The Project would replace the existing main walkway between docks B and D with a new main walkway of equivalent length and width. As shown in **Figure 2, Project Site Plan**, the Project would also include an 80-foot-wide ADA-compliant gangway and a new abutment that connects the existing Yacht Club building and the existing A and C docks. The proposed gangway and abutment would be at grade to comply with ADA requirements. Guardrails would be provided on each side of the proposed abutment at a minimum height of 42 inches. Additionally, the two spills in the reconfigured docks B and D, two spills in the existing docks A and C, and one spill located in the existing Dock E would be reallocated to serve as ADA-compliant spills.

Utility Improvements

The Project would install a new four-inch wide High-Density Polyethylene (HDPE) lateral that would serve as a conduit for water to the reconfigured docks B and D and serve as a fire line for the City of Ventura Fire Department. As shown in **Figure 3, Fire Protection Site Plan**, the proposed lateral would be installed underground and connect to an existing fire hydrant located in the southwestern corner of the Yacht Club's existing surface parking lot. From there, the water line would travel along the southern and eastern perimeter of the surface parking lot, where it would connect to the proposed ADA-compliant abutment and gangway. From this connection, the lateral would be aboveground on the side of the gangway and connect to the main walkway of the reconfigured B and D docks, where the water line would provide potable water connections to three fire extinguisher cabinets along docks B and D. It should be noted that the water lateral would not continuously be filled with potable water. Rather, the water provided by the new lateral would only be utilized by the Fire Department for emergency fire suppression events.

2. SURROUNDING LAND USES

Per the *City of Ventura General Plan* (2005) the Project Site is designated as Commerce. The Project Site is also zoned by the City as Harbor Commercial.

Surrounding land uses mainly include commercial uses, and open space uses. Land uses located north, east, and south of the Project Site are designated by the *General Plan* as Commerce and zoned by the City as Harbor Commercial. Land uses south of the Project Site, across from Spinnaker Drive are designated by the *General Plan* as Park and Open Spaces and zoned by the City as Parks.

3. DISCRETIONARY APPROVAL AUTHORITY

The following agencies and other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement) would be involved in discretionary approvals and permits required for various project components.

National Oceanic and Atmospheric Administration

The National Oceanic Atmospheric Administration (NOAA) reviews and circulates the completed Eelgrass Habitat Survey and Essential Fish Habitat Survey to the National Marine Fisheries Services, the Los Angeles Regional Water Quality Control Board, and other interested parties.

United States Army Corps of Engineers

The United States Army Corps of Engineers' (USACE) jurisdiction relates to the permitting for waterside improvements. The USACE circulates the completed Essential Fish Habitat (EFH) Assessment to the National Marine Fisheries Services and other interested parties.

National Marine Fisheries Services

The Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires the completion of an EFH Assessment when a federally permitted action could adversely affect a designated EFH area. The EFH is submitted to the USACE, who then submits the EFH to the National Marine Fisheries Services (NMFS).

California Coastal Commission

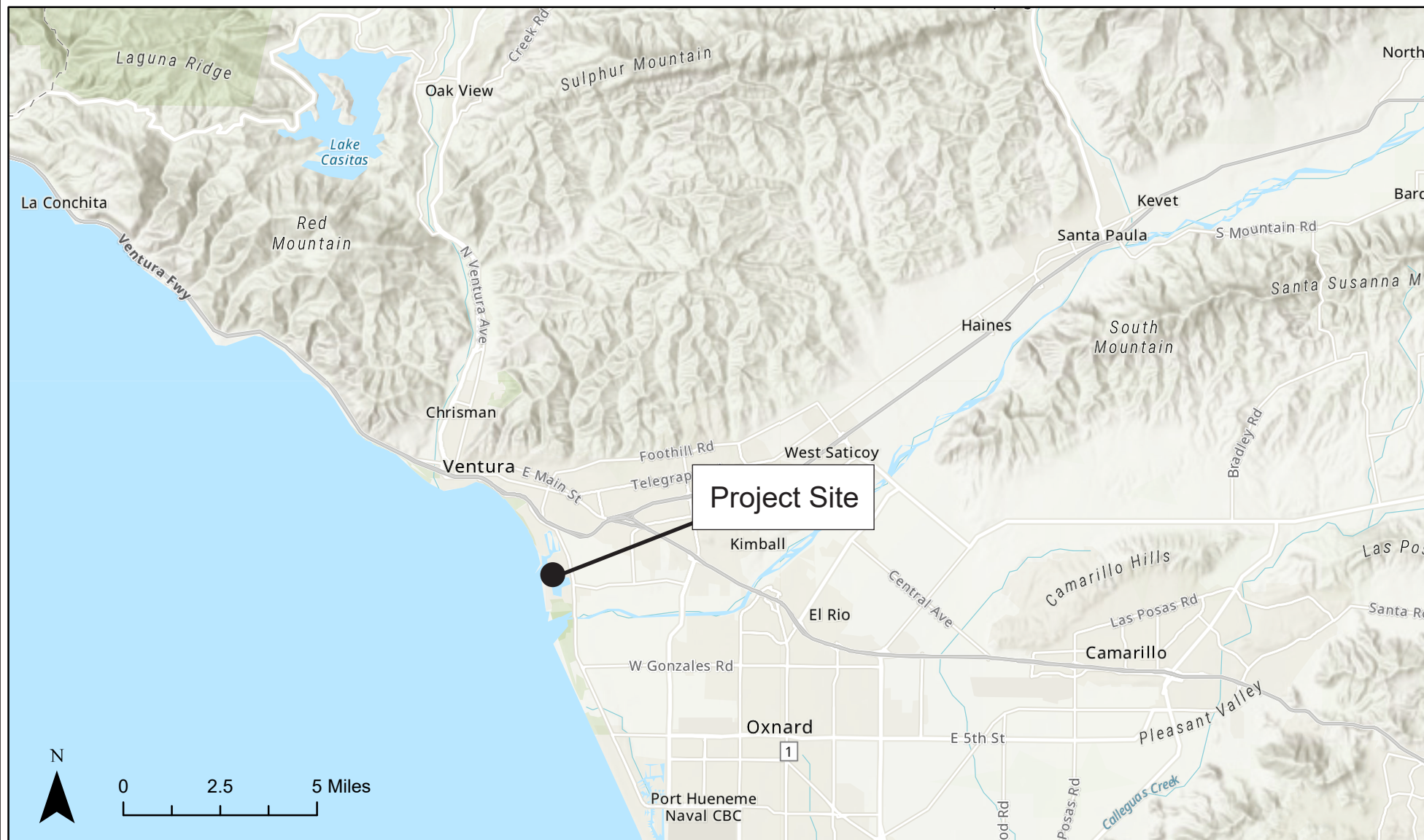
The California Coastal Commission has jurisdiction over waterside improvements in the Harbor. A Biological Assessment is necessary along with the Coastal Development Permit (CDP) application. However, as the Project would take place on floating docks, an EFH Assessment with the appropriate biological resource information will suffice. These studies will be required prior to the commencement of construction activities.

Los Angeles Regional Water Quality Control Board

As part of the waterside improvements, permitting is required under the Los Angeles Regional Water Quality Control Board (LARWQCB) for waste discharge during construction.

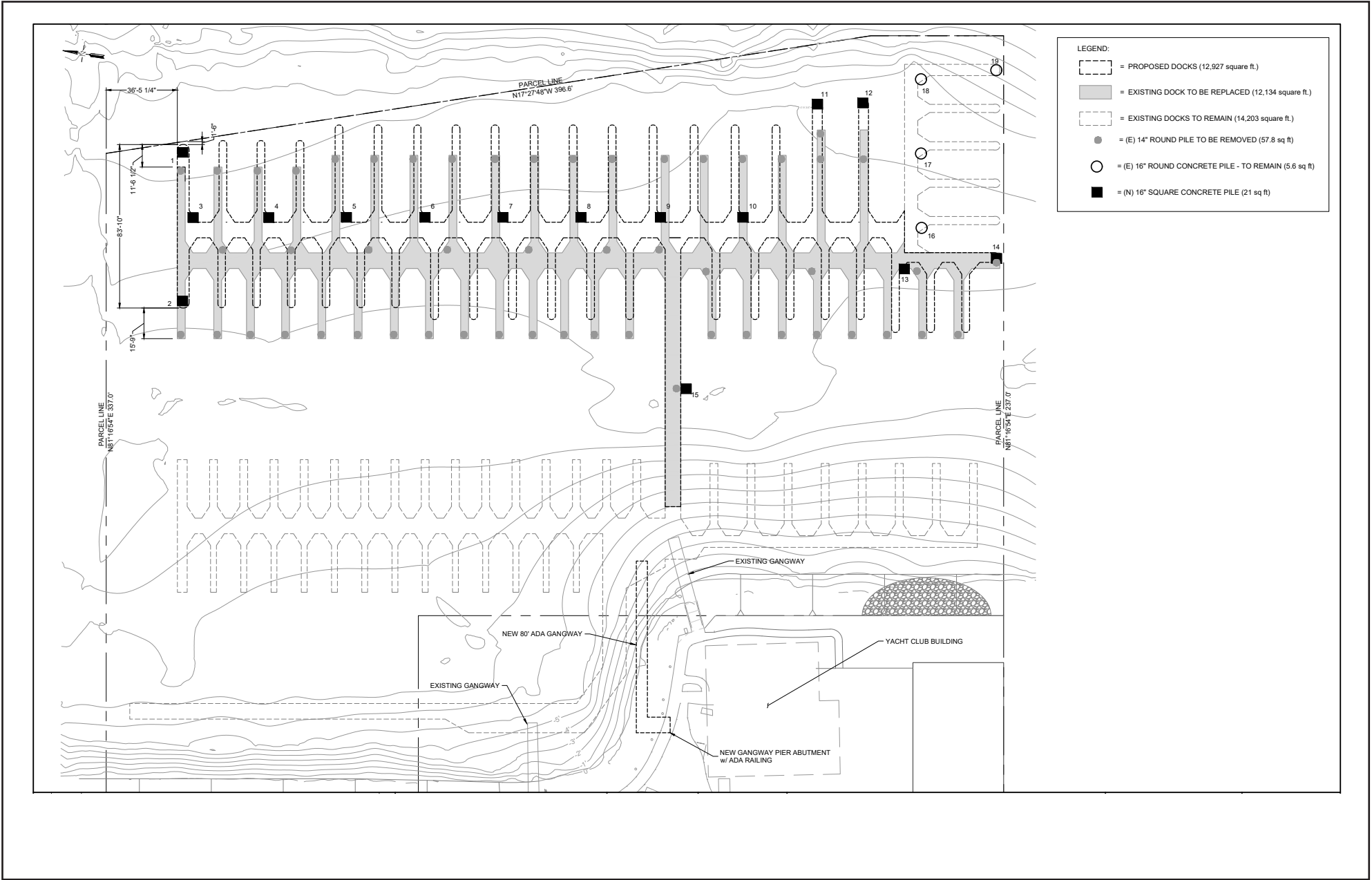
4. PROJECT CONSTRUCTION SEQUENCING

Construction activities would involve the demolition of the existing docks and excavation and grading near the marina. Construction of the Project is anticipated to commence as early as March 2023 (pending all permitting as well as possible supply chain issues) and to be completed within three to four months of the start date. Construction of the Project would occur over a 12-to-16-week duration.



SOURCE: Esri, 2022

FIGURE 1



SOURCE: Bellingham Marine, 2022

FIGURE 2

III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

- | | |
|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources |
| <input type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Biological Resources |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Geology and Soils | <input type="checkbox"/> Greenhouse Gas Emissions |
| <input type="checkbox"/> Hazards and Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population and Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire |
| <input checked="" type="checkbox"/> Mandatory Findings of Significance | |

IV. DETERMINATION

On the basis of the initial evaluation that follows:

- ☐ I find that the proposed Project WOULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the Project could have a significant effect on the environment, there would not be a significant effect in this case because revisions in the project have been made that would avoid or reduce any potential significant effects to a less than significant level. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed Project MAY have a significant effect on the environment. An ENVIRONMENTAL IMPACT REPORT will be prepared.



Brian Pendleton

Ventura Port District General Manager

12 | 13 | 22
Date

V. EVALUATION OF ENVIRONMENTAL IMPACTS

During the completion of the environmental evaluation, the Lead Agency relied on the following categories of impacts, noted as column headings in the Initial Study checklist. All impact determinations are explained and supported by the information sources cited.

- A) “Potentially Significant Impact” is appropriate if there is substantial evidence that the Project’s effect may be significant. If there are one or more “Potentially Significant Impacts” for which effective mitigation may not be possible, a Project EIR will be prepared.
- B) “Less Than Significant With Mitigation Incorporated” applies where the incorporation of Project-specific mitigation would reduce an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” All mitigation measures must be described, including a brief explanation of how the measures would reduce the effect to a less than significant level.
- C) “Less than Significant Impact” applies where the Project would not result in a significant effect (i.e., the Project impact would be less than significant without the need to incorporate mitigation).
- D) “No Impact” applies where the Project would not result in any impact in the category, or the category does not apply. This may be because the impact category does not apply to the proposed Project (for instance, the Project Site is not within a surface fault rupture hazard zone), or because of other Project-specific factors.

IMPACT QUESTIONS AND RESPONSES

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
1. AESTHETICS – Except as provided in Public Resources Code section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

California State Scenic Highways Program

The California State Scenic Highways Program was designed to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment and identify highways that are designated as “Official” state scenic highways or “Eligible” to be a state scenic highway.

General Plan Policies

The City’s *General Plan* policies applicable to aesthetics include, but are not limited to, the following:

Policy 3A: Sustain and complement cherished community characteristics.

Policy 4D: Protect views along scenic routes.

Municipal Code

The *City of San Buenaventura (Ventura) Municipal Code (Municipal Code)* provides the regulatory framework that is associated with the protection of the City's visual character. *Municipal Code* Section 10.650.150, (Special Noise Sources) limits construction activities of new structures to the hours between 7.00 a.m. and 8:00 p.m.

Existing Setting

Scenic vistas identified in the *Ventura County General Plan (General Plan)* include the rolling hills of the Transverse Range. Additional scenic resources identified in the *City of Ventura General Plan Environmental Impact Report (General Plan EIR)* include the City's existing coastline, Ventura Harbor, the Channel Islands, rivers within City boundaries (i.e., the Ventura River and Santa Clara River), and the agricultural uses within the eastern and western portions of the City. The Project Site is located within the Harbor, and the coastline is located west. The Channel Islands are not visible from the Project Site, nor are there any rivers or areas of agricultural uses that are visible due to the distance of the Project Site and existing trees and structures. Harbor Drive and Olivas Park Drive are designated as Scenic Routes; however, they are not visible from the Project Site. However, due to its distance and intervening objects (i.e., trees, structures, and boats within the Ventura Harbor), the Project Site is not visible from either Scenic Routes. While Harbor Drive and Olivas Park Drive are designated as 'scenic routes' in the *Ventura General Plan*, the Project Site is not located near any designated state scenic highways, as designated by Caltrans.¹

The surrounding public roadways include Spinnaker Drive along South Jetty Beach. Existing conditions on the Project Site include a surface parking lot, multiple walking paths, the Ventura Yacht Club building, the docks, and facilities that support the docks (i.e., existing gangways, ramps, dock piles). The Project Site itself is largely shielded from surrounding areas due to an existing retaining wall located along the western perimeter of the site's surface parking lot. As a result, the Project Site is not visible from most nearby vantagepoints, except for vantagepoints along Spinnaker Drive. Additionally, the Project Site is currently developed and, therefore, generates nighttime lighting on-site in the form of security lighting and walkway lighting.

¹ California Department of Transportation, *California State Scenic Highway System Map*, <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>, accessed September 1, 2022.

Discussion of Potential Project Impacts

a) Less than Significant Impact.

A scenic vista is generally defined as a view of undisturbed natural characteristics exhibiting a unique feature that comprises an important or dominant portion of the viewshed. Although scenic vistas are identified at the discretion of its jurisdiction, common examples of scenic vistas include open hillsides, mountain ranges, rivers/streambeds, and large bodies of water. Scenic vistas in the vicinity of the Project Site include expansive water views available from Spinnaker Drive. The Project is limited to waterside improvements associated with the existing docks, and walkways. Although the replacement of docks B and D would increase the overall size of the Ventura Yacht Club's dock area, the Project would not significantly alter the layout of the docks. The lengths of the dock fingers would remain the same, and the new dock piles would not significantly alter in size. As a result, there would be no change in available views as a result of the Project. The Project would allow for larger boats to enter the marina. However, these boats would have a maximum length of 42 feet, as opposed to 36 feet, and are not expected to impede the existing public views of Ventura Harbor and as boats are already accessing and docked at the site, the change in the size of boats (by six feet) would not adversely impact existing views.

The Project would construct a new gangway and abutment on-site at grade level and would not substantially alter the existing views of Ventura Harbor from the Project Site. Due to its location on-site, the docks and gangway would also be shielded from public views. The Project Site is partially visible from Spinnaker Drive. However, the layout and appearance of the dock replacements would be similar to existing conditions and would not represent a noticeable change. Additionally, the proposed gangway and abutment would be similar in size and style compared to existing gangways within the Ventura Yacht Club Marina. As such, motorists travelling along Spinnaker Drive would not experience a significant change of views from existing conditions to the Project.

Due to existing intervening structures, trees, landscaping, and boats surrounding the Project Site, the Project would not substantially impede the existing views of scenic vistas or other scenic resources. Furthermore, the Project would not alter the existing views for motorists travelling along the City's designated scenic routes, such as Spinnaker Drive. Therefore, the Project would not have a substantially adverse effect on scenic resources. Less than significant impacts would occur.

b) No Impact. There are no designated or eligible State scenic highways located near the Project Site or within its immediate vicinity. The nearest designated, or eligible for designation, State scenic highway

is US-101, located 1.32 miles northeast of the Project Site.² Due to this distance, as well as the topography and intervening structures (i.e., buildings, boats), the US-101 is not visible from the Project Site, nor is the Project Site visible from US-101. Therefore, no impact would occur.

- c) ***Less than Significant Impact.*** With the exception of the gangway, the Project would be similar in appearance to existing conditions and would not alter the visual character of the Project Site. Additionally, the proposed water lateral connection would either be underground or clamped to the side of the proposed gangway and would not be visible to the public. Construction activities related to the Project would include excavation and grading on-site for the installation of the proposed water lateral connection. However, these activities would occur for a nominal amount of time and would cease upon completion of the Project. Additionally, the majority of these activities would be shielded from public views due to the existing retaining wall on-site. Therefore, less than significant impacts would occur.
- d) ***Less than Significant Impact.*** The Project is limited to dock replacements and facility upgrades. As stated above, the Project would remain similar in appearance to the existing conditions. Buildout of the Project would not introduce new sources of light or glare on-site.

Construction activities related to the project may occur during the evening hours. Thus, the Project could introduce nighttime lighting that would impact light-sensitive uses within existing liveaboard slips. However, construction activities would occur for a maximum period of 16 weeks. Additionally, the Project would adhere to the *City Municipal Code* 10.650.150, Special Noise Sources, and limit construction activities to occur between the hours of 7:00 a.m. and 8:00 p.m. Nighttime construction is not anticipated. Adherence to local regulations would reduce short-term impacts regarding light and glare to *less than significant* levels. Impacts would be less than significant.

² California Department of Transportation, *California State Scenic Highway System Map*, <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>, accessed September 1, 2022.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
2. AGRICULTURE AND FORESTRY RESOURCES – Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Regulatory Setting

Farmland Mapping and Monitoring Program

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) assesses the location, quality, and quantity of agricultural land and conversion of these lands over time. Agricultural land designated in accordance with soil quality and irrigation status. The highest quality land is identified as Prime Farmland. In CEQA analyses, the FMMP classifications and published county maps are used, in part, to identify whether agricultural resources that could be affected are present on-site or in the Project area.

California Land Conservation Act

The California Land Conservation Act (Williamson Act) enables local governments to enter into contracts with private landowners to restrict parcels of land to agricultural or related open space uses. In return, landowners receive lower property tax assessments. In CEQA analyses, identification of properties under

a Williamson Act contract are used to identify sites that may contain agricultural resources or are zoned for agricultural uses.

Fire and Resource Assessment Program

The California Department of Forestry and Fire Protection (CAL FIRE) identifies forest land, timberland, and lands zoned for timberland production that can (or do) support forestry resources. Programs such as CAL FIRE's Fire and Resource Assessment Program and are used to identify whether forest land, timberland, or timberland production areas that could be affected are located on or adjacent to a project site.

Existing Setting

The majority of Project Site is currently developed and is zoned Harbor Commercial by the City. The Project Site and its surrounding uses are designated by the General Plan as Commerce. There are no agricultural or forest lands on or within the vicinity of the Project Site.

Discussion of Potential Project Impacts

a) No Impact. According to the California Department of Conservation's California Important Farmland Finder, the Project Site is not classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.³ The Project would include minor water-side improvements to the existing docks at the Ventura Yacht Club. Therefore, the Project would not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. No impacts would occur.

b-e) No Impact. The Project would occur within the existing Ventura Harbor, and within the developed Ventura Yacht Club property. As stated above, the Project Site is currently zoned as Harbor Commercial. The Project Site is not zoned for agricultural uses and/or foreland/timberland and is limited to the uses listed above. Therefore, the Project would not convert farmland and/or forest land/timberland to non-agricultural or non-forest land uses. No impacts would occur.

