



# T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project

## Draft Environmental Impact Report

*prepared by*

**City of Thousand Oaks**

Community Development

2100 Thousand Oaks Boulevard

Thousand Oaks, California 91362

Contact: Carlos Contreras, Senior Planner

*prepared with the assistance of*

**Rincon Consultants, Inc.**

250 East 1st Street, Suite 1400

Los Angeles, California 90012

**April 2022**



**RINCON CONSULTANTS, INC.**

Environmental Scientists | Planners | Engineers

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# Acronyms and Abbreviations

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AAQS	ambient air quality standards
AB	Assembly Bill
ACM	Asbestos-Containing Materials
ADA	Americans with Disabilities Act
AERMOD	AMS/EPA Regulatory Model
AFY	acre-feet per year
API	Academic Performance Index
AQMPs	Air Quality Management Plans
ASCE	American Society of Civil Engineers
ATP	Active Transportation Plan
BCE	Before Common Era
BLM	Bureau of Land Management
BMP	Best Management Practice
Btu	British Thermal Units
C&D	Construction and Demolition
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFE	Corporate Average Fuel Economy
Cal OES	California Office of Emergency Services
Cal/OSHA	California Occupational Health and Safety Administration
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
CalFire	California Department of Forestry and Fire Protection
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CAPCOA	California Air Pollution Control Officers Association

CARB	California Air Resources Board
CBC	California Building Code
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CDPH	California Department of Public Health
CE	Common Era
CEAP	Climate and Environmental Action Plan
CEC	California Energy Commission
CEHC	California Essential Habitat Connectivity
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFC	California Fire Code
CFGC	California Fish and Game Code
CGEU	California Gas and Electric Utilities
CGS	California Geological Survey
CH4	Methane
CHP	California Highway Patrol
CHRIS	California Historical Resources Information System
CIWMB	California Integrated Waste Management Board
CMWD	Calleguas Municipal Water District
CNDDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNG	compressed natural gas
CNPS	California Native Plant Society
CO	carbon monoxide
CO2	Carbon Dioxide
COSCA	Conejo Open Space Conservation Agency
CPA	Clean Power Alliance
CPUC	California Public Utilities Commission

CREC	Controlled Recognized Environmental Condition
CRHR	California Register of Historic Places
CRPD	Conejo Recreation and Parks District
CRPR	California Rare Plant Ranks
CTP	Comprehensive Transportation Plan
CUPA	Certified Unified Program Agency
CVGB	Conejo Valley Groundwater Basin
CVUSD	Conejo Valley Union School District
CWA	Clean Water Act
CWPP	Community Wildfire Protection Plan
cy	cubic yards
dB	Decibels
dba	Decibels (A-weighted sound pressure level)
DEIR	Draft Environmental Impact Report
DOC	California Department of Conservation
DOF	California Department of Finance
DOGGR	Division of Oil, Gas, and Geothermal Resources
DOI	Department of the Interior
DOT	United States Department of Transportation
DPM	diesel particulate matter
DTSC	California EPA, Department of Toxic Substances Control
DWR	California Department of Water Resources
EDD	California Employment Development Department
EG	electric generation
EHD	Ventura County Environmental Health Division
EIA	Energy Information Administration
EIR	Environmental Impact Report
EOP	Ventura County Emergency Operations Plan
ESA	Environmental Site Assessment
EV	Electric Vehicle

FAR	Floor to Area Ratio
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FFSA	Federal Fire Safety Act
FHSZ	Fire Hazard Severity Zone
FHWA	Federal Highway Administration
FIGR	Federated Indians of Graton Rancheria
FRA	Federal Responsibility Area
FTA	Federal Transit Administration
GHG	Greenhouse Gas
GVWR	Gross Vehicle Weight Rating
GWh	Gigawatt hours
GWP	Global Warming Potential
HCD	State Department of Housing and Community Development
HCF	Hydrofluorocarbons
HCM	Highway Capacity Manual
HCTP	Hill Canyon Treatment Plant
HFRA	Healthy Forest Restoration Act
hp	horsepower
HSC	California Health and Safety Code
HVAC	Heating, Ventilation, and Air Conditioning
Hz	Hertz
IBC	International Building Code
ICU	Intersection Capacity Utilization
IOU	Investor-Owned Utilities
IPCC	Intergovernmental Panel on Climate Change
ISA	International Society of Arboriculture
IWMA	Integrated Waste Management Act
KPV	Key Points of View
Kwh	Kilowatt hour

LADOT	Los Angeles Department of Transportation
LARWQCB	Los Angeles Regional Water Quality Control Board
LBP	Lead-Based Paint
Ldn	Day-Night Average Level
LEED	Leadership in Energy and Environmental Design
Leq	Average Energy Noise Level
LEV	Low Emission Vehicle
LNG	liquefied natural gas
LOS	Level of Service
LQG	Large-Quantity Generator
LRA	Local Responsibility Area
LRGC	Los Robles Gold Course
LSAT	Land-Surface Air Temperature
LST	Localized Significance Threshold
LT	Long-Term
LUST	Leaking Underground Storage Tank
MBTA	Migratory Bird Treaty Act
MCL	Maximum Contaminant Level
MDHMP	Multi-District Hazard Mitigation Plan
mgd	million gallons per day
MLD	Most Likely Descendant
MMT	Million Metric Tons
mph	miles per hour
MPO	Metropolitan Planning Organization
MT	million tons
MWD	Metropolitan Water District
MWh	Megawatt hour
N <sub>2</sub> O	Nitrous Oxides
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission



NFP	National Fire Plan
NFPA	National Fire Protection Association
NHTSA	National Highway Traffic Safety Administration
NIMS	National Incident Management System
NMFS	National Marine Fisheries Service
NO <sub>2</sub>	nitrogen dioxide
NPDES	National Pollutant Discharge Elimination System
NPDWR	National Primary Drinking Water Regulations
NPPA	Native Plant Protection Act
NRHP	National Register of Historic Places
NWI	National Wetlands Inventory
O <sub>3</sub>	ozone
OEHHA	Office of Environmental Health Hazard Assessment
OTS	Office of Traffic Safety
Pb	Lead
PCB	Polychlorinated Biphenyls
PHEV	Plug-in Hybrid Vehicle
PM <sub>10</sub>	coarse particulate matter
PM <sub>2.5</sub>	fine particulate matter
POST	Peace Officer Standards and Training
PPE	Personal Protective Equipment
PPV	Peak Particle Velocity
PRC	Public Resources Code
Qa	Quaternary alluvium
Qoa	Quaternary older alluvium
RCRA	Resource Conservation and Recovery Act
REC	Recognized Environmental Condition
RHNA	Regional Housing Needs Assessment
RMS	Root Mean Squared
ROG	Reactive Organic Gases

RPS	Renewable Portfolio Standard
RSL	Regional Screening Level
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
S.W.A.T.	Special Weapons and Tactics Team
SAFE	Safer Affordable Fuel Efficient
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCAB	South Central Coast Air Basin
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SCS	Sustainable Communities Strategy
SDC	Seismic Design Category
SDWA	Safe Drinking Water Act
SEMS	California Standardized Emergency Management System
sf	square feet
SF6	Sulfur Hexafluoride
SFP	School Facilities Program
SHMP	State Multi-Hazard Mitigation Plan
SIP	State Implementation Plan
SLF	Sacred Lands File
SMARA	Surface Mining and Reclamation Act
SMCL	Secondary Maximum Contaminant Level
SO2	sulfur dioxide
SoCalGas	Southern California Gas
SP	Specific Plan
SQG	Small-Quantity Generator
SR	State Route
SRA	State Responsibility Area

SRRE	Source Reduction and Recycling Element
SSC	Species of Special Concern
ST	Short-Term
SVLRC	Simi Valley Landfill and Recycling Center
SVP	Society of Vertebrate Paleontology
SWP	State Water Project
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resource Control Board
TACs	Toxic Air Contaminants
TAZ	traffic analysis zone
TCR	Tribal Cultural Resources
TDM	Transportation Demand Management
TIA	Traffic Impact Analysis
Tml	Monterey Formation
TOMC	Thousand Oaks Municipal Code
TOPD	Thousand Oaks Police Department
TOT	Thousand Oaks Transportation Commission
TRAQ	Tree Risk Assessment Qualification
UBC	Uniform Building Code
USACE	United States Army Corps of Engineers
USC	University of Southern California
USDA	United States Department of Agriculture
USDOE	United States Department of Energy
USDOT	United States Department of Transportation
USEPA	United States Environmental Protection Agency
USFS	United States Forest Service
USFWS	United States Fish and Wildlife Service
USGBC	United States Green Building Council
USGS	United States Geologic Survey
UST	Underground Storage Tank

UTM	Universal Transverse Mercator
UWMP	Urban Water Management Plan
V/C	volume to capacity
VCAPCD	Ventura County Air Pollution Control District
VCFC	Ventura County Fire Code
VCFD	Ventura County Fire Department
VCOG	Ventura Council of Governments
VCSD	Ventura County Sheriff's Department
VCSO	Ventura County Sheriff's Office
VCSQMP	Ventura County Stormwater Quality Management Program
VCTC	Ventura County Transportation Commission
VCTM	Ventura County Transportation Model
VCWWD6	Ventura County Water Works District 6
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compound
VSQG	Very Small-Quantity Generator
WBWG	Western Bat Working Group
WEAP	Worker Environmental Awareness Program
WUI	Wildland Urban Interface
ZEV	Zero Emission Vehicle

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# Executive Summary

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This document is an Environmental Impact Report (EIR) analyzing the environmental effects of the proposed T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project on Hampshire Road in the City Thousand Oaks (Thousand Oaks; city; proposed project). This section summarizes the characteristics and alternatives to the proposed project, as well as the environmental impacts and mitigation measures associated with the proposed project.

## Project Synopsis

### Project Applicant

IMT Capital V Hampshire LLC  
15303 Ventura Boulevard, Suite 200  
Sherman Oaks, California 91403  
(818) 784-4700

### Lead Agency Contact Person

Carlos Contreras  
Senior Planner at City of Thousand Oaks  
2100 Thousand Oaks Boulevard  
Thousand Oaks, California 91362

### Project Description

This EIR has been prepared to examine the potential environmental effects of the proposed project. The following is a summary of the full project description, which can be found in Section 2.0, *Project Description*.

The proposed project is located at 325 and 391 Hampshire Road in the city of Thousand Oaks, California, within the southeast portion of the city. The project site is located on the west side of Hampshire Road, north and east side of Foothill Drive, and approximately 540 feet south of U.S. Route 101 (US-101) Freeway. Local access to the site is provided from Hampshire Road and Foothill Drive. According to the Ventura County Assessor records, the subject property is legally identified as Assessor's Parcel Numbers (APN) 676-0-150-365, 676-0-15-285, and 676-0-150-375. The proposed project site has a General Plan land use designation of "Commercial," and the current zoning designation is "Neighborhood Shopping Center" (C-1). The proposed project will require a General Plan amendment to change the land use designation from Commercial to Commercial/Residential, as well as a Zone Change to change the project site zoning designation from C-1 to Specific Plan (SP).

The site is currently developed with vacant buildings including a 103,670-square foot (sf) main tenant building, a 12,512-sf attached building, a 2,600-sf fast food drive-thru restaurant pad building, and a large parking lot. The vast majority of the site is impervious, with some landscaping around the buildings and parking lot. There is an existing approximate 2-foot-high retaining wall that joins the rear portion of the site to Foothill Road. A 15-foot sewer easement generally runs along the northerly property line. Another 15-foot storm drain easement is generally located in the southwest corner of the site. Two 6-foot and one 10-foot public utility easements (PUEs) run

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through southwest part of the site, and a public utility easement runs through the southeast part of the site. The proposed project site currently contains eight protected tree species including oak trees and two landmark sycamore trees, all of which are protected under the City of Thousand Oaks Tree Protection Guidelines. Small shrubs and bushes are also planted in the landscaped area of the parking lot.

Nearby parks and trails include Evenstar Park, Triunfo Community Park, Russell Park, and Los Robles Trail, which are all within a mile radius of the project site. Los Robles trail access point is located approximately 150 feet to the southwest of the site, along Foothill Road. Little Dreamers Early Childhood preschool is on the southwest border of the project site. Westlake Hills Elementary School, a public school, and Carden Conejo School, a private elementary school, are both located approximately 0.7 mile from the project site, to the northeast and south respectively. Sweet Dreams Child Care/ Fields Family Daycare and Westlake Village KinderCare are located 0.9 mile from the project site. Conejo Valley Unified School District (CVUSD), which operates public schools throughout Thousand Oaks including Westlake Hills Elementary School approximately 0.7 mile northwest of the project site, Los Robles Hospital & Medical Center, approximately 3.9 miles northwest of the project site and California Lutheran University, approximately 4.7 miles north of the project site.

An assisted living facility is located adjacent to the northwest corner of the site, Retirement community Sunrise of Westlake Village is 1.3 miles southeast of the project site and Atria Grand Oaks, another retirement community is approximately one mile north of the project site. The closest airport is the Camarillo Airport, approximately 14 miles east of the project site. Major employers in Thousand Oaks include Amgen Inc., its main campus approximately 4.8 miles northwest of project site.

*Project Characteristics*

The proposed project would involve demolishing an existing a one-story 103,670-sf commercial structure, an attached one-story 12,512-sf commercial building, a 2,600-sf fast food drive-thru restaurant pad building, a surface parking lot, landscape planters, and existing vegetation. The existing site is approximately 91 percent impervious and does not include any water quality treatment systems.

The proposed project consists of mixed-use and multi-family residential development with associated neighborhood restaurant and retail uses. Table ES-1 provides a summary of the project characteristics.

**Table ES-1 Project Characteristics**

Address	325 – 391 Hampshire Road
Assessor Parcel Number	676-0-150-375, 676-0-150-285
Site Area	10.97 AC = 477,853 sf (net)
Allowed Density	30 du/ac (329 units)
Proposed Density w/ Density Bonus	38.29 du/ac (420 units)
Height/Stories	Average Height = 37.5 Feet
Total Building Footprint	208,773 SF
Required Parking	Commercial = 105 spaces Residential = 628 spaces
Proposed Parking	Commercial = 119 spaces Residential = 683 spaces
Total Public Open Space	126,932 SF (including dog park)
Total Residential Private and Shared Open Space	Private = 35,454 sf Common = 40,786 sf <b>Total = 76,240 sf</b>
AC = acres	
du/ac = dwelling units per acre	
sf = square feet	

In summary, the proposed project would demolish the existing development and construct a new mixed-use and multi-family residential project consisting of 420 dwelling units, and 15,000 sf of restaurant and retail uses. The 420 dwelling units would be distributed across two podium, mixed-use buildings and 13 townhome buildings. The project would also include a stand-alone two-story amenity structure totaling 5,000 sf of floor area and an outdoor amenity court which would include resident seating areas and patios, a barbeque picnic area, and a pool which would be part of the resident open space. In total, the project would contain up to 841,153 sf of gross floor area on a 10.97-acre parcel. The proposed uses would be located within three- and four-story structures with one level of semi-subterranean parking and a covered one-story surface parking garage. Buildings A and B would have a maximum average building height of 50 feet, 3 inches. The proposed project would reduce the amount of on-site impervious surfaces from approximately 91 percent to approximately 75 percent.

- The proposed project would include approximately:
- Development of 466,322 sf of residential and 15,000 sf of commercial space on 10.97 acres, and includes developable areas associated with driveways, walkways, hardscape, landscape and open space amenities.
- Building footprint of 208,773 sf.
- Upscale mixed-use and residential project supporting nearby residential, commercial, and industrial uses.
- Maximum building height of 50 feet 3 inches, with townhomes at 36 feet 7 inches.

Table ES-2 compares existing conditions to the proposed project with respect to building footprint and height.



**Table ES-2 Summary of Proposed Changes**

	Existing Development	Proposed Project	Change
Building Coverage	K-Mart: 103,670 SF Auxiliary Building: 12,512SF Fast Food Restaurant” 2,600 SF <b>Total: 118,782 SF</b>	208,773 SF Building Footprint	+89,991 SF
Height	K-Mart: 22 Feet Auxiliary Building: 16.7 Feet	Building A: 41.2 Feet Building B: 50.3 Feet Building C1: 18.7 Feet Building C2: 14.9 Feet Building C3: 11.5 Feet Building D: 44 Feet Building E: 33.6 Feet Building F: 18 Feet	+28.3 Feet
Parking	K-Mart Lot: 470,284 SF Fast Foot Restaurant Lot: 42,405 <b>Total: 512,689</b>	281,046 SF	-231,643 SF

<sup>1</sup> Rooftop penthouse structures, including lunchroom and eating area, in accordance with BHMC §10-3-3107 are exempt from the height restrictions given that additional height does not exceed 15 feet.

The site landscape concept works to integrate surrounding open spaces into the green spaces provided throughout the site. The Thousand Oaks Municipal Code (TOMC) and the City’s Guidelines and Standards for Landscape Planting and Irrigation Resolution No. 2007-116) dictate that drought tolerant plants be used to the greatest extent possible in any parking area landscape design and planting (City of Thousand Oaks 2022). All landscape plans will demonstrate compliance with the State of California Code of Regulations Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELO) to maximize urban water use efficiency. The plant pallet would feature a mix of native and ornamental species, that are also drought tolerant. Residents and visitors would also experience this landscape as a continuation of the vast open space network surrounding Thousand Oaks. The proposed project would comply with the Ventura County Fire Code (VCFC) requirements for development in Wildland Urban Interface Areas including standards for fire access lanes, routine landscaping maintenance, among other regulations.

*Parking and Site Access*

Regional access to the proposed project site is provided from US-101 and Thousand Oaks Boulevard from the north. Local access to the site is provided from Hampshire Road to the east and Foothill Drive from the south.

The proposed project would be accessible by pedestrians through the crosswalks at the intersection of Hampshire Road and Foothill Road. A variety of on-site, public, exterior spaces, including pedestrian paths, paseos, and plazas, would create pedestrian connectivity with facilities in the broader community.

The nearest bus stop is located at the intersection of Hampshire Road and Thousand Oaks Boulevard, 0.4-mile northeast of the site. Another nearby bus stop is located at the intersection of Duesenberg Drive and Thousand Oaks Boulevard, 0.8-mile northeast of the site.

The proposed project would include 802 parking spaces, with 119 parking spaces dedicated to restaurant and retail uses and 683 parking spaces reserved for residential parking. Building A would contain 284 residential spaces and 54 commercial spaces; Building B would include 227 residential spaces and 65 commercial spaces; and Townhome Building types C and D would include 142 garage parking spaces and 30 surface guest parking spaces for the entire site.

### *Construction and Grading*

Proposed project construction would consist of two phases, that would begin at the same time but follow different timelines. Phase 1 would include development of all townhomes and surrounding open spaces and amenities. Phase 2 would include podium buildings A and B. A secondary construction fence would be erected between Phase 1 and 2 allowing Phase 1 townhomes to open and begin leasing prior to Phase 2 completion. Leasing operations would operate temporarily out of the two-story, 5,000 sf, amenity building located between the mixed-use buildings and townhomes.

Grading for the site would follow the site topography, which ascends from Hampshire Road to the western rear portion of the site. Following City approvals and issuance of building and grading permits, demolition, debris and vegetation removal, grading, utilities installation, and curb and gutter installation would take three months. Prior to commencement of grading operations, the project site would be secured with construction fencing that would remain in-place throughout the entire construction process. During the site preparation all construction equipment would be stored on site. Equipment would include water trucks, semi-trucks and trailers, excavators, front end loaders, shoring installation equipment, Bobcats and other small equipment. The contractor would use standard techniques to minimize construction noise and dust. Once the existing buildings are demolished, conceptual grading calculations indicate approximately 120,000 cubic yards of material would need to be exported. Final engineering may result in modifications to the overall grading concept, but the modifications would conform to the general intent of the project Conceptual Grading Plan. It is not anticipated any fill would be required to be imported to the site.

## Project Objectives

The proposed project is envisioned as a revitalization of a vacant parcel that would result in a high-quality community. These objectives, which are identified below, have been refined throughout the planning and design process:

- Ensure the scale of the development respects its surroundings and existing development pattern by reducing the mass and scale further away from Hampshire Road.
- Alleviate the housing crisis by providing housing to help meet the City's Regional Housing Needs Assessment (RHNA) allocation, including 50 dwelling units reserved for Low-Income households, consistent with the State Density Bonus Law.
- Provide redevelopment of an underutilized site with a variety of new commercial and residential uses.
- Cluster development to promote walking and establish a strong sense of neighborhood.
- Reinforce sense of place through project-specific identity signage, including way-finding and blade signs for pedestrian and vehicular traffic.
- Integrate a memorable and pedestrian-friendly public realm, where residents have close access to commercial services and open space. Create a smooth transition between the public and semi-public realm along Hampshire Road and Foothill drive.

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- Create new, emerging commercial opportunities on the site with emphasis on establishing a cohesive relationship between public commercial and those working privately from home.
- Provide ample publicly accessible open space and incorporate native plant species to reduce water usage, provide a landscape demonstration area to visitors, and create a comfortable pedestrian environment.
- Add connectivity to existing pedestrian network and open space trail to the southwest.
- Preserve and protect existing oak and landmark trees.
- Locate housing close to job centers along Townsgate Road and Thousand Oaks Boulevard, and medical service providers along Hampshire and Agoura Roads.
- Meet need for neighborhood commercial uses in the area (restaurants and retail).
- Be consistent with the *Thousand Oaks Economic Development Strategic Plan* (November 2017), which identifies the Plan area as an opportunity site

## Alternatives

As required by the California Environmental Quality Act (CEQA), this EIR examines alternatives to the proposed project. Studied alternatives include the following four alternatives. Based on the alternatives analysis, Alternative 3 was determined to be the environmentally superior alternative.

- Alternative 1: No Project: Existing Buildings, Parking Lot, and Landscaping Remain
- Alternative 2: No Project/By-Right Development
- Alternative 3: Mixed-Use Project with Reduced Density

**Alternative 1 (No Project: Existing Buildings, Parking Lot, and Landscaping Remain)** assumes that the proposed commercial and residential buildings, subterranean parking, and other accessories, along with landscaping and sustainability features associated with the proposed project are not constructed. Current uses on the project site consist of a one-story retail complex with a large surface parking lot would remain in place under this alternative. The No Project Alternative would not fulfill any project objectives, described above, because the existing conditions on the site would not support the City’s RHNA obligation by providing residential units in a range of income categories; nor would it help develop a sense of place through high-quality commercial and residential development with gathering places and opportunities to allow emerging commercial and work-from-home jobs. The No Project Alternative would also fail to create a unique pedestrian environment with connectivity to nearby and adjacent open spaces and other commercial centers.

**Alternative 2 (No Project/By-Right Development)** assumes the project site would not be rezoned, and the land uses would remain the same; the General Plan land use designation would remain “Commercial,” and the zoning would remain “Neighborhood Shopping Center (C-1). The proposed project would not be built as residential uses would not be permitted. However, the site could be developed “by-right,” which means that any project that complies with local zoning and land use regulations would be permitted and would be exempt from CEQA. No public hearing or public comment on the project would be required. C-1 zoning is intended for planned neighborhood shopping centers where the retail stores and associated facilities are designed and developed as an integrated unit with a primary tenant (supermarket or drug store) and other retail serving uses for residential area (TOMC Section 9-4.1200).

**Alternative 3 (Mixed-Use Project with Reduced Density)** would also involve demolition of the existing commercial center, paved parking area, and on-site vegetation. It would redevelop the site with a mixed-use plan like that of the proposed project but with only 329 residential units, 91 fewer than the proposed project. Alternative 3 would reduce the parking area by 4,401 square feet and reduce building height to 35 feet. Alternative 3 would not use any of the Measure E density bonus units available within Thousand Oaks, and thus would not contribute as fully to meeting the City's RHNA requirement as would the proposed project. Alternative 3 would meet most of the project objectives but would not be consistent with the State density bonus law (California Government Code Section 65915). Therefore, Alternative 3 would be the environmentally superior alternative, but it would not meet all of the project objectives as it would not construct an additional 91 residential units allowed by Measure E and would therefore reduce the potential for the City to meet its RHNA obligation.

Refer to Section 6.0, *Alternatives*, for the complete alternatives analysis.

## Areas of Known Controversy

The EIR scoping process did not identify any areas of known controversy for the proposed project.

## Issues to be Resolved

The proposed project would require a demolition and building permit. In addition, Planning Commission approval of a discretionary permit/entitlement for Development Plan Review of a new building and a rooftop lunchroom would be required.

## Issues Not Studied in Detail in the EIR

Section 4.15 *Effects Considered Less Than Significant* summarizes issues from the environmental checklist that were determined not to be significant. There is no substantial evidence that significant impacts would occur to the following issue areas: Agriculture, Hydrology and Water Quality and Mineral Resources.

## Summary of Impacts and Mitigation Measures

Table ES-3 summarizes the environmental impacts of the proposed project, proposed mitigation measures, and residual impacts (the impact after application of mitigation, if required).

- **Significant and Unavoidable.** An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per §15093 of the CEQA Guidelines.
- **Less than Significant with Mitigation Incorporated.** An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings under §15091 of the CEQA Guidelines.
- **Less than Significant.** An impact that may be adverse, but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.
- **No Impact:** The proposed project would have no effect on environmental conditions or would reduce existing environmental problems or hazards.

**Table ES-3 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measure (s)	Residual Impact
<b>Biological Resources</b>		
<p><b>Impact BIO-1.</b> Implementation of the proposed project has the potential to impact nesting bird species and roosting bat species. Impacts would remain significant and unavoidable without mitigation.</p>	<p><b>BIO-1 Bat and Nesting Bird Survey Avoidance:</b> Project-related activities shall occur outside of the bird breeding season (generally February 1 –August 31) to the extent practicable. If construction must occur within the bird breeding season, then no more than three days prior to initiation of ground-disturbing activities (including, but not limited to site preparation, grading, excavation, and trenching) within the project site, a nesting bird pre-construction survey shall be conducted by a qualified biologist within the disturbance footprint plus a 100-foot buffer (300-foot for raptors), where feasible. If the proposed project is phased or construction activities stop for more than one week, a subsequent pre-construction nesting bird survey shall be required within three days prior to each phase of construction.</p> <p>Pre-construction nesting bird surveys shall be conducted during the time of day when birds are active and shall factor in sufficient time to perform this survey adequately and completely. A report of the nesting bird survey results, if applicable, shall be submitted to the City for review and approval prior to ground and/or vegetation disturbance activities.</p> <p>If nests are found, an appropriate avoidance buffer ranging in size from 25 to 50 feet for passerines, and up to 300 feet for raptors depending upon the species and the proposed work activity, shall be determined and demarcated by a qualified biologist with bright orange construction fencing or other suitable material. Active nests shall be monitored at a minimum of once per week until it has been determined that the young have fledged the nest. No ground disturbance or vegetation removal shall occur within this buffer until the qualified biologist confirms that breeding/nesting has ended, and all the young have fledged. If no nesting birds are observed during pre-construction surveys, no further actions would be necessary.</p> <p>If evidence of bat roosting is observed, building demolition shall not be allowed until a qualified biologist can verify that the roost is no longer active. If necessary, bats may be evicted and building demolished following submittal and approval of a Bat Avoidance Plan by CDFW.</p>	<p>Implementation of Mitigation Measure BIO-1 would reduce potential direct and indirect impacts to nesting birds and roosting bats to a less-than-significant level.</p>

Impact	Mitigation Measure (s)	Residual Impact
<p><b>Impact BIO-3:</b> Implementation of the proposed project has the potential to disturb protected trees. Impacts would be significant and unavoidable without mitigation.</p>	<ul style="list-style-type: none"> <li>▪ <b>BIO 2 Minimize Impacts to Protected Trees:</b> The project shall take all necessary actions to comply with the requirements of the City’s Oak Tree Preservation and Protection Guidelines and Oak and Landmark Tree Ordinance. These include preserving protected trees located on the project site whenever possible. A permit is required by the City before the start of project activities if any tree will be trimmed, cut, or removed.</li> <li>▪ In accordance with the City of Thousand Oaks Tree Protection Guidelines the oak trees on the project site that would be removed shall be replaced at a ratio of 3:1 with two 24-inch box coast live oak trees and one 36-inch or 60-inch box coast live oak tree. Six coast live oak trees will be removed; therefore, eighteen coast live oak trees shall be planted onsite.</li> <li>▪ A 63 percent encroachment into the protective zone (i.e., an area extending from the trunk to 5 feet from the edge of canopy [dripline]) of California sycamore tree #6 is proposed. The tree is not expected to survive this amount of impact. This tree shall be replaced onsite or at a City-approved offsite location determined and approved by the Community Development Director prior to issuance of a grading permit with two 24-inch box and one 36-inch box California sycamore trees. Replacement trees should be planted with compatible drought tolerant landscaping and similar irrigation requirements. Tree locations shall be reflected in the landscape plan</li> <li>▪ A 30 percent encroachment into the protective zone of California sycamore tree #7 is proposed. It is unknown if the tree would survive this amount of encroachment; therefore, an ISA certified arborist with a current ISA Tree Risk Assessment Qualification (TRAQ) shall conduct a Level 2 Basic Tree Risk Assessment and/or Level 3 Advanced Tree Risk Assessment to inspect the tree immediately following the completion of grading to determine the tree’s likelihood of failure by assigning a risk rating of imminent, probably, possible, or improbable. If the risk rating for tree failure is determined to be “imminent” or “probable”, the tree shall be removed and replaced onsite or at an offsite location determined and approved by the Community Development Director prior to the issuance of a grading permit. Due to the large size of this California sycamore tree (45-inch cumulative trunk diameter and 45- foot canopy spread), this tree shall be replaced with two 24-inch box and one 36-inch box California sycamore trees. Replacement trees should be planted with compatible drought tolerant landscaping and similar irrigation requirements. Tree locations shall be reflected in the landscape plan. If the arborist determines the risk rating for tree failure to be “possible” or “improbable” with an unlikely likelihood of impacting a target and low consequence of failure, the tree shall be retained and preserved in perpetuity</li> </ul>	<p>Implementation of Mitigation Measure BIO-2 would reduce potential impacts to protected trees to a less-than-significant level.</p>

Impact	Mitigation Measure (s)	Residual Impact
	<p>and no replacement trees would be required.</p> <ul style="list-style-type: none"> <li>Section 5, Oak and Landmark Tree Protection Plan, of the Oak and Landmark Tree Report (Rincon, 2022c [Appendix C]) shall be implemented to minimize project-related impacts to oak and landmark trees that would be preserved prior to, and during, construction activities.</li> </ul>	
<b>Cultural Resources</b>		
<p><b>Impact CUL-2:</b> Implementation of the proposed project has the potential to disturb archaeological resources. Impacts would be significant and unavoidable without mitigation.</p>	<p><b>CUL-1 Archaeological Resource Discover Patrol:</b> If archaeological deposits are encountered during project-related ground disturbing activities, then a cultural resource “discovery” protocol will be followed. If historic or prehistoric features or artifact concentrations are encountered during project grading within native soils or original context, then all work in that area will be halted or diverted 30 feet away from the discovery until a qualified archaeologist is contacted and evaluates the nature and/or significance of the find(s). If the discovery is prehistoric in origin, a Native American representative will be contacted to participate in the evaluation. If an archaeologist confirms that the discovery is potentially significant, then the Lead/Permitting Agency will be contacted and informed of the discovery.</p> <p>Construction will not resume in the locality of the discovery until consultation between the qualified archaeologist, the Applicant’s project manager, the Lead/Permitting Agency, and any other concern parties (such as additional regulatory agencies or Native American Tribal Groups), takes place and reaches a conclusion approved by the Lead/Permitting Agency. If a significant cultural resource is discovered during earth-moving, complete avoidance of the find is preferred. However, if the discovery cannot be avoided, data recovery of the significant resource may be required by the City. The City may also require site monitoring, based on the discovery. All individual reports will be submitted to the SCCIC at the conclusion of the project.</p>	<p>Implementation of Mitigation Measure CUL-2 would reduce impacts to archaeological resources to a less-than-significant level.</p>
<p><b>Impact CUL-3:</b> Implementation of the proposed project has the potential to result in the inadvertent discovery of human remains. Impacts would be significant and unavoidable without mitigation.</p>	<p><b>CUL-2 Inadvertent Discovery of Human Remains:</b> The inadvertent discovery of human remains is always a possibility during ground disturbances; State of California Health and Safety Code Section 7050.5 addresses this possibility. This code section states that in the event human remains are uncovered, no further disturbance shall occur until the County Coroner has made a determination as to the origin and disposition of the remains pursuant to PRC Section 5097.98. The County Coroner must be notified of the find immediately, along with the Lead/Permitting Agency and the Applicant.</p> <p>If the human remains are determined to be prehistoric, the County Coroner will notify the NAHC, which will determine and notify a Most Likely Descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of being granted access. The Lead/Permitting Agency and a qualified archaeologist shall also establish additional appropriate mitigation measures for further site construction, in consultation with the MLD.</p>	<p>Implementation of Mitigation Measure CUL-3 would reduce potential impacts to human remains to a less-than-significant level.</p>

Impact	Mitigation Measure (s)	Residual Impact
<b>Geology and Soils</b>		
<p><b>Impact GEO-2:</b> Implementation of the proposed project has the potential to expose people to adverse effects involving strong seismic ground shaking. Impacts would be significant and unavoidable without mitigation.</p>	<p><b>GEO-1a Geotechnical Recommendations:</b> The geotechnical recommendations contained in the 2005 Twining Geotechnical Report shall be fully implemented. Among the study recommendations are specific parameters relating to:</p> <ul style="list-style-type: none"> <li>▪ <b>Foundation Design</b> – over-excavation and compaction for foundations, soil stabilization, shoring, etc., conducted as indicated in the geotechnical report</li> <li>▪ <b>Structural Fills</b> – the applicant shall comply with the recommendations contained in the Twining September 13, 2005 geotechnical report regarding site preparation. This includes over-excavating on-site soils so that new foundations are supported on a minimum of two feet of engineered fill or engineered fill extending to a depth of five feet below preconstruction site grades, whichever provides the deeper fill. These recommendations shall be fully implemented in order to comply with UBC standards and would reduce impacts to a less than significant level</li> <li>▪ <b>Structural Footings</b> – minimum footing embedment depths, widths, and net vertical soil bearing pressures</li> <li>▪ <b>Concrete Slabs</b> – testing of exposed subgrades prior to concrete pours, reinforcement of concrete slabs, use of moisture barriers or sand layers beneath slabs</li> <li>▪ <b>Site Preparation</b> – compliance with SWPPP and SWPCP requirements</li> </ul> <p>Additionally, the Gorian report recommended the following site design features:</p> <ul style="list-style-type: none"> <li>▪ Positive drainage should be continuously maintained away from structures and slopes. Ponding or trapping of water in localized areas near the foundations can cause differential moisture levels in subsurface soils. Plumbing leaks should be immediately repaired so that the subgrade soils underlying the structure do not become saturated.</li> <li>▪ Trees and large shrubbery should not be planted where roots can grow under foundations and flatwork when they mature.</li> <li>▪ Landscape watering should be held to a minimum; however, landscaped areas should be maintained in a uniformly moist condition and not allowed to dry-out. During extreme hot and dry periods, adequate watering should be provided to keep soil from separating or pulling back from the foundations.</li> </ul> <p>Prior to the issuance of grading permits, a qualified Geotechnical Engineer retained by the applicant shall provide evidence to the City of Thousand Oaks Engineer that the geotechnical mitigation measure GEO-1a is implemented as described above.</p>	<p>Implementation of Mitigation Measure GEO-1a and GEO-1b would reduce potential impacts related to seismic ground shaking to a less-than-significant level.</p>



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Impact	Mitigation Measure (s)	Residual Impact
<p><b>Impact GEO-2:</b> Implementation of the proposed project has the potential to expose people to adverse effects involving strong seismic ground shaking. Impacts would be significant and unavoidable without mitigation.</p>	<p><b>GEO-1b Geotechnical Oversight:</b> A qualified Geotechnical Engineer shall be retained to perform the following tasks prior to and during construction:</p> <ul style="list-style-type: none"> <li>▪ Review final grading, foundation, and drainage plans to verify that the recommendations contained in the Twining study have been properly interpreted and are incorporated into the project specifications.</li> <li>▪ Observe and advise during all grading activities, including site preparation, foundation and retaining wall excavation, and placement of fill, to confirm that suitable fill materials are placed upon competent material and to allow design changes if subsurface conditions differ from those anticipated prior to the start of grading and construction.</li> <li>▪ Observe the installation of all drainage devices.</li> <li>▪ Test all fill placed for engineering purposes to confirm that suitable fill materials are used and properly compacted.</li> </ul> <p>The qualified Geotechnical Engineer shall provide evidence to the City of Thousand Oaks Engineer that the geotechnical mitigation measure GEO-1b is implemented as described above.</p>	<p>Implementation of Mitigation Measure GEO-1a and GEO-1b would reduce potential impacts related to seismic ground shaking to a less-than-significant level</p>
<p><b>Impact GEO-6:</b> Implementation of the proposed project has the potential to result in unstable soils that could lead to landslides or collapse. Impacts would be significant and unavoidable without mitigation.</p>	<p><b>GEO-2 Site Preparation:</b> Based on the nature of the subsurface soil conditions, it should be anticipated that unstable soil conditions would be encountered during excavation and installation of slabs-on-grade, foundations, utilities, etc. Therefore, the soils may require stabilization. Soils shall be stabilized in accordance with the Twining Report (2005), including the procedures in the Appendices for Chemical Treatment of Soil. Stabilization of the subgrade soils shall be performed in a uniform manner. If stabilization of the subgrade soils is necessary, it shall be performed in the entire building area, including the overbuild zone. Additionally, all recommendations provided in the Gorian Report (2021) regarding soil expansiveness shall be implemented, evidence of implementation shall be provided to the City engineer prior to the issuance of a grading permit.</p>	<p>Implementation of Mitigation Measure GEO-2 would reduce potential impacts related to unstable soils to a less-than-significant level.</p>
<p><b>Impact GEO-7:</b> Implementation of the proposed project has the potential to result in damage to project infrastructure and planned structures due to expansive soils. Impacts would be significant and unavoidable without mitigation.</p>	<p>See Mitigation Measures <b>GEO-1a, GEO-1b, GEO-2.</b></p>	<p>Implementation of Mitigation Measures GEO-1a, GEO-1b, and GEO-2 would reduce potential impacts related to expansive soils to a less-than-significant level.</p>