³ California Department of Conservation, *California Important Farmland Finder*, <https://maps.conservation.ca.gov/dlrp/ciff/>, accessed August 30, 2022.

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
3. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

California Air Resources Board

The California Air Resources Board (CARB) is responsible for the coordination and administration of both federal and state air pollution control programs within California. In this capacity, the CARB conducts research, sets California Ambient Air Quality Standards, compiles emission inventories, develops suggested control measures, and provides oversight of local programs. The CARB's 35 Air Districts are responsible for regional air quality planning, monitoring, and stationary source and facility permitting. The Project Site is located within the South Central Coast Air Basin (Basin).

Ventura County Air Pollution Control District

The Ventura County Air Pollution Control District (VCAPCD) is the air pollution control agency for Ventura County and is designated by state law to protect the people and the environment of Ventura County from the harmful effects of air pollution. In conjunction with the Southern California Association of Governments (SCAG), the VCAPCD is responsible for formulating and implementing air pollution control strategies. The VCAPCD's most recent Air Quality Management Plan (AQMP) was adopted in 2007 and establishes a comprehensive air pollution control program leading to the attainment of state and

federal air quality standards in the Basin, which is in non-attainment for 1-hour ozone (O₃), particulate matter (PM₁₀) state standard, as well as the federal 8-hour ozone standard. The AQMP also addresses the requirements set forth in the state and federal Clean Air Acts.

A project may be inconsistent with the AQMP if it would generate population exceeding the forecasts used in the development of the AQMP. This is attributed with increased vehicle use, energy consumptions, and associated air pollutant emissions.

Existing Setting

The majority of Project Site is currently developed and is zoned Harbor Commercial by the City. The Project Site and its surrounding uses are designated by the *General Plan* as Commerce.

Discussion of Potential Project Impacts

a) ***Less than significant impact.*** The Project involves dock replacements and facilities upgrades. Potential impacts on local and regional air quality are anticipated to be less than significant, falling below the VCAPCD thresholds as a result of the nature and small scale of the Project. Implementation of the Project would fall below the VCAPCD significance thresholds for both short-term construction and long-term operational emissions, as discussed below. Because construction and operation of the Project would not exceed the VCAPCD significance thresholds, the Project would not increase the frequency or severity of existing air quality violations, and neither cause or contribute to new air quality violations, nor delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.

Currently, 10 percent of the marina slips are allocated to house live-aboard residents, and this amount would not change following the implementation of the Project. There is no residential component to the Project and implementation would not generate any new population. The dock replacements involve the reconfiguration of boat slips in the harbor and would effectively decrease the total number of boat slips available in the marina. Therefore, air quality plans that address population trends would not be applicable and the Project would not have a substantial impact on growth projections.

b) ***Less than significant impact.***

Construction

Air pollutant emissions from the Project were modeled using the California Emissions Estimator Model (CalEEMod). The full CalEEMod results and variables for the Project can be found in **Appendix A**.

Construction activities associated with the Project would involve removal of the existing dock structures, construction of new expanded dock structures, and facilities upgrades. Construction activities would generate fugitive dust particles, ozone precursors, and diesel exhaust that could result in an increase in criteria pollutants and contribute to the existing nonattainment levels for ozone and particulate matter. **Table 3, Project Construction Emissions**, depicts the total amount of emissions per day of each criteria pollutant associated with the Project.

Table 3
Project Construction Emissions

Pollutants	Daily Emissions (pounds/day)
ROG	0.01
NO _x	0.73
CO	0.16
SO ₂	<0.005
PM ₁₀	0.75
PM _{2.5}	0.14

Source: CalEEMod, 2022 located in Appendix A

It should be noted that the VCAPCD states that construction-related emissions are not evaluated against any numeric threshold for significance, since such emissions are temporary and would cease after Project completion. Rather, the VCAPD recommends the implementation of emission and dust control requirements for all construction projects with ROG or NO_x emissions over 25 pounds per day, including VCAPD Rule 55. However, as construction-related emissions of ROG and NO_x would be below 25 pounds/day, impacts would be less than significant, and no mitigation would be required.

Operation

Air pollution emissions associated with operation of the Project would not increase substantially as operational use would remain the same as current use. Operation of the Project would, therefore, not generate emissions exceeding VCAPCD thresholds. Therefore, the Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the region is currently in non-attainment. Impacts would be less than significant, and no further analysis is necessary.

- c) **Less than significant impact.** Boats docked at the Project Site and vehicles traveling to and from the Project Site would generate long-term emissions. These emissions would be negligible concentrations of ozone precursor emissions at nearby sensitive receptors. Certain land uses and population groups are considered particularly sensitive to air pollutants. These include uses such as schools, hospitals,

daycare centers, and senior centers. The sensitive receptors closest to the Project Site are the residential uses (i.e., liveaboard boats and Portside Ventura Harbor Residences) located adjacent to and approximately 1,700 feet to the northeast of the Project Site.

As discussed above, the Project would not generate emissions that would exceed any VCAPCD significance thresholds in both construction and operational phases. Therefore, the Project would not expose sensitive receptors to substantial air pollutant concentrations. Impacts would be less than significant, and no further analysis is required.

- d) Less than significant impact.* The Project would involve dock replacements and facilities upgrade to the area but would not result in activities that create objectionable odors. The Project would not include any land uses typically associated with unpleasant odors and local nuisances (e.g., rendering facilities and dry cleaners). VCAPCD regulations and complaint programs that govern nuisances would regulate any occasional odors associated with on-site uses. As a result, any odor impacts from the Project would be considered less than significant and no further analysis is necessary.

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
4. BIOLOGICAL RESOURCES – Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any applicable policies protecting biological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other applicable habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Regulatory Setting

State

Special Status Species

Special-status species are those plants and animals that have been formally listed or proposed for listing as Endangered, Threatened, or are candidates for such listing under the federal Endangered Species Act (ESA)

or the California Endangered Species Act (CESA). Listed species are afforded legal protection under the ESA and CESA. Species that meet the definition of Rare or Endangered under the CEQA Section 15380 are also considered special-status species.

Animals on the California Department of Fish and Wildlife's (CDFW) list of "species of special concern" (most of which are species whose breeding populations in California may face extirpation if current population trends continue) meet this definition and are typically provided management consideration through the CEQA process, although they are not legally protected under the ESA or CESA. Additionally, the CDFW includes some animal species that are not assigned any of the other status designations in the California Natural Diversity Database (CNDDDB) "Special-Status Wildlife Species" list.

The CDFW considers the taxa on this list to be those of greatest conservation need, regardless of their legal or protection status. Plants listed as rare under the California Native Plant Protection Act (CNPPA) or on the California Native Plant Society (CNPS) lists are also treated as special-status species. In general, CDFW considers plant species on List 1 (List 1A [Plants Presumed Extinct in California] and List 1B [Plants Rare, Threatened, or Endangered in California and Elsewhere]), or List 2 (Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere) of the CNPS Inventory of Rare and Endangered Vascular Plants of California (CNPS, 2010) as qualifying for legal protection under this CEQA provision. In addition, species of vascular plants, bryophytes, and lichens listed as having special-status by CDFW are considered special-status plant species.

Raptors (e.g., eagles, hawks, and owls) and their nests are protected under both federal and state laws and regulations. The federal Migratory Bird Treaty Act (MBTA) of 1918 and California Fish & Game Code (CFGF) Section 3513 prohibit killing, possessing, or trading migratory birds except in accordance with regulation prescribed by the Secretary of the Interior. Birds of prey are protected in California under CFGF Section 3503.5. Section 3503.5 states that it is "unlawful to take, possess, or destroy the nest or eggs of any such bird except otherwise provided by this code or any regulation adopted pursuant thereto." In addition, fully protected species under the CFGF Section 3511 (birds), Section 4700 (mammals), Section 5515 (fish), and Section 5050 (reptiles and amphibians) are also considered special-status animal species. Species with no formal special-status designation but thought by experts to be rare or in serious decline are also considered special-status animal species.⁴

⁴ State of California Natural Resources Agency Department of Fish and Wildlife, *Biogeographic Data Branch California Natural Diversity Database (CNDDDB), Special Animals Species List*, October 2022.

Local

City of Ventura Municipal Code

Chapter 20.150 (Street Trees) of the City's *Municipal Code* details the City's policies regarding tree protection and removal of publicly owned street trees. Chapter 20.150 also details the permitting process for tree removal and replacement of street trees.

Existing Setting

The Project is located within the Ventura Yacht Club Marina and is adjacent to the Pacific Ocean. The Project Site is located within the Oxnard Quadrant of the California 7.5-minute quadrangles under the CNDDDB.⁵ The Oxnard Quadrant encompasses the cities of Oxnard and Port Hueneme, and the southwestern portion of the City of Ventura. There are several special-status animal and plant species that have been observed within this quadrant and would have the potential to occur within the landside and/or waterside of the Project Site. These species are listed below in **Table 4, Potentially Occurring Special-Status Species**. As shown in **Table 4**, there are approximately three vegetation communities, 12 plant species, and 51 animal species that have occurred within the Oxnard Quadrant. These species include the Santa Ana sucker (*Catostomus santaanae*), arroyo chub (*Gila orcutti*), tidewater goby (*Eucyclogobius newberryi*), steelhead southern California DPS (*Oncorhynchus mykiss irideus pop.10*), southern sea (*Enhydra lutrisnereis*), western pond turtle (*Emys marmorata*). **Table 4** also indicates that there are multiple riparian habitats that have occurred within the Oxnard Quadrant, including the Southern Coastal Salt Marsh (South Coastal Salt Marsh) and the Southern Riparian Scrub (Southern Riparian Scrub).

Table 4
Potentially Occurring Special-Status Species

Element Type	Scientific Name	Common Name	Federal Status	State Status	Quadrangle
Fauna	<i>Accipiter cooperii</i>	Cooper's hawk	None	None	OXNARD
	<i>Circus hudsonius</i>	Northern harrier	None	None	OXNARD
	<i>Elanus leucurus</i>	white-tailed kite	None	None	OXNARD
	<i>Eremophila alpestris actia</i>	California horned lark	None	None	OXNARD
	<i>Aythya valisineria</i>	canvasback	None	None	OXNARD

⁵ California Department of Fish and Wildlife, *BIOS-CNDDDB Quickview Tool*, <https://apps.wildlife.ca.gov/bios/?tool=cnddbQuick>, accessed September 13, 2022.

Element Type	Scientific Name	Common Name	Federal Status	State Status	Quadrangle
	<i>Chaetura vauxi</i>	Vaux's swift	None	None	OXNARD
	<i>Ardea herodias</i>	great blue heron	None	None	OXNARD
	<i>Botaurus lentiginosus</i>	American bittern	None	None	OXNARD
	<i>Nycticorax nycticorax</i>	black-crowned night heron	None	None	OXNARD
	<i>Piranga rubra</i>	Summer tanager	None	None	OXNARD
	<i>Charadrius montanus</i>	Mountain plover	None	None	OXNARD
	<i>Charadrius nivosusnivosus</i>	Western snowy plover	Threatened	None	OXNARD
	<i>Coccyzus americanus occidentalis</i>	Western, yellow-billed cuckoo	Threatened	Endangered	OXNARD
	<i>Falco columbarius</i>	merlin	None	None	OXNARD
	<i>Falco mexicanus</i>	Prairie falcon	None	None	OXNARD
	<i>Falco peregrinus anatum</i>	American peregrine falcon	Delisted	Delisted	OXNARD
	<i>Spinus lawrencei</i>	Lawrence's goldfinch	None	None	OXNARD
	<i>Riparia riparia</i>	bank swallow	None	Threatened	OXNARD
	<i>Hydrobate shomochroa</i>	ashy storm-petrel	None	None	OXNARD
	<i>Xanthocephalus xanthocephalus</i>	yellow-headed blackbird	None	None	OXNARD
	<i>Icteria virens</i>	yellow-breasted chat	None	None	OXNARD
	<i>Lanius ludovicianus</i>	Logger head shrike	None	None	OXNARD
	<i>Hydroprogne caspia</i>	Caspian tern	Endangered	Endangered	OXNARD
	<i>Larus californicus</i>	California gull	None	None	OXNARD
	<i>Sternula antillarum browni</i>	California least tern	None	None	OXNARD
	<i>Thalasseus elegans</i>	elegant tern	None	None	OXNARD
	<i>Pandion haliaetus</i>	osprey	None	None	OXNARD
	<i>Setophaga petechia</i>	Yellow warbler	None	None	OXNARD
	<i>Passerculus sandwichensis beldingi</i>	Belding's savannah sparrow	Delisted	Delisted	OXNARD
	<i>Pelecanus occidentalis californicus</i>	California brown pelican	Delisted	Delisted	OXNARD
	<i>Nannopterum auritum</i>	double-crested cormorant	None	None	OXNARD
	<i>Laterallus jamaicensis coturniculus</i>	California black rail	None	Threatened	OXNARD

Element Type	Scientific Name	Common Name	Federal Status	State Status	Quadrangle
	<i>Rallus obsoletus levipes</i>	light-footed Ridgway's rail	Endangered	Endangered	OXNARD
	<i>Athene cunicularia</i>	burrowing owl	None	None	OXNARD
	<i>Calypte costae</i>	Costa's hummingbird	None	None	OXNARD
	<i>Empidonax traillii extimus</i>	Southwestern willow flycatcher	Endangered	Endangered	OXNARD
	<i>Pyrocephal usrubinus</i>	Vermilion flycatcher	None	None	OXNARD
	<i>Vireo bellii pusillus</i>	least Bell's vireo	Endangered	Endangered	OXNARD
	<i>Catostomus santaanae</i>	Santa Ana sucker	Threatened	None	OXNARD
	<i>Gila orcuttii</i>	arroyo chub	None	None	OXNARD
	<i>Eucyclogobius newberryi</i>	Tidewater goby	Endangered	None	OXNARD
	<i>Oncorhynchus mykiss irideus</i>	steelhead -southern California DPS	Endangered	Candidate Endangered	OXNARD
	<i>Bombus crotchii</i>	Crotch bumble bee	None	None	OXNARD
	<i>Cicindela hirticollis grvida</i>	sandy beach tiger beetle	None	None	OXNARD
	<i>Danaus plexippus plexippus</i>	monarch -California overwintering population	Candidate	None	OXNARD
	<i>Coelus globosus</i>	globose dune beetle	None	None	OXNARD
	<i>Enhydra lutris nereis</i>	southern sea otter	Threatened	None	OXNARD
	<i>Tryonia imitator</i>	mimic tryonia	None	None	OXNARD
	<i>Anniella stebbinsi</i>	Southern California legless lizard	None	None	OXNARD
	<i>Emys marmorata</i>	western pond turtle	None	None	OXNARD
	<i>Phrynosoma blainvillii</i>	coast horned lizard	None	None	OXNARD
Vegetation	<i>Coastal and Valley Freshwater Marsh</i>	Coastal and Valley Freshwater Marsh	None	None	OXNARD
	<i>Southern Coastal Salt Marsh</i>	Southern Coastal Salt Marsh	None	None	OXNARD
	<i>Southern Riparian Scrub</i>	Southern Riparian Scrub	None	None	OXNARD
Flora	<i>Chaenactis glabriuscula var. orcuttiana</i>	Orcutt 'spin cushion	None	None	OXNARD
	<i>Corethrogyne leucophylla</i>	Branching beach aster	None	None	OXNARD
	<i>Lasthenia glabrata</i> ssp. <i>coulteri</i>	Coulter's goldfields	None	None	OXNARD
	<i>Malacothrix similis</i>	Mexican malacothrix	None	None	OXNARD
	<i>Pseudognaphalium leucocephalum</i>	white rabbit-tobacco	None	None	OXNARD

Element Type	Scientific Name	Common Name	Federal Status	State Status	Quadrangle
	<i>Atriplex serenanavar. davidsonii</i>	Davidson's saltscale	None	None	OXNARD
	<i>Suaeda taxifolia</i>	Woolly seablite	None	None	OXNARD
	<i>Eleocharis parvula</i>	Small spikerush	None	None	OXNARD
	<i>Astragalus pycnostachyus var. lanosissimus</i>	Ventura Marsh milk-vetch	Endangered	Endangered	OXNARD
	<i>Juncus acutus ssp. leopoldii</i>	Southwestern spiny rush	None	None	OXNARD
	<i>Abronia maritima</i>	red sand-verbena	None	None	OXNARD
	<i>Chloropyron maritimum ssp. maritimum</i>	salt marsh bird's-beak	Endangered	Endangered	OXNARD

Source: California Department of Fish and Wildlife, BIO Geospatial Map-CNDDDB Species for Oxnard Quadrant, <https://apps.wildlife.ca.gov/bios/?tool=cnddbQuick>, accessed September 15, 2022.

Online interactive GIS maps and databases provided by the CDFW's Biogeographic Information and Observation System (BIOS) were utilized to review the locations and ranges of the special status wildlife and plant species relative to the Project. According to the BIOS databases, the Project Site is located within the travel range of the tidewater goby range.⁶ Additionally, the databases indicate that there have been occurrences of eelgrass (*Zostera* spp) identified within the Ventura Harbor.⁷ The Information for Planning and Consultation (IPaC) databases provided by the United States Fish and Wildlife (USFWS) were also reviewed to determine the potential occurrences of any threatened, candidate, or endangered species that could potentially occur within the Project Site. These include, but are not limited to, the California Least Tern (*Sterna antillarum browni*), Least Bell's Vireo (*Vireo bellii pusillus*), Southwestern Willow Flycatcher (*Empidonax traillii extimus*), Foothill Yellow -legged Frog (*Rana boylei*), California Orcutt Grass (*Orcuttia californica*), and Riverside Fairy Shrimp (*Streptocephalus woottoni*).⁸

Discussion of Potential Project Impacts

a, b, d) Less than Significant Impact with Mitigation Incorporated. As shown in **Table 4**, several of special-status wildlife and plant species have the potential to occur within the waterside of the Project Site. Specifically, approximately four marine wildlife species (Santa Ana sucker, arroyo chub, tidewater

⁶ California Department of Fish and Wildlife, BIOS Viewer@CDFW, <https://apps.wildlife.ca.gov/bios6/>, accessed September 13, 2022.

⁷ California Department of Fish and Wildlife, BIOS Viewer@CDFW, <https://apps.wildlife.ca.gov/bios6/>, accessed September 13, 2022.

⁸ United States Fish and Wildlife, IPaC Resource List for the "Ventura Yacht Club Dock Replacement Project," dated September 14, 2022.

goby, steelhead -southern California), one marine mammal species (southern sea otter), and one marine reptile species (western pond turtle) have a particularly high potential occur within the Project Site. Additionally, there are several sensitive natural communities that could potentially occur within the waterside of the Project Site, such as the Southern Coastal Salt Marsh (South Coastal Salt Marsh) and the Southern Riparian Scrub (Southern Riparian Scrub).

The Project would involve the removal and replacement of two existing docks within the Ventura Yacht Club Marina. The Project would also install a new water lateral connection that would be used for emergency fire suppression events. The Project would not introduce new habitable structures or uses that would significantly affect the habitat of any plant or wildlife species. Additionally, the Project would not result in the disturbance or removal of any trees, thereby leaving any existing habitat for any special status-bird species unaffected. Therefore, Project operations would not introduce new significant impacts to the habitats of any existing wildlife species.

The existing conditions of the landside of the Project Site are heavily disturbed with minimal vegetation/landscaping for habitats. Construction activities associated with the Project include minor excavating and grading for a new water lateral connection. As such, the Project is not expected to adversely affect any candidate, sensitive, or special status species located on the Project Site. The majority of the demolition and reconstruction activities associated the Project would occur within the waterside of the Project Site. These activities could disturb any existing candidate, sensitive, or special status species and marine habitat present on-site, as well as the movement of any present marine species. Previous surveys within the Harbor conducted in 2016 did not identify sensitive species.⁹ Several invasive species were observed during this survey and were often the dominant species. Each of these invasive species are now common throughout Southern California Bight bays and harbors, and this survey did not identify any new or unusual species in the study area. Nonetheless, because construction activities could disturb exiting sensitive species located within the Harbor, impacts would be potentially significant. To mitigate potential impacts, **Mitigation Measure MM BIO-1** requires the Project Applicant to prepare an Essential Fish Habitat Assessment (EFH) of the Project Site to determine if there are any species of special concern within Ventura Yacht Club Marina that could be impacted by construction activities related to the Project. The EFH would include field surveys of the Project Site that would primarily rely on site observations of the Ventura Yacht Club Marina. **Mitigation Measure MM BIO-2** requires the Project Applicant to also prepare an Eelgrass Habitat Survey (EHS) to determine if there are any eelgrass habitats present within the Project Site. Both the EFH and the EHS would be reviewed by the NOAA, the National Marine Fisheries Services, and the Los Angeles

⁹ Ventura Port District, *Ventura Isle Marina, Mitigated Negative Declaration*, p. 24-25, August 2017

Regional Water Quality Control Board. With the implementation of **MM BIO-1** and **MM BIO-2**, construction-related impacts associated with the Project would be less than significant.

Mitigation Measures

MM BIO-1 Prior to commencement of any construction, the Project Applicant shall retain a qualified professional biologist to prepare a site-specific Essential Fish Habitat Assessment (EFH) to determine if there are existing waterside habitats of candidate, sensitive, or special status species (as identified by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service) that are present within the Project Site. If waterside habitats that fall under these circumstances are identified on-site, the EFH shall determine if construction-related activities associated with the Project would potentially result into substantial impacts. Upon approval of the EFH by the Ventura Port District, the City of Ventura, the National Oceanic American Association, the National Marine Fisheries Services, and the Los Angeles Regional Water Quality Control Board, the Project Applicant shall implement with any recommendations or mitigation measures imposed by the EFH into the Project's construction workplan.

MM BIO-2 Prior to commencement of any construction, the Project Applicant shall retain a qualified professional biologist to prepare a site-specific Eelgrass Habitat Survey (EHS) to determine if there is existing waterside eelgrass habitat within the Project Site. If an eelgrass habitat is identified, the EHS shall determine if construction-related activities associated with the Project would potentially result into substantial impacts and provide recommendations accordingly. Upon approval of the EHS by the Ventura Port District, the City of Ventura, the NOAA, the National Marine Fisheries Services, and the Los Angeles Regional Water Quality Control Board, the Project Applicant shall implement with all recommendations imposed by the EHS into the Project's construction workplan.

- c) ***Less than Significant Impact with Mitigation Incorporated.*** The Project Site is not located within any federally recognized wetlands. However, the Project would occur within a marina and the Project Site is adjacent to the Pacific Ocean. The Project may increase turbidity and the discharge of materials into the waterway during construction; however, operationally, the Project would be comparable to existing conditions and no new protections would be necessary. As discussed in **Section 10, Hydrology and Water Quality**, the Project would be required to adhere to the requirements outlined in the Ventura County MS4 permit and implement best management practices to limit contaminants from

ultimately being discharged into the Pacific Ocean. Furthermore, mitigation measures will be necessary as this impact is potentially significant. **Mitigation Measure MM BIO-3** outlines the appropriate procedures for debris removal during construction to ensure that these activities do not increase the level of discharge within the marina. **Mitigation Measure MM BIO-4** would implement best management practices during Ventura Yacht Club operations to better ensure the long-term waterborne berthing of boats. With the implementation of **Mitigation Measures MM BIO-3** and **MM BIO-4**, impacts to protected waterways would be reduced to less than significant levels.

Mitigation Measures

MM BIO-3 The Project Applicant shall observe the following construction-related requirements:

- No construction materials, debris, or waste shall be placed or stored where it may be subject to wave or tidal action, erosion, or dispersion.
- Any and all debris resulting from construction activities shall be removed from the site upon completion of construction and disposed of at an appropriate location.
- Divers shall recover non-buoyant debris discharged into coastal waters as soon as possible after loss.
- All construction debris resulting from the Project shall be disposed at an appropriate location outside the coastal zone. If the disposal site is located within the coastal zone, a separate coastal development permit shall be required before disposal can take place.
- Reasonable and prudent measures shall be taken to prevent any discharge of fuel or oily waste from heavy machinery or construction equipment into coastal waters. The Project Applicant and its contractors shall have adequate equipment available to contain any such spill immediately.
- All debris and trash shall be disposed of in the proper trash and recycling receptacles at the end of each construction day.
- Any wood treatment used shall conform with the specifications of the American Wood Preservation Association for saltwater use.

- The Project Applicant shall use the least damaging method for the construction of pilings and dock structures and any other activity that will disturb benthic sediments. The Project Applicant and its contractors shall limit, to the greatest extent practicable, the suspension of benthic sediments into the water column.

MM BIO-4 The Project Applicant shall continue to partake in operational best management practices (BMPs) to ensure the long-term water-borne berthing of boats at the improved marina will be managed in a manner that protects water quality. These BMPs would include, but are not limited to, the following practices:

- Requiring all Ventura Yacht Club members to retrieve any unattended mylar balloons.
- Continued education of current Ventura Yacht Club members on ways to improve waste and discharge methods during waterside activities.
- Continued participation in the Ventura Harbor Coastal Cleanup Day.

e) No Impact. Construction associated with the Project would mainly occur within the docks, with a small amount of grading to occur on the perimeter of the existing surface parking lot. As there are no City trees in either location, the Project would not impact any City street trees. Therefore, the Project would not impact Chapter 20.150 of the City's Municipal Code, which restricts the alteration or removal of street trees. No impact would occur.

f) No Impact. The Project Site is not located in an area subject to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved conservation plans. Therefore, no impact would occur.

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
5. CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Federal

National Historic Preservation Act

The National Historic Preservation Act (NHPA) of 1966 (as amended) is the primary federal law dealing with historic preservation. Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to consult with the Advisory Council on Historic Preservation to consider the effects of their undertakings on historic properties. The historic significance of a building, structure, object, site, or district for listing is assessed based upon the criteria in the National Register of Historic Places (NRHP). A resource is considered eligible for the NRHP if the quality of significance in American history, architecture, archaeology, engineering, and culture is present and if the resource includes integrity of location, design, setting, materials, workmanship, feeling, and association and:

- Is associated with events that have made a significant contribution to the broad pattern of our history;
- Is associated with the lives of persons significant to our past;
- Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possessed high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
- Has yielded, or may be likely to yield, information important in prehistory or history.

State

Section 15064.5 of the *State CEQA Guidelines* defines a historical resource as (1) a resource listed in or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources; (2) a resource listed in a local register of historical resources or identified as significant in an historical resource survey meeting certain state guidelines; or (3) an object, building, structure, site, area, place, record or manuscript that a lead agency determines to be significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided that the lead agency's determination is supported by substantial evidence in light of the whole record.

State California Register of Historical Resources

The California Register of Historic Resources (CRHR) is administered by the State Office of Historic Preservation and encourages public recognition and protection of resources of architectural, historical, archeological, and cultural significance. The CRHR identifies historic resources for state and local planning purposes, determines eligibility for state historic preservation grant funding, and affords protections under CEQA. A historic resource listed in, or formally determined to be eligible for listing in the NRHP is, by definition, included in the CRHR (Public Resources Code Section 5024.1[d][1]).

For a historical resource to be eligible for listing on the CRHR, it must be significant under one or more of the following criteria:

- It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
- It is associated with the lives of persons important to local, California, or national history;
- It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; or
- It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

Archaeological Resources and Human Remains

Archaeological and historical sites are protected by several state policies and regulations under the California Public Resources Code, California Code of Regulations (Title 14 Section 1427), and California Health and Safety Code. California Public Resources Code Sections 5097.9-5097.991 require notification of discoveries of Native American remains and provides for the treatment and disposition of human remains and associated grave goods.

Native American Heritage Commission

The National American Heritage Commission (NAHC) was created by statute in 1976, is a nine-member body appointed by the Governor to identify and catalog cultural resources (i.e., places of special religious or social significance to Native Americans and known graves and cemeteries of Native Americans on private lands) in California. The Commission is responsible for preserving and ensuring accessibility of sacred sites and burials, the disposition of Native American human remains and burial items, maintaining an inventory of Native American sacred sites located on public lands, and reviewing current administrative and statutory protections related to these sacred sites.

Senate Bill 18 (2004)

The intent of Senate Bill 18 (2004) (SB 18) was to aid in the protection of traditional tribal cultural places through local land use planning by requiring city governments to consult with California Native American tribes on projects which include adoption or amendment of general plans (as set forth in Government Code Section 65300 et seq.) and specific plans (Government Code Section 65450 et seq.). SB 18 requires local governments to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process.

California Assembly Bill 52 (2014)

On July 1, 2015, Assembly Bill (AB 52) (2014) went into effect and established a new category of CEQA resources for “tribal cultural resources” (Public Resources Code §21074). The intent of AB 52 was to provide a process and scope that clarifies California tribal government’s involvement in the CEQA process, including specific requirements and timing for lead agencies to consult with tribes on avoiding or mitigating impacts to tribal cultural resources. AB 52 also created a process for consultation with California Native American Tribes in the CEQA process.

Tribal Governments can request consultation with a lead agency and give input into potential impacts to tribal cultural resources before the agency decides what kind of environmental assessment is appropriate for a proposed project. The Public Resources Code requires avoiding damage to tribal cultural resources, if feasible.

California Public Resources Code

The discovery of Native American burial sites is regulated in accordance with Section 5097.98 California Public Resources Code, which states the following:

“(a) Whenever the commission receives notification of a discovery of Native American human remains from a county coroner...it shall immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may... inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials.”

California Health and Safety Code

The discovery of human remains is regulated in accordance with California Health and Safety Code Section 7050.5, which states the following:

“In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation...until the coroner...has determined...that the remains are not subject to...provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible.... The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and...has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.”

Local

General Plan Policies

The City's *General Plan* policies applicable to cultural resources include, but are not limited to, the following:

Policy 9D Ensure proper treatment of archeological and historic resources.

City of Ventura Municipal Code

Chapter 24.455 (Historic Preservation) of the City's *Municipal Code* establishes the procedures for identifying, designating, and preserving historic landmarks or points of interest. Chapter 24.455 prohibits the defacing, altering, or reconstruction of, or the construction of additions to, or any other changes to, the exterior of a designated historic landmark or property that has been identified as eligible in a historic resources survey adopted by the City of Ventura City Council. The City Council may also make any reasonable arrangements to preserve these identified landmarks.

Existing Setting

The *City of Ventura General Plan* identifies all of the sites and resources within the City that are locally recognized as a historic or cultural site. Based on Table 9-1 and Figure 9-1 of the *General Plan*, there are no historical or cultural sites on-site or adjacent to the Project Site. The nearest historical or cultural site to the Project Site is Olivas Adobe Park, located approximately 1.2 miles to the east. On October 11, 2022, a request was sent to the California Native American Heritage Commission to confirm that there were no recorded sacred or cultural resources within the Project Site. On November 11, 2022, the Native American Heritage Commission provided a response letter confirming that there are no cataloged resources identified on-site (see **Appendix C, Cultural Resources Evaluation**).

Discussion of Potential Project Impacts

- a) **No Impact.** The Project consists of waterside improvements that include replacement of the existing B and D docks. The docks themselves are not known to have contributed to California history in any meaningful way that would result in them being designated as historical resources. The Project Site is not within a historic district. Additionally, the Project Site is not listed on the CRHR or the NRHP, nor are any nearby buildings.¹⁰ As such, the Project would not impact any historical resource pursuant to in §15064.5. No impacts would occur.
- b) **Less than Significant Impact with Mitigation Incorporated.** The Project includes waterside improvements, specifically, the demolition and reconfiguration of existing docks B and D. Therefore, it is unlikely that accidental discovery of archeological resources would occur as such resources are typically found on land. The Project also includes the installation of a new potable water connection along the southern and eastern perimeter of the on-site surface parking lot. Excavation activities for the proposed utility installation would occur at a nominal depth of two feet. Existing utility connections serve the Ventura Yacht Club which have likely resulted in past disturbance of any potential resources. Nonetheless, ground disturbing activities could potentially result in the discovery of previously of undiscovered archaeological resources, which would be considered a significant impact. In the event that previously unidentified cultural (archaeological) resources are encountered during grading activities, the Project would be required to comply with **Mitigation Measure MM CUL-1. Mitigation Measure MM CUL-1** would ensure that work in the immediate area of the find is halted until an archaeologist evaluates the find and determines appropriate subsequent procedures. Compliance with **Mitigation Measure MM CUL-1** would reduce impacts to less than significant levels.

¹⁰ Office of Historic Preservation, *Built Environment Resource Directory (BERD)*, https://ohp.parks.ca.gov/?page_id=30338, accessed October 10, 2022.

Mitigation Measures

MM CUL-1: In the event that previously unidentified cultural resources are encountered during ground disturbing activities, work in the immediate area must halt and a qualified archaeologist under the City's standards must be contacted immediately to evaluate the find. If the discovery proves to be significant under CEQA, the qualified archaeologist shall expeditiously prepare and implement a research design and archaeological data recovery plan that captures those categories of data for which the site is significant in accordance with Section 15064.5 of the *CEQA Guidelines*.

- c) ***Less than Significant Impact.*** No dedicated cemetery exists on the Project Site or in the vicinity of the Project. As the Project Site has been subject to past subsurface disturbance associated with grading and foundations; it is not anticipated that intact human remains would be encountered during construction activities. However, in the event that human remains are encountered, those remains would require proper treatment, in accordance with the with State of California Health and Safety Code Section 7050.5. As required by State law, the requirements and procedures set forth in Section 5097.98 of the California Public Resources Code would also be implemented. Adherences to existing State laws would reduce impacts to less than significant levels.

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
6. ENERGY – Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Energy Policy and Conservation Act

Enacted in 1975, this legislation established fuel economy standards for new light-duty vehicles sold in the U.S. The law placed responsibility on the National Highway Traffic and Safety Administration (a part of the U.S. Department of Transportation) for establishing and regularly updating vehicle standards. The U.S. Environmental Protection Agency (U.S. EPA) administers the Corporate Average Fuel Economy (CAFE) program, which determines vehicle manufacturers' compliance with existing fuel economy standards. Since the inception of the CAFE program, the average fuel economy for new light-duty vehicles (autos, pickups, vans, and SUVs) steadily increased from 13.1 miles per gallon (mpg) for the 1975 model year to 27.5 mpg for the 2012 model year and is proposed to increase to 54.5 by 2025.

Renewable Portfolio Standard

Established in 2002 under SB 1078, accelerated in 2006 under SB 107, and expanded in 2011 under SB 2, California's Renewables Portfolio Standard (RPS) is one of the most ambitious renewable energy standards in the country. The RPS program requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 33 percent of total procurement by 2020.

Assembly Bill 32: Global Warming Solutions Act

In addition to Title 24, Assembly Bill 32 (AB 32) is anticipated to result in the future regulation of energy resources in California. In order to achieve these emission reductions, it is generally accepted that California will need to improve its overall energy efficiency, which includes the use of more renewable energy resources. Pursuant to AB 32, the California Air Resources Board (CARB) will work with other state

agencies (including the CEC), to implement feasible programs and regulations that reduce emissions and improve energy efficiency.

County of Ventura

Currently the County of Ventura promotes efficient distribution of public utilities to assure that public utilities are adequate to service existing and projected land uses, avoid hazards, and are compatible with the natural environment and human resources.¹¹

Existing Setting

Electricity in the County of Ventura is primarily provided by the Southern California Edison (SCE) Company. The Southern California Gas Company (SoCal Gas) provides natural gas service to all the cities and communities in Ventura County including the Project Site.

Discussion of Potential Project Impacts

a) Less than Significant Impact.

Construction

Construction activity would use energy in the form of petroleum-based fuels to power off-road construction vehicles and equipment throughout the Project Site, construction worker travel to and from the Project Site, and vehicles used to deliver materials to the Project Site.

Construction equipment would be maintained to applicable standards, and construction activity and associated fuel consumption and energy use would be temporary and typical of construction sites. It is also reasonable to assume contractors would avoid wasteful, inefficient, and unnecessary fuel consumption during construction to reduce construction costs. Therefore, the Project would not involve the inefficient, wasteful, and unnecessary use of energy during construction, and the construction-phase impact related to energy consumption would be less than significant.

Operation

The Project's operational energy impacts would be no greater than its existing operational energy uses, as the Project proposes to update the marina docks and other features. The Project's on-site operational energy impact would be considered less than significant.

¹¹ County of Ventura, 2040 General Plan, 2022, Available at: <https://egeneralplan.vcrma.org/chapter/public-utilities/>

- b) Less than Significant Impact.* The Project would comply with all state and local plans and policies described above for renewable energy and energy efficiency. Therefore, implementation of the Project would result in less than significant impacts associated with renewable energy or energy efficiency plans.

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
<p>In 2015, the California Supreme Court in <i>CBIA v. BAAQMD</i> held that CEQA generally does not require a lead agency to consider the impacts of the existing environment on the future residents or users of the project. Specifically, the decision held that an impact from the existing environment to the project, including future users and/or residents, is not an impact for purposes of CEQA. However, if the project physically exacerbates existing conditions that already exist, that impact must be assessed, including how it might affect future users and/or residents of the project. Thus, in accordance with Appendix G of the <i>State CEQA Guidelines</i> and the <i>CBIA v. BAAQMD</i> decision, the Project would have a significant impact related to geology and soils if it would result in any of the following impacts:</p>				
7. GEOLOGY AND SOILS – Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) (California Building Code), creating	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

substantial direct or indirect risks to life or property?

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Regulatory Setting

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was passed following the 1971 San Fernando earthquake. The Act regulates development in California near known active faults due to hazards associated with surface fault ruptures. Alquist-Priolo maps are distributed to affected cities, counties, and state agencies for their use in planning and controlling new construction. Areas within an Alquist-Priolo Earthquake Fault Zone require special studies to evaluate the potential for surface rupture to ensure that no structures intended for human occupancy are constructed across an active fault.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) was passed in 1990 following the 1989 Loma Prieta earthquake. The SHMA directs the California Geological Survey (CGS) to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. CGS has completed seismic hazard mapping for the portions of California most susceptible to liquefaction, landslides, and ground shaking, including the central San Francisco Bay Area. The SHMA requires that agencies only approve projects in seismic hazard zones following site-specific geotechnical investigations to determine if the seismic hazard is present and identify measures to reduce earthquake-related hazards.

Staff geologists in the Seismic Hazard Zonation Program gather existing geological, geophysical, and geotechnical data from numerous sources to produce the Seismic Hazard Zone Maps. They integrate and interpret these data regionally to evaluate the severity of the seismic hazards and designate as Zones of Required Investigation (ZORI) those areas prone to liquefaction and earthquake-induced landslides. Cities and counties are then required to use the Seismic Hazard Zone Maps in their land use planning and building permit processes.

The Seismic Hazards Mapping Act requires that site-specific geotechnical investigations be conducted within the ZORI to identify and evaluate seismic hazards (i.e., liquefaction and earthquake induced landslides) and formulate mitigation measures prior to permitting most developments designed for human occupancy.

California Building Code

The 2019 California Building Standards Code (CBC) was published July 1, 2019, with an effective date of January 1, 2020. The CBC, which applies to all applications for building permits, consists of 11 parts that contain administrative regulations for the California Building Standards Commission and for all State agencies that implement or enforce building standards. Local agencies must ensure development complies with the CBC guidelines. Cities and counties can adopt additional building standards beyond the CBC. Part 2 of the CBC is based upon the 2019 International Building Code.

Soil Investigation Requirements

California Health and Safety Code Sections 17953–17955 and in Section 1802 of the CBC identify requirements for soils investigations for subdivisions requiring tentative and final maps, and for other specified types of structures. Testing of samples from subsurface investigations is required, such as from borings or test pits. Studies must evaluate slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on load-bearing capacity, compressibility, liquefaction, differential settlement, and expansiveness.

Standard Urban Storm Water Mitigation Plan

On June 7 and 8, 2000, the Los Angeles Regional Water Quality Control Board (LAWQCB), in coherence with the National Pollutant Discharge Elimination System (NPDES), implemented the Standard Urban Storm Water Mitigation Plan (SUSMP) as part of the municipal stormwater program to address storm water pollution from new development and redevelopment within incorporated cities. The SUSMP contains a list of the minimum required BMPs that must be used for a designated project. Additional BMPs may be required by ordinance or code adopted by the permittee and applied generally or on a case-by-case basis. The permittees are required to adopt the requirements set herein in their own SUSMP. Developers must incorporate appropriate SUSMP requirements into their project plans. Each permittee will approve the project plan as part of the development plan approval process and prior to issuing building and grading permits for the projects covered by the SUSMP requirements.

General Plan Policies

The City's *General Plan* includes policies related to geologic hazards and paleontological resources. These policies include, but are not limited to, the following:

Policy 7B Minimize risks from geologic and flood hazards.

City of Ventura Municipal Code

Chapter 12.220 (Grading Regulations) of the City's *Municipal Code* outlines the regulatory requirements for grading activities that occur within the City. Specifically, Section 215.020 (Requirements) of the *Municipal Code* requires all new development to submit all plans and specifications to City Engineer in accordance with the current City submittal checklist for grading plans. If applicable, developer may be required to submit an Engineering Geological Report or a Soils Engineering Report, if applicable. Section 12.220.070 (Areas Subject to Geologically Hazardous Conditions) of the *Municipal Code* specifies the grading requirements and prerequisites for grading activities that would occur within areas subject to existing or potential liquefaction hazards, landslides, unstable soil, or geologic hazards.

Existing Setting

The Project Site is located within a seismically active Southern California region. **Table 5, Major Fault Zones within Close Proximity to the Project Site**, lists the major seismically active fault zones, their proximity to the Project Site, their magnitude (Mw), their interval between major ruptures, and their probable magnitudes. As shown in **Table 5**, the Oak Ridge Fault traverses the southeast corner of the Project Site. The Oak Ridge Fault has a probable magnitude that ranges between 6.5 to 7.5 Mw. Additionally, the Project Site is located within close proximity to the Ventura Fault, which has a probable magnitude that ranges between 6.0 to 6.8 Mw. The Newport-Inglewood Fault Zone and the San Andreas Fault zone are regionally major fault zones within proximity to the Project Site. Due to the close proximities and their probable magnitudes, the Project Site would be subject to strong ground shaking in the event of a large magnitude earthquake on any of the local faults or regional fault systems.