Impact	Mitigation Measure (s)	Residual Impact
<p><b>Impact GEO-8:</b> Implementation of the proposed project has the potential to disturb previously undiscovered paleontological resources. Impacts would be significant and unavoidable without mitigation.</p>	<p><b>GEO-3 Paleontological Resources Monitoring and Mitigation:</b></p> <ol style="list-style-type: none"> <li>1. <b>Qualified Paleontologist.</b> The project applicant shall retain a Qualified Paleontologist to direct all mitigation measures related to paleontological resources. A qualified professional paleontologist is defined by the Society of Vertebrate Paleontology (SVP) standards (SVP 2010) as an individual preferably with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, and who has worked as a paleontological mitigation project supervisor for a least two years (SVP 2010).</li> <li>2. <b>Paleontological Worker Environmental Awareness Program.</b> Prior to the start of construction, the Qualified Paleontologist or their designee shall conduct a paleontological Worker Environmental Awareness Program (WEAP) training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff.</li> <li>3. <b>Paleontological Monitoring.</b> Full-time paleontological monitoring shall be conducted during ground disturbing construction activities (i.e., grading, trenching, foundation work) within native (i.e., previously undisturbed) sediments of any depth in the lower Monterey Formation and depths greater than five feet in Quaternary alluvium. Ground disturbing activities that only impact artificial fill (i.e., previously disturbed) sediments do not require paleontological monitoring. Paleontological monitoring shall be conducted by a qualified paleontological monitor, who is defined as an individual who has experience with collection and salvage of paleontological resources and meets the minimum standards of the SVP (2010) for a Paleontological Resources Monitor. The duration and timing of the monitoring will be determined by the Qualified Paleontologist based on the observation of the geologic setting from initial ground disturbance, and subject to the review and approval by the City of Thousand Oaks. If the Qualified Paleontologist determines that full-time monitoring is no longer warranted, based on the specific geologic conditions once the full depth of excavations has been reached, they may recommend that monitoring be reduced to periodic spot-checking or ceased entirely. Monitoring shall be reinstated if any new ground disturbances are required, and reduction or suspension shall be reconsidered by the Qualified Paleontologist at that time. In the event of a fossil discovery by the paleontological monitor or construction personnel, all work in the immediate vicinity of the find shall cease. A Qualified Paleontologist shall evaluate the find before restarting construction activity in the</li> </ol>	<p>Implementation of Mitigation Measure GEO-3 would reduce potential impacts to paleontological resources to a less-than-significant level.</p>

Impact	Mitigation Measure (s)	Residual Impact
	<p>area. If it is determined that the fossil(s) is (are) scientifically significant, the Qualified Paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources:</p> <ol style="list-style-type: none"> <li>a. <b>Salvage of Fossils.</b> If fossils are discovered, the paleontological monitor shall have the authority to halt or temporarily divert construction equipment within 50 feet of the find until the monitor and/or lead paleontologist evaluate the discovery and determine if the fossil may be considered significant. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. Bulk matrix sampling may be necessary to recover small invertebrates or microvertebrates from within paleontologically sensitive deposits</li> <li>b. <b>Preparation and Curation of Recovered Fossils.</b> Once salvaged, significant fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection, along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the Qualified Paleontologist.</li> </ol> <p><b>Final Paleontological Mitigation Report.</b> Upon completion of ground disturbing activity (and curation of fossils if necessary) the Qualified Paleontologist shall prepare a final report describing the results of the paleontological monitoring efforts associated with the project. The report shall include a summary of the field and laboratory methods, an overview of the project geology and paleontology, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, and recommendations. The report shall be submitted to the City of Thousand Oaks. If the monitoring efforts produced fossils, then a copy of the report shall also be submitted to the designated museum repository.</p>	

Impact	Mitigation Measure (s)	Residual Impact
<b>Hazards and Hazardous Materials</b>		
<p><b>HAZ-3:</b> Implementation of the proposed project has the potential to expose construction workers and residents in the immediate vicinity to hazardous materials. Impacts would be significant and unavoidable without mitigation.</p>	<p><b>HAZ-1 Regulatory Agency Notification and Approval:</b> Prior to the issuance of any demolition or grading permits, the project applicant shall contact the VCEHD to discuss the proposed redevelopment project, the proposed change to residential land use, the known hazardous material soil, soil vapor, and groundwater impacts onsite, and the adjacent closed release case at 395 Hampshire Road (Shell Station – Case #02004). The project applicant shall provide VCEHD with the proposed site use plans regarding the conversion of commercial land use to residential land use and discuss the onsite presence of groundwater impacted by VOCs at the proposed residential development. The project applicant shall provide the City Planning Department with copies of all communications to and from VCEHD.</p> <p>VCEHD may require the project applicant or the adjacent property owner to conduct additional investigation/studies, including, but not limited to, soil vapor, soil, and/or groundwater investigations, which could help delineate the extent of contaminated soil, soil vapor, and groundwater and allow for the proposed project to be designed in a manner to avoid or minimize impacts to proposed construction and operation of the residential development.</p>	<p>Implementation of Mitigation Measures HAZ-1 through HAZ-5 would reduce impacts related to potential hazardous materials exposure to a less-than-significant level.</p>
<p><b>HAZ-3:</b> Implementation of the proposed project has the potential to expose construction workers and residents in the immediate vicinity to hazardous materials. Impacts would be significant and unavoidable without mitigation.</p>	<p><b>HAZ-2 Regulatory Agency Voluntary Oversight Agreement:</b> Prior to issuance of a grading permit, the applicant shall enter into a Voluntary Oversight Agreement with VCEHD to provide regulatory oversight of identified releases at the project site. VCEHD shall be utilized for agency oversight of assessment and remediation within the project through completion of building demolition, subsurface demolition, and construction the proposed project. Additionally, the project applicant shall notify the VCEHD project manager of the following:</p> <ul style="list-style-type: none"> <li>▪ Current development plan and any modifications to the development plan</li> <li>▪ All written documents concerning hazardous material impacts to soil, soil vapor, and or groundwater, including, but not limited to, Phase I ESAs, Phase II ESAs, geophysical surveys, and other subsurface investigations.</li> <li>▪ All former environmental documents completed for the project site, including this EIR</li> <li>▪ Other documents, as requested by VCEHD</li> </ul> <p>Upon notification of the information above, VCHED could require actions such as: development of subsurface investigation workplans; completion of soil vapor, soil, and/or groundwater investigations; installation of soil vapor or groundwater monitoring wells; soil excavation and offsite disposal; completion of human health risk assessments; and/or completion of remediation reports or case closure documents. The project applicant shall retain a qualified environmental consultant, California</p>	<p>Implementation of Mitigation Measures HAZ-1 through HAZ-5 would reduce impacts related to potential hazardous materials exposure to a less-than-significant level.</p>

Impact	Mitigation Measure (s)	Residual Impact
	<p>Professional Geologist (PG) or California Professional Engineer (PE), to prepare the documents required by VCEHD.</p> <p>If groundwater wells or soil vapor monitoring probes are identified during demolition, subsurface demolition, or construction at the project site, they will be abandoned per City of Thousand Oaks Public Works Department specifications. Abandonment activities will be documented in a letter report submitted to VCEHD within 60 days of the completion of abandonment activities.</p> <p>The VCEHD closure and agency approval documents shall be delivered to and reviewed by the project applicant. The project applicant shall furnish copies of the documents to the City Planning Department prior to issuance of grading permits.</p> <p>It should also be noted that VCEHD may determine that RWQCB or DTSC may be best suited to perform the lead agency duties for assessment and/or remediation at the project site. Should the lead agency be transferred to LARWQCB or DTSC, this and other mitigation measures will still apply.</p>	
<p><b>HAZ-3:</b> Implementation of the proposed project has the potential to expose construction workers and residents in the immediate vicinity to hazardous materials. Impacts would be significant and unavoidable without mitigation.</p>	<p><b>HAZ-3 Site Management Plan for Impacted Soils, Soil Vapor and/or Groundwater:</b> If impacted soils, soil vapor, groundwater, or other impacted wastes are present at the project site, the project applicant will retain a qualified environmental consultant (PG or PE), to prepare a Soil and Groundwater Management Plan prior to construction. The Soil and Groundwater Management Plan, or equivalent document, will be prepared to address onsite handling and management of impacted soils, soil vapor, groundwater, or other impacted wastes, and reduce hazards to construction workers and offsite receptors during construction. The plan must establish remedial measures and/or soil management practices to ensure construction worker safety, the health of future workers and visitors, and the off-site migration of contaminants from the project site. These measures and practices may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>▪ Stockpile management including stormwater pollution prevention and the installation of BMPs</li> <li>▪ Proper handling and disposal procedures of contaminated building materials, soil, and groundwater</li> <li>▪ Monitoring and reporting</li> <li>▪ A health and safety plan for contractors working at the project site that addresses the safety and health hazards of each phase of site construction activities with the requirements and procedures for employee protection</li> </ul> <p>The health and safety plan will also outline proper soil handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction.</p> <p>VCEHD will review and approve the Soil and Groundwater Management Plan prior to demolition and grading</p>	<p>Implementation of Mitigation Measures HAZ-1 through HAZ-5 would reduce impacts related to potential hazardous materials exposure to a less-than-significant level.</p>

Impact	Mitigation Measure (s)	Residual Impact
	<p>(construction). The project applicant will review and implement the Soil and Groundwater Management Plan prior to demolition and grading (construction).</p> <p>Evidence of the review and approval by VCEHD shall be provided to the City Planning Department and City Engineers prior to the issuance of any demolition or grading permits.</p>	
<p><b>HAZ-3:</b> Implementation of the proposed project has the potential to expose construction workers and residents in the immediate vicinity to hazardous materials. Impacts would be significant and unavoidable without mitigation.</p>	<p><b>HAZ-4 Remediation:</b> If soils within the construction envelope at the development site contain chemicals at concentrations exceeding hazardous waste screening thresholds for contaminants in soil (California Code of Regulations [CCR] Title 22, Section 66261.24), the project applicant shall retain a qualified environmental consultant (PG or PE) to conduct additional analytical testing and recommend soil disposal recommendations, or consider other remedial engineering controls, as necessary.</p> <p>The qualified environmental consultant shall utilize the development site analytical results for waste characterization purposes prior to offsite transportation or disposal of potentially impacted soils or other impacted wastes. The qualified environmental consultant shall provide disposal recommendations and arrange for proper disposal of the waste soils or other impacted wastes (as necessary), and/or provide recommendations for remedial engineering controls, if appropriate.</p> <p>Remediation of impacted soils and/or implementation of remedial engineering controls may require additional delineation of impacts; additional analytical testing per landfill or recycling facility requirements; soil excavation; and offsite disposal or recycling.</p> <p>VCEHD will review and approve the disposal recommendations prior to transportation of waste soils offsite, and review and approve remedial engineering controls, prior to construction. The project applicant shall review the disposal and remedial engineering control recommendations prior to the issuance of any demolition permits. The project applicant shall implement the disposal recommendations and implement the remedial engineering controls during demolition/construction.</p> <p>Evidence of the review and approval by VCEHD shall be provided to the City Planning Department and City Engineering Department prior to the issuance of any demolition or grading permits.</p>	<p>Implementation of Mitigation Measures HAZ-1 through HAZ-5 would reduce impacts related to potential hazardous materials exposure to a less-than-significant level.</p>
<p><b>HAZ-3:</b> Implementation of the proposed project has the potential to expose construction workers and residents in the immediate vicinity to hazardous materials. Impacts would be significant and unavoidable without mitigation.</p>	<p><b>HAZ-5 Vapor Mitigation System:</b> VCEHD may require the installation of a sub-slab vapor barrier system at the proposed project. The project applicant shall retain a qualified environmental consultant PG or PE or other qualified person to prepare a sub-slab vapor barrier system design for the proposed project. The plan may include, but is not limited to:</p> <ul style="list-style-type: none"> <li>▪ Design specifications</li> <li>▪ Material specifications</li> <li>▪ Installation requirements</li> <li>▪ Monitoring requirements</li> </ul> <p>The project applicant shall incorporate a sub-slab vapor</p>	<p>Implementation of Mitigation Measures HAZ-1 through HAZ-5 would reduce impacts related to potential hazardous materials exposure to a less-than-significant level.</p>

Impact	Mitigation Measure (s)	Residual Impact
	<p>barrier system during construction. The implementation of which would reduce the potential for soil gas VOCs from migrating to indoor air within the residential building. VCEHD will review and approve the sub-slab vapor barrier system prior to construction.</p> <p>Evidence of the review and approval by VCEHD shall be provided to the City Planning Department and City Engineers prior to the issuance of any demolition or grading permits.</p>	
Noise		
<p><b>NOI-1:</b> Implementation of the proposed project has the potential to intermittently generate noise within and adjacent to the project site in excess of established standards due to construction. Impacts would be significant and unavoidable without mitigation.</p>	<p><b>NOI-1 Construction Noise Reduction Measures</b></p> <ul style="list-style-type: none"> <li>▪ Temporary construction barriers along the southern edge of the project site facing the Westlake Villas multifamily residences at 575 Hampshire Road and along the northwestern edge of the project facing the Windsor Terrace of Westlake Village convalescent home at 250 Fairview Road shall be in place during the Project construction (including demolition, grading, and site preparation), when heavy construction equipment is used, excluding areas where gaps in the barrier are necessary for access. The barrier shall be least 12 feet in height above the project site existing grade level and constructed of a material with a Sound Transmission Class (STC) rating of at least STC-31 (such as acoustic panels or sound barrier products) or a transmission loss of at least 21 dB at 500 hertz (such as 3/4-inch plywood), which would provide an insertion loss (net barrier reduction) of up to 11 dB at the convalescent home and multifamily residences.</li> <li>▪ Power construction equipment (including combustion engines), fixed or mobile, shall be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers’ standards). All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.</li> <li>▪ For applicable construction equipment, grading and construction contractors shall use rubber-tired equipment rather than metal-tracked equipment.</li> <li>▪ The use of on-site electrical power shall be preferred to the use of stationary construction equipment such as generators or air compressors. If stationary construction equipment would be used on site for more than one hour in a day, such equipment shall be placed as far as possible from off-site sensitive receivers. Stationary construction equipment shall also be shielded by either noise blankets or by temporary noise barriers at least three feet taller and six feet wider than the noise source, to the extent feasible.</li> <li>▪ Construction staging and delivery areas shall be located as far as feasible from existing residences and shall be scheduled to take place from the mid-morning and mid-afternoon to take advantage of times when residential zones are less susceptible to annoyance from outside noise to the extent feasible.</li> </ul>	<p>Implementation of Mitigation Measure NOI-1 would reduce impacts; however, the magnitude of the project’s temporary construction noise levels relative to the ambient levels is such that even a maximally effective noise barrier would not feasibly reduce project construction-related noise increases to below acceptable thresholds. Therefore, impacts would remain significant and unavoidable.</p>

Impact	Mitigation Measure (s)	Residual Impact
	<ul style="list-style-type: none"> <li>▪ The project applicant shall post a notice at the construction site. The notice shall contain information on the type of project, anticipated duration of construction activity, and provide a phone number where people can register questions or complaints. The notice shall be posted no later than 72 hours prior to the planned activity, where feasible.</li> <li>▪ Based on areas of construction noise impacts, the Little Dreamers Early Childhood preschool, the Windsor Terrace of Westlake Village convalescent home, the single-family residences and multifamily communities to the west (along Foothill Drive, south of Fairview Road), and the Westlake Villas apartment community to the south shall be informed via mail and posting at the site of the anticipated start date, duration, noise impact, and other pertinent information prior to the construction of the project. Notification shall also include a phone number where people can register questions or complaints. Notification shall also be delivered no later than 72 hours prior to the planned activity, where feasible.</li> <li>▪ An on-site construction manager shall be responsible for responding to local complaints about construction noise. All notices that are sent to sensitive receivers and all signs posted at the construction site shall list the telephone number for the on-site construction manager.</li> <li>▪ Construction supervisors shall be informed of project-specific noise requirements, noise issues for sensitive land uses adjacent to and near the project construction site, and/or equipment operations to ensure compliance with the required regulations and best practices.</li> </ul>	
<p><b>NOI-2:</b> Implementation of the proposed project has the potential to result in a generation of excessive groundborne vibration levels. Impacts would be significant and unavoidable without mitigation.</p>	<p><b>NOI-2 Construction Equipment Vibration Restrictions</b></p> <ul style="list-style-type: none"> <li>▪ Large bulldozers or similar equipment shall not operate within eight feet of the Shell Gas Station, smaller equipment shall be substituted within this distance.</li> <li>▪ As the medical office building could potentially experience temporary construction-related and intermittently "strongly perceptible" vibration from vibratory/sonic pile driving activity occurring within 36 feet of the building, the developer shall give prior notice to that facility of any such activity within that distance, the developer shall provide evidence of notification to the City Planning Department prior to initiation of pile driving activities.</li> <li>▪ Vibratory pile driving activity within 36 feet of the medical office building shall be scheduled during times outside of its hours of operation. Large bulldozers or similar equipment shall not operate within 24 feet of the Little Dreamers Early Childhood Preschool building, the Windsor Terrace of Westlake Village convalescent home, or the medical office building, with smaller equipment substituted within this distance.</li> </ul>	<p>Implementation of Mitigation Measure NOI-2 would reduce impacts related to groundborne vibration to a less-than-significant level.</p>



**T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project**

Impact	Mitigation Measure (s)	Residual Impact
<b>Tribal Cultural Resources</b>		
<p><b>TCR-1:</b> Implementation of the proposed project has the potential to result in disturbance of previously unidentified tribal cultural resources. Impacts would be significant and unavoidable without mitigation</p>	<p>See Mitigation Measures <b>CUL-1 and CUL-2.</b></p>	<p>Implementation of Mitigation Measures CUL-1 and CUL-2 would reduce impacts related to tribal cultural resources to a less-than-significant level.</p>

# 1 Introduction

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This Draft Environmental Impact Report (EIR) has been prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] Sections 21000 et seq.; California Code of Regulations [CCR], Title 14, Chapter 3, Sections 15000 et seq. [CEQA Guidelines]) to evaluate the environmental effects associated with the proposed T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project (proposed project).

The proposed project is located on a 10.97-acre parcel at 325 Hampshire Road in the City of Thousand Oaks. The proposed project consists of mixed-use and multi-family residential development with associated neighborhood restaurant and retail uses. Development of the project would require demolishing an existing a one-story 103,670-sf commercial structure, an attached one-story, 12,512-sf commercial building, a 2,600-sf fast food drive-thru restaurant pad building, a surface parking lot, landscape planters, and existing vegetation. The existing site is approximately 91 percent impervious and does not include any water quality treatment systems. The proposed project is described in detail in Section 2.0, *Project Description*.

This section discusses (1) the legal basis for preparing an EIR; (2) the purpose of the EIR; (3) the lead, responsible, and trustee agencies; (4) the environmental review process required under CEQA; (5) the scope of this EIR; and (6) how the EIR is organized.

## 1.1 Purpose and Legal Authority

The proposed project requires the discretionary approval of Thousand Oaks City Council and therefore the proposed project is subject to the environmental review requirements of CEQA. In accordance with Section 15121 of the CEQA Guidelines, the purpose of this EIR is to serve as an informational document which:

“...will inform public agency decision makers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.”

This EIR has been prepared as a project EIR pursuant to Section 15161 of the CEQA Guidelines. A project EIR is appropriate for a specific development project. As stated in the CEQA Guidelines:

“This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project including planning, construction, and operation.”

The level of detail contained throughout this EIR is consistent with the requirements of CEQA and applicable court decisions. Section 15151 of the CEQA Guidelines provides the standard of adequacy on which this document is based, which state:

“An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR

should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure.”

## 1.2 Purpose of This EIR

In accordance with Section 15125(a) of the CEQA Guidelines, an EIR must include a description of the physical environmental conditions in the vicinity of the project as they exist at the time of the Notice of Preparation (NOP). This environmental setting constitutes the baseline physical conditions by which a lead agency determines whether an impact is significant. The environmental analyses of this EIR uses the NOP dated December 22, 2021, as the baseline for the description of the physical conditions that might be affected by the proposed project.

The purpose of an EIR is not to recommend approval or denial of a proposed project; rather, an EIR is required to identify all environmental impacts and specify significant adverse environmental effects of a project to the physical environment, and to further identify measures that avoid those impacts to the extent feasible. In the event that no feasible mitigation measures or alternatives have been identified that would reduce the impact to less than significant, environmental impacts may be identified as significant and unavoidable. The City of Thousand Oaks may still approve the project after adopting all feasible mitigation measures if, through the adoption of CEQA findings and a statement of overriding considerations, it finds that social, economic, legal, technical or other benefits outweigh these impacts.

## 1.3 Lead, Responsible, and Trustee Agencies

The CEQA Guidelines identify the lead agency as the public agency with the principal responsibility for carrying out or approving a project (CEQA Guidelines Section 15367). The City of Thousand Oaks is the CEQA lead agency for the proposed project, because it has the principal responsibility for preparing the appropriate CEQA document to support the proposed project and of approving the project.

The CEQA Guidelines Sections 15381 and 15386, respectively, also require the identification of responsible, and trustee agencies. A responsible agency is a public agency other than the lead agency that has discretionary approval authority over the project (the CEQA Guidelines define a public agency as a State or local agency, but specifically exclude federal agencies from the definition). No other public agencies have discretionary authority over the proposed project; therefore, there are no responsible agencies for the project.

A trustee agency refers to a State agency having jurisdiction by law over natural resources affected by a project. There are no trustee agencies for the proposed project.

## 1.4 Environmental Review Process

This EIR has been prepared to meet all of the substantive and procedural requirements of CEQA (PRC Sections 21000 et seq.), as amended, the CEQA Guidelines (CCR Title 14, Sections 15000 et seq.), and the rules, regulations and procedures for the implementation of CEQA as executed by the City of Thousand Oaks.

In compliance with the CEQA Guidelines, the City of Thousand Oaks has provided opportunities for the public to participate in the environmental review process. Notice, outreach, and consultation

were conducted with trustee and responsible agencies, tribal representatives and members of the public and relevant communities during the CEQA scoping process. This includes, as further discussed in this section, the distribution of an NOP and Draft EIR as well as public scoping meetings.

### 1.4.1 Notice of Preparation

Pursuant to the provision of Section 15082 of the CEQA Guidelines, the City published the NOP on December 22, 2021 (see Appendix A). As required by CEQA Guidelines Section 15375, an NOP is a brief document sent by the lead agency to notify responsible agencies, trustee agencies, the Governor's Office of Planning and Research (OPR), and members of the public that the lead agency plans to prepare an EIR for a project. The purpose of the notice is to solicit guidance from those agencies and the public as to the scope and content of the environmental information to be included in the EIR and to solicit recommendations and develop information regarding the scope, focus, and content of the EIR.

The NOP was circulated to trustee and responsible agencies, tribal representatives and members of the public and relevant communities. The NOP comment period concluded on January 31, 2022. The City announced the availability of the NOP, public scoping meeting through the following:

- Mailings and email announcements providing scoping period and scoping meeting information.
- Public notice in the local newspaper of general circulation within the project vicinity (Ventura County Star).
- Posting of the NOP in the Ventura County Clerk's office.
- City website postings: Environmental Impact | Thousand Oaks, CA ([toaks.org](http://toaks.org))
- Submission to the Governor's Office of Planning Research

In addition, a public scoping meeting was held during the 39-day public comment period, in accordance with PRC Section 21083.9. Depending on the nature of an EIR, a public scoping meeting can be either an optional or required activity under CEQA. For projects of statewide, regional, or area-wide significance, CEQA specifies that the lead agency "shall conduct at least one scoping meetings" during which participants can assist the lead agency in determining the scope and content of the environmental information required (CEQA Guidelines Section 15082[c]). Public scoping meetings also help accomplish early public consultation with persons or organizations potentially concerned with the environmental effects of the project, prior to Draft EIR completion (CEQA Guidelines Section 15083). The scoping meeting was held on January 12, 2022, at 6:00 p.m. through an online webinar type format (Zoom) and in-person at the Civic Arts Plaza, notes were taken.

The City received five letters (one duplicate) from agencies and individuals in response to the NOP during the public review period, as well as various verbal comments during the EIR Scoping Meeting. The NOP is presented in Appendix A of this Draft EIR, along with the NOP comments received. Table 1-1 on the following pages summarizes the content of the letters and verbal comments and indicates how and where the issues raised are addressed in the EIR.

**Table 1-1 NOP Comments and EIR Response**

Committer	Comment/Request	How and Where it Was Addressed in Draft EIR
California Department of Transportation (Caltrans) January 20, 2022	Notes that the vehicle miles traveled (VMT) is the standard transportation analysis metric.	This comment is noted. Transportation impacts are addressed in Section 4.14, <i>Transportation and Traffic</i> .
	Recommends prioritizing multi-modal and complete streets transportation elements to promote alternatives to car use, reduce greenhouse gas (GHG) emissions and better manage parking assets.	As detailed in Section 2, <i>Project Description</i> , the project provides parking, including secure bicycle parking. Project impacts to pedestrian and transit facilities are addressed in Section 4.14, <i>Transportation and Traffic</i> . Project impacts associated with GHG emissions are addressed in Section 4.6, <i>Greenhouse Gas Emissions</i> .
	Recommends pedestrian safety measures and prioritizing and allocating space for bicycle and public transit.	Project impacts to pedestrian and transit facilities are addressed in Section 4.14, <i>Transportation and Traffic</i> .
Ventura County Air Pollution Control District (VCAPCD) January 31, 2022	Recommends that the air quality analysis consider the project’s consistency with the 2016 Air Quality Management Plan and evaluate all potential air quality impacts.	Comments are addressed in Section 4.2, <i>Air Quality</i> .
	Recommends that measures be taken to reduce impacts associated with construction equipment.	As detailed in Section 2, <i>Project Description</i> , the project includes a requirement for the use of Tier 4 off-road construction equipment. Comments are addressed in Section 4.2, <i>Air Quality</i> .
	Recommends that construction emissions be quantified in the analysis.	Comments are addressed in Section 4.2, <i>Air Quality</i> .
	Recommends inclusion of a Health Risk Assessment (HRS) due to the project site’s location near a highway.	Comments are addressed in Section 4.2, <i>Air Quality</i> .
	Recommends that demolition activities be in compliance with VCAPCD’s Rule 62.7, <i>Asbestos – Demolition and Renovation</i> .	Comments are addressed in Section 4.2, <i>Air Quality</i> and Section 4.7, <i>Hazards and Hazardous Materials</i> .
Southwest Regional Council of Carpenters (SWRCC) January 13, 2022 January 31, 2022	Requests notice for all activities regarding the proposed project.	See Section 1.4, <i>Environmental Review Process</i> , regarding noticing for the proposed project.
	Requests that the City require the applicant to use local, skilled and trained workforce to build the project; and that the project should be built to standards that exceed current 2019 California Green Building Code and 2020 County of Los Angeles Green Building Standards Code.	The commenter’s recommendations regarding that the City require the use of local labor for construction of the project and that the project should be built to standards that exceed current building codes are noted and will be provided to City decision makers for their consideration.
	Requests that all impacts associated with the project be provided, including mitigation measures that would reduce impacts.	Comments are addressed throughout Section 4.0, <i>Environmental Impact Analysis</i> .
Requests that the project include measures to prevent the spread of COVID-19 among construction workers, including	The comment is noted and will be provided to City decision makers for their consideration.	

Commenter	Comment/Request	How and Where it Was Addressed in Draft EIR
	the preparation of an Infectious Disease Preparedness and Response Plan.	
	Provides air quality and GHG modeling recommendations.	Comments are noted. Air quality and GHG impacts are addressed in Section 4.2, <i>Air Quality</i> and Section 4.7, <i>Greenhouse Gas Emissions</i> .
Rose Ann Witt January 31, 2022 (two versions of the same letter were received by the City)	Requests that the EIR include analysis of GHG emissions.	Comments are addressed in Section 4.7, <i>Greenhouse Gas Emissions</i> .
	Requests that the EIR include analysis of wildfire impacts.	Comments are addressed in Section 4.17, <i>Wildfire</i> .
	Requests that cumulative impacts be addressed in the EIR.	Cumulative impacts are analyzed for each issue area throughout Section 4.0, <i>Environmental Impact Analysis</i> .
	Requests that water supply and conservation be included in the project.	Comments are addressed in Section 4.16, <i>Utilities and Service Systems</i> .

## 1.4.2 Draft EIR

Public and agency review of the project will be further encouraged by the City through distribution of the Draft EIR for the required 45-day public review period. The provisions of Section 15085(a) and Section 15087(a)(1) of the CEQA Guidelines require that as soon as the Draft EIR is completed, the lead agency must file a Notice of Completion (NOC) with OPR and that a public Notice of Availability be provided to all organizations and individuals who have previously requested notification. The City provided the NOC to OPR and the County Clerks office and circulated the NOA of the Draft EIR to public agencies, special districts, tribal representatives, organizations and individuals that commented on the NOP and/or requested to be kept informed of the project.

The Draft EIR, as well as appendices and all supporting materials can be found on the City's website and at City offices (2100 Thousand Oaks Boulevard, Thousand Oaks, California 91362. In addition, the Draft EIR and appendices are available at the Grant R. Brimhall Library, 1401 E. Janss Road, Thousand Oaks, California 91362.

A public meeting will be held to present the contents of this Draft EIR and to receive written and oral comments. Any agency, organization or members of the public desiring to comment on the Draft EIR must submit their comments prior to the end of the public comment period.

## 1.4.3 Final EIR

Prior to making a decision on a proposed project, the lead agency must certify that: (a) the Final EIR has been completed in compliance with CEQA; (b) the Final EIR was presented to the decision-making body of the lead agency; and (c) the decision-making body reviewed and considered the information in the Final EIR prior to approving a project (CEQA Guidelines Section 15090).

The Final EIR consists of the Draft EIR; revisions to the Draft EIR; responses to comments addressing concerns raised by individuals, organizations and public agencies or other reviewing parties; and a Mitigation and Monitoring and Reporting Program (MMRP). According to PRC Section 21081.6, for projects in which significant impact would be minimized by mitigation measures, the lead agency must include an MMRP. The purpose of the MMRP is to ensure compliance with required mitigation measures during implementation of the project. After the Final EIR is completed and at least 10 days prior to its certification, a copy of the response to comments on the Draft EIR will be provided or made available to all commenting parties.

For each significant impact of the project identified in the EIR, the lead agency must find, based on substantial evidence, that either: (a) the project has been changed to avoid or substantially reduce the magnitude of the impact; (b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or (c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (CEQA Guidelines Section 15091). If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision.

The lead agency must file a Notice of Determination (NOD) after deciding to approve a project for which an EIR is prepared (CEQA Guidelines Section 15094). A local agency must file the NOD with the County Clerk. The NOD must be posted for 30 days and sent to anyone previously requesting notice. Posting of the NOD starts a 30-day statute of limitations on CEQA legal challenges (PRC Section 21167[c]).

## 1.5 Scope of this EIR

No initial study was conducted for this project as part of the NOP process, so this EIR includes all potential environmental issues required in Appendix G of the CEQA Guidelines, including:

- Aesthetics and Visual Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

Section 4.15, *Effects Considered Less Than Significant* summarizes issues from the environmental checklist that were determined not to be significant. There is no substantial evidence that significant impacts would occur to the following issue areas: agriculture, hydrology and water quality and mineral resources.

## 1.6 EIR Organization

The Draft EIR is organized into sections, as identified and described below:

**Executive Summary:** Presents a summary of the proposed project and potential environmental impacts. It describes mitigation measures that would be implanted and level of significance after mitigation (as fully described in Section 4.0, *Environmental Impact Analysis*). This section also provides a summary of alternatives (as fully described in Section 5.0, *Alternatives*), a summary of known controversial issues and issues to be resolved.

**Section 1.0, Introduction:** Presents a discussion of the purpose and use of this EIR, agency roles and responsibilities, the environmental review and CEQA process, and the scope and organization of this Draft EIR.

**Section 2.0, Project Description:** Provides a detailed description of the proposed project, including construction and operation. The project applicant, lead agency contact, and project location are described. This section also describes the existing site characteristics, project objectives and required approvals.

**Section 3.0, Environmental Setting:** Provides a general overview of the environmental setting of the project from both a regional and site-specific perspective. This section also includes a description of planned and pending projects in the project area that provide a basis for the cumulative analysis in the EIR.

**Section 4.0, Environmental Impact Analysis:** For each environmental issue listed above, this section describes the existing environmental and regulatory setting; evaluates the potential environmental impacts associated with the proposed project, including cumulative impacts; identifies mitigation for significant impacts; and discusses the level of significance after implementation of those mitigation measures.

**Section 5.0, Alternatives:** Provides additional information regarding project alternatives to be considered by decision makers in compliance with Section 15126.6 of the CEQA Guidelines. This alternatives analysis evaluates a range of potential alternatives that may reduce significant environmental impacts associated with implementation of the proposed project. In addition, this section summarizes the alternatives that were rejected from further consideration because they did not meet project objectives or were determined to be impractical or infeasible.

**Section 6.0, Other CEQA Required Discussions:** Includes a discussion of issues required by CEQA that are not covered in other sections. This includes a discussion of growth inducing impacts, and irreversible environmental changes.

**Section 7.0, References:** Sets forth a comprehensive listing of all sources of information used in the preparation of the EIR. This section includes organizations and persons that were consulted with during the preparation of this EIR, along with the lead agency personnel and consultants involved with the preparation of this Draft EIR.

**Appendices:** This Draft EIR includes the following appendices that provide either background information or additional technical support for the analysis:

- Appendix A: Notice of Preparation/Comment Letters
- Appendix B: Air Quality and Greenhouse Emissions and Energy Report
- Appendix C: Biological Resources Technical Reports



**T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project**

- Appendix D: Phase I Cultural Resources Assessment, (Confidential and not available for public Review)
- Appendix E: Geotechnical Reports
- Appendix F: Hazardous Materials Reports
- Appendix G: Noise and Vibration Impact Analysis
- Appendix H: Traffic Impact Analysis
- Appendix I: Wildfire Technical Study
- Appendix J: Utility Capacity Studies, Dry Utility Due Diligence and Confidence Report, and Drainage Report

## 2 Project Description

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This section describes the Thousand Oaks (T.O.) Ranch Mixed-Use and Multi-Family Residential Redevelopment Project (proposed project), including the project applicant, the project site and surrounding land uses, major project characteristics, project objectives, and discretionary actions needed for approval.