Table 5
Major Fault Zones Within Close Proximity to the Project Site

Fault Name	Distance to Project Site (miles/direction) ^{1,2}	Probable Magnitudes (Mw) ³
Oak Ridge Fault	Traverses Project Site to the southeast	6.5 - 7.5
Ventura Fault	2.8 miles north	6.0 - 6.8
Santa Monica Fault	45.1 miles south	6.0 - 7.0
San Andreas Fault	48.4 miles east	6.8 - 8.0
Newport-Inglewood Fault Zone	61.9 miles south	6.0 - 7.4

Notes: Mw=Magnitude

Sources:

^{1.} United States Geological Survey, Quaternary Fault and Fold Database of the United States, <https://www.usgs.gov/programs/earthquake-hazards/faults>, accessed September 6, 2022.

^{2.} California Department of Conservation, Fault Activity Map of California, <https://maps.conservation.ca.gov/cgs/fam/>, accessed September 6, 2022.

^{3.} Southern California Earthquake Data Center, Earthquake Information, accessed September 6, 2022.

The topography of the Project Site is relatively flat and, according to the General Plan EIR, is not located within a designated landslide zone. The Project Site is also designated by the General Plan EIR as a low expansive soil zone. Furthermore, the Project Site is located within a liquefaction hazard zone.¹² The Project Site is developed, with minimal soil exposure.

Discussion of Potential Project Impacts

a)

- i) No Impact.** The California Geological Survey (CGS) establishes regulatory zones around active faults, called Alquist-Priolo Earthquake Fault Zones (previously called Special Study Zones). These zones, which extend from 200 to 500 feet on each side of the known fault, identify areas where a potential surface fault rupture could prove hazardous for buildings used for human occupancy. Development projects located within an Alquist-Priolo Earthquake Fault Zone are required to prepare special geotechnical studies to characterize hazards from any potential surface ruptures.

¹² California State Geoportal, CGS Seismic Hazards Program: Liquefaction Zones, https://gis.data.ca.gov/datasets/b70a766a60ad4c0688babdd47497dbad_0/explore?location=33.928361%2C-118.659193%2C9.26, accessed September 6, 2022.

The Project Site is not a development project in that it will not result in any new habitable structures and is limited to minimal improvements to the existing B and D docks. Further, The Project is not located within a State of California Earthquake Fault Hazard Zone or an Alquist-Priolo Earthquake Fault Zone.¹³ Therefore, no impact would occur.

- ii) **Less than Significant Impact.** The Oak Ridge Fault traverses the Project Site and has a maximum probable magnitude of 7.5 Mw which could result in strong ground shaking. As described in the Project Description, the Project would not introduce new habitable structures and includes improvements to docks B and D, there are no features about the Project that would exacerbate existing seismic activity on the Project Site. Adherence to current building codes and engineering practices would ensure that the Project would not expose people, property, or infrastructure to seismically induced ground shaking hazards that are greater than the average risk associated with locations in the Southern California region and would minimize the potential to expose people or structures to substantial risk, loss, or injury. With compliance with existing regulatory requirements, Project impacts associated with seismic ground shaking would be less than significant.
- iii) **Less than Significant Impact.** Liquefaction is a seismic phenomenon in which loose, saturated, fine-grained granular soils behave similarly to a fluid when subjected to high-intensity ground shaking. Liquefaction occurs when three general conditions exist: (1) shallow groundwater; (2) low-density, fine, clean sandy soils; and (3) high intensity ground motion. As stated, the Project Site is located within a liquefaction zone, no features of the Project would result in increased liquefaction potential as the Project is limited to dock improvements. Further, adherence to current building codes and engineering practices would ensure the Project would not expose people, property, or infrastructure to seismically induced ground failure. Impacts involving seismic-related ground failure related liquefaction would be less than significant.
- iv) **No Impact.** Landslides and other types of slope failures, such as lateral spreading, can result in areas with varying topography in the event of an earthquake. The topography of the Project Site is relatively flat with no significant slopes existing within its vicinity. The Project Site is not located within a landslide zone and is not susceptible to landslides. Thus, the Project would not result in potential adverse effects involving landslides. No impacts would occur.

¹³ California State Geoportal, CGS Seismic Hazards Program: Alquist-Priolo Fault Hazard Zones, <https://gis.data.ca.gov/maps/ee92a5f9f4ee4ec5aa731d3245ed9f53/explore?location=34.271027%2C-119.286924%2C14.14>, accessed September 6, 2022.

- b) **Less than Significant Impact.** Construction activities associated with the Project would result in ground surface disruption during site clearance and excavation, which would temporarily expose soils, allowing for possible erosion. The Project would be required to comply with federal, regional, and local regulations pertaining to soil erosion related-construction activity. Under City grading permit regulations, the Project Applicant is required to comply with LAWQCB requirements and prepare a SUSMP prior to the issuance of any grading permits. A SUSMP identifies the specific erosion and sediment control BMPs that would be implemented to protect storm water runoff during construction activities. The SUSMP will be submitted as part of the Project development plan to the Ventura Port District and the City Engineer for approval prior to the issuance of any grading permits. Compliance with SUSMP and LAWQCB requirements will ensure impacts would remain less than significant.
- c, d) **Less than Significant Impact.** Lateral spreading is a phenomenon in which surficial soil displaces along a shear zone that has formed within an underlying liquefied layer. The surficial blocks are transported downslope or in the direction of a free face, by earthquake and gravitational forces. The site is relatively flat and does not include a free-facing slope in proximity of the site. Therefore, the potential for lateral spreading is considered very low.

Subsidence occurs when large amounts of groundwater have been withdrawn from certain types of rocks, such as fine-grained sediments. In California, large areas of land subsidence were first documented by U.S. Geological Survey (USGS) scientists in the first half of the 20th century. Most of this subsidence was a result of excessive groundwater pumping. The Project Site is not within a subsidence area according to the USGS.¹⁴

As discussed previously, the Project Site is considered to be within a liquefaction zone. In addition, the Project Applicant would be required as part of the permitting process, and compliance with the City's grading regulations, to prepare (or have prepared) a Final Geotechnical Investigation that would confirm the Project Applicant may be required to submit a Soils Engineering Report that ensure that the existing soils on-site are stable and would be capable of supporting the Project. Through compliance with the City's requirements and recommendations included in the Final Geotechnical Report, impacts related to geologic and soil instability would be less than significant.

- e) **No Impact.** Project implementation would not use septic tanks or alternative wastewater disposal systems. The Project Site is currently connected to the City's wastewater conveyance system. Therefore, no impacts would occur.

¹⁴ U.S. Geological Survey. *Areas of Land Subsidence in California*. Available at: https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html, accessed November 22, 2022.

- f) *Less than Significant Impact with Mitigation Incorporated.* Paleontological resources include fossil remains or traces of past life forms, including both vertebrate and invertebrate species, as well as plants. Paleontological resources are generally found within sedimentary rock formations.

As discussed above, the Project Site is currently developed and has been previously disturbed. However, ground disturbing activities during construction could potentially impact undiscovered paleontological resources, which would be considered a significant impact. **Mitigation Measure MM GEO-1** would require all construction activities to halt in the event that a paleontological resource is encountered and require a qualified paleontologist to monitor construction activities and prepare a Paleontological Resource Mitigation Plan to address assessment and recovery of the resource. With the implementation of **Mitigation Measure MM GEO-1**, impacts related to the paleontological resources would be reduced to less than significant levels.

Mitigation Measures

MM GEO-1 Excavating and grading activities associated with the proposed water lateral connection shall be monitored by a qualified paleontologist. In the event paleontological resources are discovered all work shall be halted within 50 feet of the discovery and a Paleontological Resource Mitigation Plan shall be prepared by a qualified paleontologist to address assessment and recovery of the resource. A final report documenting any found resources, their recovery, and disposition shall be prepared in consultation with the Ventura Port District, and a copy of the report shall be provided to the City of Ventura.

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
8. GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Executive Order S-3-05

In 2005, in recognition of California's vulnerability to the effects of climate change, Governor Schwarzenegger established Executive Order S-3-05, which sets forth a series of target dates by which statewide emissions of Greenhouse Gases (GHGs) would be progressively reduced, as follows:

- By 2010, reduce GHG emissions to 2000 levels;
- By 2020, reduce GHG emissions to 1990 levels; and
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

AB 32 Climate Change Scoping Plan

In 2006, California passed the California Global Warming Solutions Act of 2006 (AB 32; California Health and Safety Code Division 25.5, Sections 38500, et seq., or AB 32), which requires the California Air Resources Board (CARB) to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020.

As a central requirement of AB 32, the CARB was assigned the task of developing a Scoping Plan that outlines the State's strategy to achieve the 2020 GHG emissions limit. This Scoping Plan, which was developed by the CARB in coordination with the Climate Action Team (CAT), was published in October 2008. The Scoping Plan proposed a comprehensive set of actions designed to reduce overall GHG emissions in California, improve the environment, reduce the State's dependence on oil, diversify the State's energy sources, save energy, create new jobs, and enhance public health. An important component of the plan is a cap-and-trade program covering 85 percent of the State's emissions. Additional key recommendations of

the Scoping Plan include strategies to enhance and expand proven cost-saving energy efficiency programs; implementation of California's clean cars standards; increases in the amount of clean and renewable energy used to power the State; and implementation of a low-carbon fuel standard that will make the fuels used in the State cleaner. Furthermore, the Scoping Plan also proposes full deployment of the California Solar Initiative, high-speed rail, water-related energy efficiency measures, and a range of regulations to reduce emissions from trucks and from ships docked in California ports. The Proposed Scoping Plan was approved by the CARB on December 11, 2008.

Because climate change is already affecting California and current emissions will continue to drive climate change in the coming decades, the need to adapt to the impacts of climate change is recognized by the State of California. The 2009 California Climate Adaptation Strategy Discussion Draft (the Strategy) begins what will be an ongoing process of adaptation, as directed by Governor Schwarzenegger's Executive Order S-13-08. The goals of the strategy are to analyze risks and vulnerabilities and identify strategies to reduce the risks. Once the strategies are identified and prioritized, government resources will be identified. Finally, the strategy includes identifying research needs and educating the public.

Climate change risks are evaluated using two distinct approaches: (1) projecting the amount of climate change that may occur using computer-based global climate models and (2) assessing the natural or human system's ability to cope with and adapt to change by examining historical experience with climate variability and extrapolating this to understand how the systems may respond to the additional impact of climate change. The major anticipated climate changes expected in the State of California include increases in temperature, decreases in precipitation, particularly as snowfall, and increases in sea level, as discussed above. These gradual changes will also lead to an increasing number of extreme events, such as heat waves, wildfires, droughts, and floods. This would impact public health, ocean and coast resources, water supply, agriculture, biodiversity, and the transportation and energy infrastructures.

Key preliminary adaptation recommendations included in the Strategy are as follows:

- Appointment of a Climate Adaptation Advisory Panel;
- Improved water management in anticipation of reduced water supplies, including a 20 percent reduction in per capita water use by 2020;
- Consideration of project alternatives that avoid significant new development in areas that cannot be adequately protected from flooding due to climate change;
- Preparation of agency-specific adaptation plans, guidance or criteria by September 2010;
- Consideration of climate change impacts for all significant State projects;
- Assessment of climate change impacts on emergency preparedness;

- Identification of key habitats and development of plans to minimize adverse effects from climate change;
- Development of guidance by the California Department of Public Health by September 2010 for use by local health departments to assess adaptation strategies;
- Amendment of Plans to assess climate change impacts and develop local risk reduction strategies by communities with General Plans and Local Coastal Plans; and
- Inclusion of climate change impact information into fire program planning by State firefighting agencies.

Senate Bill 375

SB 375 requires metropolitan regions to adopt transportation plans and sustainable communities strategy that reduce vehicle miles travelled. In accordance with SB 375, SCAG prepared and adopted the 2016 Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS) with the primary goal of enhancing sustainability by increasing mobility through various public transit options, increasing the number and variety of housing options to meet the demands of the growing population, creating more compact communities while decreasing urban sprawl, and ensuring people are able to live closer to work, school, and recreation uses.

Senate Bill 97

In August 2007, the Legislature adopted Senate Bill 97 (SB 97), which required the Governor's Office of Planning and Research (OPR) to prepare and transmit new CEQA guidelines for the mitigation of GHG emissions or the effects of GHG emissions to the Natural Resources Agency by July 1, 2009. On April 13, 2009, OPR submitted to the Secretary for Natural Resources its proposed amendments to the *State CEQA Guidelines* for greenhouse gas emissions, as required by Senate Bill 97. These proposed *CEQA Guidelines* amendments provided guidance to public agencies regarding the analysis and mitigation of the effects of greenhouse gas emissions in draft CEQA documents. On December 31, 2009, the Natural Resources Agency transmitted the Adopted Amendments and the entire rule-making file to the Office of Administrative Law (OAL). On February 16, 2010, OAL approved the Adopted Amendments and filed them with the Secretary of State for inclusion in the California Code of Regulations. The Adopted Amendments became effective on March 18, 2010.

Senate Bill 32

Senate Bill 32 (SB 32) was signed into law on August 31, 2016. SB 32 bill requires CARB to adopt rules and regulations to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030.

Existing Setting

Greenhouse gas emissions refer to a group of emissions that are believed to affect global climate conditions. These gases trap heat in the atmosphere and the major concern is that increases in GHG emissions are causing global climate change. Global climate change is a change in the average weather on earth that can be measured by wind patterns, storms, precipitation, and temperature. Although there is disagreement as to the speed of global warming and the extent of the impacts attributable to human activities, most agree that there is a direct link between increased emission of GHGs and long-term global temperature. What GHGs have in common is that they allow sunlight to enter the atmosphere but trap a portion of the outward-bound infrared radiation and warm up the air. The process is similar to the effect a greenhouse has in raising the internal temperature, hence the name greenhouse gases. Both natural processes and human activities emit GHGs. The accumulation of greenhouse gases in the atmosphere regulates the earth's temperature; however, it is the scientific consensus that emissions from human activities such as electricity generation and motor vehicle operations have elevated the concentration of GHGs in the atmosphere. This accumulation of GHGs has contributed to an increase in the temperature of the earth's atmosphere and contributed to global climate change.

The principal GHGs are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H₂O). CO₂ is the reference gas for climate change because it is the predominant greenhouse gas emitted. To account for the varying warming potential of different GHGs, GHG emissions are often quantified and reported as CO₂ equivalents (CO₂e).

In response to Executive Order S-3-05, the Secretary of Cal/EPA created the CAT, which, in March 2006, published the first CAT Report (2006 CAT Report). The 2006 CAT Report identified a recommended list of strategies that the State could pursue to reduce climate change GHG emissions. These are strategies that could be implemented by various State agencies to ensure that the Governor's targets are met and can be met with existing authority of the State agencies.

According to the 2010 CAT Report, temperature increases arising from increased GHG emissions potentially could result in a variety of impacts to the people, economy, and environment of California associated with a projected increase in extreme conditions, with the severity of the impacts depending upon actual future emissions of GHGs and associated warming.

In the *CEQA Guidelines* Amendments, a threshold of significance for greenhouse gas emissions was not specified, nor does it prescribe assessment methodologies or specific mitigation measures. Instead, the amendments encourage lead agencies to consider many factors in performing a CEQA analysis and rely on

the lead agencies to make their own significance threshold determinations based upon substantial evidence. The CEQA Amendments also encourage public agencies to make use of programmatic mitigation plans and programs from which to tier when they perform individual project analyses.

There are several unique challenges to analyzing greenhouse gas emissions and climate change under CEQA, largely because of climate change's "global" nature. Typical CEQA analyses address local actions that have local – or, at most, regional – impacts, whereas climate change presents the considerable challenge of analyzing the relationship between local activities and the resulting potential, if any, for global environmental impacts. Most environmental analyses examine the "project-specific" impacts that a particular project is likely to generate. With regard to global warming, however, it is generally accepted that while the magnitude of global warming effects may be substantial, the GHG emissions from a single general development project would have no noticeable effect on global climate.

For greenhouse gas emissions and global warming, there is not, at this time, one established, universally agreed-upon "threshold of significance" by which to measure an impact. While the CARB published some draft thresholds several years ago, they were never adopted, and the CARB recommended that local air districts and lead agencies adopt their own thresholds for GHG impacts.

Discussion of Potential Project Impacts

a, b) Less than Significant Impact. The *CEQA Guidelines* provide that, when available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make determinations of significance for greenhouse gas emissions. Neither the City of Ventura nor the VCAPCD have adopted any specific thresholds of significance for construction or operational GHG emissions.

Given that Ventura County is adjacent to the SCAQMD jurisdiction and is a part of the SCAG region, VCAPCD staff believes it makes sense to set a local GHG emission threshold of significance for land use development projects at levels consistent with those set by the SCAQMD and the SCAG region. VCAPCD believes that adopting harmonized regional GHG emission thresholds would help streamline project review and encourage consistency and uniformity in the CEQA analysis of GHG emissions throughout most of Southern California. Therefore, the SCAQMD thresholds are used for the purposes of this analysis to be consistent.

The SCAQMD has adopted interim thresholds using a tiered approach. The interim approach as most recently updated in December 2008 is as follows:¹⁵

- **Tier 1:** consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA. For example, SB 97 specifically exempts a limited number of projects until it expires in 2010. If the project qualifies for an exemption, no further action is required. If the project does not qualify for an exemption, then it would move to the next tier. Tier 2: Is the project's GHG emission within the GHG budgets in an approved regional plan? (The plan must be consistent with *State CEQA Guidelines* §§15064(h)(3), 15125(d), or 15152(s).) If yes, there is a presumption of less than significant impacts with respect to climate change.
- **Tier 2:** consists of determining whether or not the project is consistent with a GHG reduction plan that may be part of a local general plan, for example. The concept embodied in this tier is equivalent to the existing concept of consistency in *CEQA Guidelines* §§15064(h)(3), 15125(d), or 15152(a). The GHG reduction plan must, at a minimum, comply with AB 32 GHG reduction goals; include emissions estimates agreed upon by either CARB or the AQMD, have been analyzed under CEQA, and have a certified Final CEQA document. Further, the GHG reduction plan must include a GHG emissions inventory tracking mechanism; process to monitor progress in achieving GHG emission reduction targets, and a commitment to remedy the excess emissions if GHG reduction goals are not met (enforcement). If the proposed project is consistent with the qualifying local GHG reduction plan, it is not significant for GHG emissions. If the project is not consistent with a local - 5- GHG reduction plan, there is no approved plan, or the GHG reduction plan does not include all of the components described above, the project would move to Tier 3. Tier 4: Does the project meet one of the following performance standards? If yes, there is a presumption of less than significant impacts with respect to climate change.
- **Tier 3:** Establishes a screening significance threshold level to determine significance using a 90 percent emission capture rate approach as described above. The 90 percent capture rate GHG significance screening level in Tier 3 for stationary sources was derived using the following methodology. Using AQMD's Annual Emission Reporting (AER) Program staff compiled reported annual natural gas consumption for 1,297 permitted facilities for 2006 through 2007 and rank-ordered the facilities to estimate the 90th percentile of the cumulative natural gas usage for all permitted facilities. Approximately 10 percent of facilities evaluated comprise more than 90 percent of the total natural gas consumption, which corresponds to 10,000 metric tons of CO₂ equivalent

¹⁵ South Coast Air Quality Management District, *Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans*. Available online: [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/ghgboardsynopsis.pdf?sfvrsn=2](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/ghgboardsynopsis.pdf?sfvrsn=2)

emissions per year (MTCO₂eq/year) the majority of combustions emissions is comprised of CO₂. This value represents a boiler with a rating of approximately 27 million British thermal units per hour (mmBtu/hour) of heat input, operating at an 80 percent capacity factor. It should be noted that this analysis did not include other possible GHG pollutants such as methane, N₂O; a life-cycle analysis; mobile sources; or indirect electricity consumption. Therefore, when implemented, staff's recommended interim proposal is expected to capture more than 90 percent of GHG emissions from stationary source projects. If the project exceeds the GHG screening significance threshold level and GHG emissions cannot be mitigated to less than the screening level, the project would move to Tier 4.

- **Tier 4:** consists of a decision tree approach that allows the lead agency to choose one of three compliance options based on performance standards. The purpose of Tier 4 is to provide a means of determining significance relative to GHG emissions for very large projects that include design features and or other measures to mitigate GHG emissions to the maximum extent feasible, but residual GHG emissions still exceed the interim Tier 3 screening levels. In this situation, since no additional project-related GHG emission reductions are feasible, staff is considering whether it is reasonable to consider that residual emissions are not significant. The intent of the Tier 4 compliance options is to encourage large projects to implement the maximum feasible GHG reduction measures instead of shifting to multiple smaller projects that may forego some design efficiencies that can more easily be incorporated into large projects than small projects. CARB's interim GHG significance threshold proposal incorporates a similar, but modified approach for determining GHG significance along with other suggested approaches that may have merit to consider and incorporate into AQMD staff's recommended interim proposal. There are also policy and legal questions that need to be further resolved before adopting such an approach.
- **Tier 5:** under this tier, the project proponent would implement offsite mitigation (GHG reduction projects) to reduce GHG emission impacts to less than the proposed screening level. Any offsite mitigation measures that include purchase of offsets would require the project proponent provide offsets for the life of the project, which is defined as 30 years. If the project proponent is unable to implement offsite GHG reduction mitigation measures to reduce GHG emission impacts to less than the screening level, then GHG emissions from the project would be considered significant. Since it is currently uncertain how offsite mitigation measures, including purchased offsets, interact with future AB 32 Scoping Plan measures, the AQMD would allow substitution of mitigation measures that include an enforceable commitment to provide mitigation prior to the occurrence of emissions. The intent of this provision is to prevent mitigating the same emissions twice.

The SCAQMD has not announced when or if, in light of recent CEQA case law, staff is expecting to present a finalized version of these thresholds to the Governing Board for consideration. The SCAQMD has adopted Rules 2700, 2701, and 2702 that address GHG reductions; however, these rules are currently applicable to boilers and process heaters, forestry, and manure management projects. Further, recent case law muddled the methodology for determining significance in CEQA documents. Specifically, courts have indicated that comparing reductions to the reductions necessary in the scoping plan may not be a suitable method of analysis. While the scoping plan provides statewide targets, it may be that some projects need to exceed the proposed statewide target while some projects will likely fall short. For this reason, the determination of GHGs in this IS/MND is based on consistency with local plans and a specific numeric target is not used to determine significance. However, total GHG emissions are presented for informational purposes.

The Tier 3 threshold is also used in the analysis as projects that do not exceed the thresholds would not be considered to have a significant impact on the attainment of air quality goals and would, therefore, be considered to be consistent with the current air quality plan.

Construction

The Project would result in short-term emissions of GHGs during construction. These emissions, primarily carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O), are the result of fuel combustion by construction equipment and motor vehicles. The other primary GHGs (hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride) are typically associated with specific industrial sources and are not expected to be emitted by the Project. The emissions of CO₂ were estimated using CalEEMod, using the same factors and assumptions as described above.

Table 6, Estimated Unmitigated Construction GHG Emission, lists the estimated GHG emissions from the Project's construction activities. The estimated emissions are reported in units of metric tons of carbon dioxide equivalent (MTCO₂e) per year. Carbon dioxide equivalent (CO₂e) incorporates impacts from GHGs other than CO₂ which are primarily N₂O and CH₄ for this project. As shown in **Table 6**, construction emissions would peak at 1,099 MTCO₂e in the single construction year.

Table 6
Estimated Unmitigated Construction GHG Emission

GHG Emissions Source	GHG Emissions MTCO ₂ e/Year
CO ₂	503
CH ₄	0.01
N ₂ O	0.08
Total CO₂e	527

Source: CalEEMod, 2022, Appendix A

Operation

Direct emissions of GHG from operation of the Project are primarily due to natural gas consumption and mobile source emissions. The Project's operational GHG impacts would be no greater than its existing operational GHG emissions, as the Project proposes to update marina docks and other features. The Project's on-site operational GHG impact would be considered less than significant.

The City of Ventura, the Ventura Port District, nor the VCAPCD have adopted a plan, policy, or regulation for the purpose of reducing emissions of GHGs. This section will address the Project's consistency with other regional and statewide plans and policies adopted for that purpose.

AB 32 (Health and Safety Code Section 38500 et. Seq.) mandated a reduction in the state's GHG levels. Local agencies such as the SCAQMD base their planning and regulations on the requirements included in AB 32, which include a reduction of GHG emissions to 1990 rates by 2020. The SCAQMD adopted GHG significance thresholds specifically to meet AB 32 requirements within its jurisdiction, so plans and projects that meet those thresholds can be assumed to meet the requirements of AB 32.

The Project is limited to dock replacements and facility upgrades. The Ventura Yacht Club mainly serves as a recreational harbor offering a variety of amenities for boaters such as fishing, tours, and access to the Pacific Ocean. The Project would reduce the amount of boat slips and include renovations and upgrades to existing amenities along the harbor. Thus, the Project would not interfere with SCAG's goals of identifying regional strategic areas for infill, structuring a plan on a three-tiered system of centers development, or developing "Complete Communities."

Furthermore, the Project would not affect single-family homes or other residences in the area.

All other applicable plans in reducing greenhouse gases are listed in **Table 7, Consistency with Applicable Greenhouse Gas Reduction Strategies**.

Table 7
Consistency with Applicable Greenhouse Gas Reduction Strategies

Source	Category/Description	Consistency Analysis
AB 1493 (Pavley Regulations)	Reduces GHG emissions in new passenger vehicles from 2012 through 2016. Also reduces gasoline consumption to a rate of 31 percent of 1990 gasoline consumption (and associated GHG emissions) by 2020	Consistent. The Project would not conflict with implementation of the vehicle emissions standards.
Executive Order S-3-05	Establishes the following GHG emission reduction targets: <ul style="list-style-type: none"> • By 2010 reduce GHG emissions to 2000 levels • By 2020 reduce GHG emissions to 1990 levels • By 2050 reduce GHG emissions to 80 percent below 1990 levels 	Consistent. The Project would not prohibit the state from reaching these targets.
SB 1368	Establishes an emissions performance standard for power plants within the State of California.	Consistent. The Project would not conflict with implementation of the emissions standards for power plants.
SB 375	Supports the state's climate actions goals to reduce GHG emissions through coordinated transportation and land use planning with the goal of more sustainable communities. Under SB375 the California Air Resources Board set regional targets for GHG emissions reductions from passenger vehicle use.	Consistent. The Project would not conflict with the implementation of passenger vehicle emission reduction measures.
Executive Order B-30-15	Establishes a state GHG reduction target of 40 percent below 1990 levels by 2030.	Consistent. The Project would not prohibit the state from reaching the 2030 GHG reduction target.
Low Carbon Fuel Standard	Establishes protocols for measuring life-cycle carbon intensity of transportation fuels and helps to establish use of alternative fuels.	Consistent. The Project would not conflict with implementation of the transportation fuel standards.

At buildout, the Project would result in direct annual emissions of GHGs during operation. Direct emissions of GHG from operation of the Project are primarily due to natural gas consumption and mobile source emissions. The Project's operational GHG impacts would be no greater than its existing operational GHG emissions, as the Project proposes to update marina docks and other features. Thus, the Project would comply with all applicable plans, policies, and programs adopted for the purpose of reducing GHG emissions. The net increase in GHG emissions, direct and indirect, would be consistent with applicable greenhouse gas reduction strategies. Impacts would be less than significant.

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
9. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Regulatory Setting

Federal

Federal Aviation Regulations Part 77

Federal Aviation Regulations, Part 77 Objects Affecting Navigable Airspace (FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These regulations require that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above the ground.

Government Code Section 65962.5

Section 65962.5 of the Government Code requires CalEPA to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by state and local agencies and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC), State Water Resources Control Board (SWRCB), and Santa Clara County.

California Accidental Release Prevention Program

The California Accidental Release Prevention (CalARP) Program aims to prevent accidental releases of regulated hazardous materials that represent a potential hazard beyond the boundaries of property. Facilities that are required to participate in the CalARP program use or store specified quantities of toxic and flammable substances (hazardous materials) that can have off-site consequences if accidentally released. The City of Santa Clara Fire Department reviews CalARP risk management plans as the Certified Unified Program Agency (CUPA).

CCR Title 8, Section 1532.1

The United States Consumer Product Safety Commission banned the use of lead-based paint in 1978. Removal of older structures with lead-based paint is subject to requirements outlined by Cal/OSHA Lead in Construction Standard, CCR Title 8, Section 1532.1 during demolition activities. Requirements include employee training, employee air monitoring, and dust control. If lead-based paint is peeling, flaking, or blistered, it is required to be removed prior to demolition.

State

California Coastal Commission Strategic Plan

The California Coastal Commission Final Strategic Plan (Strategic Plan) was prepared by the California Coastal Commission and adopted on November 6, 2020, for the year 2021 to 2025 period. The Strategic Plan balances the statewide and local interests and protects the state's coastal communities/municipalities by implementing a framework goals and objectives that are expected to be met by the end of the 2021 to 2025 period. These goals and objectives are intended to priorities and guide performance, and set agency are all items that the Commission intends to complete within the next five years.

Hazardous Materials Release Notification Regulations

There are multiple state statutes and regulations that require the notification of a release involving hazardous materials. These statutes and regulation include, but are not limited to, the following:

- California Health and Safety Codes Sections 25270.8, and 25507;
- Vehicle Code Section 23112.5;
- Public Utilities Code Section 7673, (PUC General Orders #22-B, 161);
- Government Code Sections 51018, 8670.25.5 (a);
- Water Codes Sections 13271, 13272; and
- California Labor Code Section 6409.1 (b)10.

California Fire Code

The 2019 California Fire Code (CFC) (Title 24, Part 9 of the California Code of Regulations) is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. This includes regulations in the event of transport, use, and accidental release hazardous materials. Chapter 50 of the CFC outlines the general safety precautions for handling and transporting hazardous materials. Chapter 50 of the CFC also provides coordination standards between the development applicant and the regional/municipal/local fire protection agency.

Local

City of Ventura Emergency Operations Plan

The *City of Ventura Emergency Operations Plan* (EOP, 2021), provides the regulatory framework for the City's response to emergencies associated with natural disasters, including wildland fires. The EOP provides an

overview of operational concepts, identifies components of the City's emergency management organization within the Standardized Emergency Management System (SEMS), National Incident Management System (NIMS), and describes the overall responsibilities of the federal, state, local entities for protecting life and property and assuring the overall wellbeing of the population.¹⁶ Additionally, the City of Ventura Police Department has established emergency evacuation routes for the City.¹⁷

General Plan Policies

The City's *General Plan* includes policies that address the use and exposure of hazardous materials. These policies include, but are not limited to, the following:

Policy 7D: Minimize exposure to air pollution and hazardous substances.

City of Ventura Municipal Code

Section 14.050.660, (Liability Unauthorized Release) of the City's Municipal Code requires that any responsible persons or group. This section of the Municipal Code Also requires that the persons or group responsible for works with the City and the City of Ventura Fire Department to remediate the effects of such an authorize release.

Existing Setting

The Project Site consists of the existing docks A through E owned, Ventura Yacht Club building, and its associated surface parking lot. The docks are primarily made from standard wooden material used for docks within the marina. Dock B was constructed in 1979, and Dock D was constructed in 1982. There is no identified underground storage tank (UST) or aboveground storage tanks (AST) on-site. The nearest airport to the Project Site is the Oxnard Airport, located approximately 4.1 miles southeast of the Project Site at 2889 West 5th Street. Per CALFIRE's Fire Hazard Severity Zone (FHSZ) map, the Project Site is not located in a FHSZ.^{18,19}

¹⁶ City of Ventura, *Emergency Operations Plan*, 2021, <https://www.cityofventura.ca.gov/DocumentCenter/View/26922/City-of-Ventura---Emergency-Operations-Plan--Public-Version-5-18-2021?bidId=>, accessed August 31, 2022.

¹⁷ City of Ventura Police Department, *Evacuation Orders and Maps*, <https://www.cityofventura.ca.gov/1297/Evacuation-Maps>, accessed August 31, 2022.

¹⁸ California Department of Forestry and Fire Protection, *Fire Hazard Severity Zones in SRA, Ventura County*, November 7, 2007.

¹⁹ California Department of Forestry and Fire Protection, *Very High Fire Severity Zone in LRA, Ventura*, October 6, 2010.

Discussion of Potential Project Impacts

- a) ***Less than Significant Impact.*** Construction of the Project would involve the use of potentially hazardous materials, including vehicle fuels, oils, and transmission fluids. However, all hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with Section 1532.1, Title 8 of the CCR and Section 14.050.660 of the City's Municipal Code. Compliance with these regulations would reduce construction impacts to less than significant levels.

The Project is limited to dock replacements and facility upgrades. There are two fueling locations within the Harbor, however, there is no refueling service at the Project Site itself. Transportation and storage of fuel would occur as part of the Ventura Yacht Club Project operations as fuel powered boats enter and leave the docks. However, fueling operations would be comparable or reduced compared to current conditions, as the total number of slips would be reduced by one. Additionally, the Project would be required to comply with all applicable regulations outlined in the CFC regarding transport of hazardous waste. All hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with the CCR. Any associated risk would be adequately reduced to a less than significant level through compliance with these standards and regulations and would not pose significant hazards to the public or the environment. Therefore, operation impacts related to the transport, use, or disposal of hazardous materials use would be less than significant.

- b) ***Less than Significant Impact.*** The Project includes replacement of two docks within the Ventura Yacht Club Marina, facility upgrades, and the installation of a new water lateral connection. These improvements would not contribute to conditions that could cause a reasonably foreseeable release in hazardous materials. The Project would implement standard practices to ensure accidents do not occur. These practices include compliance with Section 14.050.660 of the City's *Municipal Code*, best practices implemented by the Ventura Port District, meeting the goals outlined by the Strategic Plan of the California Coastal Commission, and compliance with the CFC. All hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. Any associated risk would be adequately reduced to a less than significant level through compliance with these standards and regulations and would not pose significant hazards to the public or the environment. Therefore, accidents involving the release of hazardous materials impacts related to the transport, use, or disposal of hazardous materials use would be less than significant.

- c) **No Impact.** The Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The closest school to the Project Site is Pierpont Elementary School, located approximately 0.90 miles northwest of the Project Site. Additionally, there are no planned public schools within a 0.25-mile distance from the Project Site.²⁰ As such, no impacts would occur.
- D) **No Impact.** The Project is not located on a site that is included on a list of hazardous materials pursuant to Government Code 65962.5.²¹ Therefore, no impacts would occur.
- e) **No Impact.** The Project is not located within an airport land use plan and there are no public or private airports or airstrips within two miles of the Project Site. The closest airport to the Project is the Oxnard Airport, located approximately 4.1 miles southeast of the Project Site. Therefore, no impacts would occur.
- f) **No Impact.** The Project is limited to the existing docks on-site, as well as the surface parking lot. Construction activities would mainly occur on the docks within the waterside and in the outer perimeter of the surface parking lot. The Project is not located within close proximity to the existing evacuation routes designated by the Emergency Operations Plan. Due to the nature of the Project's construction activities, and the fact that all construction would be contained on the Project Site, the construction phase of the Project would not block existing driveways and emergency routes. As such, construction activities would not conflict with the evacuation guidelines outlined in the Emergency Operations Plan. The proposed uses and features under the Project would be similar to existing uses on-site. The Project is not expected to impede any of the existing emergency evacuation routes on-site off-site as it would be similar to existing conditions. Therefore, the Project would not physically interfere with an adopted emergency response plan or emergency evacuation plan. No impacts would occur.
- g) **No Impact.** The Project Site is not located in a wildland fire hazard zone.²² The Project Site is in an urbanized area within the Ventura Harbor. Thus, the Project would not expose persons or structures to wildfire hazard risks. No impact would occur, and no further analysis is necessary.

²⁰ Ventura Unified School District, 2022-23 Local Control and Accountability Plan, https://resources.finalsite.net/images/v1654609441/venturausdorg/lmyxjl3l94jo2xluoawk/2022_Local_Control_and_Accountability_Plan_Ventura_Unified_School_District_20220607.pdf, accessed September 7, 2022.

²¹ California Environmental Protection Agency, Cortese List Data Resources, <https://calepa.ca.gov/SiteCleanup/CorteseList/>, accessed on September 12, 2022.

²² California Department of Forestry and Fire Protection, Very High Fire Severity Zone in LRA, Ventura, October 6, 2010

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
10. HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Federal

Clean Water Act

The Clean Water Act (CWA) is the principal law governing pollution of the nation's surface waters. The CWA forms the basic national framework for the management of water quality and the control of pollution discharges; it provides the legal framework for several water quality regulations. Section 401 of the CWA requires states to certify that any activity subject to a permit issued by a federal agency, such as the United States Army Corps of Engineers (USACE), meets all state water quality standards. Section 402 of the CWA details the acceptable permits for the discharge of pollutants on an industry basis. The CWA also provides the regulatory and legal framework for several water quality regulations: including the National Pollutant Discharge Elimination System (NPDES). Section 404 of the CWA regulates navigable waters where fill material (discharge) is proposed below the ordinary high water mark. Section 404 prohibits the discharge of dredged or fill materials into Waters of the United States or adjacent wetlands without a permit from the USACE.

National Pollutant Discharge Elimination System

The National Pollutant Discharge Elimination System (NPDES) is the federal permitting program for discharge of pollutants into surface waters of the United States under CWA Section 402. Industrial and point source discharges must obtain NPDES permits from the Regional Water Quality Control Board of its jurisdiction. Proposed NPDES stormwater regulations expand this existing national program to smaller municipalities with populations of 10,000 persons or more and construction sites that disturb more than one acre.

Rivers and Harbors Act

The Rivers and Harbor Act is the initial authority for the USACE regulatory permit program to protect navigable waters in the development of harbors and other construction and excavation. Section 10 of the Rivers and Harbor Act requires all harbor waterways to be subject to USACE jurisdiction.

National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) established the National Flood Insurance Program (NFIP) to reduce impacts of flooding on private and public properties. The program provides subsidized flood insurance to communities that comply with FEMA regulations protecting development in floodplains. As part of the program, FEMA publishes Flood Insurance Rate Maps (FIRMs) that identify

Special Flood Hazard Areas (SFHAs). An SFHA is an area that would be inundated by the one-percent annual chance flood, which is also referred to as the base flood or 100-year flood.

State

Statewide Construction General Permit

The SWRCB has implemented an NPDES General Construction Permit for the State of California (Construction General Permit). For projects disturbing one acre or more of soil, a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) must be prepared by a qualified professional prior to commencement of construction. The CGP includes requirements for training, inspections, record keeping, and, for projects of certain risk levels, monitoring. The general purpose of the requirements is to minimize the discharge of pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges. Additionally, the CGP requires the installation and maintenance of BMPs to protect water quality until the site is stabilized. As such, the Project will disturb more than one acre of soil and would be subject to the CGP.

Regional and Local

Los Angeles Regional Water Quality Control Board

The City of Ventura is within the jurisdiction of the Los Angeles Regional Water Quality Control Board (LARWQCB). The LARWQCB develops and enforces water quality objectives and implementation plans that safeguard the quality of water resources in its region. Duties include “basin plans” for its hydrologic area, issuing waste discharge requirements, taking enforcement action against violators, and monitoring water quality. In this case, the LARWQCB adopted the *Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* in 2014.

County of Ventura Stormwater Quality Management Program

The Ventura Countywide NPDES Municipal Separate Storm Sewer System (MS4) Permit (Ventura County MS4 Permit) Order R4-2010-0108 regulates all MS4 discharges within the County’s jurisdiction. The County’s MS4 Permit includes provisions for implementing low impact development (LID) practices and standards for stormwater pollution mitigation. LID is a stormwater management strategy with goals to mitigate the impacts of increased runoff and stormwater pollution as close to its source as possible.

The Project Site consists of, but is not limited to, ditches, man-made channels, and storm drains.²³ The City's Development Construction Program requires all construction or demolition activities, clearing, grading, grubbing, or excavation or any other activity that results in a land disturbance are required to implement an effective combination of stormwater pollution controls to prevent erosion, sediment loss, and the discharge of waste.²⁴

City of Ventura Urban Water Management Plan

The 2020 *Urban Water Management Plan for the City of Buenaventura (UWMP)* (May 2021) addresses the current and projected supply and demand for potable water in the City of Ventura. According to the *UWMP*, multiple resources are utilized for the City's water system. These resources include, but are not limited to, the Mound Groundwater Basin, the Oxnard Plain Groundwater Basin, and the Santa Paula Groundwater Basin.

City of Ventura Municipal Code

Chapter 8.6 (Stormwater Quality Management) of the City's *Municipal Code* establishes stormwater management practices or technical requirements for existing and/or new development within the City. The Chapter requires that all construction activity including clearing, grading or excavation that requires a grading permit will be undertaken in accordance with regional, state, and federal regulatory requirements (i.e., LARWQCB, NPDES).

Existing Setting

The Project involves waterside improvements on the existing surface water within the Ventura Harbor. Receiving waters that occur within the Ventura Harbor are primarily from the Pacific Ocean. The Project Site is located within the Santa Clara Valley Mound Groundwater Basin.²⁵ However, there are no groundwater monitoring wells on-site or within 0.5-mile radius from the Project Site.²⁶

²³ FILL City of Ventura, *MS4 Permit*, <https://www.cityofventura.ca.gov/1301/MS4-Permit>, *MS4 Permit*, accessed September 14, 2022.

²⁴ FILL City of Ventura, *MS4 Permit*, <https://www.cityofventura.ca.gov/1301/MS4-Permit>, *MS4 Permit*, accessed September 14, 2022.

²⁵ California Department of Water Resources, *SGMA Basin Prioritization Dashboard*, <https://gis.water.ca.gov/app/bp-dashboard/final/>, accessed September 13, 2022.