### 2.1 Project Applicant

IMT Capital V Hampshire LLC  
15303 Ventura Boulevard, Suite 200  
Sherman Oaks, California 91403  
(818) 784-4700

### 2.2 Lead Agency Contact Person

Carlos Contreras  
Senior Planner at City of Thousand Oaks  
2100 Thousand Oaks Boulevard  
Thousand Oaks, California 91362

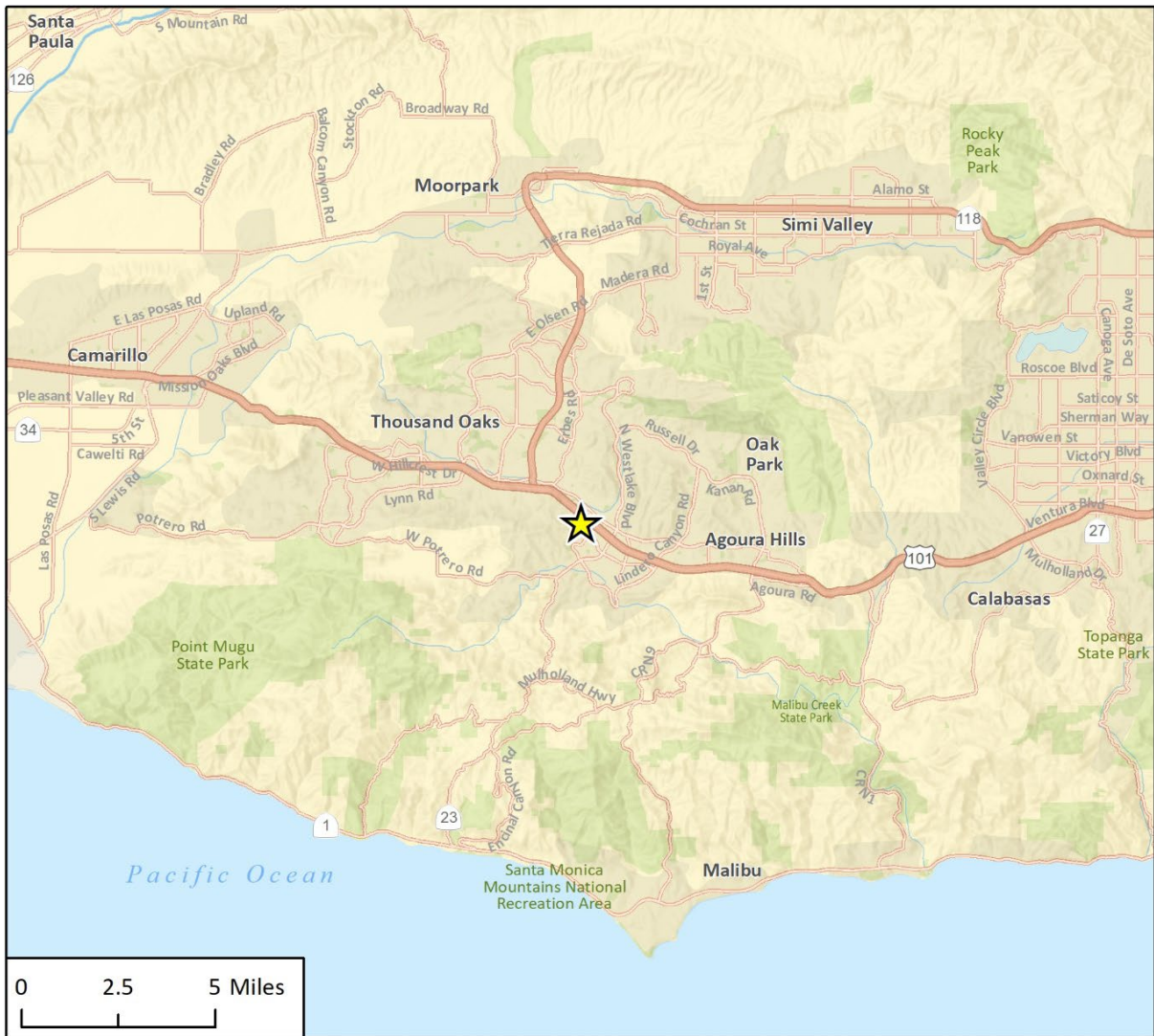
### 2.3 Project Location

The proposed project is located at 325 and 391 Hampshire Road in the city of Thousand Oaks (city; Thousand Oaks), California, within the southeast portion of the city. The project site is located on the west side of Hampshire Road, north and east side of Foothill Drive, and approximately 540 feet south of U.S. Route 101 (US-101) Freeway (Figure 2-1). Local access to the project site is provided from Hampshire Road and Foothill Drive (Figure 2-2). According to the Ventura County Assessor records, the subject property is legally identified as Assessor's Parcel Numbers (APN) 676-0-150-365, 676-0-15-285, and 676-0-150-375.

The project site was previously developed and is currently occupied by a vacant commercial development consisting of a main tenant commercial building, in-line tenant spaces and former drive-thru restaurant pad building, associated hardscape, landscaping and surface parking. The site is proximate to many neighborhood commercial and service uses, industrial uses, and open space uses, including the Westlake Plaza and Center, the Lakes, North Ranch Shopping Center, the Thousand Oaks Boulevard corridor of retail, medical, and other service uses within the Townsgate business park corridor. The project site is 1.6 miles south of the Thousand Oaks Civic Arts Plaza.

Nearby parks and trails include Evenstar Park, Triunfo Community Park, Russell Park, and Los Robles Trail, which are all within a mile radius of the project site. Los Robles trail access point is located approximately 150 feet to the southwest of the site, along Foothill Road. Little Dreamers Early Childhood preschool is on the southwest border of the project site. Westlake Hills Elementary School, a public school, and Carden Conejo School, a private elementary school, are both located approximately 0.7 mile from the project site, to the northeast and south respectively. Sweet Dreams Child Care/ Fields Family Daycare and Westlake Village KinderCare are located 0.9 mile from the project site. Conejo

**Figure 2-1 Regional Location**



Imagery provided by Esri and its licensors © 2022.

★ Project Location

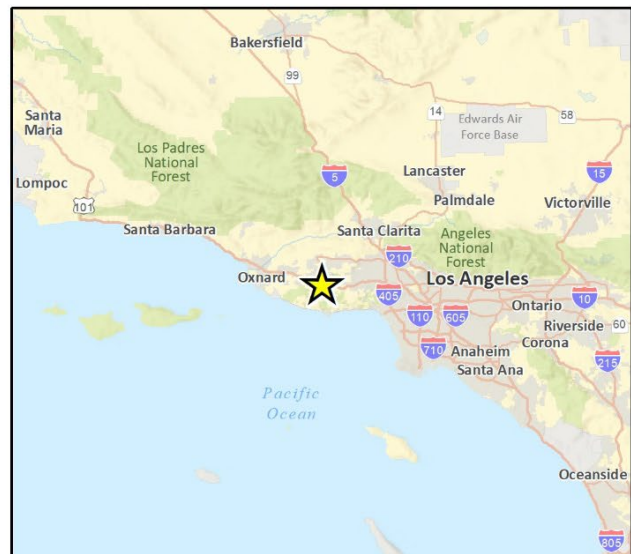


Fig. 1 Regional Location

Figure 2-2 Project Site Location



Valley Unified School District (CVUSD), which operates public schools throughout Thousand Oaks including Westlake Hills Elementary School approximately 0.7 mile northwest of the project site, Los Robles Hospital & Medical Center, approximately 3.9 miles northwest of the project site and California Lutheran University, approximately 4.7 miles north of the project site.

An assisted living facility is located adjacent to the northwest corner of the site, Retirement community Sunrise of Westlake Village is 1.3 miles southeast of the project site and Atria Grand Oaks, another retirement community is approximately one mile north of the project site. The closest airport is the Camarillo Airport, approximately 14 miles east of the project site. Major employers in Thousand Oaks include Amgen Inc., its main campus approximately 4.8 miles northwest of project site.

## 2.4 Existing Site Characteristics

### 2.4.1 Current Land Use Designation and Zoning

The project site has a General Plan land use designation of “Commercial,” and the current zoning designation is “Neighborhood Shopping Center” (C-1). The proposed project will require a General Plan amendment to change the land use designation from Commercial to Commercial/Residential, as well as a Zone Change to change the project site zoning designation from C-1 to Specific Plan (SP). The project site is developed with a vacant commercial building that was formerly occupied by a K-Mart department store, as well as other attached smaller commercial retail and restaurant uses, including a pad building. all of which closed between 2004 and 2021.

### 2.4.2 Existing Site Conditions

The project site is currently developed with vacant buildings including a 103,670-square foot (sf) main tenant building, a 12,512-sf attached building, a 2,600-sf fast food drive-thru restaurant pad building, and a large parking lot. The vast majority of the site is impervious, with some landscaping around the buildings and parking lot. The project site currently contains eight protected tree species including oak trees and two landmark sycamore trees, all of which are protected under the City of Thousand Oaks Tree Protection Guidelines. Small shrubs and bushes are also planted in the landscaped area of the parking lot.

The topography of the project site is characterized by a slightly ascending slope from east to west, from Hampshire Road toward the western rear portion of the property. The lowest elevation is approximately 910 above mean sea level (AMSL) at Hampshire Road. An existing 1-1/2 to 1 slope atop a +/-22-foot high retaining wall joins the rear portion of the site to Foothill Road. The highest elevation is approximately 958 AMSL in between Foothill Drive and the retaining wall along the westerly property line. A 15-foot sewer easement generally runs along the northerly property line. Another 15-foot storm drain easement is generally located in the southwest corner of the project site. Two 6-foot and one 10-foot public utility easements (PUEs) run through southwest part of the project site. A public utility easement runs through the southeast part of the project site.

### 2.4.3 Surrounding Land Uses

The project site is located northwest of Hampshire Road and northeast of Foothill Drive. Commercial, institutional, industrial, and residential uses surround the project site, including:

- An existing gas station and medical office immediately to the north on Hampshire Road;
- An existing assisted living facility immediately adjacent to the northwest on Fairview Road and Foothill Drive;

- An existing single-family residences to the west, across Foothill Drive;
- An existing daycare center located immediately adjacent to the southwest, along Foothill Drive;
- An existing multi-family residential to the south and southwest, across Foothill Drive;
- An existing gas station to the southeast at the corner of Foothill Drive and Hampshire Road;
- Commercial and industrial uses to the east, across Hampshire Road; and
- The project site is also located near employment centers, shopping centers, and entertainment venues. Sunset Plaza is located approximately 0.4-mile northeast of the project site, North Ranch shopping Center approximately 0.8-mile east and The Promenade at Westlake Village approximately one mile southeast.

## 2.5 Project Characteristics

The proposed project would involve demolishing an existing a one-story 103,670-sf commercial structure, an attached one-story 12,512-sf commercial building, a 2,600-sf fast food drive-thru restaurant pad building, a surface parking lot, landscape planters, and existing vegetation. The existing site is approximately 91 percent impervious and does not include any water quality treatment systems.

The proposed project consists of mixed-use and multi-family residential development with associated neighborhood restaurant and retail uses. Table 2-1 provides a summary of the project characteristics.

**Table 2-1 Project Characteristics**

Address	325 – 369 Hampshire Road
Assessor Parcel Numbers	676-0-150-375, 676-0-150-285, 676-0-150-365
Site Area	10.97 AC = 477,853 sf (net)
Allowed Density	30 du/ac (329 units)
Proposed Density w/ Density Bonus	38.29 du/ac (420 units)
Height/Stories	Maximum Height is 50'-3, 4 stories
Total Building Footprint	175,834 sf
Required Parking	Commercial=105 spaces Residential=628 spaces
Proposed Parking	Commercial=119 spaces Residential=683 spaces
Total Public Open Space	126,932 sf (including dog park)
Total Residential Private and Common Open Space	Private=29,800sf Common=40,786sf <b>Total = 70,586 sf</b>

AC= acres

du/ac—dwelling units per acre

sf = square feet

The target market for the residential units would include a range of income and employment demographics. The proposed project would offer a variety of publicly accessible spaces to the community, and abundant indoor and outdoor amenities. The project site would be open to residents and the larger Thousand Oaks community, and people would be able to access the site via the

commercial and restaurant uses, parks, naturally landscaped open space areas, walking paths, and a dog park on the site.

Although main driveway access to the proposed project site would be provided from Hampshire Road and would extend to the west along a main internal street, Foothill Drive could also provide access along the southern portion of the site. Access from Foothill Drive would extend internally to the north, providing access to live/work units along the east side of the Foothill Drive internal road. Vehicles would enter the site centrally via Hampshire Road. The project would spilt the residential component into the two mixed-use buildings and the 13 townhomes, (Figure 2-4). The proposed vertical mixed-use buildings consist of ground floor commercial/retail spaces that would act as anchor stores. This main internal street would be flanked by public exterior spaces on both sides in the form of paseos and plazas with active street frontages, where limited parking spaces would be provided. Further into the project site (but still centrally located along an internal street extending from Foothill Drive) a row of live/work units would be developed to provide tenants the flexibility to live in their workspace.

Other project amenities including indoor and outdoor recreation opportunities serving both the townhomes and residents in the mixed-use buildings would be situated at the terminus of Hampshire Road and main internal street and Foothill Drive and internal access driveway extending north from Foothill Drive.

The two-podium style mixed-use buildings, Building A at the northeast portion of the site and Building B at the southeast, would be four stories tall. Building A consists of 382,820 sf at approximately 41.18 in height and Building B 276,935 sf at approximately 50.25 foot building height). The buildings would feature pedestrian-oriented amenities such as pedestrian trails and pocket parks open to residents and public. The open spaces, streetscapes, retail and dining plazas, and street front terraces bring the canyon landscape from the base of the foothills to the Hampshire Boulevard corridor and create a transition between open space land use and proposed development. Seating areas, gathering spaces, and a dedicated dog park connected by a system of pathways and plazas, will provide residents and visitors with multiple opportunities to meet, relax, and play. Intersections and pedestrian crossings will utilize enhanced paving and trees in generous planting areas to signify and define safe crossings, as well as define community entry points. The project includes a contemporary architectural design that is compatible with the variety of the existing built environment throughout the city and region. Architectural details include vertical columns running uninterrupted from the ground level to the top levels. Accent panels are also provided above and below the windows to create a rich, layered pattern to the façade (See Figure 2-3 below).

Figure 2-3 Concept Elevation



Source: Project Site Plans dated 3.1.22



Figure 2-4 Overall Site Plan



Source: Project Site Plans, dated 3.1.22

The buildings would be located close to the sidewalk and provide places for outdoor seating. The two buildings would provide a “sky deck,” which is a rooftop common outdoor space for residents to gather. Proposed landscaping would provide a transition from the pedestrian walkways to the commercial and restaurant uses, softening the architectural features and helping to integrate the overall design into the background single-family residences and minimal development landscape to the west of the property and across Foothill Drive.

At the western portion of the site, to the back of the main internal access drive, the proposed project would transition from the two mixed-use buildings to 13 townhome buildings which are more pedestrian-scaled row-styled residential units (Buildings C and D) across the back half of the site. The residential uses would be developed up to three stories at an average building height of 33.58 feet. (Because of the grade difference between the project site and Foothill Drive to the west, the tops of the buildings would roughly correspond with the street level from Foothill. Adjacent street grade is +955 feet in height and the top of the parapet is +960.5 feet, providing a 5.5 feet difference between adjacent street grade and the highest point of the building.

Groups of Building Types C and D would feature townhomes at three stories in height. The summary of square footages is provided in Table 2-2. The key features are provided in Table 2-2.

In addition to the residential open spaces and recreation areas located outside the retail and leasing spaces of Buildings A and B, the project proposes some publicly accessible outdoor spaces that would include a small park and dog park at the southeastern corner, and a pocket park on the northwestern portion of the project site. Overall, the balance of the site’s public exterior spaces would be a combination of programmed uses and naturally landscape areas for walking paths and circulation throughout the site and between various amenities including a residential pool and park spaces/areas. Overall, the proposed project would include approximately 126,932 sf of publicly accessible open space along with nearly 76,240 sf of private and common open space reserved for residents in the form of balconies, interior courtyards, and rooftop areas, as illustrated in Figure 2-4.

The site landscape concept works to integrate surrounding open spaces into the green spaces provided throughout the project (Figure 2-5). The Thousand Oaks Municipal Code (TOMC) and the City’s Guidelines and Standards for Landscape Planting and Irrigation Resolution No. 2007-116) dictate that drought tolerant plants be used to the greatest extent possible in any parking area landscape design and planting (City of Thousand Oaks 2022). All landscape plans will demonstrate compliance with the State of California Code of Regulations Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELO) to maximize urban water use efficiency. The plant pallet would feature a mix of native and ornamental species, that are also drought tolerant.. Residents and visitors would also experience this landscape as a continuation of the vast open space network surrounding Thousand Oaks.

Figure 2-5 Project Open Space Plan



Source: Project Site Plans, dated 3.1.22

**Table 2-2 Floor Plan Summary**

Floor/Level	Apartment Units	Residential Unit Area SF	Public Open Space	Common Open Space (Residents)	Commercial/Retail Area SF	Private Open	Total Floor Area SF	Gross Building Area SF	Gross and Total SF Difference
Townhomes	71	141,485	0	0	0	0	141,485	176,398	34,913 (parking structure/garage)
<b>Mixed-Use Buildings</b>									
Amenity Building			5,000					5,000	
1 <sup>st</sup> Floor	33	28,923	13,311	9,838	15,000	2,719	69,791	147,431	77,640
2 <sup>nd</sup> Floor	111	94,259	16,402	2,795	0	11,656	125,112	125,112	
3 <sup>rd</sup> Floor	115	97,818	16,222	0	0	7,994	122,034	122,034	
4 <sup>th</sup> Floor	90	74,037	13,852	1,365	0	7,431	96,685	96,685	
Mixed-Use Subtotal	349	295,037	64,787	13,998	15,000	29,800	413,622	496,262	82,640
<b>Total</b>	<b>420</b>	<b>436,522</b>	<b>64,787</b>	<b>13,998</b>	<b>15,000</b>	<b>29,800</b>	<b>555,107</b>	<b>841,153</b> (set number)	<b>286,046</b>

In summary, the project would demolish the existing development and construct a new mixed-use and multi-family residential project consisting of 420 dwelling units, and 15,000 sf of restaurant and retail uses. The 420 dwelling units would be distributed across two podium, mixed-use buildings and 13 townhome buildings. The project would also include a stand-alone two-story amenity structure totaling 5,000 sf of floor area and an outdoor amenity court which would include resident seating areas and patios, a barbeque picnic area, and a pool which would be part of the resident open space. In total, the project would contain up to 841,153 sf of gross floor area on a 10.97-acre parcel. The proposed uses would be located within three- and four-story structures with one level of semi-subterranean parking and a covered one-story surface parking garage. Buildings A and B would have a maximum average building height of 50 feet, 3 inches. The proposed project would reduce the amount of on-site impervious surfaces from approximately 91 percent to approximately 75 percent.

The proposed project would include approximately:

- Development of 466,322 sf of residential and 15,000 sf of commercial space on 10.97 acres, and includes developable areas associated with driveways, walkways, hardscape, landscape and open space amenities.
- Building footprint of 208,773 sf.
- Upscale mixed-use and residential project supporting nearby residential, commercial, and industrial uses.
- Maximum building height of 50 feet 3 inches, with townhomes at 36 feet 7 inches.

## 2.5.1 Site Access and Parking

### **Site Access**

Regional access to the project site is provided from US-101 and Thousand Oaks Boulevard from the north. Local access to the project site is provided from Hampshire Road to the east and Foothill Drive from the south.

The proposed project would be accessible by pedestrians through the crosswalks at the intersection of Hampshire Road and Foothill Road. A variety of on-site, public, exterior spaces, including pedestrian paths, paseos, and plazas, would create pedestrian connectivity with facilities in the broader community.

The nearest bus stop is located at the intersection of Hampshire Road and Thousand Oaks Boulevard, 0.4-mile northeast of the site. Another nearby bus stop is located at the intersection of Duesenberg Drive and Thousand Oaks Boulevard, 0.8-mile northeast of the site.

### *Project Parking*

The project would include 802 parking spaces, with 119 parking spaces dedicated to restaurant and retail uses and 683 parking spaces reserved for residential parking. Building A would contain 284 residential spaces and 54 commercial spaces; Building B would include 227 residential spaces and 65 commercial spaces; and Townhome Building types C and D would include 142 garage parking spaces and 30 surface guest parking spaces for the entire project site .

## 2.5.2 Utilities

As described in the proposed T.O. Ranch Specific Plan, the City of Thousand Oaks Public Works Department would provide the following utility services: solid waste, water, wastewater, and stormwater. Southern California Edison (SCE) would supply electricity and the Southern California Gas Company (SoCalGas) would provide natural gas service to the project. Trash/recycling collection service would be provided by Athens Disposal.

A total of four utility poles along the west property line will be undergrounded along Foothill Drive. Design and construction of infrastructure facilities, including but not limited to, water, sewer, storm drains, and electric and gas line connections would comply with the requirements of the City of Thousand and/or relevant service agencies.

## 2.5.3 Construction and Grading

Following City approvals and issuance of building and grading permits, it would take approximately 24 to 33 months for demolition, debris and vegetation removal, grading, and construction activities to complete the project. Construction would commence with demolition of existing structures and the removal of hard surfaces from the project site.

Site grading would commence once demolition is complete with site utilities being installed once rough grade is established. All site utility conduits, vaults and piping would then be installed.

Proposed project construction would consist of two phases, that would begin at the same time but follow different timelines. Phase 1 would include development of all townhomes and surrounding open spaces and amenities. Phase 2 would include podium buildings A and B. A secondary construction fence would be erected between Phase 1 and 2 allowing Phase 1 townhomes to open and begin leasing prior to Phase 2 completion. Leasing operations would operate temporarily out of the two-story, 5,000 sf, amenity building located between the mixed-use buildings and townhomes. The contractor would use acceptable techniques to minimize construction dust and noise.

Grading for the site would follow the site topography, which ascends from Hampshire Road to the western rear portion of the site. Following City approvals and issuance of building and grading permits, demolition, debris and vegetation removal, grading, utilities installation, and curb and gutter installation would take three months. Prior to commencement of grading operations, the project site would be secured with construction fencing that would remain in-place throughout the entire construction process. During the site preparation all construction equipment would be stored on site. Equipment would include water trucks, semi-trucks and trailers, excavators, front end loaders, shoring installation equipment, Bobcats and other small equipment. The contractor would use standard techniques to minimize construction noise and dust. Once the existing buildings are demolished, conceptual grading calculations indicate approximately 120,000 cubic yards of material would need to be exported. Final engineering may result in modifications to the overall grading concept, but the modifications would conform to the general intent of the project Conceptual Grading Plan. It is not anticipated that any import of soil would be required during project construction.

## 2.5.4 Green Building Features

Proposed project would be required to meet the California Building Energy Efficiency Standards and California Green Building Standards (CALGreen; California Code of Regulations Title 24, Parts 6 and 11) to reduce environmental impacts, decrease energy costs, and create healthier living. Adopted in whole by the TOMC, CALGreen sets forth mandatory and voluntary measures for planning and site

design that address energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality during and after construction. The Building Energy Efficiency Standards (CALGreen Title 24) outlines energy/water efficiency and air quality requirements. Title 24 does not require every efficiency item to be implemented, but a certain threshold needs to be met and the developer has the option to choose, via either the prescriptive or the performance method.

### **Energy Efficiency**

Where feasible, passive sustainable design strategies to minimize overall energy consumption needed to heat and cool the building would be utilized. These strategies include daylighting, natural sources of heating and cooling, operable windows, shading on south facing windows, ceiling fans, well designed building envelopes with high-U values (insulation rating). Developers would also coordinate with Southern California Edison(SCE) to identify opportunities to optimize energy infrastructure while minimizing cost and avoid barriers that may prevent future entry or expansion of energy efficient systems.

### **Stormwater Treatment**

The existing site consists of a large, vacant building surrounded by a large surface parking lot, making the site mostly impervious, such that stormwater run-off flowing across the parking lots collects leftover oil residues and broken asphalt, and then drains, untreated, into the stormwater drains on Hampshire Road and Foothill Drive. The proposed project would decrease the amount of impervious surface on the site, potentially allowing for more areas of natural infiltration (where soil conditions allow) than under existing conditions. As such, the proposed project would improve the quality of the stormwater leaving the site.

### **Water Efficiency**

The project includes the following water efficiency features:

- Low-flush toilets, low-flow shower heads and other water conserving fixtures and appliances
- State-of-the-art irrigation controllers and self-closing nozzles on hoses
- Minimal turf areas within the community
- Drought-tolerant plants that require minimal or no irrigation
- Reclaimed water for irrigation of common areas, wherever available
- A landscaping plan with a plant palette that includes trees and major landscaping that requires minimal watering within three to five years of maturity

### **Materials Efficiency**

Where possible, the project would include sustainable construction materials and products by evaluating characteristics such as reused and recycled content, zero or low off gassing of harmful air emissions, zero or low toxicity, sustainably harvested materials, high recyclability, durability, longevity, and local production.

## 2.6 Project Objectives

The project is envisioned as a revitalization of a vacant parcel. The T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project proposes a series of realistic and achievable project objectives, resulting in a high-quality community. These objectives, which are identified below, have been refined throughout the planning and design process:

- Ensure the scale of the development respects its surroundings and existing development pattern by reducing the mass and scale further away from Hampshire Road.
- Alleviate the housing crisis by providing housing to help meet the City’s Regional Housing Needs Assessment (RHNA) allocation, including 50 dwelling units reserved for Low-Income households, consistent with the State Density Bonus Law.
- Provide redevelopment of an underutilized site with a variety of new commercial and residential uses.
- Cluster development to promote walking and establish a strong sense of neighborhood.
- Reinforce sense of place through project-specific identity signage, including way-finding and blade signs for pedestrian and vehicular traffic.
- Integrate a memorable and pedestrian-friendly public realm, where residents have close access to commercial services and open space. Create a smooth transition between the public and semi-public realm along Hampshire Road and Foothill drive.
- Create new, emerging commercial opportunities on the site with emphasis on establishing a cohesive relationship between public commercial and those working privately from home.
- Provide ample publicly accessible open space and incorporate native plant species to reduce water usage, provide a landscape demonstration area to visitors, and create a comfortable pedestrian environment.
- Add connectivity to existing pedestrian network and open space trail to the southwest.
- Preserve and protect existing oak and landmark trees.
- Locate housing close to job centers along Townsgate Road and Thousand Oaks Boulevard, and medical service providers along Hampshire and Agoura Roads.
- Meet need for neighborhood commercial uses in the area (restaurants and retail).
- Be consistent with the *Thousand Oaks Economic Development Strategic Plan* (November 2017), which identifies the Plan area as an opportunity site.

## 2.7 Required Approvals

The City of Thousand Oaks is the Lead Agency for purposes of California Environmental Quality Act (CEQA) compliance. These actions required to implement this project include but are not limited to:

- *General Plan Amendment (LU) 2021-70215*: A General Plan Amendment will be necessary to change the General Plan land use designation of the property from the current “Commercial” to “Commercial/Residential.”
- *Zone Change (Z) 2021-70216*: An approval of a Zone Change will be necessary to change the zoning of the property from the current “Neighborhood Shopping Center” (C-1) to “Specific Plan” (SP) on the City’s Zoning Map.



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- *Specific Plan (SP) 2021-70397*: Adoption of the T.O. Ranch Specific Plan that will realize the objectives of the proposed project as defined herein.
  - Development Agreement
  - Development Permit
- *Development Agreement (DAGR) 2021-70399*: A Development Agreement may be negotiated between the City of Thousand Oaks and applicant that will establish vesting of development rights and entitlements, identify project improvements, timing of improvements, as well as the responsibilities and rights of both the City and the applicant.
- *Development Permit (DP) 2021-70214*: A Development Permit for new building construction is required before building permits may be issued.
- *Lot Line Adjustments (Parcel Map Waiver)*: Lot line adjustment for the project site will be processed through the City in accordance with Sections 9-3.303 and 9-3.702 of TOMC. The lot lines will be adjusted to provide one lot for the proposed townhomes and another lot for the proposed mixed-use buildings.
- *Protected Tree Permit (PTP) 2021-70400*: A protected tree permit is required for encroaching into the protected zone of on-site landmark trees.
- *Environmental Impact Report (EIR) 2021-70442*: The City will perform a comprehensive evaluation of the potential impacts for this project in accordance with the California Environmental Quality Act (CEQA) Guidelines and will determine if the proposed project would have potentially significant impacts.
- Demolition Permit
- Grading Permit
- Building Permits

## 3 Environmental Setting

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This section provides a general overview of the environmental setting for the proposed project. More detailed descriptions of the environmental setting for each environmental issue area can be found in Section 4.0, *Environmental Impact Analysis*.

### 3.1 Regional Setting

The project site is a 10.97-acre parcel located at 325 and 391 Hampshire Road, within the City of Thousand Oaks (Thousand Oaks; city) in Ventura County. Thousand Oaks is located approximately 39 miles west of downtown Los Angeles and about 12 miles inland from the Pacific Ocean within the Conejo Valley, a mountain-rimmed plateau ranging from 600 to 900 feet above sea level. The Conejo Valley is approximately nine miles long and seven miles wide and is rimmed by Mountclef Ridge and the Simi Hills to the north and east, the Santa Monica Mountains to the south, and Conejo Mountain to the west. The developed portions of the city are located primarily on the Conejo Valley floor and on slopes of less than 25 percent gradient.

When first incorporated in 1964, Thousand Oaks population was approximately 20,000 residents in an area of 14.28 square miles. The city has grown to a current population of approximately 127,000 within an area of about 55 square miles. The city is an economically balanced community with a diverse tax base. Residential, office and retail commercial, and industrial land uses are carefully planned and located within the city.

Access to the city is primarily via seven major arterials. From the east, entrance to the valley is via US-101 (Ventura Freeway), Thousand Oaks Boulevard, and Agoura Road. From the west, access is via US-101 from the Conejo Grade. Access from the north is via State Route 23 (Thousand Oaks Freeway), Moorpark Road and Olsen Road.

The climate of Thousand Oaks is mild, characterized by warm summers (daytime highs usually in the 80s), and pleasant winters (highs usually in the 60s). As in most of California, rainfall peaks during the wintertime, with most rain falling between October and April. Annual rainfall averages about 15 inches.

### 3.2 Project Site Setting

The proposed project would be developed on a 10.97-acre parcel -acre currently developed with a non-operational commercial building and additional ancillary smaller-scale retail uses as well as associated parking. Most of the site contains structures or is paved, with the exception of landscaped planters, potentially landmark trees. The Land Use Element of the General Plan designates the site as Commercial. The property is zoned C-1 (Neighborhood Shopping Center Zone).

The project site is located within an area of the city that is characterized by mostly commercial land uses, with residential development located outside the immediate site vicinity. To the north, south and east of the project site are residential, commercial, and retail uses. The area immediately west of the site is zoned for various residential uses, although relatively few residences are present. Farther to the west, beyond the residential zoned areas, is a large open space zoned area.

### 3.3 Cumulative Development

Cumulative impacts are defined as two or more individual events that, when evaluated together, are significant or would compound other environmental impacts. Cumulative impacts are the changes in the environment that result from the incremental impact of development of the proposed project and other nearby projects. For example, traffic impacts of two nearby projects may be inconsequential when analyzed separately but could have a substantial impact when analyzed together.

Section 15130 of the *CEQA Guidelines* requires a discussion of cumulative impacts. The *CEQA Guidelines* indicate that discussion of reasonably foreseeable cumulative projects may be drawn from either a “list of past, present, and probable future projects producing related or cumulative impacts” or a “summary of projections contained in an adopted general plan or related planning document or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact.”

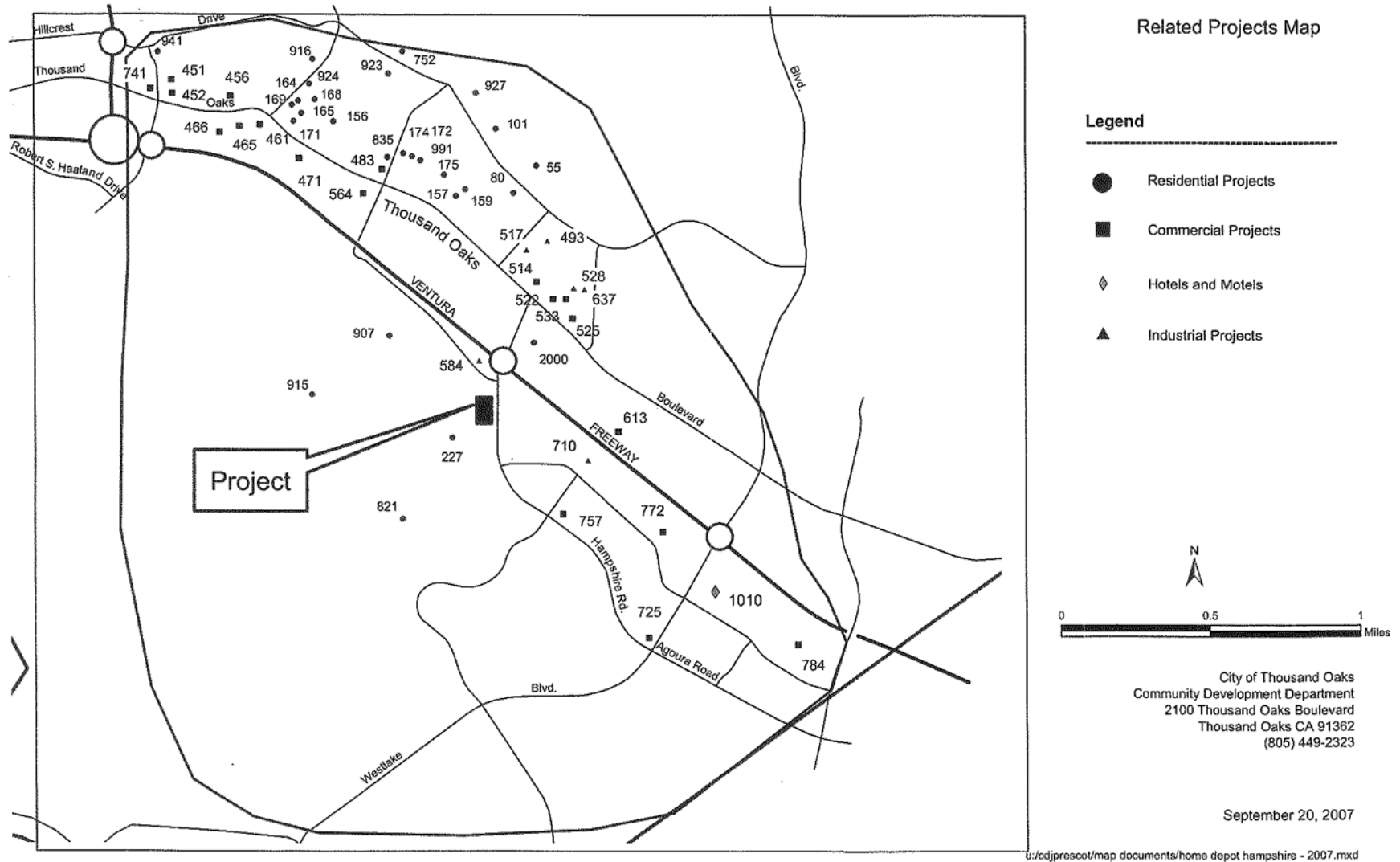
To assess potential cumulative impacts associated with planned and pending development in the project site vicinity, this EIR considers planned and pending projects in the project site vicinity, an area roughly bounded by State Route (SR) 23 to the west, Hillcrest Drive to the north, and the Thousand Oaks corporate boundary to the south and east, as shown on Figure 3-1. Pending projects include projects for which a building permit has been issued, for which planning approvals have been obtained, or for which planning approvals are pending. Upon construction of all of these projects, there would be an additional 890,500 square feet of commercial development, 106,400 square feet (sf) of industrial development, a 68-room plus a 10,680 sf ballroom hotel expansion, 484 new multi-family residential units, and 92 new single family residences. The individual projects are listed in Table 3-1 and locations are mapped on Figure 3-1.

**Table 3-1 Cumulative Projects**

Project No.	Site/Project	Type of Development	Future Development
<i>Non-Residential</i>			
451	APN 670-050-02	Commercial/Office	16,500 sf
452	APN 670-050-02	Retail-Medium	14,800 sf
456	APN 670-160-22	Retail-Medium	20,800 sf
461	DP 92-694	Retail-Medium	18,000 sf
465	APN 671-170-15	Retail-Medium	32,000 sf
466	APN 671-170-17	Retail-Medium	50,000 sf
471	APN 670-182-all (except 5)	Retail-Medium	32,400 sf
483	APN 670-290-09	Retail-Medium	9,500 sf
514	APN 671-150-23	Retail-Medium	11,000 sf
522	APN 671-160-05	Retail-Medium	8,800 sf
525	APN 671-160-13	Retail-Medium	10,000 sf
533	APN 671-160-09,20	Retail-Medium	10,700 sf
564	The Lakes – Phase 2	Retail-High (Theatre)	48,800 sf
613	DP 2003-794	Retail-Low (Auto Sales)	53,200 sf
725	PAR 2007-70473	Retail-High	6,000 sf

Project No.	Site/Project	Type of Development	Future Development
741	APN 670-031-24	Retail-High	1,600 sf
757	SUMJ 2005-70212	Commercial Office	40,400 sf
772	DP 68-32 Mod 9	Commercial Office	34,000 sf
784	Tract 5245	Commercial Office	472,000 sf
493	APN 671-060-12	Industrial	25,700 sf
517	APN 671-150-29	Industrial	11,600 sf
528	APN 671-160-19	Industrial	8,900 sf
584	DP 67-11 Mod	Industrial	22,100 sf
637	SUP 98-974 9 (former)	Industrial	21,300 sf
710	Jafra-future	Industrial	16,800 sf
1010	Westlake Hyatt expansion	Hotel + Ballroom	68 Rooms + 10,680 sf
<b>Residential</b>			
55	T 5487	Condominium	36 DU
80	Former LD 664	Condominium	25 DU
101	LU 95-212 area	Condominium	30 DU
146	Oak Highlands APN 676-124 -all	Single Family-Detached	5 DU
156	Redevelopment 1	Apartment	36 DU
157	Redevelopment 10	Condominium	8 DU
159	Redevelopment 11	Condominium	20 DU
164	RPD 2003-542	Apartment	6 DU
165	Redevelopment 4	Apartment	28 DU
168	Redevelopment 5	Apartment	18 DU
169	Redevelopment 6	Apartment	16 DU
171	T 5469	Condominium	7 DU
172	T 5470	Condominium	11 DU
174	T 5468	Condominium	13 DU
175	Redevelopment 9	Condominium	39 DU
227	RPD 96-509	Apartment	5 DU
752	T 3532	Single Family-Detached	7 DU
821	T 4496	Single Family-Detached	11 DU
835	Former T 4674	Apartment	24 DU
907	T.O. Tract - Skyline area	Single Family-Detached	40 DU
915	APN 676-180-21	Single Family-Detached	12 DU
916	APN 970-210-04,06	Apartment	18 DU
923	Vacant Land	Single Family-Detached	9 DU
924	APN 670-250-23	Apartment	13 DU
927	T 5440	Single Family-Detached	8 DU
941	T 5471	Condominium	22 DU
991	T 5550	Condominium	11 DU
2000	MONIP Area (School Area 33)	Apartment	98 DU

Figure 3-1 Related Projects Map



## 4 Environmental Impact Analysis

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This section discusses the possible environmental effects of the proposed project for the specific issue areas that were identified through the scoping process as having the potential to experience significant effects. A “significant effect” as defined by the *CEQA Guidelines* §15382:

“means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.”