²⁶ United States Geological Survey, *National Water Information System*, <https://maps.waterdata.usgs.gov/mapper/index.html>, accessed September 13, 2022.

According to the FEMA's Flood Map, the Project site is located within FEMA flood panel 06111C0882F.²⁷ The Flood Map indicates that the Project Site is located within Zone AE, meaning that there is a one percent annual chance of flood. Areas within Zone AE are considered Special Flood Hazard Areas subject to inundation by a 100-year flood.²⁸ According to the 2005 General Plan EIR, the Project Site is located within the potential dam inundation area for the Bouquet Dam. Additionally, the Project Site is located within a Tsunami Risk Area.

Discussion of Potential Project Impacts

a) *Less than Significant Impact with Mitigation Incorporated.* The Project Site is currently developed with the existing Ventura Yacht Club, associated surface parking lot, and docks A through E. The Project footprint (in square feet) of the docks would be increased compared to the existing condition. However, this increase would not increase the amount of impervious surfaces within the Project Site. Therefore, Project operations would not result in an increase to the amount of impervious surfaces compared to existing conditions. Nevertheless, the Project would continue to implement the existing stormwater control operation that are currently being utilized for the existing docks.

The Project would remove and replace the existing docks B and D on-site. Construction activities related to the proposed replacement may result in temporarily disturbance of the surface waters on-site and may temporarily degrade the water quality. Additionally, the Project would include excavation activities on the landside of the Project Site to install a new water lateral connection. Nevertheless, because the Project would disturb more than one acre of the Project Site, the Project Applicant would be required to comply with NPDES and LARWQCB requirements and apply for a CGP. The Project would also prepare a Stormwater Pollution Prevention Plan (SWPPP) to mitigate the potential effects of erosion and the potential for sedimentation and other pollutants entering the stormwater system and harbor waters during construction. In accordance with the CGP requirements, the Project would incorporate structural and non-structural BMPs (ex., filtration devices), that intercept stormwater and prevent pollutants from discharging into the storm drain system. The Project Applicant would accordingly be subject to the requirements of the Ventura County MS4 permit, which establishes limits for the concentration of contaminants entering the storm drain system and requires

²⁷ Federal Emergency Management Agency, *Flood Map Service Center*, https://msc.fema.gov/arcgis/rest/directories/arcgisjobs/nfhl_print/mscprintb_gpserver/j6313d91c4fa9407db6e3bc1a0c7ec2d9/scratch/FIRMETTE_cbc6173f-7088-4723-b33f-4a4588394f9d.pdf, accessed September 13, 2022.

²⁸ Federal Emergency Management Agency, *Flood Zones*, Available online at: <https://www.fema.gov/glossary/flood-zones>, accessed September 13, 2022.

BMPs to be implemented to further reduce stormwater pollution and runoff from construction activities. Applicable BMPs for the Project may include the following:

- No contamination by cement, concrete, asphalt, washings, paint, etc. is permitted. Hazardous materials shall not be placed where they may accidentally spill or run off into the Harbor.
- No debris, soil, construction materials, concrete wash water, fluids, etc. shall be placed where they may be washed by rainfall or runoff into the Harbor.
- Litter shall be picked up and removed from the site daily. Trash receptacles should be fully covered and emptied regularly.
- Harbor water may not be used for any construction activity (e.g., dust control and concrete mix).
- Stationary equipment (motors, pumps, generators, welders) located adjacent to the Harbor must be positioned over drip pans.
- Oil absorbent pads must be onsite at all times in case of a spill. Spills shall be cleaned up immediately.
- Equipment and vehicles should be regularly checked and properly maintained to prevent leaks.
- Staging, storage, fueling, and maintenance of equipment/vehicles shall occur as far away as possible from the Harbor water.
- Stockpiles must be covered during construction.

In addition, the Project would implement **Mitigation Measures MM HYD-1** through **MM HYD-7**. Adherence to federal, state, and regional regulations as well as the implementation of Mitigation Measures **MM HYD-1** through **MM HYD-7** would reduce the Project's construction-related impacts to less than significant levels.

- b) Less the Significant Impact.* As discussed above, the Project Site is located above a groundwater basin. However, the Project would not install any groundwater wells, would not require the use of groundwater for new residential or commercial uses, and would not otherwise directly withdraw any groundwater. The water demand associated with the Project would only occur through the proposed water connection lateral, which would solely be used during emergency fire suppression events on site. Thus, the Project would not substantially deplete groundwater supply, nor would the Project interfere with groundwater recharge. Impacts would be less than significant.

c)

- i) **Less than Significant Impact with Mitigation.** Construction activities associated with the Project would involve soil disturbance through minor excavating, grading on-site, and trenching for infrastructure improvements. This would result in soil exposure which could lead to mobilization by rainfall/runoff and/or wind as these are the primarily modes of sediment releases. Thus, Project-related construction activities could substantially increase on-site erosion and siltation.

As discussed above, the Project would comply with the regulations outlined the LARWQCB's CGP and the County's MS4 pertaining to impacts to the water quality surface waters. Specifically, the Project would prepare a SWPPP and select and implement BMPs to adequately offset the increase in erosion and sedimentation caused by the Project. BMPs would be included based on Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT). Adherence to these regulations, as well as the implementation of **Mitigation Measures MM HYD-2** through **MM HYD-7** would reduce the Project's impacts to erosion and siltation to less than significant levels.

Mitigation Measures

MM HYD-1 Prior to the initiation of construction activities the Project Applicant shall implement trash excluder within existing stormwater inlets on-site to reduce the level trash outflow. The proposed trash excluders shall be subject for approval by the City of Ventura City Engineer.

MM HYD-2 For the duration of the Project's construction activities, all waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

MM HYD-3 For the duration of the Project's construction activities, all vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop cloths shall be used to catch drips and spills.

MM HYD-4 Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that

prevents contact with runoff spillage to the stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.

MM HYD-5 Any connection to the sanitary sewer shall have authorization from the City of Ventura Public Works Department.

MM HYD-6 Storage areas shall be paved and sufficiently impervious to contain leaks and spills.

MM HYD-7 In the event the parking lot is used for staging of construction equipment during construction activities, all catch basins in and adjacent to the staging area shall be covered to reduce the potential for sediment entering the storm drain system.

ii, iii, iv) Less than Significant Impact with Mitigation Incorporated. The Project Site is generally flat and is located within an urbanized area. According to FEMA, the Project Site is located within a Special Flood Hazard Area subject to inundation by a 100-year flood. Therefore, the Project Site is vulnerable to substantial flooding.

As discussed, Project-related construction activities would contribute to the existing runoff on-site and off-site. Thereby increasing the likelihood of on-and-off-site flooding. However, this increase would be temporary in nature and cease upon completion of construction activities. The Project would also comply with NPDES and LARWQCB requirements and apply for a CGP permit and apply applicable BMPs (i.e., biofiltration retentions) that would reduce the amount of run-off generated. Last, the Project would implement **Mitigation Measures MM HYD-1 through MM HYD-7** to further reduce impacts related to stormwater runoff from construction activities. Therefore, the Project would not alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Less than significant impacts would occur.

D) Less than Significant Impact. The topography of the Project Site is relatively flat and would not be susceptible to mudslides or mudflows. However, due to its location, the Project Site is at risk for tsunami and dam inundation.

The Project would not introduce new habitable structures that would increase the risk of loss, injury or death involving flooding as a result of a tsunami or failure of a dam. Project operations would mainly remain similar to existing conditions. Additionally, the Project would comply with federal, state and regional regulation pertaining to pollution control, such as obtaining a CGP and the preparation of an

SWPPP that addresses stormwater pollution risks as a result of tsunami and dam inundation. Adherence to these regulations would reduce the Project's impact to inundation to less than significant levels.

- e) ***Less than Significant Impact.*** The Project would not include the direct extraction of groundwater. The Project would include the installation of a new water lateral connection that would utilize the City of Ventura's water supply. However, the use of this new connection would be limited to emergency fire suppression events and would not consume excess water. Therefore, the Project would not interfere with or obstruct implementation of water quality standards or substantially degrade surface or ground water quality. Less than significant impacts would occur.

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
11. LAND USE AND PLANNING – Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

State

California Coastal Act

The California Coastal Act of 1976 (Coastal Act) was created to: (1) protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources; (2) assure orderly, balanced utilization and conservation of coastal zone resources taking into account social and economic needs; (3) maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners; (4) assure priority for coastal-dependent and coastal-related development over other development on the coast; and (5) encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone. The Coastal Act requires all cities located within the Coastal Zone to adopt a Local Coastal Program (LCP). The LCP is used by cities to regulate local land uses and development in a manner that is consistent with the goals of the Coastal Act. Specifically, LCPs identify the location, type, densities, and other land use policies for future development within the Coastal Zone of a City or jurisdiction.

California Coastal Commission

The California Coastal Commission was established by voter initiative in 1972 (Proposition 20) and later made permanent by the Legislature through adoption of the Coastal Act. The mission of the Coastal Commission is to protect, conserve, restore, and enhance environmental and human-based resources of the California coast and ocean for environmentally sustainable and prudent use by current and future generations.

In coordination with coastal cities and counties, the Coastal Commission plans and regulates the use of land and water within the “Coastal Zone.” The Coastal Zone includes all offshore islands and extends approximately three miles offshore. Development activities that generally require a coastal permit from either the Coastal Commission or the local government include the proposed construction of buildings, division of land, and activities that propose to change either the intensity of a land use or public access to coastal waters.

Local

General Plan Policies

The City’s *General Plan* included policies pertaining to land use that are applicable to the Project. These policies include, but are not the following:

Policy 3A: Sustain and complement cherished community characteristics.

City of Ventura Municipal Code-Zoning Designation

The Project is zoned-Harbor Commercial (H-C). According to Chapter 24.238 (H-C Harbor Commercial) of the City’s *Municipal Code*, the Harbor Commercial zoning is primarily designed to provide an area in which coastal dependent, coastal-related, recreational, visitor serving, recreational boating, and commercial fishing facilities are emphasized and located to function safely, efficiently, and harmoniously. Uses under the Harbor Commercial Zone is also intended to provide visitor and recreational facilities serving low and moderate-income persons. Permitted uses include, but are not limited to, community meeting, dining establishments, and boating and harbor activities (i.e., boat building or repair, commercial boating, and boat slips).

Existing Setting

The Project Site is located within a 42.38-acre parcel in the Ventura Marina that contains multiple separate buildings and structures. The Project Site primarily consists of the existing Ventura Yacht Club property and its associated harbor docks (docks A through E). Under the California Coastal Act, the Project Site is located within the Coastal Zone for the City of Ventura. The Project Site is designated Commerce and zoned Harbor Commercial. The Commerce land use designation and the Harbor Commercial zoning continue north and south of the Project Site and are both designated for the entire Ventura Marina. Land uses west of the Project Site, across from Spinnaker Drive are designated by the General Plan as Park and Open Spaces and zoned by the City as Parks.

Discussion of Potential Project Impacts

- a) ***Less than Significant Impact.*** The Project would install a new water line for potable water on-site and would remove and replace two of the docks (docks B and D) within the associated harbor. The Project would not include any physical features that would physically divide the community (e.g., blocking of roadways or sidewalks). While there are liveaboard residents within the Yacht Club, the Project would not result in any physical division of existing residents. As such, impacts would be less than significant.
- b) ***Less than Significant Impact.*** Listed below are all applicable land use plans, policies, and regulations for the Project.

City of Ventura

The Project would not alter the existing land uses on-site. Rather, it involves improvements and upgrades to the existing harbor and docks. The Project would not alter the existing character of the Project Site, as it would be a continuation of existing uses; accordingly, the Project would be consistent with applicable *General Plan* policies. Additionally, per Chapter 24.238 of the *Municipal Code*, the proposed improvements are permitted uses for Harbor Commercial zones.

California Coastal Act

As discussed below, the Project Site is located within the coastal zone for the City of Ventura. **Table 8, Project Consistency with the Applicable California Coastal Act Policies**, details the Project's consistency with applicable policies of the Coastal Act for the purpose of avoiding and/or mitigating an environmental impact.

Table 8
Project Consistency with the Applicable California Coastal Act Policies

California Coastal Act Component	Project Consistency Analysis
<p>Article 2, Public Access: Article 2 coastal access policies include, but are not limited to, the following:</p> <ol style="list-style-type: none"> (1) Access must be provided to coastal resources (Section 30210); (2) New development shall not interfere with existing public access to coastal resources (Section 30211); and (3) Public access shall be provided in specific situations involving new development between the nearest public roadway and the shoreline (Section 30212). 	<p>Consistent. The Project primarily involves dock replacements and a water line installation. The Project would not limit or interfere with public access to coastal resources or recreational activities or facilities. Rather, the proposed improvements would improve coastal access and upgrade outdated design. These improvements include increases to slip sizes to allow for larger, more modern boats, and a new ADA-compliant gangway and abutment to the docks. As such the Project is consistent with this policy.</p>
<p>Article 3, Recreation: Article 3 includes, but is not limited to, policies regulating the following recreational activities and facilities:</p> <ol style="list-style-type: none"> (1) Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas (Section 30220); (2) Oceanfront land suitable for recreational use (Section 30221); (3) Private lands suitable for visitor-serving commercial recreational facilities (Section 30222); and (4) facilities designed to enhance recreational boating use of coastal waters (Section 30224). 	<p>Consistent. The Project would include dock replacements in docks B and D to accommodate new boat slips and ADA compliant features. Although docks B and D would be temporarily closed off to recreational boat users during construction, this period of closure would be nominal (maximum 16 weeks) and users would regain access upon completion of construction activities. Access to A, C, and E would continue to be available for recreational boat users. As such, the Project is consistent with this policy. Once completed, the Project would increase access through ADA compliant gangways.</p>
<p>Article 4, Marine Environment: Article 4 of the Coastal Act is designed to maintain, enhance, and restore marine resources. More specifically, Article 4 includes, but is not limited to, policies intended to achieve the following:</p> <ol style="list-style-type: none"> (1) Maintenance of the biological productivity and quality of coastal waters, streams, wetlands, estuaries, and lakes (Section 30231); and (2) Protection of commercial fishing and recreational boating facilities (Section 30234). 	<p>Consistent. As discussed in the Biological Resources section, the Project would implement Mitigation Measures MM BIO-1 and MM BIO-2 to ensure that the existing wildlife and habitat within the Project Site would not be significantly impacted. As discussed in the Hydrology and Water Quality Section, the Project would not significantly impact the productivity and quality of coastal waters. Therefore, the Project would not result in the degradation of the local marine environment.</p>
<p>Article 5, Land Resources, Development, and Industrial</p> <p>Development: Article 5 of the Coastal Act applies to development and local regulatory actions that involve environmentally sensitive habitat (Section 30240), the maintenance or conversion of agricultural lands (Section 30241-30243), and archaeological or paleontological resources (Section 30244).</p>	<p>Consistent. The Project would not involve the conversion of agricultural land (see Agricultural and Forest Resources section). The Project would implement Mitigation Measure MM BIO-2, which would require the Project Applicant to have an Eelgrass Habitat Survey of the Project Site and require adherence to any resulting recommendations to construction activities. Additionally, the Project would implement Mitigation Measures MM CUL-1 and MM GEO-1 in the event that an archaeological or paleontological resource is discovered on-site during construction activities.</p>

Source: California Coastal Commission

Discussion of Potential Cumulative Impacts

The Project would construct new structures (i.e., docks, gangways) that would be consistent to the existing operations on-site. The Project would include improvements that would remain consistent with the Commerce uses under the General Plan and the uses for a Harbor Commercial zone. Additionally, the Project would remain consistent with the California Coastal Commission goals upon implementation of **Mitigation Measures MM BIO-1, MM BIO-2, MM CUL-1, and MM GEO-1**. As such, the Project would not contribute to cumulative impacts.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
12. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Existing Setting

The Project Site is located within the Ventura Harbor. According to the California Geological Survey (CGS), the Project Site is categorized as Mineral Resource Zone (MRZ) 3a.²⁹ MRZ 3a zones could contain aggregate resources suited for use in Portland Cement Concrete.

Discussion of Potential Project Impacts

a, b) No Impact. The Project Site is located within an MRZ-3a zone. However, the Project Site is currently developed as a marina and is not known to contain mineral resources. Additionally, the City's *General Plan* has not identified the Project Site and/or the surrounding area as a mineral resource area. As such, no impacts would occur.

Discussion of Potential Cumulative Impacts

As stated, the Project Site is not located in an area of mineral resource extraction uses Project Site identified within the City's *General Plan* as a mineral resource area. As such, the Project would not result in any potential cumulative impacts. No further analysis is necessary.

²⁹ California Geological Survey, *Mineral Land Classification of Ventura County Part I*, 1981.

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
13. NOISE – Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Regulatory Setting

Construction Noise Threshold Criteria and Control Plan³⁰

The County of Ventura's Construction Noise Threshold Criteria and Control Plan (Plan), adopted in November 2005 and last amended in July 2010, establishes thresholds for construction noise, as specific construction noise limits are not specified in the County's General Plan or administrative code. It also provides sample mitigation measures and general information related to noise monitoring, noise prediction, and construction equipment reference noise levels.

Table 9, Daytime Construction Activity Noise Threshold Criteria, and **Table 10 Evening Construction Activity Noise Threshold Criteria**, show the Plan's daytime, evening, and nighttime construction noise threshold criteria. The "NTC" is defined as the construction noise threshold criteria. The Plan considers daytime hours to be 7:00 A.M. – 7:00 P.M., Monday through Friday, and from 9:00 A.M. to 7:00 P.M. on Saturdays, Sundays, and local holidays. Evening hours are between 7:00 P.M. and 10:00 P.M. Nighttime hours are considered to be 10:00 P.M. to 7:00 A.M., Monday through Friday, and 10:00 P.M. to 9:00 A.M. on Saturdays, Sundays, and local holidays.

³⁰ The County Noise Thresholds are included as the City does not include a threshold for hotel use.

Table 9
Daytime Construction Activity Noise Threshold Criteria

Construction Duration Affecting Noise-sensitive Receptors.	Noise Threshold Criteria shall be the greater of these noise levels at the nearest receptor area or 10 feet from the nearest noise-sensitive building	
	Fixed Leq(hour), dBA	Hourly Equivalent Noise Level (Leq), dBA ^{1,2}
0 to 3 days	75	Ambient Leq(hour) + 3 dB
4 to 7 days	70	Ambient Leq(hour) + 3 dB
1 to 2 weeks	65	Ambient Leq(hour) + 3 dB
2 to 8 weeks	60	Ambient Leq(hour) + 3 dB
Longer than 8 weeks	55	Ambient Leq(hour) + 3 dB

¹ The instantaneous L_{max} shall not exceed the NTC by 20 dBA more than 8 times per daytime hour.

² Local ambient L_{eq} measurements shall be made on any mid-weekday prior to project work.

Source: Construction Noise Threshold Criteria and Control Plan.

Table 10
Evening Construction Activity Noise Threshold Criteria

Receptor Location	Noise Threshold Criteria shall be the greater of these noise levels at the nearest receptor area or 10 feet from the nearest noise-sensitive building	
	Fixed Leq (hour), dBA	Hourly Equivalent Noise Level (Leq), dBA ^{1,2}
Residential	50	Ambient Leq (hour) + 3 dB
Residential, Live-in institutional	45	Ambient Leq (hour) + 3 dB

¹ The instantaneous L_{max} shall not exceed the NTC by 20 dBA more than 6 times per evening hour.

² Hourly evening local ambient noise measurements shall be made on any mid-week evening prior to project work.

Source: Construction Noise Threshold Criteria and Control Plan.

City of Ventura (San Buenaventura) Municipal Code

Chapter 10.650 “Noise Control” of the San Buenaventura Municipal Code (SBMC) contains a number of regulations that would pertain to the Project’s temporary construction activities and long-term operations.

Sec. 10.650.130. – Designated Noise Zones

Section 10.650.130 outlines designated noise zones, as well as exterior and interior noise level limits for these zones.

A. Assignment of noise zones. Receiving properties are assigned to designated noise zones as follows in **Table 11, City of Ventura Designated Noise Standards:**

1. Designated noise zone I: Noise sensitive properties.
2. Designated noise zone II: Residential properties.
3. Designated noise zone III: Commercial properties.
4. Designated noise zone IV: Industrial and agricultural properties.