The assessment of each issue area begins with a discussion of the environmental setting related to the issue, which is followed by the impact analysis. In the impact analysis, the first subsection identifies the methodologies used and the “significance thresholds,” which are those criteria adopted by the city and other agencies, universally recognized, or developed specifically for this analysis to determine whether potential effects are significant. The next subsection describes each impact of the proposed project, mitigation measures for significant impacts, and the level of significance after mitigation. Each effect under consideration for an issue area is separately listed in bold text with the discussion of the effect and its significance. Each bolded impact statement also contains a statement of the significance determination for the environmental impact as follows:

- **Significant and Unavoidable.** An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per §15093 of the CEQA Guidelines.
- **Less than Significant with Mitigation Incorporated.** An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings under §15091 of the CEQA Guidelines.
- **Less than Significant.** An impact that may be adverse but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.
- **No Impact.** The proposed project would have no effect on environmental conditions or would reduce existing environmental problems or hazards.

Following each environmental impact discussion is a list of mitigation measures (if required) and the residual effects or level of significance remaining after implementation of the measure(s). In cases where the mitigation measure for an impact could have a significant environmental impact in another issue area, this impact is discussed and evaluated as a secondary impact. The impact analysis concludes with a discussion of cumulative effects, which evaluates the impacts associated with the proposed project in conjunction with other planned and pending developments in the area listed in Section 3.0, *Environmental Setting*.

The Executive Summary of this EIR summarizes all impacts and mitigation measures that apply to the proposed project.

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## 4.1 Aesthetics/Visual Resources

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This section evaluates potential impacts to aesthetics/visual resources from development facilitated by the proposed project.

A set of standardized terms are used to describe the issues that are analyzed under the CEQA *Guidelines* for Aesthetics discussions based on criteria developed by the California Department of Transportation (Caltrans), U.S. Bureau of Land Management (BLM), U.S. Forest Service (USFS), and the Federal Highway Administration (FHWA). A more detailed description of these terms and the criteria that helps determine impacts follows.

### **Viewshed**

A viewshed is an area of the landscape visible from a particular location or series of points (e.g., an overlook or a trail, respectively) (FHWA 2015). A viewshed may be divided into viewing distances called foreground, middle ground, and background. Usually, the closer a resource is to the viewer, the more dominant it appears visually, and thus it has greater importance to the viewer than something farther away. A common set of criteria identifies the foreground as 0.25 to 0.5 mile from the viewer; the middle ground is three to five miles away; and the background extends away to the horizon.

### **Visual Character**

Natural and human-built landscape features contribute to the visual character of an area or view. Features include geologic and water features, plants, wildlife, trails and parks, and architecture and transportation elements (e.g., bridges or city skylines). The way visual character is perceived can vary based on the season, the time of day, the light, and other elements that influence what is visible in a landscape. The basic components used to describe visual character are form, line, color, and texture of landscape features (USFS 1996, FHWA 2015).

### **Visual Quality**

Visual quality is a term that indicates the uniqueness or desirability of a visual resource, within a frame of reference that accounts for the uniqueness and “apparent concern for appearance” by concerned viewers (e.g., residents, visitors, jurisdictions) (Caltrans 2022). A well-established approach to visual analysis is used to evaluate visual quality, using the concepts of vividness, intactness, and unity (FHWA 2015).

- Vividness describes the memorability of landscape components as they combine in striking patterns.
- Intactness refers to the visual integrity of the natural and human-built environments.
- Unity indicates the visual coherence and compositional harmony of the landscape as a whole.

### **Visual Exposure and Sensitivity**

Viewer sensitivity is determined based on the visibility of resources in the landscape, the proximity of viewers to the visual resource, the height from which viewers see the resource, and the types of viewers with their associated expectations (Caltrans 2022). Visual sensitivity also depends on the number and type of viewers, along with the frequency and duration of views experienced by these viewers. Once an adequate description of the visual resource and its quality is developed, including the number and types of views for common uses (e.g., recreational, agriculture), an evaluation can



be made as to the impact of the proposed project upon the aesthetic and visual resources in the landscape.

## **Light and Glare**

Sources of artificial light that operate during evening and nighttime hours may include streetlights, illuminated signage, vehicle headlights, and other point sources. Uses, such as residences and hotels, are considered light-sensitive since they are typically occupied by persons who have an expectation of darkness and privacy during evening hours and who can be disturbed by bright light sources

Glare is primarily a daytime occurrence caused by the reflection of sunlight or artificial light from highly polished surfaces, such as window glass or reflective materials, and, to a lesser degree, from broad expanses of light-colored surfaces. Glare can also be produced during evening and nighttime hours by artificial light directed toward a light-sensitive land use. Activities, such as driving, and land uses, such as parks and residences, are considered glare sensitive as the presence of glare could interfere with vision and/or result in an irritant to these activities/uses.

### **4.1.1 Setting**

The setting and analysis include images of key viewpoints that illustrate the existing visual conditions near the proposed project site, including from view corridors such as Foothill Drive, Hampshire Road, and U.S. Route 101 (US-101).

The City of Thousand Oaks (Thousand Oaks; city) is in the Conejo Valley, which is about nine miles long and seven miles wide. Mountclef Ridge forms a prominent feature of the landscape within the city. The Simi Hills form the background to the north and east, the Santa Monica Mountains to the south, and Conejo Mountain to the west. Elevations in the area range from 600 feet above sea level on the valley floor to approximately 3,000 feet in the Santa Monica Mountains. Commercial development in Thousand Oaks is primarily concentrated on the valley floor. Commercial uses are located along the major arterials and highways that bisect the city and the commercial uses are largely one to two stories, set back from the nearby roadways with large surface parking lots, light-colored stucco exteriors, and red tile roofs. Light industrial uses occur in various areas of the city, including near the proposed project site. Office uses in the area are up to three stories and are also of contemporary design, with flat or pitched roofs, stucco and glass exteriors, and large surface parking lots.

Within Thousand Oaks, residential development is primarily concentrated on the valley floor, although residential development also extends into the foothills surrounding the valley. Residences on the valley floor generally have limited views of the surrounding hills, while residences on the foothills are typically oriented toward the mountains and often have extensive views of the entire valley and surrounding hillsides.

Development directly adjacent to the proposed project site is largely commercial, particularly along Hampshire Road, where an existing gas station and a medical office are situated to the north and various office buildings are across Hampshire Road to the east. Looking southeast on Hampshire Road, the southern and western ridgelines form a background for the proposed project and the street trees and landscaping, along with the lower-rise development are like the natural environment. Figure 4.1-1 depicts key viewpoints near proposed project site that was used for the visual analysis for this Section.

Figure 4.1-1 Key Viewpoints near Proposed Project Site Use for Visual Analysis



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Figure 4.1-2 depicts views along Hampshire Road, the proposed project site is easterly property line is bounded by mature and maintained landscaping, providing a visual buffer between the public right-of-way and the proposed project site. The proposed project site is developed with commercial uses and was formerly occupied by a K-Mart department store and other, smaller retail uses, which closed starting in 2004. The proposed project site is currently zoned C-1, Neighborhood Commercial, with provisions for development outlined in TOMC Section 9-4.1201, and allow for commercial strip malls with a large anchor store to be developed on 25 percent of the proposed project site, with 75 percent reserved for surface parking. C-1 development is limited to three stories or 35 feet in height.

Near the proposed project site, an existing two-story apartment complex is located on the southwest corner of Hampshire Road and Foothill Drive, just south of the proposed project site beyond Foothill Drive. As Foothill Drive curves to the north, apartment complexes and condominiums exist along the west side of the road in an area elevated from Foothill Drive and the proposed project site. Views of the northern hillsides are visible from this point (Figure 4.1-3).

**Figure 4.1-2 Hampshire Road Looking South with the Proposed Project Site on the West**



Source: Google Earth 2021

**Figure 4.1-3 Northbound Foothill Drive with the Proposed Project Site Visible to the East**



Source: Google Earth 2021

Development in Thousand Oaks generally has a high or moderately high visual quality. Buildings throughout the community are well-maintained and landscaping is plentiful. The most prominent and heavily traveled view corridor in Thousand Oaks is US-101, which offers expansive views across the valley and of the mountains to the north and south. Light industrial complexes, commercial buildings, open space, and parking lots or storage facilities appear in the near to middle ground from US-101 looking toward the proposed project site and throughout the city, reducing the visual quality. (No designated or eligible State Scenic Highways near the proposed project site). Several arterial corridors in the city also offer view opportunities, as identified in the Scenic Highways Element of the General Plan (City of Thousand Oaks 1974). Near the proposed project site, concrete walls are in place along the southbound side of US-101, designed to reduce noise from the freeway and these walls block the views of adjacent freeway development.<sup>1</sup> The proposed project site itself is screened from view by existing mature landscaping and vegetation alongside the freeway.

On the proposed project site itself there exists a previously existing department store with in-line retail shops, and a perimeter parking lot with street trees and other landscaping. The buildings and parking lot on the site are currently unused and while the trees are mature and appear somewhat maintained, the visual quality is low as they do not appear part of a vibrant, engaged commercial development. Development around the proposed project site is well maintained and coheres in terms of design, height, and massing with surrounding development and the natural environment. The area around the proposed project site has a high to moderately high visual quality.

The visual environment surrounding the proposed project site is primarily one of developed, suburban character. Although Hampshire Road is not designated a scenic highway, it is heavily traveled and provides views of the hillsides and ridgelines to the north, south, and west of the city. Views from Hampshire Road and Foothill Drive, when near the proposed project site, are of established commercial buildings, US-101, and various structures. The proposed project area is largely screened by existing trees and an existing service station from US-101. The area immediately to the west of the site contains single-family homes along Foothill Drive and west of the proposed project site, and multi-family residential to the south beyond Foothill Drive, close to where it curves from east/west director to a north/south direction. To the southwest of the proposed project site, a large area zoned as open space has walking trails, dense vegetation, and oak trees.

Thousand Oaks is a developed, suburban city, with varying degrees of nighttime light and daytime glare. Nighttime lighting in the Thousand Oaks includes a number of different sources, such as street lighting along the US-101 and on roadways in the city, automobile headlights, and residential and commercial lighting. Illuminated advertising signs and recreational park facility lighting also contribute to the light environment. Glare is produced by windows on buildings, cars parked in surface lots that have minimal shade trees when the sun shines directly on the windshields and this would occur throughout commercial districts where large parking lots dominate, including those parking lots along Hampshire Road.

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<sup>1</sup> The only portion of US-101 that Caltrans has designated as a State Scenic Highway is in Santa Barbara County. The portion of US-101 located just north of the proposed project site is not listed as either designated or eligible to become a State Scenic Highway (Caltrans 2019).

## 4.1.2 Regulatory Setting

### **a. Federal Regulations**

There are no federal regulations that apply to aesthetics on or in the vicinity of the proposed project site.

### **b. State Regulations**

The California State Scenic Highway Program, enacted in 1963, seeks to preserve and protect scenic highway corridors from change that would diminish the aesthetic value of lands adjacent to highways. The program primarily functions by establishing a list of eligible and designated scenic highways. The status of a state scenic highway changes from eligible to designated when the local jurisdiction adopts a scenic corridor protection program, applies to Caltrans for approval, and receives notification from Caltrans that the highway has been designated.

### **c. Regional and Local Regulations**

#### **Ventura County Thousand Oaks Area Plan**

US-101 through Thousand Oaks is eligible for Ventura County designation as a regional scenic highway (Ventura County 2020). Policies are in place that regulate signage along these roadways, outdoor storage, and other development components that detract from the scenic quality of these identified roadways. The Ventura County General Plan 2040 states:

**Policy TO-H Scenic Highway Designations:** The County shall require the County Planning Division to develop a program proposal for the Board of Supervisors' consideration to:

- (1) Designate US-101 (Ventura Freeway), SR 23 (Moorpark Freeway), and Potrero Road as County Scenic Highways (at least within the Thousand Oaks Area of interest)
- (2) Rezone to SHP (Scenic Highway Protection Overlay Zone) properties abutting a designated County Scenic Highway

#### **City of Thousand Oaks General Plan**

The City's General Plan was last revised in 1997 but is currently undergoing an update (City of Thousand Oaks 2022). The current General Plan contains goals to ensure the visual quality of the city and the region are maintained and improved (City of Thousand Oaks 1997). Similarly, the supporting policies specify how those goals will be met. Those applicable to aesthetics and visual resources are as follows:

##### *General Plan Goals that Apply to Aesthetics and Visual Resources*

- To enhance and preserve the spaciousness and attractiveness of the Conejo Valley
- To encourage commercial facilities which satisfy the Valley's mercantile needs, arranged and located to provide convenient access and compatibility with adjoining use through proper design.
- To provide a high-quality environment, healthful and pleasing to the senses, which values the relationship between maintenance of ecological systems and the people's general welfare.

### *General Plan Policies that Apply to Aesthetics and Visual Resources*

- The City's unique natural setting will be a guide to its future physical shape. In general, development will occur in the low-lying areas with the natural hills and mountains being preserved in open space. A ring of natural open space will be created around the City. The City will support and encourage open space/greenbelt buffers around it, separating the City from adjoining communities.
- Through good design and the implementation of appropriate development tools, a freeway corridor image will be created making Thousand Oaks visually distinct from surrounding communities, retaining the special qualities of the landscape, viewshed and open space which originally attracted people to the area.
- Major City gateways, where the Route 101 and 23 Freeways enter the City and streets interchange with the freeways, shall receive special aesthetic enhancement.
- Highly intensive land uses--major industrial and commercial centers--should be located in proximity to or within easy access of the Ventura Freeway corridor.
- Promote the upgrading of substandard neighborhoods throughout the Planning Area to prevent costly and undesirable deterioration.
- Commercial development should comply with the City's height restrictions. Exceptions, through height overlays, may be appropriate under certain conditions.
- Strengthen the axis between the commercial core areas by improving and rebuilding unattractive and undeveloped areas along Thousand Oaks Boulevard
- Low profile and aesthetically designed signage shall be allowed for all developments; no billboards shall be allowed.
- As the City ages, it is important to maintain, improve and enhance the City's aesthetic appearance.

The Scenic Highways Element was approved in 1979 and is in place to protect and enhance the scenic qualities of highways, "including their rights of way and adjacent visual corridors" (City of Thousand Oaks 1979). Scenic Highways are defined as "automobile routes linking major portions of the city and providing the motorist with an aesthetically pleasing diversity of both urban and natural vistas." Scenic Corridors are likewise identified as roadways within the City that offer similarly aesthetically pleasing views and vistas. According to the Scenic Highways Element, the scenic qualities of US-101 are in the vistas seen from the highway rather than any inherent scenic qualities in the right-of-way itself. In particular, the highway provides views of the Conejo Valley.

Policies that apply to aesthetics and visual quality as they relate to the proposed project include the following:

- Provide for architectural and design review of proposed development projects and adjoining yard walls within the corridor to ensure that they are compatible with existing urban and natural surroundings and enhance scenic character and quality of the highway corridor.
- Provide for control of all on- and off-site advertising signs.

### **City of Thousand Oaks Municipal Code**

The Thousand Oaks Municipal Code (TOMC) contains the City's zoning code and zoning map. The zoning code provides a description for each type of building zone, including limitations on height, setbacks, uses, and buildings. The proposed project site is currently zoned C-1, Neighborhood Commercial, with provisions for development outlined in TOMC Section 9-4.1201, and allow for

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commercial strip malls with a large anchor store to be developed on 25 percent of the proposed project site, with 75 percent reserved for surface parking. C-1 development is limited to three stories or 35 feet in height. Residential Planned Development (RPD) zones are discussed in Section 9-4.901 and encourage creative and innovative developments with imaginative land planning that is orderly and cohesive, but also striking a balance between urban growth and the preservation of natural landscaped public and private open spaces.

TOMC Title 8, Chapter 9, Article 2 provides requirements for a uniform sign code in keeping with that published by the International Conference of Building Officials and amended to include limits on design, quality of materials, construction, location, electrification, and maintenance of signs outside of buildings. Section 401, Design, was amended to include requirement that signs and sign structures be designed and constructed to resist wind forces (as specified in Chapter 23 of the California Building Code).

TOMC, Title 9, Chapter 4, Article 43 Landmark Tree Preservation and Protection sets forth the City's policy requiring the preservation of all healthy landmark trees unless reasonable and conforming use of the property justifies the removal, cutting, pruning, and/or encroachment into the protected zone of a landmark tree. Two existing landmark trees are identified on site and will be protected and in place, according to the Specific Plan.

*Resolution No. 91-172: Guidelines for Development within the Corridors of the US-101 and SR 23*

- Locate buildings on relatively level land, avoiding ridgelines, hilltops, or steep hillsides. Plotting of structures shall consider adequate backdrop to blend into the natural surroundings with a minimum of visual impact.
- Avoid large straight, blank facades, provide visual interest by stepping buildings back and create more open space between buildings and the roadway, and incorporate landscape designs and orientation of buildings at angles to the freeways to reduce exposed facades and open views to distant features.
- Building footprints reflect an integration of design that joins the buildings with the natural terrain. Extensive grading shall be avoided. The site topography shall determine the form of architectural design.
- Buildings shall be oriented at angles to the freeways to reduce the exposed facades visible from the roadway. This shall also provide additional open space for innovative landscape designs and open views to distant landscape features.
- Building architecture shall make creative and innovative statements yet not appear as an imposition on the landscape. Buildings must be designed at a scale and manner that is sensitive to the terrain reflecting an integration of architecture and topography.
- Building architecture shall incorporate the use of design articulation to break up building mass into smaller components. The use of angled building corners, sloping facades, projecting and recessing of walls, opening sections of the buildings and the integration of landscape elements will help to reduce a bulky appearance.
- Proper siting of buildings, allowing open sections within buildings or among groups of buildings, shall provide some form of visual relief and maintain views of distant features. Screen vehicle parking lots within the freeway view corridor with a combination of earthen berms, landscaping, predominantly evergreens, and innovative decorative wall designs to reduce the visual impact of glare from parked cars.

- Building roof architecture shall be designed in a manner that is sensitive to both building and terrain Exposure of large expansive roof areas shall be avoided.
- Upper floor levels on multi-story buildings should be stepped back from their base to open up the view corridor both horizontally and vertically.
- The roofs of buildings which are constructed on land sloping up or down from the freeway shall be parallel to the natural topography protect the line-of-sight within the view corridor. Projecting elements above roof lines shall be minimized and shall be integrated into the overall building design.
- Selective use of taller buildings (height overlays) will be considered only where there is sufficient visual backdrop and where important open views are not blocked.
- Building designs, exterior colors and materials shall be selected so that they blend and integrate with the surrounding natural and human-made setting, consistent with the City's image.
- Exterior surface materials shall be of a non-glare finish, pursuant to the Precise Plan of Design.
- Windows shall be designed and oriented to minimize the reflective characteristics of the glass onto the freeway.
- Where development is proposed in areas adjacent to existing land uses, building design, scale, use of material, color and landscaping characteristics shall complement the existing uses.
- Site planning and architectural treatment of buildings shall be employed to prevent the visual exposure of service bays, storage material, trash enclosures and loading and unloading activities from the freeway corridors.
- Exterior lighting fixtures shall be designed and placed in such a manner as to prevent spillage of illumination beyond the boundaries of the project site.
- Building identification (signs) shall be selected in compliance with the City's Municipal Sign Ordinances that pertain to the freeway corridor. Signs shall be designed to complement the building's architecture and not impose a visual impact. Criteria for signage shall include letter design, color, overall sign area in proportion to setback distances, illumination, sign area ratio to wall or fascia surfaces, and consistency in size and location with existing signs in the area.
- Where barrier screening for visual or noise mitigation is necessary, such treatment shall consist of a combination of decorative walls, undulating berms of various heights and innovative use of combined evergreen and deciduous landscape plant materials.
- Vines and/or other clinging plant material shall be used to visually accent walls where space may preclude the use of other larger plants. Planted, earthen berms shall take precedence over construction of walls, to emphasize the natural setting. Screen walls shall consist of decorative materials that integrate and compliment the building's architecture.
- Landscaping shall be used to complement and enhance building architecture, not to camouflage poor building design. Landscaping shall be used to soften the visual impact of buildings, walls, grading and other site improvements. The type of plant material, height and massing of vegetation should not dominate building structures but complement them.
- Plants shall be used which offer variety of color, shape and species with an emphasis on drought tolerant native plant materials. Plant selection shall also include an appropriate ratio of evergreen to deciduous for interest.
- The planting of oak trees should be implemented wherever possible to aid in the establishment and reinforcement of the City's image. This image can be further enhanced by the selective night-time lighting of signature oak trees.



- Alternate groupings of plants and open spaces to frame and preserve distant views. Monotonous repetitions in plant spacing should be avoided; the number and distance between adjoining plants should be varied. Vegetation shall be planted behind and in front of buildings to soften hard edges of architectural design. For in-fill projects, the selection of landscape material shall match or be compatible with established roadside and/or surrounding vegetation.

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- Respect and enhance the consciously maintained semi-rural character of Thousand Oaks
- Incorporate the natural setting of the area surrounding the site as an integral part of the overall design
- Be designed in a scale and manner that is sensitive to the topography and surrounding land uses
- Reflect an integration of architecture and function
- Be distinctive and creative yet compatible with nearby development
- Incorporate the landscape plan and signage program into the overall design concept
- Maximize pedestrian orientation to encourage a sense of community

### 4.1.3 Impact Analysis

#### **Methodology**

Aesthetics refers to visual environmental concerns as perceived from publicly accessible spaces, such as roadways, parks, and designated open spaces. Aesthetics or visual resources analysis is a process to assess the visible change and anticipated viewer response to that change. The FHWA, BLM, and USFS have developed methodologies for conducting visual analysis that are used across the industry (FHWA 2015, BLM 1984, USFS 1996). These methods have been synthesized and used for this analysis.

While the conclusions of these assessments may seem subjective, value is measured based on generally accepted measures of quality, viewer sensitivity, and viewer response, supported by consistent levels of agreement in research on visual quality evaluation (BLM 1984, FHWA 2015). Modifications in a landscape that repeats basic elements found in that landscape are said to be in harmony with their surroundings; changes that do not harmonize often look out of place and can be found to form an unpleasant contrast when their effects are not evaluated adequately. An aesthetics impacts assessment uses data from three steps, as follows:

- Identify visual features or resources in the landscape important to local and regional viewers;
- Assess the character and quality of those resources relative to the overall regional visual character; and
- Evaluate potential significance of features in the landscape to people who view them and determine their potential sensitivity to the changes proposed by the project.

Visual simulations were prepared for views across the proposed project site from Foothill Boulevard looking east. These were used to analyze the potential impacts for viewers and residents from that roadway. Refer to the beginning of this section for a brief description of criteria terms used to understand existing conditions.

Appendix G of the State CEQA Guidelines identifies the following criteria for determining whether development facilitated by the proposed project would have a significant impact on aesthetics and visual resources:

1. Have a substantial adverse effect on a scenic vista;
2. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
3. In non-urbanized areas, substantially degrade existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality; and
4. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area

<b>Threshold 1:</b> Would the project have a substantial adverse effect on a scenic vista?
--

**Impact AES-1 THE PROJECT WOULD BE CONSTRUCTED IN AN AREA WITH SCENIC VIEWS OF THE HILLSIDES FROM US-101. IT WOULD OCCUR IN AN AREA WITH EXISTING DEVELOPMENT BUT WOULD BE MORE DENSELY BUILT AND TALLER THAN BUILDINGS CURRENTLY ON THE SITE. NONETHELESS, THE BUILDING HEIGHTS AND DENSITY WILL NOT OBSCURE VIEWS FROM US-101 OR FROM HAMPSHIRE ROAD. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

A scenic vista is a view from a public place (roadway, designated scenic viewing spot, etc.) that is expansive and considered important to the community. It can be obtained from an elevated position (such as from the top of a hillside) or it can be seen from a roadway with a longer-range view of the landscape. An adverse effect would occur if a proposed project would block or otherwise damage the scenic vista upon implementation.

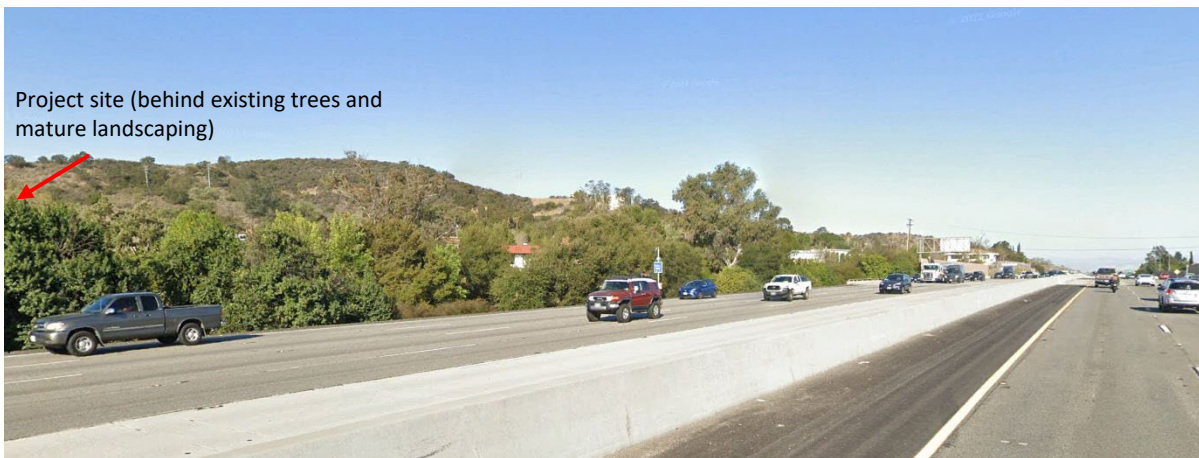
According to the Ventura County General Plan, US-101 provides scenic views of the Conejo Valley, including where it traverses Thousand Oaks (Ventura County 2020). The proposed project site is currently developed with a vacant commercial center and that the existing visual environment of the proposed project site and vicinity is primarily of developed, suburban character. From the extent of the highway, where it parallels the proposed project site, views of the hillsides and ridgelines characteristic of the scenic vistas along US-101 through the Conejo Valley are visible looking southwest down Hampshire Road (Figure 4.1-4). As evident in the image below, on the southbound side of US-101, the proposed project site is blocked from view by an eight-foot sound wall and by mature vegetation that occurs beside the roadway and on adjacent developed lands. From the northbound side of US-101 looking west, the proposed project site is not visible due to mature vegetation (Figure 4.1-5). As travelers draw closer to the overcrossing on Hampshire Road, the proposed project site continues to be obscured by vegetation, although the rooftops of adjacent development (e.g., gas station, medical building) are slightly visible. None of the development obscures scenic vistas, however, as those are limited by the existing trees and mature landscaping and vegetation planted directly beside the highway.

**Figure 4.1-4 View of Hillsides from Southbound US-101 Looking Southwest down Hampshire Road where Proposed Project Site Occurs to the West**



Source: Google Earth 2021

**Figure 4.1-5 View from Northbound US-101 Looking West Toward the Proposed Project Site**



Source: Google Earth 2021

The proposed project would include buildings up to four stories high, next to Hampshire Road, which might be visible from limited section of US-101 for northbound travelers. Because the site is located approximately 500 feet south of the freeway and existing mature trees and other existing development intervene with longer distance views from this direction, and because drivers would be travelling at high speeds (up to 70 miles per hour), the viewer sensitivity would be moderate. The hillsides visible in Figure 4.1-5 would still be visible with proposed project implementation. Scenic vistas would not be impacted substantially as viewed from US-101.

Hampshire Road is not designated as a scenic roadway, but views to the south of the proposed project site are expansive and high quality (Figure 4.1-6). As shown in Figure 4.1-6, the proposed project site appears on the right (west) side of Hampshire Road and mature trees, existing buildings, and hillside ridge lines to the south form the distinctive background. Development on this site would involve infill that would construct buildings closer to the sidewalk. The mixed-use buildings would occur closest to the street and would be up to four stories high, but the average height of buildings throughout the

proposed project site would be three stories. This could limit some views across the proposed project site to the southwest, but development would not substantially block vistas from Hampshire Road.

**Figure 4.1-6 View from Hampshire Road Looking South, Proposed Project Site to the West**



Source: Google Earth 2021

The proposed project would be constructed in an area with existing development and is designed to integrate into the existing urban development along Hampshire Road, as described in Section 2, Project Description. It would also include numerous open spaces and generous landscaping that would connect the development to the adjacent open spaces to the west in a way that unifies the overall landscape and softens any abrupt division between the built and natural environments. Furthermore, proposed project design would be consistent with policies and design guidelines described in Section 4.1.2, Regulatory Setting. These include regulations that minimize impacts to scenic vistas. Furthermore, the proposed project would include architecture and landscaping that would help to unify a currently blighted site with the surrounding vegetated hillsides through an integrated design and have beneficial impacts to the overall viewshed. The impacts to scenic vistas would be less than significant.

### **Mitigation Measures**

No mitigation is required.

### **Significance After Mitigation**

The proposed project would result in less than significant impact without mitigation.

<b>Threshold 2:</b> Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
--

**Impact AES-2 THE PROJECT WOULD IS NOT LOCATED WITHIN ANY DESIGNATED OR ELIGIBLE STATE SCENIC HIGHWAYS TO DAMAGE SCENIC RESOURCES. THERE WOULD BE NO IMPACT.**

As discussed above, there are no designated or eligible State Scenic Highways near the proposed project site, nor would the proposed project include any construction or operation within such a highway. While US-101 is designated as a State Scenic Highway in other extents of the roadway, these

begin approximately 52 miles north of the proposed project site, in Santa Barbara County. The portion of the highway located just north of the proposed project site is not listed as either designated, or eligible to become designated, as a State Scenic Highway (Caltrans 2019). Elsewhere in Ventura County, State Route (SR) 118 from SR 23 to Desoto Avenue is eligible as a State Scenic Highway; however, SR 118 is approximately 11 miles from the proposed project site. SR 33 is also eligible or designated as a State Scenic Highway throughout Ventura County but starting more than 15 miles northeast of Thousand Oaks.

As all eligible or designate State Scenic Highways are too distant for implementation of the proposed project to affect them, there would be no impact to any scenic resources within or near a State Scenic Highway.

### **Mitigation Measures**

No mitigation is required.

### **Significance After Mitigation**

The proposed project would result in no impact without mitigation.

**Threshold 3:** Would the project, 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 a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

**Impact AES-3** THE PROPOSED PROJECT WOULD REQUIRE A ZONING CHANGE TO CONSTRUCT A MORE DENSE, MIXED-USE DEVELOPMENT THAN ALLOWED BY C-1 AND WOULD BE REQUIRED TO COMPLY WITH THE DESIGN REQUIREMENTS OF THE NEW ZONING DESIGNATION (SP). THE EXISTING SITE IS DEVELOPED BUT ABANDONED AND IN POOR CONDITION; IMPLEMENTATION OF THE PROPOSED PROJECT WOULD DEVELOP THE SITE WITH A MIXED-USE DEVELOPMENT THAT WOULD IMPROVE THE VISUAL QUALITY OF THE AREA ON THE SITE AND CONTRIBUTE TO INCREASED VISUAL QUALITY IN THE SURROUNDING NEIGHBORHOOD. THE IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The proposed project would occur in an urbanized area primarily characterized by office and commercial uses with large surface parking lots and limited or no landscaping. The proposed project site itself is a defunct commercial center that appears semi-blighted due to its being boarded up and unoccupied. The parking lot is in poor condition, and the contains ruderal vegetation. The proposed project site currently contains several miscellaneous varieties of trees including multiple species of palm trees scattered throughout the parking lot. Small shrubs and bushes are also planted in the landscaped area of the parking lot.

The proposed project would remove the existing development and landscaping including 10 landmark trees (see Section 4.3, Biological Resources, and Appendix C, Arborist Report, for further detail on tree removal); two protected trees that occur just outside the proposed project boundary would remain.

Under current conditions, the building edges, rooftops, and mechanical equipment are visible, along with the parapet associated with the larger commercial building (Kmart). The hillsides to the east of the proposed project site are visible beyond the development but the form of the existing commercial uses disrupts the visual unit of the view from Foothill Drive (Figure 4.1-7). The above-ground utility transmission lines further disrupt the quality of the view. Visual simulations were prepared for the proposed project to compare existing conditions looking east from Foothill Drive across the proposed

project site. The simulation shows the proposed project as conceived by the architect, with the clustered buildings visible but creating viewsheds across the site that improve visual access to the eastern and southern ridgelines, as well as to the overall built environment of the city (Figure 4.1-8). Although not reflected in the visual simulation, utility infrastructure would be moved underground along the proposed project boundary on Foothill Drive, further increasing the unity and vividness of the view. The proposed project would redevelop the site with a well-designed, vibrant complex of residential and commercial or work/live spaces, designed to create a sense of place and community. Combined with the public and private open spaces within the complex and the connectivity to the adjacent western open space, the redevelopment would result in beneficial visual impacts.

The design concept for the proposed project is more urbanized, mixed-use than adjacent suburban commercial and residential development. It includes multi-story buildings and public and residents gathering spaces situated near the commercial and residential units, respectively, as illustrated in Figure 4.1-9. View East across the proposed project Site from Foothill Drive under Existing Conditions the concept is for a retail village at the easterly entrance to the proposed project, where retail and dining terraces and pedestrian plazas would create an inviting character. The buildings will incorporate offset massing, varied wall planes, and varied heights to visually reduce the massing and scape of the four-story mixed-use buildings (Figure 4.1-10). West of the mixed-use development, the multi-family residential units would have varied elevations and include balconies in front or rear. They shall also vary in massing and plane changes (Figure 4.1-11). All buildings would include warm exterior finishes, including textured cement, brick or stone veneer, and metal cladding panels. The colors would be neutral and muted tones that complement the architecture and the adjacent development. Figure 4.1-12 offers examples of exterior finishes.

**Figure 4.1-7 View East across the Proposed Project Site from Foothill Drive under Existing Conditions**



**Figure 4.1-8 Project Visual Simulation Looking East across the Proposed Project Site**



Landscaping would be compatible with the landscape character of Thousand Oaks and include shade trees, other drought-tolerant plantings, and decorative paving. The outdoor areas would include lighting for safety. Figure 4.1-13 offers a conceptual drawing of the landscape design showing how it reflects the natural landscape. The current low to moderately low quality of development on the proposed project site would be visually transformed by the redevelopment such that visual quality would be increased and the proposed project would have a beneficial visual impact.

While different from existing and adjacent development, the proposed project would not substantially degrade existing visual quality but actually improve it from its existing vacant condition. Impacts would be less than significant.

Figure 4.1-9 Proposed Project Conceptual Design Looking Northwest





Figure 4.1-10 Proposed Project Conceptual Design Looking West into the Center of the Development



Figure 4.1-11 Residential Units with Residents Open Space (Pool Area)



**Figure 4.1-12 Exterior Finishes Examples**


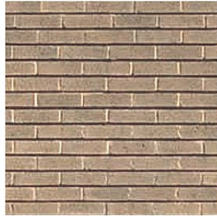


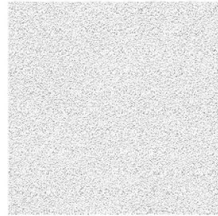







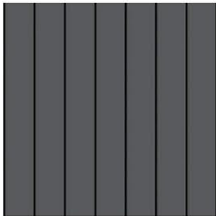
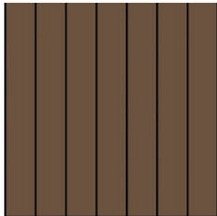



					 <p>□ VINYL WINDOWS CASEMENT - CLASSIC BROWN</p>
□ BRICK VENEER DARK BROWN	□ BRICK VENEER BEIGE	□ 30/30 FINISH STUCCO MEDIUM GREY	□ SMOOTH FINISH STUCCO BEIGE	□ SMOOTH FINISH STUCCO WHITE	
					 <p>□ WINDOW DETAIL AT HAMPSHIRE RD &amp; PASEO FRONTAGES</p>
□ SMOOTH FINISH STUCCO DARK BROWN	□ CONCRETE AGGREGATE LIGHT GREY	□ METAL PANELS DARK BROWN	□ BRAKE METAL PANEL DARK BROWN	□ BRAKE METAL PANEL LIGHT BROWN	
					
□ FIBER CEMENT SIDING DARK BLUE	□ FIBER CEMENT SIDING CORTEN BROWN	□ STOREFRONT SYSTEM FACTORY COATED BRONZE	□ COMPOSITE PROFILE WOOD FINISH	□ VENTILATION LOUVERS MEDIUM GREY	

Figure 4.1-13 Landscape Conceptual Design



## Mitigation Measures

No mitigation is required.