Table 11
City of Ventura Designated Noise Standards

Zone	Land Use	Time Interval	Exterior Noise Levels dB(A)
I	Noise Sensitive Properties	7:00 AM – 10:00 PM	50
		10:00 PM – 7:00 AM	45
II	Residential	7:00 AM – 10:00 PM	50
		10:00 PM – 7:00 AM	45
II	Commercial	7:00 AM – 10:00 PM	60
		10:00 PM – 7:00 AM	55
IV	Industrial/Agricultural	Anytime	70

Source: City of Ventura Municipal Code, Section 10.650.130, Designated Noise Zones

B. Exterior noise levels.

1. Noise zone exterior noise levels. The following exterior noise levels, unless otherwise specifically indicated, shall apply to all receiving properties within a designated noise zone for the purpose of establishing noise level limits in subsection B.2 below:
2. Noise level limits. Unless otherwise provided in this article, no person shall operate or cause to be operated any source of sound at any location within the city, or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person which causes the noise level when measured on any receiving property to exceed the following noise level limits:
 - a) The exterior noise levels for that land use, as specified in subsection B.1. above, for a total period of more than 30 minutes in any consecutive 60 minutes;
 - b) The exterior noise levels plus five dB for a total period of more than 15 minutes in any consecutive 60 minutes;

- c) The exterior noise levels plus ten dB for a total period of more than five minutes in any consecutive 60 minutes; or
 - d) The exterior noise levels plus 15 dB for a total period of more than one minute in any consecutive 60 minutes; or
 - e) The exterior noise levels plus 20 dB for any period of time.
3. Intrusive noise measurement duration. It shall be sufficient for the noise level limits in sections 2.(a), (b), (c) and (d), above, to be measured for no less than one minute of any portion of the periods stated in subsections 2.(a), (b), (c) and (d), provided that any witness to the intrusive noise can testify to the fact that the intrusive noise continued at the same level or greater level than the level measured by the enforcing officer for a period in excess of the period allowed in subsections 2.(a), (b), (c) and (d).
4. Ambient noise level in excess of noise level limit. If the ambient noise level exceeds that permissible for any of the noise level limits in subsections (a), (b), (c) and (d) of subsection 2. above, the noise level limit shall be increased in five dB increments as appropriate to encompass or reflect said ambient noise level. In the event the ambient noise level exceeds the noise level limit in subsection 2.(e) above, this limit shall be increased to the maximum ambient noise level.
5. Boundary between different zones. If the measurement location is on a boundary between two different designated noise zones, the lower noise level limit applicable to the two zones shall apply.
6. Content of intrusive noise. In the event the intrusive noise is judged by the enforcing officer to contain a steady, audible, pure tone such as a whine, screech or hum, or is an impulsive noise, or is a repetitive noise exceeding one second in duration or contains music or speech, the noise level limits set forth in subsection 2. above shall be reduced by five dB.

Sec. 10.650.150. – Special Noise Sources

Section 10.650.150. prohibits noise-generating construction activities located within or adjacent to any residential zone from occurring between the hours of 8:00 P.M. one day and 7:00 A.M. of the next. Though the Project is not located within or adjacent to any residential zone, it is highly unlikely that the Project's construction activities would occur past the hour of 7:00 P.M. on any weekday, or on any weekend.

- A. Radios, television sets and similar devices. No person within any residential zone of the city shall use or operate any radio receiving set, musical instrument, phonograph, television set or other machine or

device for the producing or reproducing of sound in such a manner as to create any noise which exceeds the noise level limits of this article.

- B. Machinery, equipment, fans and air-conditioning. No person shall operate any machinery, equipment, pump, fan, air-conditioning apparatus or tool of any nature of similar mechanical device so as to create any noise which exceeds the noise level limits of this article.
- C. Construction of buildings and structures.
 - 1. Between the hours of 8:00 P.M. of one day and 7:00 A.M. of the next, no person adjacent to or within any residential zone in the city shall operate power construction equipment or tools or perform any outside construction or repair work on buildings or structures, or operate any pile driver, steam shovel, pneumatic hammer, steam or electric hoist or other construction device so as to create any noise which exceeds the noise level limits of this article. These specified construction activities are permitted between the hours of 7:00 A.M. and 8:00 P.M. The performance of emergency work is exempt from the provisions of this section.
 - 2. Home repairs and routine maintenance of personal property such as automobiles or boats is not considered construction.
 - 3. The planning commission and city council shall retain the right to impose more restrictive hours of construction upon any projects involving construction activity by adding appropriate conditions to the city's approval of subdivisions, planned development permits, conditional use permits, variances and other projects.

Sec. 10.650.160. – General Noise Regulations

Sec. 10.650.160 of the SBMC is a general noise standard prohibiting noise which unreasonably disturbs peace and quiet or causes discomfort or annoyance.

- A. Unlawful noise. Notwithstanding any other provision of this article, and in addition thereto, it shall be unlawful for any person to make or continue, or cause to be made or continued, any loud, unnecessary, or unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of ordinary or normal sensitivity residing in the area.
- B. Environmental factors. The environmental factors which may be considered in determining whether a violation of provisions of subsection A. exists includes, but is not limited to, the following:
 - 1. The sound level of the intrusive noise.

2. The sound level of the ambient noise.
3. The proximity of the noise to residential sleeping facilities.
4. The nature and zoning of the area from which the noise emanates.
5. The number of persons affected by the alleged intrusive noise.
6. The time of day or night the noise occurs.
7. The duration of the noise and its tonal content.
8. Whether the noise is continuous, recurrent, or intermittent.

Notwithstanding any other provision of this chapter, and in addition thereto, it shall be unlawful for any person to willfully make or continue, or cause to be made or continued, any loud, unnecessary, excessive, or unusual noise which unreasonably disturbs the peace and quiet or which causes discomfort or annoyance to any reasonable person of normal sensitiveness.

The factors which may be considered in determining whether such noise violates the provisions of this section shall include, but are not limited to, the following:

- A. The volume of the noise;
- B. The intensity of the noise;
- C. Whether the nature of the noise is usual or unusual;
- D. Whether the origin of the noise is natural or unnatural;
- E. The volume and intensity of the background noise, if any;
- F. The proximity of the noise to residential sleeping facilities;
- G. The nature and zoning of the area within which the noise emanates;
- H. The density of the inhabitation of the area within which the noise emanates;
- I. The time of the day or night the noise occurs;
- J. The duration of the noise;
- K. Whether the noise is recurrent, intermittent, or constant; and
- L. Whether the noise is produced by a commercial or noncommercial activity.

California Department of Transportation

In 2013, the California Department of Transportation (Caltrans) published the Transportation and Construction Vibration Guidance Manual to aid in the estimation and analysis of vibration impacts. Typically, potential building and structural damages are the foremost concern when evaluating the impacts of construction-related vibrations. **Table 12, Caltrans Building Damage Vibration Guidelines**, summarizes Caltrans's vibration guidelines for building and structural damage.

Table 12
Caltrans Building Damage Vibration Guidelines

Structure and Condition	Significance Thresholds (in/sec PPV)	
	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

Source: California Department of Transportation, 2013.

Existing Setting

Residential zones in the vicinity of the Project Site, include the Portside Ventura Residences northeast of the Project Site. The following receptors and monitoring locations were chosen specifically for detailed construction noise impact analysis given their potential sensitivities to noise and their proximity to the Project Site.

Ventura West Marina II³¹

This receptor consists of vessels moored in the Ventura West Marina that are occupied by individuals as long-term residences (also known as ‘liveaboards’). As these vessels are more or less residential in nature, they would be classified as Zone II “Residential Properties” and therefore subject to the noise limits respective to Zone II properties as set forth by the SBMC. With respect to the County of Ventura’s Construction Noise Threshold Criteria and Control Plan, these vessels would be afforded the same noise threshold criteria as usual residential dwellings.

Ventura Harbor Village Commercial Land Uses

This receptor consists of restaurant, shopping, and other commercial-type land uses located along the Marina’s waterfront, up to 300 feet south of the Project Site. Though commercial land uses are also typically

³¹ Although the SBMC does not specifically state liveaboard vessels as residential land uses, these vessels are considered sensitive receptors for purposes of CEQA.

not considered to be noise-sensitive, the SBMC's relatively strict 60 dBA daytime exterior noise level limit for these types of uses could potentially be exceeded by the Project's construction noise impacts. An analysis of the Project's impacts on these commercial land uses is therefore warranted.

Portside Ventura Harbor Residences

This receptor consists of townhomes and apartments approximately 1,700 feet from the Project Site. As this area is residential it is classified as Zone II "Residential Properties" and therefore subject to the noise limits respective to Zone II properties as set forth by the SBMC. With respect to the County of Ventura's Construction Noise Threshold Criteria and Control Plan, these multi-family residential units are afforded the noise threshold criteria as usual residential dwellings.

Discussion of Potential Project Impacts

a) Less than Significant Impact with Mitigation Incorporated.

Construction

The Project's greatest noise impact overall would be associated with the replacement of docks B and D, which would require a specialized marine-operating pile driver to insert guide piles. Though it is not yet known the specific type of pile driver that would be used, vibratory pile drivers can produce average peak noise levels of 96 dBA Leq at a reference distance of 50 feet. Impact pile drivers can produce average peak noise levels of 101 dBA Leq at a similar reference distance.

All Project receptors would experience construction-related noise levels above their respective limits as set forth by the SBMC and/or the County of Ventura's Construction Noise Threshold Criteria and Control Plan. However, this impact could be mitigated. **Mitigation Measures MM1** and **MM2** are recommended to limit the Project's construction noise impact from pile drivers to below levels of significance.

Mitigation Measures

- | | |
|-----------------|--|
| MM NOI-1 | The Project shall utilize a hydraulic pile driver for the installation of guide piles, rather than an impact- or vibratory-type model. |
| MM NOI-2 | Vessels occupied as long-term residences and moored within 500 feet of pile driving activities shall be temporarily relocated to slips located no less than 500 feet from such activities. |

Implementation of **Mitigation Measures MM NOI-1** and **MM NOI-2** would reduce the Project's pile driving-related construction noise impact at receptors to a less than significant level. Hydraulic pile drivers, as required by **Mitigation Measure MM NOI-1**, can produce average peak noise levels of 65 dBA Leq at a reference distance of 50 feet. **Mitigation Measure MM NOI-2** would ensure that no resident-occupied vessels (liveaboards) are located within a distance of pile driving activities capable of experiencing sustained noise levels greater than 50 dBA Leq, the SBMC's daytime exterior noise limit for Zone II residential properties. Following the implementation of **Mitigation Measures MM NOI-1** and **MM NOI-2**, the Project's construction noise impacts would be considered less than significant.

Operation

The Project's operational noise impacts would be no greater than its existing operational noises, as the Project proposes to update marina docks and other features. The Project's on-site operational noise impact would be considered less than significant. The Project would not create vehicle trips or otherwise increase the intensity of the Ventura Yacht Club's usage. There would be no change in ambient noise impacts from traffic to and from the Marina.) *Less than Significant Impact.* Vibration levels at the adjacent residences could reach 94 VdB under a worst-case scenario. As such, the 80 VdB residential annoyance standard could be exceeded during a worst-case construction activity. However, it should be noted that vibration levels experienced in the Project vicinity would be temporary and intermittent and would be reduced when construction activities are located toward the center portion of the Project Site. **Mitigation Measures MM NOI-1** and **MM NOI-2** would also serve to reduce construction vibration levels to the maximum extent feasible. As such, vibration impacts due to construction activities would result in a less than significant impact. This is discussed further in **Appendix B, Noise and Vibration Technical Report.**

- c) *No Impact.* The Project is not located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport and therefore there would be no impact.

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
14. POPULATION AND HOUSING – Would the Project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing units, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Southern California Association of Governments

SCAG is the responsible agency for developing and adopting regional housing, population, and employment growth forecasts for local governments from Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties.

Existing Setting

The Project Site includes a marina containing five docks (docks A through E) and consists of 85 boat slips of which 15 boat are allocated to liveaboard residential uses. The existing B and D docks have a total of 8 slips that are allocated to liveaboard residential uses.

Discussion of Potential Project Impacts

- a) ***Less than Significant Impact.*** The Project does not involve the construction of residential uses. The number of liveaboard slips in docks B and D are not anticipated to change as a result of buildout of the Project. Therefore, the Project would not generate substantial population growth in the Ventura Harbor. Impacts would be less than significant.
- b) ***Less than Significant Impact.*** Construction activities associated with the Project would temporarily close docks B and D and displace all liveaboard boat slips. However, this displacement would occur for a nominal period of time and would cease upon the completion of construction activities. In addition, Ventura Yacht Club will work to accommodate liveaboards elsewhere in the Harbor as is

feasible. Therefore, no people or housing units would be permanently displaced as a result of the Project. Impacts would be less than significant.

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
15. PUBLIC SERVICES –				
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Regulatory Setting

State

California Fire Code

The 20 California Fire Code (CFC) (Title 24, Part 9 of the California Code of Regulations) is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. It establishes regulations to safeguard against the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises. The (CFC) also establishes requirements intended to provide safety for and assistance to firefighters and emergency responders during emergency operations. The provisions of the Fire Code apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure throughout California. The (CFC) includes regulations regarding fire-resistance-rated construction, fire protection systems such as alarm and sprinkler systems, fire services features such as fire apparatus access roads, means of egress, fire safety during construction and demolition, and wildland-urban interface areas.

Local

General Plan Policies

The City's *General Plan* policies related to public services and facilities include, are not limited to, the following:

Policy 7C: Optimize firefighting and emergency response capabilities.

Policy 8B: Increase the availability and diversity of learning resources.

Policy 8C: Reshape public libraries as 21st Century learning centers.

Existing Setting

Fire Protection: The Project Site is served by the Ventura City Fire Department (VCFD). The VCFD generally provide fire suppression services. The closest VCFD station to the Project Site is Fire Station 5, located 2.1 miles northeast at 4225 East Main Street. According to the City's General Plan, the VCFD's target response times to emergencies within the Project Site is under five minutes.

Police Protection: The Project Site is served by the Ventura Harbor Patrol (VHP). The VHP enforces boating laws and local ordinances and provides rescue, and emergency medical services, and provides both land and waterside services within the Ventura Harbor.³² The VHP station is located approximately 0.40 miles south of the Project Site at 1603 Anchors Way.

The Project Site is also served by the Ventura Police Department (VPD) for land-side police protection services. The VPD is composed of more than 250 police officers, public safety dispatchers, cadets, and volunteers.³³ The VPD headquarters are located approximately 2.50 miles northeast of the Project Site at 1425 Dowell Drive.

School Services: The Project Site is located within the Ventura Unified School District (VUSD) boundaries.³⁴ The closest school under VUSD is Pierpont Elementary School, located approximately 0.90 miles northwest of the Project Site.

³² Ventura Port District, *Harbor Patrol*, <https://venturaharbor.com/harbor-patrol/>, accessed September 7, 2022.

³³ City of Ventura Police Department, *About The VPD*, <https://www.cityofventura.ca.gov/950/About-The-VPD>, accessed September 7, 2022.

³⁴ Ventura Unified School District, *Ventura Unified School District School Locator*, <https://locator.decisioninsite.com/?StudyID=196118#>, accessed September 7, 2022.

Parks: The City of Ventura Parks and Recreation Department (Department) provides park and recreational services in the City. The Department is responsible for maintaining and programming the various parks and recreational facilities and works cooperatively with public agencies in coordinating all recreational activities within the City. The closest neighborhood park to the Project Site, Marina Park, is located approximately 0.55 miles north at 2950 Pierpont Boulevard.

Other Public Services: The Ventura County Library (VCL) provides public library services within the City. The VCL location provide several public services, including homework centers, computer stations, color printing, copy and fax machines, and meeting rooms. The closest VCL to the Project Site is the E.P Foster Library, located approximately 2.8 miles northwest at 651 East Main Street.

Discussion of Potential Project Impacts

a) ***Less than Significant Impact.*** The Project involves removing and replacing the existing B and D docks within Ventura Yacht Club marina and also include accessory improvements related to water line upgrades. Although the Project would increase the total square footage of the docks, the Project would result in a decrease in the number of slips. This will allow the Ventura Yacht Club to accommodate larger boats and would result in a similar overall layout to existing conditions. Further, the Project would not introduce new habitable structures that would result in the need for additional fire protection services or facilities.

The Project would install a new four-inch-wide water lateral connection that would provide potable water to the Project Site for fire suppression. As shown in **Figure 3, Fire Protection Site Plan**, the lateral line would connect to multiple hose outputs and would be available for VCFD use in the event of a dock fire. The proposed water connections would adhere to the VCFD design standards and would comply with all CFC regulations pertaining to water availability and accessibility to firefighting. Lastly, the VCFD would review all Project plans and fire plans prior to obtaining any permits. Recommendations made by the VCFD at this time would be implemented into the final design. Thus, impacts would be less than significant.

b) ***Less than Significant Impact.*** Although the Project would increase the size of docks B and D compared to existing conditions, the purpose of this increase is to allow for larger boats to access the docks. There would not be expected to be any increase in the frequency or total number of boats accessing the docks which would result in the need for additional police protection personnel. Additionally, the structural integrity of the docks would be improved, which could reduce the need for police, fire or other emergency services compared to the existing conditions. As discussed in **Section 14, Population and Housing**, the Project would not induce population growth in the area. Additionally, because the Project

would accommodate a similar number of liveaboard boats, there would be no change in the need for police protection services. Impacts would be less than significant.

- c) *No Impact.* Impacts to schools are typically associated with population associated with implementation of a project. As stated previously, the Project does not contain a residential component, and no changes to the capacity for liveaboards currently accommodated on the Project Site would occur. As such, the Project would not result in a substantial increase in the student population resulting in the need for new or expanded schools. No impacts would occur.
- d) *No Impact.* There is no increase in population anticipated from the Project that would substantially increase demand on local parks such that deterioration of facilities would occur. As deterioration of park and recreational facilities are associated with an increase in permanent population, the incremental and incidental increase of people from the Project is expected to be negligible. Therefore, there would be no impact to existing neighborhood and regional parks.
- e) *No Impact.* Impacts to library services are typically associated with population increases from a project. As stated, the Project does not contain a residential component, and there would be no change to capacity for liveaboards which could result in an increase in demand for public library services. As such, no impacts would occur.

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
16. RECREATION –				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Existing Setting

The City of Ventura Parks and Recreation Department provides park and recreational services in the City. The Parks and Recreation Department is responsible for maintaining and programming the various parks and recreational facilities and works cooperatively with public agencies in coordinating all recreational activities within the City. The closest neighborhood park to the Project Site, Marina Park, is located approximately 0.55 miles north at 2950 Pierpont Boulevard.

Discussion of Potential Project Impacts

- a) **Less Than Significant Impact.** As discussed in the **Section 14, Population and Housing**, the Project would not induce substantial population growth in the area. Additionally, the Project would allocate a similar number of liveaboard slips. As deterioration of park and recreational facilities are associated with an increase in permanent population, the incremental and incidental increase of people from the Project is expected to be negligible. Therefore, impacts to existing neighborhood and regional parks would be less than significant.
- b) **Less Than Significant Impact.** The Project Site is in use as a recreational facility for recreational boaters. The environmental impacts associated with the Project are discussed throughout this document. Impacts would be less than significant.

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
17. TRANSPORTATION/TRAFFIC – Would the project:				
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

State

Senate Bill 743

Senate Bill 743 (SB 743), effective September 2013, established new criteria for determining the significance of transportation impacts that “promote the reduction of greenhouse gas (GHG) emissions, the development of multimodal transportation networks, and a diversity of land uses.” Specifically, SB 743 directed the Governor’s Office of Planning and Research (OPR) to update the *CEQA Guidelines* to replace automobile delay—as described solely by level of service (LOS) or similar measures of vehicular capacity or traffic congestion—with vehicle miles traveled (VMT) as the recommended metric for determining the significance of transportation impacts. OPR has approved the *CEQA Guidelines* implementing SB 743.

SB 743 did not authorize OPR to set specific VMT impact thresholds, but it did direct OPR to develop guidelines for jurisdictions to use. *CEQA Guidelines* Section 15064.3(b)(1) describes factors that might indicate whether a development project’s VMT may be significant or not. Notably, projects that are located within one half mile of transit should be considered to have a less than significant transportation impact based on OPR guidance. As of 2022, the City has not adopted its own VMT metric and thresholds or established VMT analysis procedures.

Regional

Southern California of Associated Governments Regional Transportation Plan/Sustainable Communities Strategy

On September 3, 2020, the SCAG Regional Council adopted the Connect SoCal: 2020–2045 Regional Transportation Plan / Sustainable Communities Strategy (2020-2045 RTP/SCS). The 2020-2045 RTP/SCS highlights strategies for the region to reach the regional target of reducing GHGs from automobiles and light-duty trucks.

Congestion Management Authority (CMA)

The Ventura County Transportation Commission (VCTC), as a designated Congestion Management Agency (CMA) oversees the Congestion Management Program (CMP), which is aimed at reducing regional traffic congestion. It is prepared and updated every two years to meet voluntary state congestion management regulations.

Local

City of Ventura Adopted Bicycle Master Plan

The *City of Ventura Adopted Bicycle Master Plan* (*Bicycle Master Plan*, May 2011) serves as a planning tool that represents the 20-year long-range bicycle plan for the City. The purpose of the *Bicycle Master Plan* is to recommend bicycle facility, program, and policy-oriented improvements that will best serve the community based on an assessment of existing conditions and the desires of the City's residents. The *Bicycle Master Plan* also details the City's existing bicycle network and the proposed bicycle network.

General Plan Policies

The *General Plan* policies related to transportation and circulation are applicable to the Project:

Policy 4A: Ensure that the transportation system is safe and easily accessible to all travelers.

Policy 4C: Increase transit efficiency and options.

Existing Setting

Roadway Facilities

Spinnaker Drive, located west of the Project Site, includes four-lanes with two lanes in each direction. The roadway is not provided a roadway classification under the General Plan, and the posted speed limit is 35 miles per hour (mph).