## Significance After Mitigation

The proposed project would result in less than significant impact without mitigation.

**Threshold 4:** Would the project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?

**Impact AES-4** THE PROPOSED PROJECT SITE IS IN AN AREA CURRENTLY DEVELOPED WITH RESIDENTIAL, COMMERCIAL, AND OFFICE USES WITH EXISTING SOURCES OF LIGHT AND GLARE. THE PROPOSED PROJECT WOULD ADD INCREASED SOURCES OF LIGHT AND GLARE DURING CONSTRUCTION AND OPERATION. HOWEVER, THE PROPOSED PROJECT WOULD MEET ALL CITY REQUIREMENTS APPLICABLE TO LIGHT AND GLARE. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

For purposes of this analysis, light refers to light emissions (brightness) generated by a source of light. Stationary sources of light include exterior parking lot and building security lighting; moving sources of light include the headlights of vehicles driving on roadways near the proposed project site. Streetlights and other security lighting also serve as sources of light in the evening hours.

Glare is defined as focused, intense light emanated directly from a source or indirectly when light reflects from a surface. Daytime glare is caused in large part by sunlight shining on highly reflective surfaces at or above eye level. Reflective surfaces area associated with buildings that have expanses of polished or glass surfaces, light-colored pavement, and the windshields of parked cars.

The proposed project would develop a parcel with an existing unused department store and associated vacant retail shops with a large surface parking lot that fronts Hampshire Road. There are currently little light or glare sources on the site, although the unshaded parking lot produces a certain amount of glare that will be eliminated with the new development. Furthermore, the building windows and the landscape plan are designed to shade reflective surfaces within the development and at its edges. Most parking would be subterranean, below the mixed-used buildings and the residential units. Some surface parking would occur near the retail shops, but these spots would be shaded by the proposed project's landscape.

All exterior lighting associated with the proposed project, including that for commercial signs, would comply with TOMC Section 8-1.19, Section 9-4.1109 and 2405, and Section 9-4.2308 which regulate light spillage, exterior lighting placement and direction, style, and luminosity. Lighting requirements in the proposed project Specific Plan would ensure that parking lot and exterior lights be downward facing, shielded, and limited in brightness so that they do not spill onto or affect adjacent properties adversely and that light fixtures near residential uses to the south of the proposed project site would be limited to 14 feet in height. Furthermore, landscaping and walls would be utilized adjacent to parking areas and roadways, where necessary, to reduce light from vehicle headlights. Finally, building materials would be of natural colors and textures, designed to integrate with surrounding development and the natural landscape (see Figure 4.1-12). These are designed not to be reflective or to create new sources of glare.

With adherence to all design criteria and lighting regulations, the proposed project impacts to light and glare would be less than significant.

## **Mitigation Measures**

No mitigation is required.

## **Significance After Mitigation**

The proposed project would result in less than significant impact without mitigation.

### **4.1.4 Cumulative Impacts**

Although aesthetic impacts are generally site-specific, impacts that may affect scenic vistas or recognized visual resources can influence a broader area. As discussed above, the project is anticipated to have less than significant impacts to views from surrounding public locations and from the major roadways. Nearby projects in the cumulative list for the next five years consist of a sports training facility, an auto dealership, and a limited number of single-family homes, as listed in Chapter 3, *Environmental Setting*. The closest project is a cluster of three single-family residences at Willow Land and Skyline Drive, approximately 0.4-mile northwest of the project site. A storage facility is proposed for 2650 Willow Lane, 0.5-mile northwest of the project site. Other nearby proposed projects include multi-family residential, commercial, two mixed-use projects on Thousand Oaks Boulevard, and an assisted living facility. These projects range from 0.5 mile to 1.8 miles from the site. The other projects largely cohere with the general efforts to increase density and commercial uses in the area. Overall, the projects are similar to the proposed project in that they are a mix of commercial and residential uses. All cumulative projects would be subject to the same requirements as the proposed project including the design guidelines and regulatory compliance presented herein. Due to this, cumulative impacts related to scenic vistas would be cumulatively less than significant.

## **Visual Character/Quality**

The proposed project site is in an area with adjacent suburban commercial and residential development and mid-rise buildings. The cumulative projects list in Chapter 3, *Environmental Setting*, presents projects that are 0.4 mile to 1.8 miles from the proposed project site. These projects are in areas mostly developed with similar uses, although some projects would increase density on underdeveloped or vacant lots. Development of the proposed project in conjunction with the cumulative projects would result in an increase in residential, commercial, and restaurant uses throughout the community. The proposed project would not contribute to a potential cumulative impact that would constitute a degradation of visual quality in the proposed project vicinity as it would remove aging, blighted buildings, replacing them with a modern, well-designed and landscaped development that includes public open spaces and improved neighborhood connectivity. Furthermore, all cumulative projects would be subject to the same requirements as the proposed project, such as City of Thousand Oaks lighting requirements and Title 24 and Freeway Design Guidelines. Where hillside development occurs, projects would be analyzed in a site-specific, separate environmental analysis for each *project* to determine impacts to visual quality and to mitigate if they arise. Therefore, the proposed project's contribution to cumulative impacts related to visual character and quality would be cumulatively less than significant.

## **Lighting and Glare**

Build-out of cumulative development listed in Chapter 3, *Environmental Setting*, would contribute to the overall level of nighttime illumination and glare in the proposed project area. Nighttime illumination would be anticipated to incrementally increase with these developments. However, the

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cumulative projects are distributed throughout an urbanized area with a high degree of existing nighttime illumination and additional glow from these projects is anticipated in the Thousand Oaks General Plan. Furthermore, all cumulative projects would be subject to the same requirements as the proposed project where exterior lighting and glare effects are possible, and this would be analyzed in a site-specific, separate environmental analysis for each project to determine impacts to light and glare and to mitigate them if they arise. As such, the proposed project's contribution to cumulative impacts related to light and glare would be cumulatively less than significant.

## 4.2 Air Quality

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This section evaluates potential impacts to air quality from development facilitated by the proposed project. Additionally, this section summarizes the Air Quality analysis section of Envicom Corporation's Air Quality and Greenhouse Gas Emissions and Energy Report prepared in February 2022. (See Appendix B). The report analyzes the potential air quality impacts of proposed project construction and operation activities to nearby sensitive receptors. Mitigation measures are proposed to reduce significant impacts, as needed.

### 4.2.1 Setting

#### a. Climate

The proposed project area is part of the South Central Coast Air Basin (SCCAB) which includes San Luis Obispo, Santa Barbara, and Ventura counties. The climate of the Ventura County area and all of the SCCAB is strongly influenced by its proximity to the Pacific Ocean and the location of the semi-permanent high-pressure cell in the northeastern Pacific Ocean. The Mediterranean climate of the region produces moderate average temperatures, although slightly more extreme temperatures can be reached in the winter and summer. The warmest months in the city Thousand Oaks (Thousand Oaks; city) are July and August, with an average maximum temperature of 85 degrees Fahrenheit, while the coldest month of the year are December, January, and February, with an average minimum temperature of 65 degrees Fahrenheit. Typically, the city's annual average maximum temperature is 74 degrees Fahrenheit, and the annual average minimum temperature is 51 degrees Fahrenheit. The climate is semi-arid, with rainfall concentrated in the winter months. Table 4.2-1 summarizes local climatic conditions.

**Table 4.2-1 Climatic Conditions in Thousand Oaks**

Weather Condition	Value
Average annual rainfall	16.54 inches
Average maximum temperature (annual)	74 °F
Average minimum temperature (annual)	51 °F
Warmest month(s)	July and August
Coollest month(s)	December, January, and February

Source: U.S. Climate Data 2022.

California's weather is heavily influenced by a semi-permanent high-pressure system west of the Pacific coast. The Mediterranean climate of the region and the coastal influence produce moderate temperatures year-round, with rainfall concentrated in the winter months. The sea breeze, which is the predominant wind, is a primary factor in creating this climate and typically flows from the west-southwest in a day-night cycle with speeds generally ranging from 5 to 15 miles per hour.

Two types of temperature inversions (warmer air on top of cooler air) are created in the area: subsidence and radiational. The subsidence inversion is a regional effect created by the Pacific high in which air is heated as it is compressed when it flows from the high-pressure area to the low-pressure areas inland. This type of inversion generally forms at about 1,000 to 2,000 feet and can occur throughout the year, but it is most evident during the summer months. Radiational, or surface,



inversions are formed by the more rapid cooling of air near the ground at night, especially during winter. This type of inversion is typically lower and is generally accompanied by stable air. Both types of inversions limit the dispersal of air pollutants within the regional airshed, with the more stable the air (low wind speeds, uniform temperatures), the lower the amount of pollutant dispersion.

## **b. Air Pollutants of Primary Concern**

Criteria air pollutants are defined as those pollutants for which the federal and state governments have established air quality standards for outdoor or ambient concentrations to protect public health with a determined margin of safety. Pollutants of primary concern within the Air Basin include Ozone ( $O_3$ ), coarse particulate matter ( $PM_{10}$ ), and fine particulate matter ( $PM_{2.5}$ ), carbon monoxide (CO), nitrogen dioxide ( $NO_2$ ), and sulfur dioxide ( $SO_2$ ).  $O_3$ ,  $PM_{10}$  and  $PM_{2.5}$  are generally considered to be regional pollutants because they or their precursors affect air quality on a regional scale. Pollutants such as CO,  $NO_2$ , and  $SO_2$  are considered local pollutants because they tend to accumulate in the air locally. Other local pollutants of concern within the Ventura County Air Pollution Control District (VCAPCD) jurisdiction include Toxic Air Contaminants (TACs), Lead (Pb), and San Joaquin Valley Fever.

### **Ozone**

$O_3$  is a highly oxidative unstable gas produced by a photochemical reaction (triggered by sunlight) between  $NO_x$  and Reactive Organic Gases/Volatile Organic Compound (ROG/VOC). VOC is composed of non-methane hydrocarbons (with specific exclusions), and  $NO_x$  is composed of different chemical combinations of nitrogen and oxygen, mainly nitric oxide and  $NO_2$ .  $NO_x$  is formed during the combustion of fuels, while VOC is formed during the combustion and evaporation of organic solvents. As a highly reactive molecule,  $O_3$  readily combines with many different atmosphere components. Consequently, high  $O_3$  levels tend to exist only while high VOC and  $NO_x$  levels are present to sustain the  $O_3$  formation process. Once the precursors have been depleted,  $O_3$  levels rapidly decline. Because these reactions occur on a regional rather than local scale,  $O_3$  is considered a regional pollutant. In addition, because  $O_3$  requires sunlight to form, it mainly occurs in concentrations considered serious between the months of April and October. Groups most sensitive to  $O_3$  include children, the elderly, people with respiratory disorders, and people who exercise strenuously outdoors (United States Environmental Protection Agency (USEPA) 2021a). Depending on the level of exposure,  $O_3$  can cause:

- Pulmonary function decrements and localized lung edema in humans and animals;
- Risk to public health implied by alterations in pulmonary morphology and host defense in animals;
- Coughing and sore or scratchy throat;
- Making it more difficult to breathe deeply and vigorously and cause pain when taking a deep breath;
- Inflammation and damage the airways; make the lungs more susceptible to infection; and
- Aggravation of lung diseases such as asthma, emphysema, and chronic bronchitis and increase the frequency of asthma attacks.

### **Carbon Monoxide**

CO is a localized pollutant found in high concentrations only near its source. The primary source of CO, a colorless, odorless, poisonous gas, is automobile traffic's incomplete combustion of petroleum fuels. Therefore, elevated concentrations are usually only found near areas of high traffic volumes. Other sources of CO include the incomplete combustion of petroleum fuels at power plants and fuel combustion from wood stoves and fireplaces during the winter. When CO levels are elevated

outdoors, they can be of particular concern for people with some types of heart disease who have a reduced ability to circulate oxygenated blood in situations, such as exercising, where they need more oxygen. As a result, they are especially vulnerable to the effects of CO when exercising or under increased stress. In these situations, short-term exposure to elevated CO may result in reduced oxygen to the heart accompanied by chest pain, also known as angina. In addition, decreased exercise tolerance in persons with peripheral vascular disease and lung disease; impairment of central nervous system functions; and possible increased risk to fetuses. (USEPA 2021a).

## Nitrogen Dioxide

NO<sub>2</sub> is a by-product of fuel combustion; the primary sources are motor vehicles and industrial boilers, and furnaces. The principal form of NO<sub>x</sub> produced by combustion is nitric oxide, but nitric oxide reacts rapidly to form NO<sub>2</sub>, creating the mixture of nitric oxide and NO<sub>2</sub>, commonly called NO<sub>x</sub>. NO<sub>2</sub> is a reactive, oxidizing gas and an acute irritant capable of damaging cell linings in the respiratory tract. Breathing air with a high concentration of NO<sub>2</sub> can irritate airways in the human respiratory system. Such exposures over short periods can aggravate respiratory diseases leading to respiratory symptoms (such as coughing, wheezing, or difficulty breathing), hospital admissions, and visits to emergency rooms. Longer exposures to elevated concentrations of NO<sub>2</sub> may contribute to the development of asthma and potentially increase susceptibility to respiratory infections. People with asthma and children and the elderly are generally at greater risk for the health effects of NO<sub>2</sub>. (USEPA 2021a). NO<sub>2</sub> absorbs blue light and causes a reddish-brown cast to the atmosphere and reduced visibility. It can also contribute to the formation of O<sub>3</sub>/smog and acid rain.

## Sulfur Dioxide

SO<sub>2</sub> is included in a group of highly reactive gases known as “oxides of sulfur.” The largest sources of SO<sub>2</sub> emissions are from fossil fuel combustion at power plants (73 percent) and other industrial facilities (20 percent). Smaller sources of SO<sub>2</sub> emissions include industrial processes such as extracting metal from ore and burning fuels with a high sulfur content by locomotives, large ships, and off-road equipment. Short-term exposures to SO<sub>2</sub> can cause bronchoconstriction accompanied by symptoms that may include wheezing, shortness of breath, and chest tightness during exercise or physical activity in persons with asthma. People with asthma, particularly children, are sensitive to these effects of SO<sub>2</sub> (USEPA 2021a).

## Particulate Matter

Suspended atmospheric PM<sub>10</sub> and PM<sub>2.5</sub> are comprised of finely divided solids and liquids such as dust, soot, aerosols, fumes, and mists. Both PM<sub>10</sub> and PM<sub>2.5</sub> are emitted into the atmosphere as by-products of fuel combustion and wind erosion of soil and unpaved roads. The atmosphere, through chemical reactions, can form particulate matter. The characteristics, sources, and potential health effects of PM<sub>10</sub> and PM<sub>2.5</sub> can be very different. PM<sub>10</sub> is generally associated with dust mobilized by wind and vehicles. In contrast, PM<sub>2.5</sub> is generally associated with combustion processes and formation in the atmosphere as a secondary pollutant through chemical reactions. PM<sub>10</sub> can cause increased respiratory disease, lung damage, cancer, premature death, reduced visibility, surface soiling, and increased hospitalization for both cardiovascular and respiratory disease (including asthma). For PM<sub>2.5</sub>, short-term exposures (up to 24-hours duration) have been associated with premature mortality, increased infant mortality; increased hospital admissions for heart or lung causes, acute and chronic bronchitis, asthma attacks, emergency room visits, respiratory symptoms, and restricted

activity days. These adverse health effects have been reported primarily in infants, children, and older adults with preexisting heart or lung diseases (California Air Resource Board (CARB) 2022a).

## **Toxic Air Contaminants**

Toxic air contaminants (TACs) are a diverse group of air pollutants that may cause or contribute to an increase in deaths or serious illness, or that may pose a present or potential hazard to human health. TACs include both organic and inorganic chemical substances that may be emitted from a variety of common sources, including gasoline stations, motor vehicles, dry cleaners, industrial operations, painting operations, and research and teaching facilities. One of the main sources of TACs in California is diesel engine exhaust that contains solid material known as diesel particulate matter (DPM). More than 90 percent of DPM is less than one micron in diameter (about 1/70<sup>th</sup> the diameter of a human hair) and thus is a subset of PM<sub>2.5</sub>. Because of their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lungs (CARB 2022a).

TACs are different than criteria pollutants because ambient air quality standards have not been established for such contaminant pollutants. TACs occurring at extremely low levels may still cause health effects and it is typically difficult to identify levels of exposure that do not produce adverse health effects. TAC impacts are described by carcinogenic risk and by chronic (i.e., long duration) and acute (i.e., severe but of short duration) adverse effects on human health.

TACs include both organic and inorganic chemical substances. One of the main sources of TACs in California is diesel engines that emit exhaust containing solid material known as diesel particulate matter; however, TACs may be emitted from a variety of common sources, including gasoline stations, motor vehicles, dry cleaners, industrial operations, painting operations, and research and teaching facilities. TACs commonly associated with gasoline dispensing stations include the organic compounds of benzene, toluene, and xylene. In particular, benzene is a known human carcinogen and can result in short-term acute and long-term chronic health impacts (USEPA n.d.). Between 1990 and 2005, benzene in California's air was reduced by over 75 percent due to implementation of control technologies, such as vapor recovery systems, and reductions of benzene levels in gasoline (CARB 2005). Today, gasoline dispensing facilities account for a relatively small fraction of total benzene emissions. However, near source exposure resulting from gasoline dispensing facilities, particularly very high throughput retail or wholesale facilities, can result in elevated health risks to nearby sensitive receptors. People exposed to toxic air pollutants at sufficient concentrations and durations may have an increased chance of getting cancer or experiencing other serious health effects. These health effects can include damage to the immune system, as well as neurological, reproductive (e.g., reduced fertility), developmental, respiratory, and other health problems (USEPA 2020).

## **Lead**

Pb is a metal found naturally in the environment, as well as in manufacturing products. The major sources of lead emissions historically have been mobile and industrial. However, due to the USEPA regulatory efforts to remove lead from gasoline, atmospheric Pb concentrations have declined substantially over the past several decades. The most dramatic reductions in Pb emissions occurred before 1990 due to the removal of Pb from gasoline sold for most highway vehicles. Pb emissions were further reduced substantially between 1990 and 2008, with reductions occurring in the metals industries at least partly due to national emissions standards for hazardous air pollutants (USEPA 2013). As a result of phasing out leaded gasoline, metal processing is currently the primary source of Pb emissions. The highest Pb level in the air is generally found near Pb smelters. Other stationary sources include waste incinerators, utilities, and Pb-acid battery manufacturers. Pb can adversely

affect the nervous system, kidney function, immune system, reproductive and developmental systems, and cardiovascular system depending on exposure. Pb exposure also affects the oxygen-carrying capacity of the blood. The Pb effects most likely encountered in current populations are neurological in children. Infants and young children are susceptible to Pb exposures, contributing to behavioral problems, learning deficits, and lowered IQ. In addition, health effects could include anemia, weakness, kidney damage, and brain damage; and long-term exposures: long-term exposure to lead increases risk for high blood pressure, heart disease, kidney failure, and reduced fertility (USEPA 2021a).

### **Coccidioides Immitis**

San Joaquin Valley Fever (formally known as Coccidioidomycosis) is an infectious disease caused by the fungus *Coccidioides immitis*. Infection is caused by inhalation of *Coccidioides immitis* spores that have become airborne when dry, dusty soil or dirt is disturbed by wind, construction, farming, or other activities. According to the VCAPCD, the following factors may indicate a project's potential to create significant Valley Fever impacts:

- Disturbance of the topsoil of undeveloped land (to a depth of about 12 inches).
- Dry, alkaline, sandy soils.
- Virgin, undisturbed, non-urban areas.
- Windy areas.
- Archaeological resources probable or known to exist in the area (Native American midden sites).
- Special events (fairs, concerts) and motorized activities (motocross track, All Terrain Vehicle activities) on unvegetated soil (non-grass).
- Non-native population (i.e., out-of-area construction workers).

Health effects from *Coccidioides* can include fatigue, fever, headache, rashes and cough. In extremely rare cases, the fungal spores can enter the skin through a cut, wound, or splinter and cause a skin infection (Centers for Disease Control and Prevention 2020).

### **c. Air Quality Standards and Attainment**

The Federal and state governments have authority under the Federal and state Clean Air Acts (CAA) to regulate emissions of airborne pollutants and have established ambient air quality standards (AAQS) for the protection of public health. An air quality standard is defined as “the maximum amount of a pollutant averaged over a specified period of time that can be present in outdoor air without harming public health” (CARB 2019a). The USEPA is the federal agency designated to administer air quality regulation, while CARB is the state equivalent in California. Federal and state AAQS have been established for six criteria pollutants: O<sub>3</sub>, CO, NO<sub>2</sub>, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and Pb. AAQS are designed to protect those segments of the public most susceptible to respiratory distress, such as children under the age of 14, the elderly (over the age of 65), persons engaged in strenuous work or exercise, and people with cardiovascular and chronic respiratory diseases (USEPA 2016). In addition to the federal criteria pollutants, the California Ambient Air Quality Standards (CAAQS) also specify standards for visibility-reducing particles, sulfates, hydrogen sulfide, and vinyl chloride (CARB 2019b and 2019c). Table 4.2-2 lists the current federal and state standards for regulated pollutants.

**Table 4.2-2 Federal and State Ambient Air Quality Standards**

Pollutant	Averaging Time	NAAQS	CAAQS
Ozone	1-Hour	–	0.09 ppm
	8-Hour	0.070 ppm	0.070 ppm
Carbon Monoxide	8-Hour	9.0 ppm	9.0 ppm
	1-Hour	35.0 ppm	20.0 ppm
Nitrogen Dioxide	Annual	0.053 ppm	0.030 ppm
	1-Hour	0.100 ppm	0.18 ppm
Sulfur Dioxide	Annual	–	–
	24-Hour	–	0.04 ppm
	1-Hour	0.075 ppm	0.25 ppm
PM <sub>10</sub>	Annual	–	20 µg/m <sup>3</sup>
	24-Hour	150 µg/m <sup>3</sup>	50 µg/m <sup>3</sup>
PM <sub>2.5</sub>	Annual	12 µg/m <sup>3</sup>	12 µg/m <sup>3</sup>
	24-Hour	35 µg/m <sup>3</sup>	–
Lead	30-Day Average	–	1.5 µg/m <sup>3</sup>
	3-Month Average	0.15 µg/m <sup>3</sup>	–

NAAQS = National Ambient Air Quality Standards; CAAQS = California Ambient Air Quality Standards; ppm = parts per million; µg/m<sup>3</sup> = micrograms per cubic meter

Source: CARB 2016; USEPA 2016

The USEPA and CARB designate air basins or portions of air basins and counties as being in “attainment” or “nonattainment” for each of the criteria pollutants. Areas that do not meet the AAQS standards are classified as nonattainment areas. The National Ambient Air Quality Standards (NAAQS (other than O<sub>3</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and those based on annual averages or arithmetic mean) are not to be exceeded more than once per year. The NAAQS for O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> are based on statistical calculations over one- to three-year periods, depending on the pollutant. The CAAQS are not to be exceeded during a three-year period. The proposed project is located in Ventura County which is under the jurisdiction of the Ventura County Air Pollution Control District (VCAPCD). The VCAPCD has the responsibility for achieving and maintaining the State and Federal AAQS within their jurisdiction. The attainment status for Ventura County is included in Table 4.2-3.

Pursuant to the CAA, the USEPA designates areas as attainment, nonattainment, or maintenance for each criteria pollutant based on whether the NAAQS have been achieved. As of December 31, 2021, the USEPA designates Ventura County as a nonattainment area for O<sub>3</sub>. Under State standards, Ventura County is designated as a nonattainment area for O<sub>3</sub>, and PM<sub>10</sub>.

**Table 4.2-3 Attainment Status of Criteria Pollutants in Ventura County**

Pollutant	State Designation	Federal Designation
O <sub>3</sub>	Nonattainment	Nonattainment
PM <sub>10</sub>	Nonattainment	Attainment
PM <sub>2.5</sub>	Attainment	Attainment
CO	Attainment	Attainment
NO <sub>2</sub>	Attainment	Attainment
SO <sub>2</sub>	Attainment	Attainment

Sources: VCAPCD 2022

#### d. Current Air Quality

Recent ambient air quality measurements of criteria pollutants recorded at monitoring stations in the VCAPCD's jurisdiction are shown in Table 4.2-4. O<sub>3</sub> and PM<sub>2.5</sub> measurements from a monitoring station located at 2323 Moorpark Road, Thousand Oaks, approximately 3.5 miles northwest of the proposed project site, are provided in Table 4.2-4. The NO<sub>x</sub> and PM<sub>10</sub> measurements shown in Table 4.2-4 were taken at 5400 Cochran Street, Simi Valley, California, approximately 11.5 miles to the north of the proposed project site, as these criteria pollutants are not recorded at the Thousand Oaks monitoring station location. Since CO, SO<sub>2</sub>, and Pb are in attainment with Ventura County, they are not monitored at the nearest air monitoring stations and therefore ambient air quality is not reported for these three pollutants.

**Table 4.2-4 Proposed Project Area Air Quality Monitoring Summary**

Pollutant	2017	2018	2019	2020
8 Hour O <sub>3</sub> (ppm), 8-Hour Average <sup>1</sup>	0.074	0.073	0.074	0.084
Number of Days of Federal exceedances (>0.070 ppm)	6	1	1	7
O <sub>3</sub> (ppm), Worst Hour <sup>1</sup>	.090	0.080	0.082	0.097
Number of days of state exceedances (>0.09 ppm)	0	0	0	1
NO <sub>2</sub> (ppm) - Worst Hour <sup>2</sup>	.0460	0.043	0.045	0.042
Number of days of state exceedances (>0.18 ppm)	0	0	0	0
Number of days of federal exceedances (>0.10 ppm)	0	0	0	0
PM <sub>10</sub> , µg/m <sup>3</sup> , Worst 24 Hours <sup>2</sup>	154.3	154.3	127.9	90.5
Number of days of state exceedances (>50 mg/m <sup>3</sup> )	9	6	4	*
Number of days above federal standard (>150 µg/m <sup>3</sup> )	0	0	0	0
PM <sub>2.5</sub> , µg/m <sup>3</sup> , Worst 24 Hours <sup>1</sup>	32	41.5	24.5	36.3
Number of days above federal standard (>35 µg/m <sup>3</sup> )	0	1	1	1

<sup>1</sup> Measurements were taken from the 2323 Moorpark Road, Thousand Oaks

<sup>2</sup> Measurements taken from the 5400 Cochran Street, Simi Valley.

Notes: µg/m<sup>3</sup> = micrograms per cubic meter of air; \*Insufficient data available to determine the value.

Source: CARB 2022

Based on the data documented in Table 4.2-4, the air quality data and trends in the proposed project vicinity are summarized below:

- O<sub>3</sub> levels exceeded 1-hour federal or State standards on one day in 2020, did not exceed the 1-hour standards in 2017-2020, and exceeded 8-hour federal standards on 15 days from 2017-2020.
- PM<sub>10</sub> levels exceeded the State 24-hour standard on 19 days in 2017-2019 (insufficient data was reported for 2020). The National 24-hour PM<sub>10</sub> standard was not exceeded from 2017-2020.
- PM<sub>2.5</sub> levels exceeded federal 24-hour standards on three days from 2018-2020 and did not exceed standards in 2017.
- NO<sub>x</sub> levels measured from 2016-2019 did not exceed National or State standards.

### **Sensitive Receptors**

Air quality impacts are analyzed relative to those persons with the greatest sensitivity to air pollution exposure. Such persons are called “sensitive receptors.” Sensitive receptors include the elderly, young children, the acutely and chronically ill (e.g., those with cardio-respiratory disease, including asthma), and persons engaged in strenuous work or exercise. As discussed in Section 2, *Project Description*, surrounding development consists primarily of residential, commercial, and industrial uses. The nearest sensitive uses to the proposed project site include:

- An existing assisted living facility located approximate 20 feet to the northwest;
- An existing day care center located approximately 25 feet to the southwest;
- Multi-family residential units located approximately 125 feet to the southwest; and
- Multi-family residential units located approximately 160 feet to the south.

## **4.2.2 Regulatory Setting**

The Federal Clean Air Act, Title 42 Chapter 85, governs air quality in the United States. In addition to being subject to Federal requirements, air quality in California is also governed by more stringent regulations under the California Clean Air Act (CCAA). At the federal level, the USEPA administers the CAA. The CAA is administered by CARB at the State level and by the Air Quality Management Districts at the regional and local levels. VCAPCD regulates air quality at the regional level in Ventura County.

### **a. Federal Regulations**

The USEPA is responsible for enforcing the federal CAA. The USEPA is also responsible for establishing NAAQS. NAAQS are required under the 1977 CAA and subsequent amendments. The USEPA regulates emission sources that are under the exclusive authority of the federal government, such as aircraft, ships, and certain types of locomotives. The agency has jurisdiction over emission sources outside State waters (e.g., beyond the outer continental shelf) and establishes various emission standards, including those for vehicles sold in states other than California. Automobiles sold in California must meet the stricter emission standards established by CARB.

### **Clean Air Act**

The Clean Air Act of 1970 and the CAA Amendments of 1971 required the USEPA to establish the NAAQS, with states retaining the option to adopt more stringent standards or to include other specific pollutants.

These standards are the levels of air quality considered safe, with an adequate margin of safety, to protect the public health and welfare. They are designed to protect those sensitive receptors most susceptible to further respiratory distress. Healthy adults can tolerate occasional exposure to air pollutant concentrations considerably above these minimum standards before adverse effects are observed.

The USEPA has classified air basins (or portions thereof) as being in attainment, nonattainment, or unclassified for each criteria air pollutant, based on whether the NAAQS have been achieved. If an area is designated unclassified, it is because inadequate air quality data were available as a basis for a nonattainment or attainment designation. Table 4.2-3 lists the federal attainment status of the Ventura County for the criteria pollutants.

## **b. State Regulations**

### **California Clean Air Act**

The California Clean Air Act allows the state to adopt ambient air quality standards and other regulations provided they are at least as stringent as federal standards. CARB, a part of the California Environmental Protection Agency (CalEPA), is responsible for the coordination and administration of both federal and state air pollution control programs within California, including setting the CAAQS. In *Section 4.2.1(c)*, Table 4.2-3 lists the State attainment status of the Ventura County for the criteria pollutants. CARB also conducts research, compiles emission inventories, develops suggested control measures, and provides oversight of local programs. CARB establishes emissions standards for motor vehicles sold in California, consumer products (such as hairspray, aerosol paints, and barbecue lighter fluid), and various types of commercial equipment. It also sets fuel specifications to further reduce vehicular emissions. CARB also has primary responsibility for the development of California's State Implementation Plan (SIP), for which it works closely with the federal government and the local air districts.

### **California State Implementation Plan**

The SIP is a living document that is periodically modified to reflect the latest emissions inventories, plans, and rules and regulations of air basins as reported by the agencies with jurisdiction over them. The CAA Amendments dictate that states containing areas violating the NAAQS revise their SIPs to include extra control measures to reduce air pollution. The SIP includes strategies and control measures to attain the NAAQS by deadlines established by the CAA. The USEPA has the responsibility to review all SIPs to determine if they conform to the requirements of the CAA.

State law makes CARB the lead agency for all purposes related to the SIP. Local air districts and other agencies prepare SIP elements and submit them to CARB for review and approval. CARB then forwards SIP revisions to the USEPA for approval and publication in the Federal Register. The 2016 Ventura County Air Quality Management Plan (AQMP) is the SIP for Ventura County. The AQMP accommodate growth by projecting the growth in emissions based on different indicators. For example, population forecasts adopted by the Southern California Associations of Governments (SCAG) are used to forecast population-related emissions. Through the planning process, emissions growth is offset by basin-wide controls on stationary, area, and transportation sources of air pollution.



## **a. Local Regulations**

### **Ventura County Air Pollution Control District**

The VCAPCD prepares Air Quality Management Plans (AQMPs) for meeting federal and State air quality standards (the most recent of which is the 2016 AQMP), and develops rules and regulations and permitting requirements. The VCAPCD provides the Ventura County Air Quality Assessment Guidelines, with detailed guidance on how to evaluate and mitigate a project's air quality impacts. According to the VCAPCD Guidelines, in addition to the assessment of criteria pollutants, the lead agency should consider San Joaquin Valley Fever factors that are applicable to the project or the project site. Based on these or other factors, if a lead agency determines that a project may create a significant Valley Fever impact, the VCAPCD recommends that the lead agency consider the Valley Fever mitigation measures listed in the VCAPCD Guidelines to minimize fugitive dust as well as minimizing worker exposure. The VCAPCD Guidelines provides the following list of measures to be considered if the lead agency determines a project site poses a risk of San Joaquin Valley Fever:

1. Restrict employment to persons with positive coccidioidin skin tests (since those with positive tests can be considered immune to reinfection).
2. Hire crews from local populations where possible, since it is more likely that they have been previously exposed to the fungus and are therefore immune.
3. Require crews to use respirators during project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations.
4. Require that the cabs of grading and construction equipment be air-conditioned.
5. Require crews to work upwind from excavation sites.
6. Pave construction roads.
7. Where acceptable to the fire department, control weed growth by mowing instead of discing, thereby leaving the ground undisturbed and with a mulch covering.

During rough grading and construction, the access way into the project site from adjoining paved roadways should be paved or treated with environmentally-safe dust control agents. The VCAPCD implements rules and regulations for emissions that may be generated by various uses and activities. The rules and regulations detail pollution-reduction measures that must be implemented during construction and operation of projects. Relevant rules and regulations to the project include:

- **Rule 55 (Fugitive Dust).** This rule requires fugitive dust generators, including construction and demolition projects, to implement control measures limiting the amount of dust from vehicle track-out, earth moving, bulk material handling, and truck hauling activities. The rule would apply during construction and operational activities. Therefore, the mitigation measures described in VCAPCD Air Quality Assessment Guidelines should be applied to all projects related dust-generating operations and activities:
  - Control techniques for fugitive dust generally involve watering, chemical dust control agents for soil stabilization, scheduling of activities, and vehicle speed control
  - Scheduling activities during periods of low wind speed will also reduce fugitive dust emissions. Additionally, vehicle speed control can reduce fugitive dust emissions from unpaved roads and areas at construction sites by up to 60 percent, assuming compliance with a 15 miles per hour (mph) on-site speed limit.

- **Rule 74.2 (Architectural Coatings).** This rule sets limits on the VOC content of architectural coatings. Non-flat coatings are limited to 150 grams per liter of VOC content, flat coatings are limited to 150 grams per liter of VOC content and traffic marking coatings are limited to 150 grams per liter of VOC content. The project would be required to comply with this rule.

### **Thousand Oaks General Plan**

The City of Thousand Oak's General Plan does not have a specific air quality element. However, the following policies from the Conservation, Safety and Open Space Elements would be applicable:

- **Conservation Element**
  - **CO-24:** In order to reduce the potential for devastating wildfires and the resulting damage they cause to both natural ecosystems and urban environments, appropriate, science-based fuel management programs should be conducted on a selective basis, and include the periodic monitoring of any potentially adverse effects on animal habitats and air quality.
- **Open Space Element**
  - **OS-10:** The City supports regional efforts to designate and preserve large areas of open space beneficial to the protection of regional air and water quality.
- **Safety Element**
  - **S-7:** Protect life, property, and the environment from the effects of releases of hazardous materials into the air, land or water.

## 4.2.3 Impact Analysis

### **a. Significance Thresholds and Methodology**

Air quality impacts of a project are considered significant if they cause clean air standards to be violated where they are currently met, or if they substantially contribute to an existing violation of standards. Substantial emissions of air contaminants for which there is no safe exposure, or nuisance emissions such as dust or odors, that are generated by a project, would also be considered significant impacts.

Appendix G of the State California Environmental Quality Act (CEQA) Guidelines identifies the following criteria for determining whether development facilitated by the proposed project would have a significant impact on air quality:

1. Conflict with or obstruct implementation of the applicable air quality plan;
2. 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;
3. Expose sensitive receptors to substantial pollutant concentrations; and/or
4. Result in other emissions such as those leading to odors adversely affecting a substantial number of people.

### **Thresholds**

#### *AQMP Consistency*

The VCAPCD Guidelines state that project consistency with the AQMP can be determined by comparing the actual population growth in the county from the project with the projected growth

rates used in the AQMP. Therefore, a demonstration of consistency with the population forecasts used in the most recently adopted AQMP should be used for assessing project consistency with the AQMP.

#### *VCAPCD Significance Thresholds for Ozone Precursors VOC and NO<sub>x</sub>*

For projects within the city, the VCAPCD Guidelines (2003), provides “volatile organic compounds (VOC) and NO<sub>x</sub> thresholds that the VCAPCD has determined will individually and cumulatively jeopardize attainment of the federal one-hour ozone standard, and thus have a significant adverse impact on air quality in Ventura County” (VCAPCD 2003). These thresholds are as follows:

- VOC: 25 lbs/day
- NO<sub>x</sub>: 25 lbs/day

According to the VCAPCD Guidelines, construction-related emissions (including portable engines and portable engine-driven equipment subject to the CARB’s Statewide Portable Equipment Registration Program and used for construction operations or repair and maintenance activities) of VOC and NO<sub>x</sub> are not counted towards the two significance thresholds, since these emissions are temporary. However, the VCAPCD Guidelines state that if a project’s estimated construction-related emissions of VOC and NO<sub>x</sub> would exceed 25 lbs/day, VCAPCD recommends the following measures to mitigate ozone precursor emissions from construction motor vehicles:

- Minimize equipment idling time.
- Maintain equipment engines in good condition and in proper tune as per manufacturers’ specifications.
- Lengthen the construction period during smog season (May through October), to minimize the number of vehicles and equipment operating at the same time.
- Use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), or electric, if feasible.

#### *Carbon Monoxide Hot Spots*

CO hotspots are defined as locations where ambient CO concentrations exceed the State Ambient Air Quality Standards (20 ppm, 1-hour; 9 ppm, 8-hour). CO emissions would be significant if indirect emissions would be greater than the applicable ozone project significance thresholds above and roadways operating at a level of service E or F.

A CO hotspot screening analysis, using the screening procedure in Caltrans CO Protocol, should be conducted for any project with indirect emissions greater than the applicable ozone project significance thresholds listed above. This would apply where those indirect emissions would significantly impact roadway intersections currently operating at, or expected to operate at, levels of service E or F.

#### *Fugitive Dust*

The VCAPCD recommends minimizing fugitive dust, especially during grading and excavation operations, rather than quantifying fugitive dust emissions. If the analysis indicates a possible violation of an ambient particulate air quality standard, a finding of significant impact should be made and appropriate mitigating measures identified.

### *Health Risk Assessment*

Carcinogenic compounds are not considered to have threshold levels (i.e., dose levels below which there are no risks). Any exposure, therefore, will have some associated risk. As a result, the State of California has established a threshold of one in one hundred thousand (1.0E-05) as a level posing no significant risk for exposures to carcinogens regulated under the Safe Drinking Water and Toxic Enforcement Act (Proposition 65). This threshold is also consistent with the maximum incremental cancer risk (10 in one million) established by the VCAPCD for projects prepared under the auspices of CEQA.

To quantify noncarcinogenic impacts, the hazard index approach was used. The hazard index assumes that subthreshold exposures adversely affect a specific organ or organ system (i.e., toxicological endpoint). To calculate the hazard index, the pollutant concentration or dose is divided by its toxicity value. Should the total equal or exceed one (i.e., unity), a health hazard is presumed to exist. No exposure frequency or duration adjustments are considered for noncarcinogenic exposures

### *San Joaquin Valley Fever*

There is no recommended threshold for a significant San Joaquin Valley Fever impact. However, if there is the potential to expose workers or nearby residents to Coccidioidomycosis then implementation of the VCAPCD measures to reduce exposure should be included as mitigation for a project. Exposure reduction measures are listed in *Section 4.2.2 Regulatory Setting* above.

The proposed project site is an infill property that is fully developed with buildings and a paved parking lot and planters with remnant landscaping. As such, development of the project would not disturb topsoil of undeveloped land, or occur within undisturbed, non-urban areas. The project site also does not include archaeological resources (Native American midden sites), and the project would not host special events or motorized activities on unvegetated soil during operations (Envicom, 2022).

## **Methodology**

Pollutant emissions for the proposed project will result from both construction and operational activities. The proposed project's estimated construction and operational emissions were modeled using California Emissions Estimator Model (CalEEMod) Version 2020.4.0 to identify maximum daily emissions for each pollutant. The output reports from CalEEMod are included as Appendix B to this report.

### *Construction*

Construction emissions were modeled based primarily on the size of the proposed project site and the proposed land use type and floor space, and the estimated duration of construction activities and types of equipment to be used. Maximum daily pollutant emissions from construction activities include emissions from worker trips, hauling trips, construction vehicle emissions and fugitive dust from Site Preparation, Grading, Paving, Building construction, and Architectural Coating phases<sup>1</sup>.

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The proposed project details that were applied to CalEEMod are reported in the CalEEMod output sheets provided in Appendix B, including the proposed number of residential units, floor areas of residential and residential amenity spaces, commercial use floor space, parking garage spaces, and surface parking lot spaces. The CalEEMod output sheets are consistent with the project description in the Traffic Impact Analysis and site plans in Appendix Traffic-1 and Appendix Site Plan-1. Section 2, *Project Description*, shows that the project has been updated since Envicom Corporation completed the CalEEMod<sup>1</sup>

Project-specific construction data used in the model include:

- 132,000 cubic yards (cy) soil export.
- 14,350 tons of demolition debris removal.
- Off-road Construction Equipment meeting USEPA Tier 4 standards.
- VCAPCD Rule 74.2 limiting architectural coatings applied to residential and commercial use structures to 50 g/L VOC content for residential exterior and commercial use and 10 g/L for interior residential use.
- VCAPCD Rule 55 construction fugitive dust control measures - watering exposed soils twice daily.

The following construction schedule was provided for the construction activities.

- Demolition: 4/3/2023 to 5/12/2023; 30 days.
- Site Preparation: 5/15/2023 to 6/2/2023; 15 days.
- Grading: 6/5/2023 to 9/22/2023; 80 days.
- Building Construction: 9/25/2023 to 5/30/2025; 440 days.
- Paving: 6/2/2025 to 6/27/2025; 20 days.
- Architectural Coating: 6/2/2025 to 10/17/2025; 100 days.

Modeling incorporated the following project design features (PDFs) that will reduce pollutant emissions from the construction activities.

**PDF-AQ-1 – Tier 4 Grading Equipment.** During grading activities, all diesel-powered earthmoving equipment with greater than 100 horsepower used on-site for excavation and grading shall meet U.S. Environmental Protection Agency Tier 4 Final emissions standards.

**PDF-AQ-2 – Electric/Alternative fueled Equipment.** During construction activities, the contractor shall, at a minimum, electrify or use alternative fuels (non-diesel) for the operation of all equipment less than 50 horsepower (welders). In addition, electricity use during the construction activities shall come from the existing electric grid instead of a diesel generator. If a generator is necessary for the completion of construction activities, a non-diesel generator shall be used.

**PDF-AQ-3 – Architectural Coating.** During construction activities, the contractor shall use zero-emission coating for the interior of the residential development.<sup>2</sup> Exterior residential and commercial development shall use VOC coatings consistent with VCAPCD Rule 74.2 which requires 50 gr/L VOC content or less. During operational activities, re-painting of the development shall adhere to the same conditions as the initial construction. Zero-VOC content paint shall be made part of lease or sale agreements for all residential units.

### *Operational*

During operations, the proposed uses would result in emissions of criteria pollutants from area sources (i.e., consumer products, architectural coatings, and landscaping equipment), energy sources (natural gas usage), and mobile sources (vehicle use), which were also calculated using CalEEMod. As existing structures on the site have been vacant for several years, this analysis assumes that baseline operational emissions under existing conditions is zero.

Proposed project details that were applied to CalEEMod for determining operational emissions are

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<sup>2</sup> Zero-emission VOC includes all coatings that have a VOC content 10 gr/L or less. Therefore, 10 gr/L was used in the analysis.

reported in the CalEEMod output sheets provided in Appendix B and Section 2, *Project Description*, including the proposed number of residential units, floor areas of residential and residential amenity spaces, commercial use floor space, parking garage spaces, and surface parking lot spaces. Adjustments made to the CalEEMod defaults with respect to mobile sources are detailed in part of Appendix B tech report. Although CalEEMod accommodates such adjustments and reports resulting reductions in emissions within output tables labeled “With Mitigation,” the adjustments are features of the proposed project site, surroundings, and proposed development. As such, the estimated emissions calculated by CalEEMod through the use of the “mitigation” features in CalEEMod represent the emissions from the unmitigated proposed project’s construction activities. Additional project-specific operations data used in the air quality analysis as reported in the attached CalEEMod output sheets (Appendix B) include:

- VCAPCD Rule 74.2 limiting architectural coatings applied to residential and commercial use structures to 50 g/L VOC content for residential exterior and commercial use and 10 g/L for interior residential use.
- 3,583 average daily trips<sup>3</sup> per the proposed project’s Traffic Impact Analysis (TIA) (Iteris 2021)
- Increase density
- Increase diversity
- Improve destination accessibility
- Integrate below market rate housing
- Encourage telecommuting and alternative work schedules

#### *Health Risk Assessment*

To assess the impact of DPM emissions, air quality modeling utilizing the AMS/EPA Regulatory Model (AERMOD) was performed. AERMOD is a steady-state Gaussian plume model applicable to directly emitted air pollutants that employs best state-of-practice parameterizations for characterizing meteorological influences and atmospheric dispersion. AERMOD is the USEPA’s guideline model for the assessment of near-field pollutant dispersion.

Exhaust emissions from construction equipment were treated as a set of side-by-side elevated volume sources with a release height of five meters and an initial vertical (sigma z) dimension of 1.4 meters. The elevated source characterization accounts for a mid-range plume rise height associated with exhaust stack emissions for typical off-road equipment inventories. Horizontal (sigma y) parameters were produced by dividing source separation distances by a standard deviation of 2.15.

To accommodate a Cartesian grid format, direction dependent calculations were obtained by identifying the universal transverse mercator (UTM) coordinates for each volume source location. UTM coordinates were also identified for sensitive receptors located immediately north, south, and west of the proposed project site. Specific receptor heights were not assigned. Terrain height adjustments were incorporated into the modeling exercise to account for the discrepancy in source-receptor elevations

Refined air dispersion models require meteorological information to account for local atmospheric conditions. Due to their sensitivity to individual meteorological parameters such as wind speed and direction, the USEPA recommends that meteorological data used as input into dispersion models be selected based on relative spatial and temporal conditions that exist in the area of concern. In

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<sup>3</sup> Trip reduction (-57 trips) due to internal capture are applied to the apartment land use as the TIA does not separate reductions by types of residences, and internal capture applies to residents of the project avoiding trips by patronizing onsite commercial uses.

response to this recommendation, meteorological data from the VCAPCD Thousand Oaks monitoring station, which is located 3.6 miles northwest of the proposed project site, was used to represent local weather conditions and prevailing winds. For the assessment of DPM exposures, maximum concentrations were produced by incorporating the most current three years of available data.

For the nearby residential development and patient rehabilitation facility/skilled nursing facility, a model scalar value of 1 was assigned to account for emissions generated during construction related activity corresponding to 8 hours per day as reported in the CalEEMod construction profile from 8 a.m. to 4 p.m. (ending hours 9 to 16). For the adjoining early childhood center, the scalar was adjusted and assigned a value of 4.2 to account for an eight-hour transient exposure consistent with a non-continuous construction operational profile (i.e., 8 hours/5 days per week). A scalar value of 0 was used for non-operational hours.

To effectively quantify dose, the Office of Environmental Health Hazard Assessment (OEHHA) recommends the incorporation of several discrete exposure variates. To account for upper-bound exposures, lifetime risk values were adjusted to account for an exposure frequency of 261 days per year for a period of 2.55 years. For residential occupancies, values associated with third trimester (0.25 year), ages 0 to 2 (2 years) and ages 2 to 9 (0.30 years) were utilized. For the early childhood center, exposures were based upon reported enrollment ages from 2 to 6 years of age. Adult exposures were assumed for the patient rehabilitation facility.

For residential occupancies, point estimates for daily breathing rates representing the 95th percentile of 361, 1090 and 861 L/kg-day for the identified age groups were utilized. The 95th percentile value of 290 L/kg-day was assigned for the patient rehabilitation facility. A breathing rate of 640 L/kg-day representing an eight-hour breathing rate associated with moderate intensity activities was utilized for the early childhood center. To quantify dose, the above values were incorporated into the algorithm in Appendix B for each identified occupancy.

## **b. Project Impacts and Mitigation Measures**

**Threshold 1:** Would the project conflict with or obstruct implementation of the applicable air quality plan?

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### **Impact AQ-1 THE PROPOSED PROJECT WOULD NOT CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF THE 2016 AQMP. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.**

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The 2016 Ventura County (County) AQMP estimates the County's population at 835,400 residents. The AQMP estimates that the population will increase to 905,574 by 2025, which is the proposed project's anticipated buildout year. The proposed project would construct 420 residential units. Based on the County's average household size of 3.08 persons, the proposed project would house approximately 1,294 residents (United States Census Bureau 2021). The addition of the proposed project's residents would increase the projected County population in 2025 to 836,694, which would be within the County's anticipated population growth forecast.

The VCAPCD Guidelines also state that "if there are more recent population forecasts that have been adopted by the Ventura Council of Governments (VCOG) where the total county population is lower than that included in the most recently adopted AQMP population forecasts, lead agencies may use the more recent VCOG forecasts for determining AQMP consistency" (VCAPCD 2003). According to the SCAG Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (2020-2045 RTP/SCS), the projected population for the County for the years 2020 and 2030 are 877,000 and 906,000, respectively. By interpolation, the County's 2025 population would be 891,500

based on the 2020-2045 RTP/SCS (SCAG 2020). The proposed project-related population growth would also be within the more recently adopted population forecasts.

Therefore, the proposed project would not generate growth exceeding the most recently adopted AQMP population forecasts and thus would not be inconsistent with the AQMP. Potential impacts associated with potential inconsistency with the AQMP would be less than significant.

**Mitigation Measures**

Mitigation measures are not required.

**Significance After Mitigation**

Impacts would be less than significant without mitigation.

**Threshold 2:** Would the project 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?

**Impact AQ-2 CONSTRUCTION AND OPERATION OF THE PROPOSED PROJECT WOULD NOT RESULT IN A CUMULATIVELY CONSIDERABLE NET INCREASE OF ANY CRITERIA POLLUTANT FOR WHICH THE VCAPCD REGION IS IN NONATTAINMENT UNDER APPLICABLE FEDERAL OR STATE AMBIENT AIR QUALITY STANDARDS. THEREFORE, IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

Construction-generated emissions are temporary and short-term but can represent a significant air quality impact. Construction activities such as demolition, grading, construction worker travel to and from the proposed project site, delivery and hauling of construction supplies and debris to and from the proposed project site, and fuel combustion by on-site construction equipment would generate emissions of ozone precursors (VOC and NO<sub>x</sub>), CO, SO<sub>2</sub> and fugitive dust (PM<sub>10</sub> and PM<sub>2.5</sub>). The proposed project’s estimated maximum daily construction emissions, as calculated by CalEEMod are summarized in Table 4.2-5.

As shown in Table 4.2-5, based on the duration of construction activities and the equipment to be utilized onsite, the proposed project’s short-term construction-related emissions of VOC or NO<sub>x</sub> would not exceed the VCAPCD guideline of 25 lbs/day and therefore would not trigger the need for mitigation measures.

**Table 4.2-5 Estimated Maximum Daily Construction Emissions (lbs/day)<sup>a</sup>**

	VOC	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Construction Emissions <sup>b,c</sup>	16 <sup>d</sup>	18	49	<1	9	5
VCAPCD Thresholds	25	25	N/A	N/A	N/A	N/A
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>

<sup>a</sup> Maximum daily emission for all years of construction. Summer or Winter season, whichever is greatest.

<sup>b</sup> Off-Road earth-moving equipment that meets USEPA Tier 4 emissions standards.

<sup>c</sup> Includes watering of exposed surfaces twice daily for dust suppression as required by VCAPCD Rule 55.

<sup>d</sup> Exterior and commercial paints 50 g/L VOC Content (APCD Rule 74.2). limits paints to Residential interior paints 50 10 g/L VOC content.

Source: See Appendix B for CalEEMod output, January 14March, 2022 (Envicom 2022).



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Development of the proposed project would result in long-term air pollutant emissions over the course of operations. Emissions include area sources, energy sources, and mobile emissions. Area sources include use of consumer products, use of gas-powered landscaping equipment, and re-application of architectural coating (re-painting). Energy sources include natural gas for uses such as space and water heating and appliances. Mobile sources consist of vehicle trips (including residents, deliveries, and visitors). Table 4.2-6 summarizes the proposed project’s operational emissions by emission source. As shown below, the emissions generated by the operation of the proposed project would not exceed VCAPCD regional thresholds for criteria pollutants. Therefore, the proposed project would not contribute substantially to an existing or projected air quality violation. In addition, because criteria pollutant emissions and regional thresholds are cumulative, the proposed project would not result in a cumulatively considerable net increase of criteria pollutants. Impacts would be less than significant without mitigation.

**Table 4.2-6 Estimated Maximum Daily Operational Emissions (lbs/day)**

Emissions Source	VOC	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Area	14	<1	35	0	<1	<1
Energy	<1	1	1	<1	<1	<1
Mobile <sup>a</sup>	10	10	78	<1	18	5
<b>Total</b>	<b>23</b>	<b>11</b>	<b>113</b>	<b>&lt;1</b>	<b>18</b>	<b>5</b>
VCAPCD Thresholds	25	25	N/A	N/A	N/A	N/A
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>

lbs/day = pounds per day; VOC = volatile organic compounds, NO<sub>x</sub> = nitrogen oxides, CO = carbon monoxide, SO<sub>2</sub> = sulfur dioxide, PM<sub>10</sub> = particulate matter 10 microns in diameter or less, PM<sub>2.5</sub> = particulate matter 2.5 microns or less in diameter

Totals may differ from sums due to rounding.

<sup>a</sup> CalEEMod default trip rates were adjusted to account for project design features.

Source: CalEEMod output, March, 2022 (Envicom, 2022).

**Mitigation Measures**

Mitigation measures are not required.

**Significance After Mitigation**

Impacts would be less than significant without mitigation.

**Threshold 3: Would the project expose sensitive receptors to substantial pollutant concentrations?**

**Impact AQ-3 THE PROPOSED PROJECT WOULD NOT EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS IN THE FORM OF LOCALIZED CO HOTSPOTS, TAC EMISSIONS AND SAN JOAQUIN VALLEY FEVER. THEREFORE, IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

Certain population groups, such as children, the elderly, and people with health problems, are particularly sensitive to air pollution. Therefore, sensitive receptor locations include schools,

hospitals, and residences. As discussed in the *Section 4.2.1, Setting* surrounding development consists primarily of residential and commercial uses. The nearest sensitive use is the assisted living facility located approximate 20 feet to the north of the site. Localized air quality impacts to sensitive receptors typically result from CO, TAC, and *Coccidioides immitis* exposure, which are discussed in the following subsections.

### **Carbon Dioxide Hot Spots**

A CO hotspot is a localized concentration of CO that is above the State or national one hour or eight hour CO ambient air standards. Localized CO “hotspots” can occur at intersections with heavy peak hour traffic that could cause local CO concentration to exceed Federal or state AAQS. According to the VCAPCD Guidelines, a CO hotspot screening analysis should be conducted for any project with indirect emissions greater than the applicable ozone project significance thresholds that may significantly impact roadway intersections that are currently operating at, or are expected to operate at, levels of service E or F. As shown in Table 4.2-5 and Table 4.2-6, the proposed project’s emissions of ozone precursors VOC or NO<sub>x</sub> would not exceed the VCAPCD significance thresholds. As such, pursuant to VCAPCD Guidelines, a CO hotspot screening analysis for the proposed project would not be warranted and potential impacts would be less than significant.

### **Toxic Air Contaminants**

TACs are defined by California law as air pollutants that may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health. The following subsections discuss the proposed project’s potential to result in impacts related to TAC emissions during construction and operation.

Health risks are associated with the exposure of sensitive receptors to carcinogenic and non-carcinogenic compounds. Carcinogenic risks can be defined in terms of the excess probability of developing cancer from exposure to a chemical at a given concentration based on a given population. Non-Carcinogenic risk is the potential of experiencing an adverse effect from exposure to TACs at a given concentration.

#### *Construction*

A Health Risk Assessment (HRA) was prepared for the proposed project. The methodology to determine carcinogenic risk is shown in *Section 4.2.3, Significance Thresholds and Methodology*. In addition, Appendix B presents the carcinogenic risk estimates for the maximum exposed residential, patient rehabilitation facility, and early childhood center receptors. The total carcinogenic risk for a maximum exposed residential, patient rehabilitation facility, and early childhood center receptor is 0.32 in one hundred thousand (100,000), 0.014 in 100,000, and 0.58 in 100,000 individuals exposed, respectively. Therefore, the proposed project’s cancer risks for the identified sensitive receptor are predicted to be below the significance threshold of one in 100,000. An evaluation of the potential noncancer effects of DPM exposure was also conducted. As presented in Appendix B, the hazard index for the respiratory endpoint totaled less than one for all sensitive receptor occupancies (i.e., residential, patient rehabilitation facility and early childhood center receptors). The total noncarcinogenic risk for a maximum exposed residential, patient rehabilitation facility, and early childhood center receptor is 0.0030, 0.0036, and 0.022 individuals exposed, respectively. Therefore, the proposed project’s noncarcinogenic risks for the identified sensitive receptor are predicted to be below the significance threshold of one.

Based upon the predicted carcinogenic risk and noncarcinogenic hazard estimates for the receptor exposure scenarios, the HRA demonstrates that construction of the proposed project would not result in unacceptable localized impacts. Impacts would be less than significant.

### *Operation*

Industrial manufacturing processes, warehousing, ports, rail yards, refineries, chrome platers, gasoline dispensing facilities, automotive repair facilities, and dry-cleaning facilities are the typical land uses that result in exposure of sensitive receptors to TACs. The proposed project is a mixed-use residential and commercial development that would not include any of these potential sources, although minimal emissions may result from the use of consumer products. The proposed project would generate minor amounts of diesel fuel emissions from infrequent delivery trucks and incidental maintenance activities. Proposed project operations would only result in minimal emissions of air toxics from maintenance or other ongoing activities, such as from the use of architectural coatings and other products. It is not anticipated that an emergency back-up generator would be part of the proposed project development. If a generator was installed, it would be used only during emergencies and for maintenance and inspection purposes. Emergency back-up generators are subject to VCAPCD regulatory requirements, which limit the allowable emissions to a level below that which would result in a significant impact. The periodic operation of a backup generator would not, therefore, expose nearby sensitive receptors to substantial TAC emissions. Given the land use type and activities anticipated, proposed project operations are not considered a substantial source of TACs or health risk. Therefore, impacts with respect to operational TACs would be less than significant.

CARB further suggests that an operational health risk assessment be conducted for new developments resulting in sensitive receptors being placed within 500 feet of an existing high-volume roadway. A high-volume roadway is defined as an urban roadway with more than 100,000 vehicles per day. The closest freeway is the U.S. 101 approximately 510 feet north of the proposed project site, therefore the proposed project would not place new sensitive receptors within 500 feet of a high-volume roadway. In addition, the Title 24 standards would require new residential units to include MERV 13 standard air filtration (at a minimum) that would reduce PM<sub>10</sub> emissions by at least 70 percent. Therefore, new residents are not anticipated to be adversely affected by exposure to vehicle exhaust long term.

### **San Joaquin Valley Fever**

According to the VCAPCD Guidelines, the lead agency should consider the factors applicable to the project or the project site to determine if it could create a significant Valley Fever impact. If a lead agency determines that this could be the case, the VCAPCD recommends the lead agency consider the Valley Fever mitigation measures listed in the VCAPCD Guidelines to minimize fugitive dust and worker exposure.

The proposed project is an infill project on a site that is already developed with buildings and a surface parking lot and planters with remnant landscaping. As such, development of the proposed project would not disturb topsoil of undeveloped land or occur within undisturbed, non-urban areas. The proposed project site also does not include known archaeological resources (Native American midden sites), and the proposed project would not host special events or motorized activities on unvegetated soil during operations (Envicom, 2022). The proposed project would be required by VCAPCD Rule 55 to implement measures to minimize fugitive dust during construction, including application of chemical dust control agents, or water to exposed soils. The preference is for the application of chemical dust control agents to be consistent with local water use reduction requirements. This

measure would minimize dust from dry soils or during windy days, which would further reduce the potential for a substantial risk of San Joaquin Valley Fever effects.

As such, the factors that according to VCAPCD may indicate potential Valley Fever impacts do not apply to the proposed project site or proposed activities. Therefore, the potential for the proposed project to result in substantial San Joaquin Valley Fever impacts would be less than significant.

### **Mitigation Measures**

Mitigation measures are not required.

### **Significance After Mitigation**

Impacts would be less than significant without mitigation.

**Threshold 4:** Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

**Impact AQ-4 THE PROPOSED PROJECT WOULD NOT CREATE OBJECTIONABLE ODORS THAT WOULD ADVERSELY AFFECT A SUBSTANTIAL NUMBER OF PEOPLE. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

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During construction, the application of certain materials (i.e., asphalt, paints, etc.) may generate odors within various portions of the site that would be temporary in nature and are common to construction projects.

Land uses typically associated with objectionable odors that could potentially adversely affect a substantial number of people include manufacturing, industrial, agricultural, or sewage treatment processes, and typically are not associated with residential and commercial land uses. For operations, the proposed project will include enclosures for trash and recyclable bins to be emptied on a regular basis, and therefore would not generate objectionable odors that adversely affect a substantial number of people. As such, odor impacts of the proposed project during construction and operation would be less than significant.

### **Mitigation Measures**

Mitigation measures are not required.

### **Significance After Mitigation**

Impacts would be less than significant without mitigation.

## **4.2.4 Cumulative Impacts**

Air pollution from the proposed project may combine with other cumulative projects (past, present, and reasonably foreseeable future) to violate criteria pollutant standards if the existing background sources cause nonattainment conditions. Air districts manage attainment of the criteria pollutant standards by adopting rules, regulations, and attainment plans, which comprise a multifaceted programmatic approach to such attainment.

Air pollution is largely a cumulative impact, and the VCAPCD has provided guidance on cumulative impact analysis. According to the VCAPCD, the proposed project would have a considerable cumulative impact if it's inconsistent with the AQMP's growth forecast and jeopardizes the

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attainment status of the federal standards. The proposed project's development would consist of 420 dwelling units, adding approximately 1,294 new residents by the anticipated buildout year (2025). The proposed project would accommodate regional growth consistent with the AQMP's 2025 population forecast. As described in Impact AQ-2 above, the proposed project's daily emissions of construction-and operation of related pollutants would not exceed VCAPCD regional thresholds.

As discussed under Impact AQ-3 above, a Health Risk Assessment was prepared to determine the carcinogenic and noncarcinogenic risk during the proposed project's construction and found sensitive receptors to be within the State threshold for no significant risk under Proposition 65. Furthermore, the proposed project would not exceed the federal CO standard, resulting in a CO hot spot. The proposed project would comply with VCAPCD Rule 55 to minimize fugitive dust to reduce the risk of San Joaquin Valley Fever during the proposed project's construction activities. In addition, the proposed residential and commercial land use is not typical to generate substantial odors during the construction and operation activities. Therefore, the proposed project's contribution to cumulative air quality impacts would not be cumulatively considerable.

## 4.3 Biological Resources

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This section evaluates potential impacts to biological resources from development facilitated by the proposed project. The analysis is based on a database and literature review, a biological resources reconnaissance survey conducted by Rincon Consultants on January 3, 2022, and an oak and landmark tree survey of the proposed project site also conducted by Rincon Consultants on January 3, 2022 (see Oak and Landmark Tree Report in Appendix C). The following resources were referenced for this biological resources section (see References at the end of this section):

- California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB) 10-mile search area
- CDFW Essential Connectivity Areas - California Essential Habitat Connectivity (CEHC).
- CDFW Natural Community Conservation Plans
- California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Plants. CNPS Rare Plant Program, 9-USGS Quadrangle search
- City of Thousand Oaks Oak and Landmark Tree Guidelines
- Google Earth Pro. Ver. 7.3. 2022
- Preliminary Landmark Tree Report and Oak Tree Report, Home Depot Site, 325 Hampshire Road (Jan C. Scow Consulting Arborists, LLC, 2007)
- Oak and Landmark Tree Arborist Report (Rincon Consultants, 2022)
- U.S. Department of Agriculture (USDA) Web Soil Survey (WSS)
- U.S. Fish and Wildlife Service (USFWS) Critical Habitat for Threatened & Endangered Species Portal
- USFWS National Wetlands Inventory Interactive Mapper (NWI).
- U.S. Geological Survey (USGS) Topo View
- Western Bat Working Group (WBWG) Species Matrix

### 4.3.1 Setting

The proposed project site is approximately 10.97 net acres and is developed with a non-operational shopping center and large surface parking lot. Vacant structures occupy the central-western portion of the proposed project site with a large parking lot covering the rest of the site, with the entire site being paved.

#### **a. Proposed Project Site Setting**

The proposed project site is bounded by Foothill Drive on the west and south, Hampshire Road on the east, and other commercial, healthcare, and service uses to the north. It is entirely built up in immediate proximity to the site, but undeveloped open space occurs immediately to the west, just beyond Foothill Drive. The site includes some mature trees, including ten landmark and protected species, and other landscape consisting of ornamental vegetation. The proposed project site is bordered along the western edge with trees and ground cover on a steep embankment and a public sidewalk between the site and Hampshire Road. The site does not contain natural or native habitat, although abandoned buildings and existing vegetation may provide bird nesting and roosting habitat, as discussed below. Various landscaping is present within the parking lots, sidewalks, and medians and in roadways nearby.

## Topography and Soils

The proposed project site is mostly flat with elevation ranging from 915 feet to 927 feet above mean sea level (USGS 2022). Steep slopes occur off site, west of Foothill Drive.

The proposed project site contains three mapped soil types: Cropley clay, 2 to 9 percent slopes; Rincon silty clay loam, 9 to 15 percent slopes; and Zamora loam, 2 to 9 percent slopes (USDA 2022), all of which are well drained and are not considered hydric. These soil types underly the highly developed proposed project site and play little role in shaping the vegetation and land cover on the site.

## Trees and Land Cover

Vegetation on the proposed project site is limited to planted landscaping of trees, shrubs and groundcover. As described in the proposed project’s Arborist Report prepared by Rincon Consultants, Inc., (Appendix C), eight tree species were identified on the proposed project site, including two species that are protected or heritage: coast live oak (*Quercus agrifolia*) and California sycamore (*Platanus racemosa*) (Table 4.3-1). Ten oak trees are protected under the City of Thousand Oak Tree Protection Guidelines, and two sycamore trees are classified as landmark trees based on species and trunk size. Tree health ranged from excellent condition to dead. Both living and dead trees on the site and those located adjacent to the proposed project site provide potentially suitable habitat to nesting birds.

**Table 4.3-1 Tree Species on the Proposed Project Site**

Scientific Name	Common Name	Native or Non-Native?
<i>Ailanthus altissima</i>	tree of heaven	Non-native; invasive
<i>Corymbia citriodora</i>	lemon-gum eucalyptus	Non-native
<i>Fraxinus uhdei</i>	tropical ash	Non-native
<i>Grevillea robusta</i>	silky oak	Non-native
<i>Hedera helix</i>	English ivy	Non-native
<i>Platanus racemosa</i>	California sycamore	Native
<i>Quercus agrifolia</i>	coast live oak	Native
<i>Ulmus parvifolia</i>	Chinese elm	Non-native
<i>Washingtonia robusta</i>	Mexican fan palm	Non-native

Source: Protected Oak and Landmark Tree Report (Rincon 2022c)

## General Wildlife

Wildlife presence is generally limited to avian species, because the proposed project site is entirely developed. The trees and shrubs on the proposed project site may provide nesting habitat for birds that have adapted to urban and suburban conditions, such as mourning doves (*Zenaida macroura*) and house finches (*Haemorhous mexicanus*). It is conceivable that common reptiles such as western fence lizard (*Sceloporus occidentalis*) and urban-adapted mammals such as (*Otospermophilus beecheyi*) may be found on the disturbed, steep downward slope at the western boundary of the site. Bats are not expected to roost within the onsite and surrounding trees due to undesirable structure (e.g., foliage shape or lack of hollow trunks) and effects from adjacent development, including nighttime lighting generated from parking lots and streetlights. Bats may roost within vacant structures, although no such evidence was observed (e.g., guano) on the outside of the buildings

during the reconnaissance survey (the inside of the building was not inspected). A list of the bird species observed during a reconnaissance survey is provided in Table 4.3-2.

**Table 4.3-2 Wildlife Observed During Reconnaissance Survey**

Scientific Name	Common Name	Native or Non-Native?
<b>Birds</b>		
<i>Calypte anna</i>	Anna's hummingbird	Native
<i>Corvus corax</i>	common raven	Native
<i>Haemorhous mexicanus</i>	house finch	Native
<i>Passer domesticus</i>	common sparrow	Native
<i>Sayornis nigricans</i>	black phoebe	Native
<i>Zenaidura macroura</i>	mourning dove	Native

### Special-status Species and Sensitive Plant Communities

Special-status species are those plants and wildlife listed, proposed for listing, or candidates for listing as threatened or endangered by USFWS under the Federal Endangered Species Act (FESA); those listed or candidates for listing as rare, threatened, or endangered by CDFW under the California Endangered Species Act (CESA) or Native Plant Protection Act; animals designated as "Fully Protected" by the California Fish and Game Code (CFGF); animals listed as "Species of Special Concern" (SSC) by the CDFW; CDFW Special Plants, specifically those with California Rare Plant Ranks (CRPR) of 1B, 2, 3, and 4 in the CNPS's Inventory of Rare and Endangered Vascular Plants of California (CDFW 2022a, CDFW 2022b, CNPS 2022).

Assessments for the potential occurrence of special-status species are based upon known ranges, habitat preferences, and occurrence records from the CNDDDB and CNPS.

Numerous special-status plant and wildlife species are recorded within a ten-mile radius of the proposed project site. However, since the proposed project site is entirely developed, there is no potential for special-status plants to occur. Similarly, the proposed project site and surrounding environment provides limited habitat suitability for special-status wildlife to be present. Copper's hawk (*Accipiter cooperi*), a CDFW "Watch List" species, are known to hunt and nest in urban landscapes, and therefore, could occur within the trees and large shrubs located on or adjacent to the proposed project site. Pallid bat (*Antrozous pallidus*), a CDFW Species of Special Concern, are known to roost within vacant structures and could potentially roost within the vacant structure if there are points of egress/ingress and little to no human presence within the building. No other special-status wildlife species are expected to occur.

### Nesting Birds

Under the provisions of the Migratory Bird Treaty Act (MBTA), it is unlawful to "take" any migratory birds except as permitted by regulations issued by the USFWS. The term "take" is defined by the USFWS regulation to mean to "pursue, hunt, shoot, wound, kill, trap, capture or collect" any migratory bird or any part, nest, or egg of any migratory bird covered by the MBTA, or to attempt those activities. In addition, Sections 3503, 3503.5, 3511, and 3513 of the CFGF describe unlawful take, possession, or destruction of birds, nests, and eggs. Fully protected birds (Section 3511) may not be taken or possessed except under specific permit. Section 3503.5 of the CFGF protects all birds of prey and their



eggs and nests against take, possession, or destruction. While common birds are not special-status species, destruction of their eggs, nests, or nestlings is prohibited by law and must be avoided.

The proposed project site and surrounding parcels contains sparse ornamental trees and shrubs, some of which are native trees, and the adjacent open space to the west of Foothill Drive is composed of non-native and native shrubs and trees, that can support common nesting bird species.

### **Sensitive Plant Communities**

Sensitive plant communities identified in the CNDDDB within a ten-mile search area of the proposed project site include California Walnut Woodland, Southern Coast Live Oak Riparian Forest, Southern Riparian Forest, Southern Riparian Scrub, Southern Sycamore Alder Riparian Woodland, Southern Willow Scrub, Valley Needlegrass Grassland, and Valley Oak Woodland. However, none of these sensitive plant communities in the vicinity of the proposed project site.

### **Jurisdictional Waters and Wetlands**

There are no potentially jurisdictional waters or wetlands in the vicinity of the proposed project site based on the reconnaissance survey and a review of the USFWS National Wetlands Inventory (NWI) (USFWS 2022).

### **Wildlife Movement Corridors**

Wildlife corridors are generally defined as connections between habitat patches that allow for physical and genetic exchange between otherwise isolated animal populations. Such linkages may serve a local purpose, such as between foraging and denning areas, or they may be regional in nature, allowing movement across the landscape. Some habitat linkages may serve as migration corridors, wherein animals periodically move away from an area and then subsequently return. Examples of barriers or impediments to movement include housing and other urban development, roads, fencing, unsuitable habitat, or open areas with little vegetative cover.

Thousand Oaks is a mix of residential and commercial land uses, and open space habitat. The proposed project site exists in a fragmented area that is developed and does not support local or regional wildlife movement opportunities or nursery sites.

## **4.3.2 Regulatory Setting**

The following is a summary of the regulatory context under which biological resources are managed at the federal, State, and local levels.