Bicycle and Pedestrian Facilities

There are no public pedestrian facilities or public bicycle routes on-site. However, there are public sidewalks adjacent to the Project Site, in which the existing fire hydrant that would connect to the proposed water lateral connection is located. According to the General Plan and the Bicycle Master Plan, Spinnaker Drive is currently designated as a Class II Bicycle Route. Class II Bicycle Routes are defined by the General Plan as corridors expressly reserved for bicycles, existing on a street or roadway in addition to any lanes for use by motorized vehicles.

Public Transit Facilities

Transit services in the City are provided by Gold Coast Transit (GCT).³⁵ GCT Routes 6, 10, 11, and 16 provide transit services to the City, with a Route 11 bus stop approximately 1.8 miles northeast of the Project Site, along Market Street. The Ventura County line of the Metrolink and Pacific Surfliner Amtrak rail lines also service the City. The station for both train lines is located approximately 2.9 miles northwest of the Project Site.

Discussion of Potential Project Impacts

a) ***Less Than Significant Impact.*** The Project is limited to dock replacements and facility upgrades within the existing docks on-site and within the Ventura Yacht Club property. Construction-related trucks and vehicles for the Project would be nominal and would be parked off-road within the site's existing surface parking lot. Thus, Project-related construction activities and operations would not impact the existing roadway and bicycle circulation system along Spinnaker Road.

Additionally, excavation activities related to the proposed underground lateral connection to the fire hydrant would be nominal and is not expected to result in sidewalk closures. Furthermore, the Project would install new pedestrian facilities on-site in the form of a new ADA-compliant gangway and

³⁵ Gold Coast Transit, *Routes and Schedules-All Routes*, <https://www.gctd.org/getting-around/routes-schedules/>, accessed September 8, 2022.

associated abutment which would increase pedestrian safety and improve pedestrian access on site. Therefore, impacts would be less than significant.

- b) *Less Than Significant Impact.*** Section 15064.3(b)(3) states “If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered... may analyze the project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc.” The Project is limited to dock replacement and facility upgrades. During construction, materials delivery and similar construction truck trips would occur, however these would be limited in terms of duration and would cease once construction operation are complete. For Project operation, the Project does not propose to increase the number of slips, which could potentially increase trips to the Project Site. As a result, trips and associated VMT would be expected to remain similar to existing conditions. Therefore, the Project would remain consistent with Section 15064.3(b) of the *CEQA Guidelines*. Less than significant impacts would occur.
- c) *Less than Significant Impact.*** The Project includes dock replacements and facility upgrades that would be similar in layout and design compared to existing conditions. Vehicle access to and from the Project Site would remain the same as existing conditions, no change would occur. As design and layout of the Project Site would remain the same, the Project would not include any design features that would substantially increase hazards or incompatible use. Less than significant impacts would occur.
- d) *Less than Significant Impact.*** The Project would not remove or close the existing vehicle driveway on-site. Access to the Project Site would continue to be provided via Spinnaker Drive. Additionally, the improvements related to the Project would be reviewed by the Ventura Fire Department and would comply with all applicable access standards during construction and operation. As such, less significant impacts would occur.

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
18. TRIBAL CULTURAL RESOURCES – 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) Listed or eligible for listing 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), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Assembly Bill 52 (2014)

The Native American Historic Resource Protection Act (AB 52) took effect on July 1, 2015 and incorporates tribal consultation and analysis of impacts to tribal cultural resources (TCR) into the CEQA process. AB 52 requires TCRs to be analyzed like any other CEQA topic and establishes a consultation process for lead agencies and California tribes. Projects that require a Notice of Preparation of an EIR or Notice of Intent to adopt a ND or MND are subject to AB 52. A significant impact on a TCR is considered a significant environmental impact, requiring feasible mitigation measures.

TCRs must have certain characteristics:

- 1) Sites, features, places, cultural landscapes (must be geographically defined), sacred places, and objects with cultural value to a California Native American tribe that are either included or determined to be

eligible for inclusion in the California Register of Historic Resources or included in a local register of historical resources. (PRC § 21074(a)(1))

- 2) The lead agency, supported by substantial evidence, chooses to treat the resource as a TCR. (PRC § 21074(a)(2)) The first category requires that the TCR qualify as a historical resource according to PRC Section 5024.1. The second category gives the lead agency discretion to qualify that resource—under the conditions that it support its determination with substantial evidence and consider the resource’s significance to a California tribe.

The following is a brief outline of the process:

- 1) A California Native American tribe asks agencies in the geographic area with which it is traditionally and culturally affiliated to be notified about projects. Tribes must ask in writing.
- 2) Within 14 days of deciding to undertake a project or determining that a project application is complete, the lead agency must provide formal written notification to all tribes who have requested it.
- 3) A tribe must respond within 30 days of receiving the notification if it wishes to engage in consultation.
- 4) The lead agency must initiate consultation within 30 days of receiving the request from the tribe.
- 5) Consultation concludes when both parties have agreed on measures to mitigate or avoid a significant effect to a TCR, OR a party, after a reasonable effort in good faith, decides that mutual agreement cannot be reached.
- 6) Regardless of the outcome of consultation, the CEQA document must disclose significant impacts on TCRs and if any significant impacts are identified, discuss feasible alternatives or mitigation that avoid or lessen the impact.

California Health and Safety Code, Section 7050.5

This code requires that if human remains are discovered in the project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. If the coroner determines that the remains are not subject to his or her authority and recognizes or has reason to believe the human remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

California Public Resources Code, Sections 5020–5029.5

This code continued the former Historical Landmarks Advisory Committee as the state Historical Resources Commission. The commission oversees the administration of the California Register of Historical Resources and is responsible for the designation of state Historical Landmarks and Historical Points of Interest.

Public Resources Code Sections 5097-5097.994

Native American Historic Resource Protection Act; Archaeological, Paleontological, and Historical Sites; Native American Historical, Cultural, and Sacred Sites (Public Resources Code Section 5097-5097.994) specifies the procedures to be followed in the event of the unexpected discovery of human remains on nonfederal public lands. California Public Resources Code 5097.9 states that no public agency or private party on public property shall “interfere with the free expression or exercise of Native American Religion.” The code further states that:

No such agency or party [shall] cause severe or irreparable damage to any Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine... except on a clear and convincing showing that the public interest and necessity so require. County and city lands are exempt from this provision, except for parklands larger than 100 acres.

California Public Resources Code, Section 5024.1. The California Register of Historical Resources (CRHR) is the state version of the NRHP program. The CRHR was enacted in 1992 and became official January 1, 1993. The CRHR was established to serve as an authoritative guide to the state’s significant historical and archaeological resources. Resources that may be eligible for listing include buildings, sites, structures, objects, and historic districts. CEQA identifies a historic resource as a property that is listed on—or eligible for listing on—the NRHP, CRHR, or local registers. NRHP-listed properties are automatically included on the CRHR.

Resources eligible for listing in the CRHR must retain enough of their historic character or appearance to be “recognizable as historic resources and to convey the reasons for their significance.” Under CRHR regulations, “it is possible that historical resources may not retain sufficient integrity to meet the criteria for listing in the NRHP, but they may still be eligible for listing in the California Register.” The California Office of Historic Preservation (OHP) has consistently interpreted this to mean that a California Register-eligible property must retain “substantial” integrity. Because CRHR regulations do not provide substantial written guidance on evaluating integrity, the NRHP bulletin, “How to Apply the National Register Criteria for Evaluation,” is used.

The CRHR also includes properties that: have been formally determined eligible for listing or are listed in the NRHP; are registered State Historical Landmark Number 770 and above; are points of historical interest that have been reviewed and recommended to the State Historical Resources Commission for listing; or are city and county-designated landmarks or districts (if criteria for designation are determined by OHP to be consistent with CRHR criteria).

Senate Bill (SB) 18 (2004)

SB 18 (Government Code Sections 65352.3 and 65352.4) requires that, prior to the adoption or amendment of a general plan proposed on or after March 1, 2005, a city or county must consult with Native American tribes with respect to the possible preservation of, or the mitigation of impacts to, specified Native American places, features, and objects located within that jurisdiction.

Existing Setting

The Chumash Native American Tribe occupied the City of Ventura for approximately 9,000 years. The Chumash were living in a string of coastal villages when Spanish explorers arrived in 1542. Shisholop village (at the south end of present-day Figueroa Street) was a thriving Chumash provincial capital at the time of the Spanish arrival.

Discussion of Potential Project Impacts

- a) ***No Impact.*** Impacts related to historical resources are evaluated in the Cultural Resources section. As discussed, there are no buildings or structures within the Project Site that are eligible to be listed on the CRHR or NRHP. Additionally, there are no buildings or structures on-site or within the immediate vicinity of the Project Site that are classified as a local cultural or historical resource by the City's *General Plan*. Thus, impacts to historic resources would be less than significant.
- b) ***Less than Significant Impact.*** In compliance with AB 52, the District distributed letters on November 18, 2022, notifying each tribe that may have knowledge of cultural resources within the Project Area of the Project. As of November 22, 2022, no response letters have been received by any Native American Tribe.

As discussed above, ground-disturbing activities associated with the Project could result in the discovery of previously undiscovered cultural resources. This includes potential discovery of tribal cultural resources. In the event that Native American resources are discovered, the City would consult with the Native American monitor and affected tribe(s). Impacts to resources that are applicable under Public Resources Code Section 5024.1 would be less than significant.

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
19. UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

State

State Water Code

Pursuant to the State Water Code, water suppliers providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet (approximately 980 million gallons) of water annually must prepare and adopt an urban water management plan (UWMP) and update it every five years. As part of a UWMP, water agencies are required to evaluate and describe their water resource supplies and projected needs over a 20-year planning horizon, water conservation, water service reliability, water recycling, opportunities for water transfers, and contingency plans for drought events. The City of

Ventura adopted its most recent UWMP, the *2020 Urban Water Management Plan for the City of Buenaventura (2020 UWMP)* in May 2021.

Assembly Bill (AB) 939

California AB 939 established the California Integrated Waste Management Board (CalRecycle), which required all California counties to prepare Integrated Waste Management Plans. In addition, AB 939 required all municipalities to divert 50 percent of their waste stream by the year 2000.

Senate Bill 1383 (2016)

SB 1383 (2016) established targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The bill granted CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that at least 20 percent of currently disposed edible food is recovered for human consumption by 2025.

California Green Building Standards Code

In January 2020, the most recent version of the California Green Building Standards Code (Cal Green) became effective. Cal Green establishes mandatory green building standards for new and remodeled structures in California. These standards include a mandatory set of guidelines and more stringent voluntary measures for new construction projects, in order to achieve specific green building performance levels as follows:

- Reduce indoor water use by 20 percent;
- Reduce wastewater by 20 percent;
- Recycle and/or salvage 50 percent of nonhazardous construction and demolition debris; and
- Provide readily accessible areas for recycling by occupant.

Local

General Plan Policies

The City's *General Plan* policies related to utilities and service systems include, are not limited to, the following:

Policy 5B: Improve services in ways that respect and even benefit the environment.

City of Ventura Municipal Code

Chapter 22.150 (Water Service Connection) of the City *Municipal Code* requires new lateral connections to the Ventura Water system to pay connection fees to the city as a method of recovering fair and proportionate share of capital costs of pumping and storage facilities and distribution lines. The numerical amount of these connection fees varies and are dependent upon meter size.

Existing Setting

Water: According to the 2020 UWMP, the Project Site and the surrounding area are serviced by the City for potable water. The City's sources of water supply include surface water (i.e., the Ventura River), groundwater supplies, and the California State Water Project. Based on the 2020 UWMP, the water demand irrigation in the year 2020 totaled to approximately 380 acre-feet (AF). The 2020 UWMP includes an analysis of water supply reliability projected through 2045. Based on this analysis, the City would provide adequate water supply to its service area under a normal supply and demand scenario, single dry-year supply and demand scenario, and multiple dry-year supply and demand scenario through 2045.

Wastewater: Wastewater within the City is treated by the Ventura Water Reclamation Facility (VWRF). The VWRF is a tertiary treatment plant that treats between approximately eight to nine million gallons of wastewater per day (MGD).³⁶ As of 2020, the VWRF has a design treatment capacity of 14 MGD.³⁷

Stormwater: Stormwater and non-stormwater runoff generated by the Project Site is discharged into existing storm drains that are owned by the City.

Dry Utility Services: Electricity and natural gas services at the project site are currently provided by Southern California Gas Company and Southern California Edison, respectively.^{38,39}

³⁶ City of Ventura, *Wastewater*, <https://www.cityofventura.ca.gov/503/Wastewater>, accessed September 8, 2022.

³⁷ City of Ventura, *Wastewater*, <https://www.cityofventura.ca.gov/503/Wastewater>, accessed September 8, 2022.

³⁸ City of Ventura, *Clean Power Alliance*, <https://www.cityofventura.ca.gov/1489/Clean-Power-Alliance>, accessed September 8, 2022.

³⁹ Southern California Gas, *Gas Transmission Pipeline Interactive Map – Ventura*, <https://socalgas.maps.arcgis.com/apps/webappviewer/index.html?id=12cb8fddd6184f1bafc565ed09e4f631>, accessed September 8, 2022.

Solid Waste: More than 98 percent of the solid waste collected in the City are disposed to the Toland Road Landfill.⁴⁰ The Toland Road currently has a remaining capacity of 16,068,864 tons of solid waste and would cease operation in April of 2033.⁴¹

Discussion of Potential Project Impacts

- a) ***Less than Significant Impact.*** The Project includes dock replacements and other facility improvement. The Project would not introduce new habitable structures to the Project Site, nor would it introduce new electrical systems to the Project Site (ex., dock lights, streetlights, etc.). Although the Project would increase the overall square footage of the docks and would allow for larger boats within the Harbor, these increases are considered nominal and would not result in an increase in demand for utility services. Thus, the Project would not increase the demand for water, wastewater, or dry utility services or facilities (i.e., electricity, natural gas, and telecommunication services) that would result in the relocation or construction of new facilities.

As discussed in **Section 10, Hydrology and Water Quality**, construction activities associated with the Project would increase the amount of stormwater runoff from the Project Site. However, the Project would implement BMP to reduce pollution and sedimentation from the Project Site into Ventura Harbor, in the event that substantial runoff does occur. The Project Site is currently developed, and there would be no changes to the Ventura Yacht Club building under the Project. As such, the Project would not result in the need for the relocation or construction of new storm water drainage systems.

The Project would install a new potable water service lateral on-site that would connect to an existing fire hydrant to the proposed B and D docks and would only be utilized for emergency fire suppression purposes. In adherence to Chapter 22.150 of the City's Municipal Code, payment of standard water connection fee to the City would adequately offset any potential impacts to existing water facilities. Therefore, the Project would not result in increases in water or wastewater use that would require construction of new or expanded water facilities that could result in substantial environmental impacts. Thus, less than significant impacts would occur.

- b) ***Less than Significant Impact.*** The Project would install a new connection to the City's water system for potable water. However, the proposed water service lateral would only be utilized by the Ventura Fire Department as a hose connection from an existing fire hydrant on-site during emergency fire

⁴⁰ CalRecycle, *Jurisdiction Disposal by Facility and Alternative Daily Cover (ADC) Tons by Facility*. Available online: <https://www2.calrecycle.ca.gov/LGCentral/DisposalReporting/Destination/DisposalByFacility>, accessed September 8, 2022.

⁴¹ CalRecycle, *SWIS Facility/Site Search*, Available online: <https://www2.calrecycle.ca.gov/SolidWaste/Site/Search>, accessed September 8, 2022.

suppression events (e.g., structural dock fires). Thus, the proposed water service lateral would not continuously utilize the City's water facilities. However, because the Project would establish a new connection to the City's water system, the Project would be required to comply with Chapter 22.150 of the *Municipal Code* and pay standard connection fees to the City. As such, the Project would not substantially deplete the City's potable water supply, and less than significant impacts would occur.

c) ***Less than Significant Impact.*** The Project would not directly result in an increase in wastewater generation. Although the Project would increase the overall square footage of the docks, this increase would be nominal and would not change wastewater usage from existing conditions. The Project would increase the number of larger boats that could be docked at any one time but decrease the total number of slips by one. As a result, there would likely be no change in the amount of wastewater generated on the site. As such, VWRP's would continue to be able to accommodate wastewater generated from the Project Site. Less than significant impacts would occur.

d, e) ***Less than Significant Impact.*** The Project does not propose to introduce any new habitable structures, such as residential or commercial uses, which would generate a substantial amount of solid waste. Although the Project would increase the overall square footage of the docks the total number of slips would be decreased by one. Further, the Project would comply, with all federal and state statutes and regulations related to solid waste, including the AB 341 and the 2020 Cal Green Code. As such, less than significant impacts would occur.

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

Existing Setting

The Project Site is zoned Harbor Commercial by the City and has been previously developed. The Project Site and its surrounding uses are designated as “Commerce” according to the General Plan. The Project Site is predominantly developed with the Ventura Yacht Club building. According to the California Department of Forestry and Fire (Cal Fire) Fire Hazard Severity Zone Viewer, the Project Site is not located in or near a State responsibility area nor is the Project Site designated as a very high fire severity zone in a Local responsibility area.^{42,43} The Project is not located within close to proximity to the existing evacuation routes.

Discussion of Potential Project Impacts

- a) **No Impact.** The proposed improvements under the Project are limited to waterside improvements and the installation of a water line on-site. As such, all construction activities associated within the Project would be contained on-site. As stated in **Section 9, Hazards and Hazardous Materials**, the Project

⁴² California Department of Forestry and Fire Protection, *Fire Hazard Severity Zones in SRA, Ventura County*, November 7, 2007.

⁴³ California Department of Forestry and Fire Protection, *Very High Fire Severity Zone in LRA, Ventura*, October 6, 2010.

would not impede the current emergency response operations outlined in the City's Emergency Operations Plan. Additionally, the Project is not expected to impede any of the existing emergency evacuation routes on- or off-site as it would be similar to existing conditions. Thus, no impacts to an adopted emergency response or evaluation plan would occur.

- b) **No Impact.** As stated, the Project is not located within or near a State responsibility area nor is the Project Site designated as a very high fire severity zone. Accordingly, no impacts related to wildfire would occur.
- c) **Less than Significant Impact** The majority of the dock and facility improvements under the Project would occur within the Ventura Harbor. The Project includes the installation of a new water lateral connection. However, this installation would occur on predominantly paved surfaces on-site, with little to no vegetation. Thus, the Project's potential to exacerbate any fire risks, and impacts would be less than significant.
- d) **No Impact.** As discussed, all structures associated with the Project would occur within the Ventura Harbor. Additionally, the Project Site is not located within or near a State responsibility area or very high fire severity zone. Therefore, the Project would not result in wildfire risks that would expose people or structures to significant risks, including downslope or downstream flooding or landslides. No impacts would occur.

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
21. MANDATORY FINDINGS OF SIGNIFICANCE – The lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur. Where prior to commencement of the environmental analysis a project proponent agrees to mitigation measures or project modifications that would avoid any significant effect on the environment or would mitigate the significant environmental effect, a lead agency need not prepare an EIR solely because without mitigation the environmental effects would have been significant (per Section 15065 of the <i>State CEQA Guidelines</i>):				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion of Potential Project Impacts

- a) **Less than Significant Impact with Mitigation Incorporated.** As discussed in the Biological Resources section, impacts to the existing marine wildlife population are potentially significant. However, with the implementation of **Mitigation Measures MM BIO-1** and **MM BIO-2**, impacts to marine species would be reduced to less than significant levels. As noted under the Cultural Resources section, the Project could potentially result in undiscovered archaeological resources on-site. However, with the implementation of **Mitigation Measure MM CUL-1**, these impacts would be reduced to less than significant levels.

- b) *Less than Significant Impact with Mitigation Incorporated.* The Project generally would not contribute to potentially cumulatively considerable impacts. As indicated in the above analysis, with implementation of the required mitigation measures, the Project would not result in any unmitigated significant adverse impacts and/or cumulatively considerable impacts. Specifically, **Mitigation Measures MM BIO-1 through MM BIO-4, MM CUL-1, MM GEO-1 through MM GEO-4, and MM HYD-1 through MM HYD-7**, would reduce potentially significant impacts to less than significant levels. The Project does not include any unmitigated cumulatively considerable impacts when considered in connection with the effects of past, present and probably future projects. No further analysis is necessary.
- c) *Less than Significant Impact with Mitigation Incorporated.* As indicated in the above analysis, with implementation of the required mitigation measures, the Project would not result in any unmitigated significant adverse impacts. Thus, the Project would not have the potential to result in substantial adverse effect on human beings. No further analysis is needed.

VI. SUPPORTING INFORMATION SOURCES

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California Department of Conservation, *California Important Farmland Finder*, <https://maps.conservation.ca.gov/dlrp/ciff/>, accessed August 30, 2022.

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California Department of Fish and Wildlife, *BIO Geospatial Map-CNDDDB Species for Oxnard Quadrant*, <https://apps.wildlife.ca.gov/bios/?tool=cnddbQuick>, accessed September 15, 2022.

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