### **a. Federal Regulations**

#### **U.S. Army Corps of Engineers**

Under Section 404 of the Clean Water Act, the United States Army Corps of Engineers (USACE) has authority to regulate activities that could discharge dredge or fill material into wetlands or other “waters of the United States.” Perennial and intermittent creeks and ephemeral drainages are considered waters of the United States if they are hydrologically connected to other jurisdictional waters. The USACE also implements the federal policy embodied in Executive Order 11990, which is intended to result in no net loss of wetland value or acres. In achieving the goals of the Clean Water Act (CWA), the USACE seeks to avoid adverse impacts and offset unavoidable adverse impacts on existing aquatic resources. Any fill or adverse modification of wetlands that are hydrologically

connected to jurisdictional waters would require a permit from the USACE prior to the start of work. Typically, when a project involves impacts to waters of the United States, the goal of no net loss of wetland acres or values is met through compensatory mitigation involving creation or enhancement of similar habitats.

## **U.S. Fish and Wildlife Service**

The USFWS implements the MBTA (16 United States Code [USC] Section 703-711) and the Bald and Golden Eagle Protection Act (16 USC Section 668). The USFWS and National Marine Fisheries Service (NMFS) share responsibility for implementing the FESA (16 USC Section 153 et seq.). The USFWS generally implements the FESA for terrestrial and freshwater species, while the NMFS implements the FESA for marine and anadromous species. Projects that would result in “take” of any federally listed threatened or endangered species are required to obtain authorization from the USFWS or NMFS through either Section 7 (interagency consultation with a federal nexus) or Section 10 (Habitat Conservation Plan) of FESA, depending on the involvement by the federal government in permitting and/or funding of the project. The permitting process is used to determine if a project would jeopardize the continued existence of a listed species and what measures would be required to avoid jeopardizing the species. “Take” under federal definition means to harass, harm (which includes habitat modification), pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Proposed or candidate species do not have the full protection of FESA; however, the USFWS and NMFS advise project applicants that they could be elevated to listed status at any time.

### **b. State Regulations**

#### **California Department of Fish and Wildlife**

The CDFW derives its authority from the CFGC. The CESA (CFGC Section 2050 et. seq.) prohibits take of State listed threatened, endangered or fully protected species. Take under CESA is restricted to direct mortality of a listed species and does not prohibit indirect harm by way of habitat modification. The CDFW also prohibits take for species designated as Fully Protected under the CFGC.

CFGC Sections 3503, 3503.5, and 3511 describe unlawful take, possession, or destruction of native birds, nests, and eggs. Fully protected birds (Section 3511) may not be taken or possessed except under specific permit. Section 3503.5 of the CFGC protects all birds-of-prey and their eggs and nests against take, possession, or destruction of nests or eggs.

Species of Special Concern is a category used by the CDFW for those species which are considered to be indicators of regional habitat changes or are considered to be potential future protected species. Species of Special Concern do not have any special legal status except that which may be afforded by the CFGC as noted above. The SSC category is intended by the CDFW for use as a management tool to include these species in special consideration when decisions are made concerning the development of natural lands. The CDFW also has authority to administer the Native Plant Protection Act (NPPA) (CFGC Section 1900 et seq.). The NPPA requires the CDFW to establish criteria for determining if a species, subspecies, or variety of native plant is endangered or rare. Under Section 1913(c) of the NPPA, the owner of land where a rare or endangered native plant is growing is required to notify the department at least 10 days in advance of changing the land use to allow for salvage of plant.

Perennial and intermittent streams and associated riparian vegetation, when present, also fall under the jurisdiction of the CDFW. Section 1600 *et seq.* of the CFGC (Lake and Streambed Alteration

Agreements) gives the CDFW regulatory authority over work within the stream zone (which could extend to the 100-year flood plain) consisting of, but not limited to, the diversion or obstruction of the natural flow or changes in the channel, bed, or bank of any river, stream or lake.

## **Regional Water Quality Control Board**

The State Water Resources Control Board (SWRCB) and the local Los Angeles Regional Water Quality Control Board have jurisdiction over “waters of the State,” with federal authority over “waters of the United States” under the Clean Water Act Section 401 and State authority under the Porter-Cologne Water Quality Control Act to protect water quality, which prohibits discharges to such waters. Waters of the State are defined as any surface water or groundwater, including saline waters, within the boundaries of the State.

### **c. Local Regulations**

#### **City of Thousand Oaks**

According to the City’s Oak Tree Preservation and Protection Standards and Guidelines, and Landmark Tree Ordinance, an Oak/Landmark Tree Permit is required for removal, relocation, or encroachment into the tree protection zone of an oak tree or landmark tree (the tree protection zone is the area from the trunk to a point five feet outside of the dripline, and in no case shall be less than fifteen feet from the trunk). Protected oaks and landmark tree removals are mitigated at the discretion of the City in accordance with the City of Thousand Oaks Municipal Code, Article 42. Oak Tree Preservation and Protection (Section 9-4.4307). Conditions on removal) and Article 43. Landmark Tree Preservation and Protection (Section 9-4.4306). Conditions on removal), respectively, that includes, but not limited to: (a) replacement or placement of additional trees on the subject property to offset the impacts associated with the loss of a tree, limbs, or encroachment into the protected zone of a landmark tree; (b) relocating of a tree onsite or offsite, or the planting of a new tree offsite to offset the loss of a tree; (c) requiring an objectively observable maintenance and care program to insure the continued health and care of landmark trees on the property; (d) payment of a fee or donation of a boxed tree to the City or other public agency to be used elsewhere in the community should a suitable replacement location of the tree not be possible onsite or offsite.

Protected oak and landmark trees are defined as follows:

- A protected oak tree is any oak tree of the genus *Quercus* including, but not limited to, valley oak (*Quercus lobata*), coast live oak (*Quercus agrifolia*), and scrub oak (*Quercus berberidifolia*), which exceeds two inches in diameter when measured at a point four and one-half feet above the natural grade at the base of the tree. For multiple trunk trees, the aggregate total diameter of all trunks shall exceed two inches in diameter.
- A landmark tree is any tree that is a California sycamore (*Platanus racemosa*) which exceeds twelve inches in diameter for a single trunk, a California bay laurel (*Umbellularia californica*) which exceeds eight inches in diameter, a California black walnut (*Juglans californica*) which exceeds eight inches in diameter, or a toyon (*Heteromeles arbutifolia*) which exceeds eight inches in diameter. For multiple trunk trees, the sum of the diameters of all trunks must exceed the required diameters listed above plus two inches. Landmark trees shall also include all City designated historic trees.

The Community Development Director may approve, deny, or conditionally approve a request to remove three or fewer oak/landmark trees on a single parcel provided the request does not involve an oak/landmark tree 24-inches in diameter or greater.

### 4.3.3 Impact Analysis

#### a. Methodology

##### Desktop Review

Rincon conducted a literature and database review to identify sensitive biological resources that have been previously documented on, or in the vicinity of, the proposed project site. Resources reviewed included proposed site plans for the proposed project and Google Earth Pro aerial imagery (Google Pro 2022). Queries of the CDFW CNDDDB (CDFW 2022a) and the CNPS Online Inventory of Rare and Endangered Plants (CNPS 2022) were conducted to obtain comprehensive information regarding special-status species that have been recorded within a 10-mile radius of the proposed project site. For CNPS query purposes, a 9-quadrangle search area centered on the proposed project site was used. For riparian and potentially jurisdictional resources, the USFWS NWI was used to determine if features were mapped on or near the proposed project site (USFWS 2022b).

##### Field Survey

Rincon Certified Arborist Genelle Watkins (International Society of Arboriculture [ISA] cert # WE-12998 A) and biologist Katherine Christensen conducted a protected tree survey and general reconnaissance survey of the proposed project site on January 3, 2022. The methods and results of the protected tree survey are included in the Oak and Landmark Tree Report (Rincon, 2022c [Appendix C]). During the survey, Rincon staff walked the extent of the proposed project site to characterize existing biological resources conditions of the site and to document any protected tree species. The assessment included a minimum 20-foot area extending outward from the proposed project boundary to assess the proposed project's potential impact to adjacent biological resources.

#### b. Significance Thresholds

Appendix G of the State CEQA Guidelines identifies the following criteria for determining whether development facilitated by the proposed project would have a significant impact on biological resources:

1. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
2. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
3. Would the project 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?

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4. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
5. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
6. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

**c. Project Impacts and Mitigation Measures**

**Threshold 1:** Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

**Impact BIO-1 IMPLEMENTATION OF THE PROPOSED PROJECT HAS THE POTENTIAL TO IMPACT NESTING BIRD SPECIES. IMPACTS TO NESTING BIRDS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.**

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Several bird species, including those observed on the proposed project site, have adapted to urbanized areas where vegetation is present, and some are known to construct nests on buildings. The landscaped vegetation located on an adjacent to the proposed project site does not provide suitable habitat for special-status wildlife and the site does not provide habitat suitable for special-status plants to occur. The developed open space to the west of Foothill Road may provide suitable habitat to native wildlife, including nesting birds and terrestrial species; however, construction of the proposed project would not present new impacts when considering the surrounding built environment. Furthermore, operation of the proposed project would be consistent with current conditions and would not present new impacts to wildlife that may occur on adjacent parcels.

The ornamental landscaping on the proposed project site can support common nesting bird and raptor species, including Cooper’s hawk, a CDFW “Watch List” species, that has a moderate potential to occur. Although no active or inactive nests were observed, birds may nest onsite, and passerine species, such as barn swallows (*Hirundo rustica*) and house finch (*Haemorhous mexicanus*), can nest in the eaves of the vacant structures on the site.

The proposed project site provides poor habitat for roosting bat species; however, there is potential that bats could roost within the vacant buildings.

Direct impacts resulting from proposed project activities conducted during the bird nesting season (typically February 1 through August 31) could include mortality during vegetation removal and building demolition. Indirect impacts to birds that may nest in adjacent vegetation could result from noise, vibrations, and dust from construction activities that could cause nesting birds to flush out of cover and become exposed to predators or vehicle strikes. Additionally, flushed adults may not return to nests, predators may feed on eggs or chicks in unprotected nests, or vibrations could cause eggs to fall out of nests. Similarly, building demolition could impact roosting bats, if present. Direct or indirect impacts to nesting birds or roosting bats that lead to individual mortality or harassment would be considered significant. Implementation of Mitigation Measure BIO-1 would reduce impacts to nesting birds to less than significant.

## Mitigation Measures

### *BIO-1 Bat and Nesting Bird Survey and Avoidance*

Project-related activities shall occur outside of the bird breeding season (generally between February 1 –August 31) to the extent practicable. If construction must occur within the bird breeding season, no more than three days prior to initiation of ground-disturbing activities (including, but not limited to site preparation, grading, excavation, and trenching) within the proposed project site, a bird pre-construction bird nest survey shall be conducted by a qualified biologist within the disturbance footprint plus a 100-foot buffer (300-foot for raptors), where feasible. If the proposed project is phased or construction activities stop for more than one week, a subsequent pre-construction nesting bird survey shall be required within three days prior to each phase of construction.

Pre-construction nesting bird surveys shall be conducted during the time of day when birds are active and shall factor in sufficient time to perform this survey adequately and completely. During the nest survey, the biologist shall inspect the outside and inside of the vacant structures for sign of roosting bats, such as presence of guano or direct observations. A report of the bat and nesting bird survey results, if applicable, shall be submitted to the City for review and approval prior to ground and/or vegetation disturbance activities.

If bird nests are found, an appropriate avoidance buffer ranging in size from 25 to 50 feet for passerines, and up to 300 feet for raptors depending upon the species and the proposed work activity, shall be determined and demarcated by a qualified biologist with bright orange construction fencing or other suitable material. Active nests shall be monitored at a minimum of once per week until it has been determined that the young have fledged the nest. No ground disturbance or vegetation removal shall occur within this buffer until the qualified biologist confirms that breeding/nesting has ended, and all the young have fledged. If no nesting birds are observed during pre-construction surveys, no further actions would be necessary.

If evidence of bat roosting is observed, building demolition shall not be allowed until a qualified biologist can verify that the roost is no longer active. If necessary, bats may be evicted and building demolished following submittal and approval of a Bat Avoidance Plan by CDFW.

## Significance After Mitigation

Implementation of Mitigation Measure BIO-1 would reduce potential direct and indirect impacts to bats and nesting birds to a less than significant level.

**Threshold 2:** Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

**Impact BIO-2 IMPLEMENTATION OF THE PROPOSED PROJECT HAS NO SUBSTANTIAL ADVERSE EFFECT ON RIPARIAN HABITAT OR OTHER SENSITIVE NATURAL COMMUNITIES IDENTIFIED IN LOCAL OR REGIONAL PLANS, POLICIES, OR REGULATIONS, OR BY THE CDFW. NO IMPACTS WOULD OCCUR.**

The proposed project site is highly developed, containing primarily ornamental vegetation, with no riparian habitat or sensitive natural communities identified in local or regional plans, policies, or

regulations. Therefore, the proposed project would have no impact to riparian habitats and sensitive natural communities.

### **Mitigation Measures**

No mitigation measures are required.

**Threshold 3:** Would the project 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?

**Impact BIO-3** IMPLEMENTATION OF PROPOSED PROJECT HAS NO SUBSTANTIAL ADVERSE EFFECT ON FEDERALLY PROTECTED WETLANDS THROUGH DIRECT REMOVAL, FILLING, HYDROLOGICAL INTERRUPTION, OR OTHER MEANS. NO IMPACT WOULD OCCUR.

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No evidence of state or federally protected waters or wetlands exist or were mapped on or immediately adjacent to the proposed project site according to the NWI (USFWS 2022b) nor were any observed during the field survey. Therefore, the proposed project would have no impact to State or federally protected waters or wetlands.

### **Mitigation Measures**

No mitigation measures are required.

**Threshold 4:** Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

**Impact BIO-4** IMPLEMENTATION OF THE PROPOSED PROJECT WOULD NOT IMPACT WILDLIFE MOVEMENT OF ANY NATIVE RESIDENT MIGRATORY FISH OR WILDLIFE SPECIES, ESTABLISHED NATIVE RESIDENT OR MIGRATORY WILDLIFE CORRIDORS, OR IMPEDE THE USE OF NATIVE WILDLIFE NURSERY SITES. NO IMPACT WOULD OCCUR.

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No impacts to wildlife movement corridors are expected to occur. The highly developed proposed project site constitutes a small area lacking suitable habitats, dense foliage cover, and vegetation communities to serve a wildlife nursery site or substantially contribute to wildlife movement or corridors. Therefore, the proposed project would have no impact to wildlife movement or nursery sites.

### **Mitigation Measures**

No mitigation measures are required.

**Threshold 5:** Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

**Impact BIO-5** IMPLEMENTATION OF THE PROPOSED PROJECT HAS THE POTENTIAL TO DISTURB PROTECTED TREES. WITH IMPLEMENTATION OF MITIGATION MEASURE BIO-2, THE PROPOSED PROJECT'S BIOLOGICAL RESOURCES IMPACTS WOULD BE REDUCED TO LESS THAN SIGNIFICANT.

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There are ten City protected coast live oak and two City protected landmark California sycamore trees present on the proposed project site. Proposed project activities, including demolition of existing

vacant structures, and grading and excavation on site would require the ten coast live oak trees be removed. Additionally, grading impacts would encroach within 30 percent and 60 percent, respectively, of the Tree Protection Zone of the two California sycamore trees that could lead to mortality. Impacts to the protected oak and landmark California sycamore trees would be considered a significant impact without mitigation. Potentially significant impacts to protected trees would be mitigated to less than significant levels by implementation of Mitigation Measure BIO-2.

## Mitigation Measures

### *BIO-2 Minimize Impacts to Protected Trees*

The project shall take all necessary actions to comply with the requirements of the City's Oak Tree Preservation and Protection Guidelines and Oak and Landmark Tree Ordinance. These include preserving protected trees located on the project site whenever possible. A permit is required by the City before the start of project activities if any tree will be trimmed, cut, or removed.

- In accordance with the City of Thousand Oaks Tree Protection Guidelines the oak trees on the project site that would be removed shall be replaced at a ratio of 3:1 with two 24-inch box coast live oak trees and one 36-inch or 60-inch box coast live oak tree. Six coast live oak trees will be removed; therefore, 18 coast live oak trees shall be planted onsite.
- A 63 percent encroachment into the protective zone (i.e., an area extending from the trunk to 5 feet from the edge of canopy [dripline]) of California sycamore tree #6 is proposed. The tree is not expected to survive this amount of impact. This tree shall be replaced onsite or at a City-approved offsite location determined and approved by the Community Development Director prior to issuance of a grading permit with one 24-inch box California sycamore tree.
- A 30 percent encroachment into the protective zone of California sycamore tree #7 is proposed. It is unknown if the tree would survive this amount of encroachment; therefore, an ISA certified arborist with a current ISA Tree Risk Assessment Qualification (TRAQ) shall conduct a Level 2 Basic Tree Risk Assessment and/or Level 3 Advanced Tree Risk Assessment to inspect the tree immediately following the completion of grading to determine the tree's likelihood of failure by assigning a risk rating of imminent, probable, possible, or improbable. If the risk rating for tree failure is determined to be "imminent" or "probable", the tree shall be removed and replaced onsite or at an offsite location determined and approved by the Community Development Director prior to issuance of a grading permit. Due to the large size of this California sycamore tree (45-inch cumulative trunk diameter and 45-foot canopy spread), this tree shall be replaced with two 24-inch box and one 36-inch box California sycamore trees. If the arborist determines the risk rating for tree failure to be "possible" or "improbable" with an unlikely likelihood of impacting a target and low consequence of failure, the tree shall be retained and preserved in perpetuity and no replacement trees would be required.
- Section 5, Oak and Landmark Tree Protection Plan, of the Oak and Landmark Tree Report (Rincon, 2022c [Appendix C]) shall be implemented to minimize project-related impacts to oak and landmark trees that would be preserved prior to, and during, construction activities.

## Significance After Mitigation

Mitigation Measure BIO-2 would ensure project compliance with local policies and ordinances and reduce potential impacts to protected trees to a less than significant level.



**Threshold 6:** Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

**Impact BIO-6 IMPLEMENTATION OF THE PROPOSED PROJECT WOULD HAVE NO IMPACT ON ANY ADOPTED HABITAT OR COMMUNITY CONSERVATION PLANS.**

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The proposed project site is located on commercial property in Thousand Oaks. No portion of the proposed project site is within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans. Therefore, no impacts would occur.

**Mitigation Measures**

No mitigation measures are required.

### 4.3.4 Cumulative Impacts

Cumulative impacts assessed are dependent on not only the site itself, but in the surrounding areas, both past and present. As the city continues to develop and build, habitat fragmentation from proposed project activities continually diminishes biological resources and their respective habitats. Areas that were once home to dense foliage and woodland, are built upon and used for commercial and residential infrastructure. The quality of the protected trees on the proposed project site differ greatly to what may occur in natural cover. Because these species coexist with sidewalks and parking lots, more suitable habitat exists outside of the proposed project site, in areas such as Conejo Open Space to the northwest or Triunfo Creek Park to the south.

Proposed development includes the entirety of the 325 and 391 Hampshire Road project site. This includes 420 new residential units that will house residents and include amenities such as co-working spaces, fitness center, community lounges, leasing offices, and a dog park. The total impacts of this proposed project would require the demolition of existing structures to make way for these developments. Currently, proposed project activities are limited to this site alone, and all proposed development would occur within the proposed project site. Other development plans in the area exist, but, similar to the site, will develop on sites that have been historically developed for years, where structures are already present, as well as parking lots and ornamental vegetation. Because the site is already developed, impacts to sensitive biological resources from ground disturbing activities is limited.

Although mitigable, the proposed project could adversely impact sensitive species, such as bats and nesting birds, and would impact protected trees. Other related disturbances, such as noise, dust, and vibrations can alter landscapes that would normally support species in ornamental vegetation and nearby open areas. However, the recommended mitigation measures proposed within this section would reduce these additional impacts to a less than significant level if implemented. In addition, individual development proposals are reviewed separately by the appropriate jurisdiction and undergo environmental review when it is determined that the potential for significant impacts exist. If future proposed project activities or additional related activities in other locations occurred and would result in impacts to sensitive habitats and biological resources, impacts to such resources would be addressed on a case-by-case basis. Therefore, impacts related to sensitive habitats and biological resources would not be cumulatively considerable.

## 4.4 Cultural Resources

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This section analyzes the cultural resource impacts associated with the proposed project, including regulatory and existing environmental setting, threshold of significance, methodology, and mitigation measures, as needed. This analysis is based on the *Phase I Cultural Resources Assessment* prepared for the project by Envicom Corporation (Envicom) in December 2021 and updated January 2022 (Envicom 2021, 2022). The findings of this report are summarized in this section, and the report is provided in Appendix D.

### 4.4.1 Setting

Cultural resources include prehistoric resources and historic-period resources. Prehistoric resources represent the remnants of human occupation prior to European settlement. Historic-period resources represent remains after European settlement and may be part of a "built environment," including man-made structures used for habitation, work, recreation, education, religious worship, and may also be represented by houses, factories, office buildings, schools, churches, museums, hospitals, bridges and other structural remains. The prehistoric and historic setting of the project site are discussed further below.

#### a. Prehistoric Setting

During the twentieth century, many archaeologists developed chronological sequences to explain prehistoric cultural changes in all or portions of Southern California (c.f., Jones and Klar 2007; Moratto 1984). Wallace (1955, 1978) devised a prehistoric chronology for the southern California coastal region that included four horizons: Early Man, Milling Stone, Intermediate, and Late Prehistoric. Wallace's chronology was based on early studies and lacked the chronological precision of absolute dates (Moratto 1984:159). Since then, Wallace's (1955) synthesis has been modified and improved using thousands of radiocarbon dates obtained by southern California researchers over recent decades (Byrd and Raab 2007:217; Koerper and Drover 1983; Koerper et al. 2002). The prehistoric chronological sequence for southern California presented below is a composite based on Wallace (1955) and Warren (1968), as well as later studies, including Koerper and Drover (1983).

#### Early Man Horizon (13,000 to 6,000 BCE)

Numerous sites dating back to 6,000 before the common era (BCE) and earlier were identified along the mainland coast and Channel Islands of southern California (c.f., Moratto 1984; Erlandson 1991; Rick et al. 2001: 609; Johnson et al. 2002; Jones and Klar 2007). The Arlington Springs site on Santa Rosa Island produced human remains dated to approximately 13,000 years ago (Johnson et al. 2002; Arnold et al. 2004). On nearby San Miguel Island, human occupation at Daisy Cave (CA-SMI-261) has been dated to nearly 13,000 years ago and included basketry more than 12,000 years old, the earliest on the Pacific Coast (Arnold et al. 2004).

Although few Clovis- or Folsom-style fluted points were found in southern California (e.g., Erlandson et al. 1987; Dillon 2002), Early Man Horizon sites are generally associated with a greater emphasis on hunting than later horizons. Recent data indicate the Early Man economy was a diverse mixture of hunting and gathering, including a significant focus on aquatic resources in coastal areas (e.g., Jones et al. 2002) and on inland Pleistocene lakeshores (Moratto 1984). A warm and dry 3,000-year period called the Altithermal began around 6,000 BCE. The conditions of the Altithermal are likely

responsible for the change in human subsistence patterns at this time, including a greater emphasis on plant foods and small game.

### **Milling Stone Horizon (6,000 to 3,000 BCE)**

The Milling Stone Horizon is “marked by extensive use of milling stones and mullers, a general lack of well-made projectile points, and burials with rock cairns” (Wallace 1955: 219). The dominance of such artifact types indicates a subsistence strategy oriented around collecting plant foods and small animals. A variety of food resources, including small and large terrestrial mammals, sea mammals, birds, shellfish and other littoral and estuarine species, near-shore fishes, yucca, agave, and seeds and other plant products, was consumed (Reinman 1964). Variability in artifact assemblages over time and from the coast to inland sites indicates Milling Stone Horizon subsistence strategies adapted to environmental conditions (Byrd and Raab 2007: 220). Locally available tool stone dominates lithic artifacts, such as chipping, scraping, and cutting tools, associated with Milling Stone Horizon sites, and ground stone tools, such as manos and metates, are common. The mortar and pestle, associated with acorns or other foods processed through pounding, were first used during the Milling Stone Horizon and increased dramatically in later periods (Wallace 1955, 1978; Warren 1968).

Two types of artifacts are considered diagnostic of the Milling Stone Horizon, the cogged stone and discoidal, most of which have been found on sites dating between 4,000 and 1,000 BCE (Moratto 1984: 149), though possibly as far back as 5,500 BCE (Couch et al. 2009). The cogged stone is a ground stone artifact with gear-like teeth on the perimeter produced from a variety of materials. The function of cogged stones is unknown, but many scholars suggest ritualistic or ceremonial uses (c.f., Eberhart 1961: 367) based on the materials used and their location near burials and other established ceremonial artifacts as compared to typical habitation debris. Discoidals are similar to cogged stones but are found in the archaeological record subsequent to the introduction of the cogged stone. Cogged stones and discoidals were often buried purposefully, or “cached.” They are most common in sites along the coastal drainages from southern Ventura County southward and are particularly abundant at some Orange County sites, although a few specimens have been found inland as far east as Cajon Pass (Moratto 1984: 149).

### **Intermediate Horizon (3,000 BCE to CE 500)**

Wallace’s Intermediate Horizon dates from approximately 3,000 BCE to CE 500 and is characterized by a shift toward a hunting and maritime subsistence strategy, as well as greater use of plant foods. During the Intermediate Horizon, a noticeable trend occurred toward greater adaptation to local resources including a broad variety of fish, land mammal, and sea mammal remains along the coast. Tool kits for hunting, fishing, and processing food and materials reflect this increased diversity, with the manufacture of flake scrapers, drills, various projectile points, and shell fishhooks.

Mortars and pestles became more common during this transitional period, gradually replacing manos and metates as the dominant milling equipment. Many archaeologists believe this change in milling stones signals a change from the processing and consuming of hard seed resources to the increasing reliance on acorns (c.f., Glassow et al. 1988; True 1993). Mortuary practices during the Intermediate Horizon typically included fully flexed burials oriented toward the north or west (Warren 1968:2-3).

### **Late Prehistoric Horizon (CE 500 to Historic Contact)**

During Wallace’s (1955, 1978) Late Prehistoric Horizon, the diversity of plant food resources and land and sea mammal hunting increased even further than during the Intermediate Horizon. More types of artifacts were observed during this period and high-quality exotic lithic materials were used for

small, finely worked projectile points associated with the bow and arrow. Steatite containers were made for cooking and storage and an increased use of asphalt for waterproofing is evident. More artistic artifacts were recovered from Late Prehistoric Horizon sites and cremation became a common mortuary custom. Larger, more permanent villages supported an increased population size and social structure (Wallace 1955). This change in material culture, burial practices, and subsistence focus coincides with the westward migration of Uto-Aztec language speakers from the Great Basin region to Los Angeles, Orange, and western Riverside counties (Sutton 2008; Potter and White 2009).

## **b. Historic Setting**

Post-European contact history for the state of California is generally divided into three periods: the Spanish Period (1769–1822), the Mexican Period (1822–1848), and the American Period (1848–present). Each of these periods is briefly described below.

### **Spanish Period (1769 to 1821)**

Spanish exploration of California began when Juan Rodriguez Cabrillo led the first European expedition into the region in 1542. For more than 200 years after Cabrillo's initial expedition, Spanish, Portuguese, British, and Russian explorers sailed the California coast and made limited inland expeditions, but they did not establish permanent settlements (Bean 1968; Rolle 1987). In 1769, Gaspar de Portolá and the Franciscan Father, Junípero Serra, established the first Spanish settlement in what was known then as Alta (upper) California at Mission San Diego de Alcalá. This was the first of 21 missions erected by the Spanish between 1769 and 1823.

Mission San Buenaventura, approximately 27 miles to the west/northwest of the project site, was first founded in 1782, and was the ninth mission to be established in California (California Missions Foundation n.d.). The mission was destroyed by a fire in 1793 and was rebuilt in 1809. Shortly after its reconstruction, a series of earthquakes in 1812 damaged the mission. While much of the mission has been restored, the original walls and foundation remain (California Missions Foundation n.d.; San Buenaventura Mission n.d.).

Mission San Fernando Rey de España, approximately 23 miles to the northeast of the project site, was first founded in 1797, and was the seventeenth mission to be established in California (California Missions Foundation n.d.). Mission San Fernando Rey de España is located between coastal Mission San Buenaventura and inland Mission San Gabriel. In 1822, an associated Convento (long building), was constructed and served as guest housing quarters (California Missions Foundation n.d.; California Missions Resource Center n.d.).

Initial rancho settlement in the project vicinity began during the Spanish Period. In 1803, the Spanish government granted 48,672 acres of land encompassing the current project site to Jose Polanco and Ignacio Rodriguez (City of Thousand Oaks n.d.). The land grant was named Rancho El Conejo, in reference to the many rabbits found in the area.

### **Mexican Period (1821 to 1848)**

The Mexican Period commenced when news of the success of the Mexican War of Independence (1810 to 1821) against the Spanish crown reached California in 1822. This period saw the privatization of mission lands in California with the passage of the Secularization Act of 1833. This act federalized mission lands and enabled Mexican governors in California to distribute former mission lands to individuals in the form of land grants. Successive Mexican governors made approximately 700 land grants between 1833 and 1846 (Shumway 2007), putting most of the state's lands into private

ownership for the first time. During this era, a class of wealthy landowners known as *rancheros* worked large ranches focused on cattle hide and tallow production.

In 1822, during the Mexican Period, property ownership of Rancho El Conejo changed from Jose Polanco to Jose de la Guerra y Noringa. The land stayed in the Rodriguez and de la Guerra y Noringa families until the 1860's, when subdivision of the land commenced due to severe drought and declining cattle numbers (Conejo Valley Historical Society 1966). The area that is now the present-day city of Thousand Oaks was used as a stagecoach stop in the 1870's for those traveling between Los Angeles and San Francisco and was later purchased by Edwin and Harold Janss in 1910.

The beginnings of a profitable trade in cattle hide and tallow exports opened the way for larger, commercially driven farms. Land grants owned by the Spanish crown and clergy were distributed to mostly Mexican settlers born in California, or the "Californios." While this shift marked the beginning of the rancho system that would "dominate California life for nearly half a century" (Poole 2002:13), the rural character of emerging cities in and around Los Angeles remained intact. Ranchos were largely self-sufficient enterprises (partly out of necessity, given California's geographic isolation), producing goods to maintain their households and operations.

In 1846, the Mexican-American War followed the annexation of Texas by the United States and a dispute over the boundary of the state between the United States and Mexico. Governor Pío de Jesus Pico, the last governor of Alta California, began selling off 12 million acres of public land to support the war financially (Los Angeles Almanac 2018). Mexican forces fought and lost to combined U.S. Army and Navy forces in the Battle of the San Gabriel River on January 8 and in the Battle of La Mesa on January 9 (Nevin 1978). On January 10, leaders of the pueblo of Los Angeles surrendered peacefully after Mexican General Jose Maria Flores withdrew his forces. Shortly thereafter, newly appointed Mexican Military Commander of California Andrés Pico surrendered all of Alta California to U.S. Army Lieutenant Colonel John C. Fremont in the Treaty of Cahuenga.

### **American Period (1848 to Present)**

The American Period officially began with the signing of the Treaty of Guadalupe Hidalgo in 1848, in which the United States agreed to pay Mexico \$15 million for ceded territory, including California, Nevada, Utah, and parts of Colorado, Arizona, New Mexico, and Wyoming, and an additional \$3.25 million to settle American citizens' claims against Mexico. Settlement of southern California increased dramatically in the early American Period. Americans bought or otherwise acquired many ranchos in southern California, and most were subdivided later into agricultural parcels or towns.

The discovery of gold in northern California in 1848 led to the California Gold Rush, despite the first California gold being previously discovered in southern California at Placerita Canyon in 1842 (Guinn 1976; Workman 1935:26). Southern California remained dominated by cattle ranches in the early American Period, though droughts and increasing population resulted in farming and more urban professions supplanting ranching through the late nineteenth century. In 1850, California was admitted into the United States and by 1853, the population of California exceeded 300,000. Thousands of settlers and immigrants continued to move into the state, particularly after completion of the transcontinental railroad in 1869.

### **c. Ethnographic Background**

The project site is situated on the boundaries of three Native American tribal territories identified by anthropologists in the early twentieth century (e.g., Kroeber 1908). The historically-identified territories are occupied by the Ventureño Chumash, Gabrieleño-Tongva and Fernandeseño-Tataviam.

While these boundaries are defined based on interviews with informants and research in records such as those of the Hispanic Catholic Missions in the region, it is likely such boundaries were not static; they were likely fluid and may have changed through time. Below are synopses of ethnographic data for each of these three Native American groups.

### **Ventureño Chumash**

The project site lies within an area historically occupied by the Ventureño Chumash, so called after their historic period association with Mission San Buenaventura (Grant 1978a). The Chumash spoke six closely related languages, which have been divided into three branches—Northern Chumash (consisting only of Obispeño), Central Chumash (consisting of Purisimeño, Ineseño, Barbareño, and Ventureño), and Island Chumash (Jones and Klar 2007:80). The Chumashan language currently is considered an isolate stock with a long history in the Santa Barbara region (Mithun 2001:304). Groups neighboring Chumash territory included the Salinan to the north, the Southern Valley Yokuts and Tataviam to the east, and the Gabrieleño (Tongva) to the south.

Early Spanish accounts describe the Santa Barbara Channel as heavily populated at the time of contact. Estimates of the total Chumash population range from 8,000 to 10,000 (Kroeber 1925:551) to 18,000 to 22,000 (Cook and Heizer 1965: 21). Coastal Chumash lived in hemispherical dwellings made of tule reed mats, or animal skins in rainy weather. These dwellings could usually accommodate as many as 60 people. The village of *šukuw*, (or *shuku*), at Rincon Point, was encountered by Gaspar de Portolá in 1769. This village had 60 dwellings and seven canoes, with an estimated population of 300 (Grant 1978b).

The *tomol*, or wooden plank canoe, was an especially important tool for the procurement of marine resources and for maintaining trade networks between Coastal and Island Chumash. Sea mammals were hunted with harpoons, while deep-sea fish were caught using nets, hooks, and lines. Shellfish were gathered from beach sands using digging sticks, and mussels and abalone were pried from rocks using wood or bone wedges.

The acorn was an especially important resource. Acorn procurement and processing involved the manufacture of baskets for gathering, winnowing, and cooking and the production of mortars and milling stones for grinding. Bows and arrows, spears, traps and other methods were used for hunting. The Chumash also manufactured various utilitarian and non-utilitarian items. Eating utensils, ornaments, fishhooks, harpoons, and other items were made using bone and shell. *Olivella* shell beads were especially important for trade.

The Chumash were impacted heavily by the arrival of Europeans. The Spanish missions and later Mexican and American settlers dramatically altered traditional Chumash lifeways. Chumash population was affected drastically by the introduction of European diseases. However, many Chumash descendants still inhabit the region.

### **Gabrieleño-Tongva**

The name “Gabrieleño” denotes those people who were administered by the Spanish from the San Gabriel Mission and included people from the Gabrieleño area proper as well as other social groups (Kroeber 1925: Plate 57; Bean and Smith 1978: 538). Archaeological evidence points to the Gabrieleño arriving in the Los Angeles Basin sometime around 500 BCE, but this has been a subject of debate. Many contemporary Gabrieleño identify themselves as descendants of the Indigenous people living across the plains of the Los Angeles Basin and use the native term Tongva (King 1994). This term is used in the remainder of this section to refer to the pre-contact inhabitants of the Los Angeles basin

and their descendants. Surrounding native groups included the Chumash and Tataviam to the northwest, the Serrano and Cahuilla to the northeast, and the Juaneño and Luiseño to the southeast.

Tongva lands encompassed the greater Los Angeles Basin and three Channel Islands: San Clemente, San Nicolas, and Santa Catalina. The Tongva established large, permanent villages in the fertile lowlands along rivers and streams, and in sheltered areas along the coast, stretching from the foothills of the San Gabriel Mountains to the Pacific Ocean. A total tribal population has been estimated of at least 5,000 (Bean and Smith 1978: 540), but recent ethnohistoric work suggests a number approaching 10,000 (O'Neil 2002). Houses constructed by the Tongva were large, circular, domed structures made of willow poles thatched with tule that could hold up to 50 people (Bean and Smith 1978). Other structures served as sweathouses, menstrual huts, ceremonial enclosures, and probably communal granaries. Cleared fields for races and games, such as lacrosse and pole throwing, were created adjacent to Tongva villages (McCawley 1996: 27).

The Tongva subsistence economy was centered on gathering and hunting. The surrounding environment was rich and varied, and the tribe exploited mountains, foothills, valleys, deserts, riparian, estuarine, and open and rocky coastal eco-niches. Like most native Californians, acorns were the staple food (an established industry by the time of the early Intermediate Horizon). Acorns were supplemented by the roots, leaves, seeds, and fruits of a wide variety of flora (e.g., islay, cactus, yucca, sages, and agave). Fresh water and saltwater fish, shellfish, birds, reptiles, insects, and large and small mammals, were also consumed (Kroeber 1925: 631–632; Bean and Smith 1978: 546; McCawley 1996: 119–123, 128–131).

The Tongva used a wide variety of tools and implements to gather food resources. These included the bow and arrow, traps, nets, blinds, throwing sticks and slings, spears, harpoons, and hooks. Groups residing near the ocean used oceangoing plank canoes and tule balsa canoes for fishing, travel, and trade between the mainland and the Channel Islands (McCawley 1996: 7). Tongva people processed food with a variety of tools, including hammerstones and anvils, mortars and pestles, manos and metates, strainers, leaching baskets and bowls, knives, bone saws, and wooden drying racks. Food was consumed from a variety of vessels. Catalina Island steatite was used to make ollas and cooking vessels (Kroeber 1925: 629; McCawley 1996: 129–138).

At the time of Spanish contact, the basis of Tongva religious life was the Chinigchinich cult, centered on the last of a series of heroic mythological figures. Chinigchinich gave instruction on laws and institutions, and taught the people how to dance, the primary religious act for this society. He later withdrew into heaven, where he rewarded the faithful and punished those who disobeyed his laws (Kroeber 1925: 637–638). The Chinigchinich religion seems to have been relatively new when the Spanish arrived. It was spreading south into the Southern Takic groups even as Christian missions were being built and may represent a mixture of native and Christian belief and practices (McCawley 1996: 143–144).

Deceased Tongva were either buried or cremated, with inhumation more common on the Channel Islands and the neighboring mainland coast and cremation predominating on the remainder of the coast and in the interior (Harrington 1942; McCawley 1996: 157). At the behest of the Spanish missionaries, cremation essentially ceased during the post-Contact period (McCawley 1996: 157).

## **Tataviam**

The Tataviam were not well documented by early ethnographers. However, researchers today generally agree the Tataviam spoke an Uto-Aztecan language, most likely a Takic language (Hudson 1982). Tataviam territory included the upper Santa Clara River from Piru Creek eastward, extending

over the Sawmill Mountains to the southwest edge of the Antelope Valley (King and Blackburn 1978). Their territory was bounded on the west and north by various Chumash groups; on the south by the Tongva (Gabrieleño and Fernandeno, though some Tataviam were also identified as Fernandeno because of their association with Mission San Fernando); and to the east by the Kitanemuk and Serrano.

Exogamous marriage was common, with Tataviam intermarrying with Tongva, Chumash, and Kitanemuk neighbors (King and Blackburn 1978). King and Blackburn (1978) hypothesize the Tataviam relied on yucca as a food source more than their neighbors because of the predominance of large south-facing slopes within their territory. Additional food resources included acorns, sage seeds, berries, small mammals, and deer. Settlement size ranged from 10 to 200 persons, with small settlements often ancillary to large villages. Archaeological evidence from Bower's Cave, located between Newhall and Piru, combined with ethnographic evidence suggest their ritual organization was similar to both the Chumash and Gabrieleño, whose lifestyles were distinct from one another. By 1810 the Tataviam were virtually completely "missionized" through baptism at Mission San Fernando.

#### 4.4.2 Regulatory Setting

This section includes a discussion of the applicable state and local laws, ordinances, regulations, and standards governing cultural resources, which must be adhered to before and during implementation of the proposed project.

##### **a. Federal Regulations**

No applicable Federal Regulations apply to this project

##### **b. State Regulations**

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

California Public Resources Code (PRC) Section 21804.1 requires lead agencies determine if a project could have a significant impact on historical or unique archaeological resources. As defined in the PRC Section 21084.1, a historical resource is a resource listed in, or determined eligible for listing in, the California Register of Historic Places (CRHR), a resource included in a local register of historical resources or identified in a historical resources survey pursuant to PRC Section 5024.1(g); or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant. PRC Section 21084.1 also states resources meeting the above criteria are presumed to be historically or cultural significant unless the preponderance of evidence demonstrates otherwise. Resources listed in the National Register of Historic Places (NRHP) are automatically listed in the CRHR and are, therefore, historical resources under CEQA. Historical resources may include eligible built environment resources and archaeological resources of the precontact or historic periods.

CEQA Guidelines Section 15064.5(c) provides further guidance on the consideration of archaeological resources. If an archaeological resource does not qualify as a historical resource, it may meet the definition of a "unique archaeological resource" as identified in PRC Section 21083.2. PRC Section 21083.2(g) defines a unique archaeological resource as an artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria: 1) it contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information, 2) has a special and particular quality such as being the oldest of its type or the best



available example of its type, or 3) is directly associated with a scientifically recognized important prehistoric or historic event or person.

If an archaeological resource does not qualify as a historical or unique archaeological resource, the impacts of a project on those resources will be less than significant and need not be considered further (CEQA Guidelines Section 15064.5[c][4]). CEQA Guidelines Section 15064.5 also provides guidance for addressing the potential presence of human remains, including those discovered during the implementation of a project.

According to CEQA, an impact that results in a substantial adverse change in the significance of a historical resource is considered a significant impact on the environment. A substantial adverse change could result from physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired (CEQA Guidelines Section 15064.5 [b][1]). Material impairment is defined as demolition or alteration in an adverse manner [of] those characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the CRHR or a local register (CEQA Guidelines Section 15064.5[b][2][A]).

If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (PRC Section 21083.2[a][b]).

Section 15126.4 of the CEQA Guidelines stipulates an EIR shall describe feasible measures to minimize significant adverse impacts. In addition to being fully enforceable, mitigation measures must be completed within a defined time period and roughly proportional to the impacts of the project. Generally, a project which is found to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (the Standards) is considered to be mitigated below a level of significance (CEQA Guidelines Section 15126.4 [b][1]). For historical resources of an archaeological nature, lead agencies should also seek to avoid damaging effects where feasible. Preservation in place is the preferred manner to mitigate impacts to archaeological sites; however, data recovery through excavation may be the only option in certain instances (CEQA Guidelines Section 15126.4[b][3]).

## **California Register of Historical Resources**

The CRHR was created by Assembly Bill 2881, which was established in 1992. The California Register is an authoritative listing and guide to be used by State and local agencies, private groups, and citizens in identifying the existing historical resources of the State and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change (PRC Section 5024.1(a)). The criteria for eligibility for the CRHR are consistent with the NRHP criteria but have been modified for state use in order to include a range of historical resources that better reflect the history of California (PRC Section 5024.1(b)). Certain properties are determined by the statute to be automatically included in the CRHR by operation of law, including California properties formally determined eligible for, or listed in, the NRHP.

The CRHR consists of properties that are listed automatically and those that must be nominated through an application and public hearing process. The CRHR automatically includes the following:

**Criterion 1:** Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage

- Criterion 2:** Is associated with the lives of persons important to our past
- Criterion 3:** Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values
- Criterion 4:** Has yielded, or may be likely to yield, information important in prehistory or history

In addition, if it can be demonstrated that a project will cause damage to a *unique archaeological resource*, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (PRC Section 21083.2[a], [b]).

PRC Section 21083.2(g) defines a *unique archaeological resource* as an artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- Criterion 1:** Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information
- Criterion 2:** Has a special and particular quality such as being the oldest of its type or the best available example of its type
- Criterion 3:** Is directly associated with a scientifically recognized important prehistoric or historic event or person

## **California Public Resources Code**

PRC Section 5097.5 states:

No person shall knowingly and willfully excavate upon, or remove, destroy, injure or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor.

Here “public lands” means those owned by, or under the jurisdiction of, the state or any city, county, district, authority, or public corporation, or any agency thereof. Consequently, public agencies are required to comply with PRC Section 5097.5 for their own activities, including construction and maintenance, and for permit actions (e.g., encroachment permits) undertaken by others.

## **Codes Governing Human Remains**

The disposition of human remains is governed by Health and Safety Code Section 7050.5 and PRC Sections 5097.94 and 5097.98 and falls within the jurisdiction of the NAHC. If human remains are discovered, the County Coroner must be notified within 48 hours and there should be no further disturbance to the site where the remains were found. If the remains are determined by the coroner to be Native American, the coroner is responsible for contacting the NAHC within 24 hours. The NAHC, pursuant to PRC Section 5097.98, will immediately notify those persons it believes to be most likely descended from the deceased Native Americans so they can inspect the burial site and make recommendations for treatment of the remains and associated grave goods.

## **c. Local Regulations**

### **City of Thousand Oaks**

The City of Thousand Oaks General Plan Conservation Element Update (Chapter Eight, Section M) outlines City-specific policies and implementation measures and how they pertain to cultural resources (City of Thousand Oaks 2013). The relevant policies are outlined below.

#### *Chapter 8 Section M. Cultural Resources*

##### Policies

- CO-33 All information or maps on file with the City pertaining to the location of previously recorded archaeological sites within the Thousand Oaks Planning Area shall remain confidential unless specifically authorized to be released to the public by local Native American organizations.
- CO-34 Management of cultural resources such as archaeological sites, historic structures or places shall emphasize resource protection and preservation.
- CO-35 The preferred method for protecting any previously recorded archeological site shall be by deed restriction as permanent "open space", in order to prevent any future development or use that might otherwise adversely impact these resources.
- CO-36 Decisions pertaining to the disposition of archaeological, historical and cultural resources shall be made in concert with recognized public agencies, groups or individuals having jurisdiction, expertise or interest in these matters, including but not limited to the State Office of Historic Preservation, Thousand Oaks Cultural Heritage Board and local Native American organizations, including other designated representatives and affected property owners.

##### *Implementation Measures*

- Continue to conduct archaeological field surveys as deemed to be necessary, while utilizing comprehensive resource management procedures to test, salvage, stabilize and store locally excavated artifacts.
- Support the efforts of local citizens, appointed committees or other designated public agencies and private institutions that are working to conserve archaeological and historic resources. Full public discussion is encouraged prior to any action being taken.

### **County Landmarks and Points of Historical Interest List**

In addition to the CRHR, a resource listed in or eligible for listing in a local register also qualifies as a significant historical resource. CEQA Statute Section 21074(a)(1)(B) and CEQA Guidelines Section 15064.5(a)(2) indicate that resources included in a local register of historical resources are presumed to be significant historical resources.

Ventura County's local register is the Ventura County Historical Landmarks and Points of Interest List maintained by the Ventura County Cultural Heritage Board. Historical Landmarks listed in this register are presumed to be a significant historical resource pursuant to CEQA. A landmark can be a structure, natural feature, site or area having historical, archaeological, cultural, or aesthetic significance. The review process for a property to become a Ventura County Landmark is based solely on the National

Register of Historic Places guidelines, which are used to determine eligibility of an improvement, natural feature, or site.

A structure, natural feature or site or area is eligible for designation as a County Landmark if any of the following criteria are met:

1. It exemplifies or reflects special elements of the County's social, aesthetic, engineering, architectural or natural history;
2. It is associated with events that have made a significant contribution to the broad patterns of Ventura County or its cities, regional history, or cultural heritage of California or the United States;
3. It is associated with lives of persons important to Ventura County or its cities, California, or national history;
4. It has yielded or has the potential to yield information important to the prehistory or history of Ventura County or its cities, California, or the nation.
5. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possess high artistic value.
6. Integrity. Establish the authenticity of the resource's physical identify by evidence of lack of deterioration and significant survival of the characteristics that existed during its period of importance. This shall be evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling and associated.

### 4.4.3 Impact Analysis

#### **a. Methodology**

Envicom completed a *Phase I Cultural Resource Assessment* in December 2021 in support of the proposed project that was subsequently revised in January 2022 (Appendix D). The study included a cultural resources records search conducted by the South Central Coastal Information Center (SCCIC), a Sacred Lands File (SLF) search conducted by the Native American Heritage Commission (NAHC), historical topographic map and aerial imagery review, and a pedestrian field survey. The analysis of cultural resources impacts in this section is based on research presented in the *Phase I Cultural Resource Assessment*.

#### **Cultural Resources Records Search**

On September 16, 2021, Envicom requested an in-house search of the California Historical Resources Information System (CHRIS) from the SCCIC located at California State University, Fullerton. The search, completed by the SCCIC on November 24, 2021, was conducted to identify previously conducted cultural resource studies and previously recorded cultural resources within a 0.25-mile radius of the project site.

The SCCIC records search identified 11 previously conducted cultural resource studies within the 0.25-mile search radius. None of the 11 previously conducted cultural resource studies were located within the project site. No previously recorded prehistoric or historic-period cultural resources were identified within the project site; however, one prehistoric cultural resource (CA-VEN-1091/P-56-001091) was identified within the 0.25-mile search radius. CA-VEN-1091/P-56-001091 is located approximately 0.20-mile from the project site (personal communication, Envicom Archaeologist Wayne Bischoff, Ph.D., January 24, 2022). CA-VEN-1091/P-56-001091 was recorded by W & S Consulting in 1992 as a lithic scatter that had likely been destroyed by residential development.

**T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project**

Envicom did not receive a resource record from the SCCIC, but a detailed description of CA-VEN-1091/P-56-001091 was provided in *The Lakes at Thousand Oaks Residential Project Initial Study-Mitigated Negative Declaration* prepared by Dudek in 2021 (Gray 2021). A description of the resource is as follows:

CA-VEN-1091 (P-56-001091): CA-VEN-1091 is a prehistoric site measuring 100 meters (330 feet) north to south by 85 meters (280 feet) east to west at an elevation of 1,010 feet amsl ...VEN-1091 is documented as consisting of a fine-grained volcanic scraper plane, chopper, and primary flakes. It was formally recorded in 1992 by Whitley and Simon, who described the site as a low-density lithic scatter. They note that the site is on a steep slope and appears to be eroding downhill. (Gray 2021:69)

*Native American Heritage Commission Sacred Lands File Search*

As part of the *Phase I Cultural Resource Assessment* completed in support of the proposed project, Envicom contacted the NAHC on September 16, 2021, to request a search of the SLF and a contact list of Native Americans culturally affiliated with the project area. A response was received from the NAHC on October 19, 2021, stating the SLF search had been completed with “negative” results. Envicom did not send Native American outreach letters to the contacts provided by the NAHC; however, the City is consulting with California Native American tribes under both Assembly Bill 52 and Senate Bill 18.

*Historical Topographic Map and Aerial Imagery Review*

Envicom reviewed historical regional maps, United States Geological Survey (USGS) maps, Google Earth imagery, and the University of California, Santa Barbara Library Historic Aerial Photograph Database in support of the proposed project. Review of these resources indicated that in the mid- to late-1930s residential development was planned within the project site. By 1943, the project site remained undeveloped with one adjacent residence erected within the project block. The adjacent residence was built sometime between 1936 and 1943 and subsequently demolished by 1967 with a new structure visible at the “northeast end of the project block” (Envicom 2022:5). The larger commercial building located within the project site is first shown on the 1976 Thousand Oaks USGS map. Envicom’s review of historical topographic maps did not identify any historic-period built environment resources within the project site.

*Pedestrian Field Survey*

Envicom conducted an archaeological pedestrian field survey of the project site on September 7, 2021. The project site is currently a developed parcel consisting of two single-story buildings surrounded by a parking lot with minimal landscaping around the perimeter. The two buildings consist of a large K-Mart commercial building constructed in 1969 and a smaller commercial building (Freddy’s restaurant) constructed in 1983. The report characterized the ground visibility as “not an issue as most of the landscape surface was paved and free of vegetation or was bare earth” (Envicom 2022:7). Horizontal grading, slope development, and utility lines altered much of the original topography and the entirety of the project site appeared to be artificial. No surficial cultural resources were identified within the project site during the pedestrian survey.

*Built Environment*

As summarized in the *Phase I Cultural Resource Assessment*, Partner Engineering Science, Inc. (PES) prepared Environmental Site Assessment (ESA) reports for the project in 2018 and 2019. The reports

noted that one of the commercial buildings located on the project site was once a K-Mart building constructed in 1969 (Lambson 2018, 2019). The building is from the historic-period as it exceeds 50-years in age. In order to be eligible for listing in the CRHR and considered a historical resource under CEQA the building must meet one of four criteria:

- Criterion 1:** Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage
- Criterion 2:** Is associated with the lives of persons important to our past
- Criterion 3:** Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values
- Criterion 4:** Has yielded, or may be likely to yield, information important in prehistory or history

### **b. Significance Thresholds**

As set forth in Appendix G of the CEQA Guidelines, a project could have a potentially significant impact to cultural resources if it would:

- Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5 (Threshold 1)
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 (Threshold 2)
- Disturb any human remains, including those interred outside of dedicated cemeteries (Threshold 3)

### **c. Project Impacts and Mitigation Measures**

**Threshold 1:** Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

**Impact CUL-1 NO HISTORICAL RESOURCES PURSUANT TO CEQA WERE IDENTIFIED WITHIN THE PROJECT SITE. ALTHOUGH THE PROJECT WOULD INVOLVE DEMOLITION OF THE EXISTING STRUCTURES ON THE SITE, THESE STRUCTURES ARE NOT CONSIDERED ELIGIBLE FOR LISTING AS A HISTORIC RESOURCES. THEREFORE, THE PROJECT WOULD HAVE NO IMPACT TO HISTORIC RESOURCES.**

The commercial building is described as utilitarian, a common architectural style used throughout the 1960s and 1970s. The main purpose of utilitarian buildings is functionalism; they are often square or rectangular in shape and considered practical rather than stylistic. This type of style/structure is rarely considered the work of a master, possessing high artistic values, or embodying the distinctive characteristics of a type, period, region or method of construction. The report states, “*Most utilitarian buildings are most notable for their commonality and uniformity of form, function, size, shape and construction methodology. Utilitarian buildings also emphasize efficiency, inexpensive construction practices and materials, and the ability for the structure to be quickly modified for a wide range of commercial renters and tenants*” (Envicom 2022:11). The ESA reports (Lambson 2018; Lambson 2019) noted that the commercial building plans request from the Building Department were not received prior to publication of the environmental documents, nor did the building design come up in the project entitlement documents. As such, the name of the architect or firm associated with the building is currently unknown and suggests the building was not designed by a master architect. Envicom evaluated the building for listing in the CRHR and the evaluation is as follows:

**T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project**

Revisiting the large 1969 commercial building within the context of the CRHR, the structure is not known to have played an important contribution to California history nor United States history (Criterion 1), nor is the structure known to be associated with a person important to our past (Criterion 2), nor is the structure an example of a ‘type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values’ (Criterion 3). Additionally, the structure does not contain unique information that is important to history as large numbers of such utilitarian commercial buildings from the 1960s and 1970s can still be found in California and across the United States (Criterion 4). Finally, Envicom does not recommend completing a State of California Department of Parks and Recreation (DPR) site form for the 1969 historical built environment cultural resource for the same reasons outlined above. (Envicom 2022:11)

As discussed above, the K-Mart building was constructed in 1969 (Lambson 2018, 2019). The building exceeds 50 years in age and therefore qualifies as a historic-period resource. The building was evaluated by Envicom (2022) and recommended the building ineligible for listing in the CRHR under Criterion 1, 2, 3, and 4 based on the building not being associated with an important contribution to history, not being associated with an important person, not representing the work of an important individual or possessing artistic value, and not containing important information to history. Therefore, the building is not considered a historical resource under CEQA and the proposed project would have no impacts to historical resources.

**Mitigation Measures**

No impacts to historic resources would occur and mitigation would not be required.

**Significance After Mitigation**

Impacts would be less than significant without mitigation.

<p><b>Threshold 2:</b> Would the project cause a substantial adverse change in the significant of an archaeological resource pursuant to Section 15064.5?</p>
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**Impact CUL-2** ALTHOUGH THE PROJECT SITE DOES NOT CONTAIN PREVIOUSLY RECORDED ARCHAEOLOGICAL RESOURCES, GROUND DISTURBANCE ASSOCIATED WITH PROJECT CONSTRUCTION COULD DISTURB PREVIOUSLY UNIDENTIFIED ARCHAEOLOGICAL RESOURCES. MITIGATION MEASURE CUL-1 WOULD ESTABLISH AN ARCHAEOLOGICAL RESOURCES DISCOVERY PROTOCOL FOR CONSTRUCTION ACTIVITIES, THAT WOULD INCLUDE THE PROPER TREATMENT OF ANY ARCHAEOLOGICAL RESOURCES ENCOUNTERED DURING CONSTRUCTION ACTIVITIES. WITH IMPLEMENTATION OF MITIGATION MEASURE CUL-1, IMPACTS TO ARCHAEOLOGICAL RESOURCES WOULD BE LESS THAN SIGNIFICANT.

It is known that archaeological resources are present throughout Ventura County. As discussed in Section 4.3.3, *Cultural Resources Records Search*, the CHRIS search results indicate no prehistoric or historic-period archaeological resources have been recorded within the project site. The closest archaeological resource identified by the records search is a prehistoric lithic scatter located approximately 0.20-mile from the project site.

The project site is developed with existing structures, hardscape, walls, and landscape, and much of the original topography of the site has been replaced by grading, utility installment, paving, and buildings. The potential to encounter unidentified archaeological resources within the project site is considered low given the previous development of the site. Nonetheless, it is possible that

undisturbed soils beneath the project site may contain previously unidentified archaeological resources in buried contexts. Ground disturbance during project construction could result in impacts to such archaeological resources. Therefore, implementation of Mitigation Measure CUL-1 would be required to reduce potential impacts to previously undiscovered archaeological resources to a less than significant level.

### **Mitigation Measures**

The following mitigation measure would address potential impacts to previously unidentified archaeological resources. If archaeological deposits are discovered during project-related ground disturbing activities, Mitigation Measure CUL-1 requires the following:

#### *CUL-1 Archaeological Resource Discovery Protocol*

If archaeological deposits are encountered during project-related ground disturbing activities, then a cultural resource “discovery” protocol will be followed. If historic or prehistoric features or artifact concentrations are encountered during project grading within native soils or original context, then all work in that area will be halted or diverted 30 feet away from the discovery until a qualified archaeologist is contacted and evaluates the nature and/or significance of the find(s). If the discovery is prehistoric in origin, a Native American representative will be contacted to participate in the evaluation. If an archaeologist confirms that the discovery is potentially significant, then the Lead/Permitting Agency will be contacted and informed of the discovery.

Construction will not resume in the locality of the discovery until consultation between the qualified archaeologist, the Applicant’s project manager, the Lead/Permitting Agency, and any other concern parties (such as additional regulatory agencies or Native American Tribal Groups), takes place and reaches a conclusion approved by the Lead/Permitting Agency. If a significant cultural resource is discovered during earth-moving, complete avoidance of the find is preferred. However, if the discovery cannot be avoided, data recovery of the significant resource may be required by the City. The City may also require site monitoring, based on the discovery. All individual reports will be submitted to the SCCIC at the conclusion of the project.

### **Significance After Mitigation**

MM CUL-1 would ensure that substantial adverse impacts to archaeological resources would be less than significant. Implementation of MM CUL-1 would either avoid the impacts, minimize the impacts, or recover the resources, and archaeological impacts would be less than significant. As no historical resources were identified within the project site, project impacts would be less than significant.

<b>Threshold 3:</b> Would the project disturb any human remains, including those interred outside of formal cemeteries?
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**Impact CUL-3 IMPLEMENTATION OF THE PROPOSED PROJECT COULD DISTURB UNKNOWN HUMAN REMAINS DURING CONSTRUCTION ACTIVITY. MITIGATION MEASURE CUL-2 WOULD REDUCE IMPACTS TO HUMAN REMAINS TO A LESS THAN SIGNIFICANT LEVEL.**

Humans have occupied Ventura County for over 10,000 years and it is not always possible to predict where human remains may occur outside of formal burials. Therefore, excavation and construction activities, regardless of depth, may yield human remains that may not be interred in marked, formal burials. Under CEQA, human remains are protected under the definition of archaeological materials as being “any evidence of human activity.” Additionally, PRC Section 5097 has specific stop-work and



notification procedures to follow in the event that human remains are inadvertently discovered during project implementation. Ground-disturbing construction activity associated with the project may result in the discovery of human remains. Implementation of Mitigation Measure CUL-2 would be required to ensure that human remains, if discovered, would be properly treated and impacts would be reduced to a less than significant level.

### **Mitigation Measures**

Implementation of Mitigation Measure CUL-2 would reduce the potential impact to previously unidentified human remains as follows:

#### *CUL-2 Inadvertent Discovery of Human Remains*

The inadvertent discovery of human remains is always a possibility during ground disturbances; State of California Health and Safety Code Section 7050.5 addresses this possibility. This code section states that in the event human remains are uncovered, no further disturbance shall occur until the County Coroner has made a determination as to the origin and disposition of the remains pursuant to PRC Section 5097.98. The County Coroner must be notified of the find immediately, along with the Lead/Permitting Agency and the Applicant.

If the human remains are determined to be prehistoric, the County Coroner will notify the NAHC, which will determine and notify a Most Likely Descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of being granted access. The Lead/Permitting Agency and a qualified archaeologist shall also establish additional appropriate mitigation measures for further site construction, in consultation with the MLD.

### **Significance After Mitigation**

Mitigation Measure CUL-2 would reduce potential impacts to human remains to less than significant, given the measure would either avoid the impacts, minimize the impacts, or recover the resources.

#### **4.4.4 Cumulative Impacts**

As described in Chapter 3, *Environmental Setting*, there are 55 planned and pending projects in the vicinity of the project site including a mix of commercial, office, retail, and residential developments. Buildout of these cumulative projects would result in an additional 890,500 square feet (sf) of commercial development, 106,400 sf of industrial development, a 68-room plus a 10,680-sf ballroom hotel expansion, 484 new multi-family residential units, and 92 new single family residences. Although impacts to historical resources are generally site-specific, cumulative impacts to historical resources may occur when the project combined with nearby related projects substantially diminish the number of historical resources within the same or similar context or property type. Related projects in the vicinity of the project site may involve alterations or demolitions of historical buildings or resources. However, it was determined that buildings on the project site are not considered historical resources and no historical resources exist within a 0.25-mile radius of the project site. Therefore, the project would not have the potential to directly or indirectly affect historical resources on the site or outside of the study area and would not have the potential to contribute to a cumulative impact to historical resources.

Cumulative development in the area of Thousand Oaks could potentially disturb known and currently unknown archaeological resources and human remains that could be present throughout the city. The nature and magnitude of such impacts is generally site specific and depends on the nature of the

individual project site and project ground disturbing activities. As such, these impacts are generally assessed on a project-by-project basis. While there is the potential for significant cumulative impacts to archaeological resources and human remains, it is anticipated that potential impacts associated with the project and related projects would be subject to City policies and local and State regulations regarding the protection of such resources. With compliance with existing policies, regulations, and mitigation measures, cumulative development would be required to avoid or mitigate the loss of these resources. Project impacts to archaeological resources and human remains would be reduced to a level of less than significant with Mitigation Measures CUL-1 and CUL-2 described above. Therefore, the project's contribution to cumulative impacts to archaeological resources and human remains would not be cumulatively considerable. Therefore, significant cumulative impacts to cultural resources would not occur as a result of the project.

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## 4.5 Energy

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This section evaluates potential impacts to energy from development facilitated by the proposed project. This analysis follows the guidance for evaluation of energy impacts contained in Appendix F and Appendix G of the *CEQA Guidelines*. The air pollutant emission impacts associated with the generation of electricity and burning of fuels have been accounted for in Section 4.2, *Air Quality*, and Section 4.7, *Greenhouse Gas Emissions*. The energy analyzes was prepared by Envicom Corporation (March 2022) and summarized herein (Appendix B).

### 4.5.1 Setting

The proposed project would consume energy during the construction and operation of the residential, commercial, and retail uses. The proposed project would burn fossil fuel to create electricity that would power the residential units and commercial/retail buildings to heat and cool the buildings. In addition, the proposed project would consume transportation energy by on-road construction equipment during construction, including haul and vendors trucks and operational vehicle mobile emissions to and from the project site. Southern California Edison (SCE) Southern California Gas Company (SoCalGas) would provide electricity and natural gas to the proposed project site.

#### **a. Energy Supply**

##### **Petroleum**

Petroleum fuels are generally purchased by individual users such as residents and employees. While no petroleum refineries are located within 20 miles of the proposed project site (Energy Information Administration [EIA] 2022), two gas stations are located outside the boundary of the proposed project. According to the California Department of Conservation (DOC), Division of Oil, Gas, and Geothermal Resources (DOGGR), no orphaned or operating oil wells exist within five miles of the site (DOGGR 2022).

##### **Alternative Fuels**

A variety of alternative fuels are typically used to reduce petroleum-based fuel demand. The use of these fuels is encouraged through various statewide regulations and plans, such as the Low Carbon Fuel Standard and Senate Bill (SB) 32. Conventional gasoline and diesel may be replaced, depending on the capability of the vehicle with transportation fuels including hydrogen, biodiesel, and electric vehicles. Currently, 47 hydrogen refueling stations are located in California and one is located in Ventura County (United States Department of Energy [USDOE] 2022). Though there are none on the proposed project site, in general, there are currently 17 biodiesel refueling stations in California, one in the Ventura County area (USDOE 2022).

Electricity can be used to power electric and plug-in hybrid electric vehicles directly from the power grid. Electricity used to power vehicles is generally provided by the electricity grid and stored in the vehicle's batteries. Fuel cells are being explored to use electricity generated onboard the vehicle to power electric motors. There are 43 electric vehicle charging stations located within or near the city of Thousand Oaks (USDOE 2020).

## **Natural Gas**

California relies on out-of-state natural gas imports for nearly 90 percent of its natural gas supply. The California Energy Commission (CEC) estimates that approximately 45 percent of the natural gas burned across the state is used for electricity generation, and much of the remainder is consumed in the residential (21 percent), industrial (25 percent), and commercial (nine percent) sectors. Building and appliance energy efficiency standards account for up to 39 percent in natural gas demand savings since 1975 (CEC 2019a).

The proposed project is located within the SoCalGas natural gas service area, which spans Central and Southern California (SoCalGas 2022). In 2020, SoCalGas customers consumed a total of 5.2 billion therms of natural gas. Residential users accounted for approximately 46 percent of SoCalGas natural gas consumption. Industrial and commercial users accounted for another 31 percent and 17 percent, respectively. The remainder is used for mining, construction, agricultural, and water pump accounts (CEC 2021a). In 2020, Ventura County users accounted for approximately less than one percent of SoCalGas' total natural gas consumption across the entire service area (CEC 2021a). SoCalGas serves 21.8 million consumers through 5.9 million gas meters in more than 500 communities.

The 2020 California Gas Report presents a comprehensive outlook for natural gas requirements and supplies for California through the year 2035. The report is prepared in even-numbered years, followed by a supplemental report in odd-numbered years, in compliance with CPUC Decision D.95-01-039. The projections contained in the California Gas Report are for long-term planning and do not necessarily reflect the day-to-day operational plans of the utilities (California Gas and Electric Utilities [CGEU] 2020).

California natural gas demand, including volumes not served by utility systems, is expected to decrease at a rate of one percent per year from 2020 to 2035. The decline comes from reduced gas demand in the major market segment areas of residential, electric generation (EG), commercial, and industrial. Statewide residential gas demand is projected to decrease at an average rate of 1.7 percent each year. EG gas demand is projected to decrease at an average annual rate of 1.5 percent each year. The Commercial segment gas demand, which includes both core and noncore commercial demand, is projected to decrease at an average annual rate of 1.5 percent each year. The Industrial gas demand segment is expected to decline at an average rate of 0.2 percent per year. Stricter codes and standards coupled with more aggressive energy efficiency programs discussed in Section 4.5.2, *Regulatory Setting*, are making a significant impact on the forecasted load for the residential, commercial, and industrial markets (CGEU 2020).

## **Electricity**

The County of Ventura is served by SCE to meet its power demands. SCE delivers power to 15 million people in 50,000 square-miles across central, coastal and southern California, excluding the City of Los Angeles and some other cities. The SCE power system is responsible for maintaining 12,635 miles of transmission lines and 2,959 substation transformers (SCE 2022). In February 2019, The city of Thousand Oaks' (Thousand Oaks; city) residential customers began receiving electricity service from Clean Power Alliance (CPA) with service to the city's commercial and industrial customers starting in May 2019. Although customers can individually choose any of the three programs that CPA offers – a standard product 36percent renewable energy content, a 50 percent renewables product, or a 100 percent renewables product – customers that do not select a program will be placed into the 100 percent renewables product. but SCE will continue to deliver electricity to all residents and

businesses, maintain and build infrastructure, install and read meters, respond to outages, and provide billing and customer service (City of Thousand Oaks 2022).

**a. Energy Demand**

The smallest scale at which energy consumption information is readily available is the county level. Therefore, energy consumption in Ventura County is used herein to characterize the existing consumption of petroleum, electricity, and natural gas as detailed in the following subsections.

**Electricity and Natural Gas**

Table 4.5-1 summarizes the electricity and natural gas consumption for the state as a whole, for Ventura County, in which the proposed project would be located, as well as for SCE and SoCalGas.

**Table 4.5-1 2020 Electricity and Natural Gas Consumption**

Energy Type	Ventura County	SEC/ SoCalGas	California	Proportion of SCE Consumption	Proportion of Statewide Consumption <sup>1</sup>
Electricity (GWh)	5,462	83,533 <sup>2</sup>	279,159	30%	2%
Natural Gas (millions of therms)	180	5,231 <sup>3</sup>	12,332	42%	1%

GWh = gigawatt-hours

<sup>1</sup> For reference, the population of Ventura County (835,223 persons) is approximately 2.1 percent of the population of California (39,466,855 persons) (California Department of Finance 2021).

<sup>2</sup> SCE provider

<sup>3</sup> SoCalGas provider

Source: CEC 2021

**Petroleum**

Petroleum fuels are primarily consumed by on-road and off-road equipment in addition to some industrial processes, with the state of California being one of the top petroleum-producing states in the nation (CEC 2021b). Gasoline, which is used by light-duty cars, pickup trucks, and sport utility vehicles, is the most used transportation fuel in the state with 12.6 billion gallons sold in 2020 (CEC 2021c). Diesel, which is used primarily by heavy duty-trucks, delivery vehicles, buses, trains, ships, boats and barges, farm equipment, and heavy-duty construction and military vehicles, is the second most used fuel in the state of California with 1.7 billion gallons sold in 2020 (CEC 2021c). Table 4.5-2 summarizes the petroleum fuel consumption for Ventura County, in which the proposed project site would be located, as compared to statewide consumption.

**Table 4.5-2 2020 Annual Gasoline and Diesel Consumption**

Fuel Type	Ventura County (million gallons)	California (million gallons)	Proportion of Statewide Consumption <sup>1</sup>
Gasoline	262	12,572	2%
Diesel	32	1,744	2%

<sup>1</sup> For reference, the population of Ventura County (835,223 persons) is approximately 2.1 percent of the population of California (39,466,855 persons) (California Department of Finance 2021).

Source: CEC 2021c

## 4.5.2 Regulatory Setting

### **b. Federal Regulations**

#### **Energy Independence and Security Act of 2007**

The Energy Independence and Security Act, enacted by Congress in 2007, is designed to improve vehicle fuel economy and help reduce the United States dependence on foreign oil. It expands the production of renewable fuels, reducing dependence on oil, and confronting climate change. Specifically, it does the following:

- Increases the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard, requiring fuel producers to use at least 36 billion gallons of biofuel in 2022, which represents a nearly five-fold increase over current levels
- Reduces United States demand for oil by setting a national fuel economy standard of 35 miles per gallon (mpg) by 2020 – an increase in fuel economy standards of 40 percent<sup>1</sup>

The Energy Independence and Security Act of 2007 also set energy efficiency standards for lighting (specifically light bulbs) and appliances. Development would also be required to install photosensors and energy-efficient lighting fixtures consistent with the requirements of 42 United States Code [USC] Section 17001 et seq.

#### **Energy Policy and Conservation Act**

Enacted in 1975, the Energy Policy and Conservation Act established fuel economy standards for new light-duty vehicles sold in the United States. The law placed responsibility on the National Highway Traffic and Safety Administration (NHTSA), a part of the United States Department of Transportation (USDOT), for establishing and regularly updating vehicle standards. The United States Environmental Protection Agency (USEPA) administers the Corporate Average Fuel Economy (CAFE) program, which determines vehicle manufacturers' compliance with existing fuel economy standards. In 2012, the USEPA and NHTSA established final passenger car and light truck CAFE standards for model years 2017-2021.

#### **Corporate Average Fuel Economy Standards**

The CAFE standards are federal rules established by the NHTSA that set fuel economy and GHG emissions standards for all new passenger cars and light trucks sold in the United States. The CAFE standards generally become more stringent with time, reaching an estimated 38.3 miles per gallon for the combined industry-wide fleet for model year 2020 (77 Federal Register 62624 et seq. [October 15, 2012, Table I-1). It is, however, legally infeasible for individual municipalities to adopt more stringent fuel efficiency standards. The CAA (42 USC Section 7543[a]) states that “no state or any political subdivision therefore shall adopt or attempt to enforce any standard relating to the control of emissions from new motor vehicles or new motor vehicle engines subject to this part.” In August 2016, the USEPA and NHTSA announced the adoption of the phase two programs related to the fuel economy and GHG standards for medium- and heavy-duty trucks. The phase two program will apply to vehicles with model year 2018 through 2027 for certain trailers, and model years 2021 through 2027 for semi-trucks, large pickup trucks, vans, and all types and sizes of buses and work trucks. The final standards are expected to lower CO<sub>2</sub> emissions by approximately 1.1 billion MT of CO<sub>2</sub> and

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<sup>1</sup> The average fuel economy for model year 2020 vehicles were 25.4 miles per gallon (USEPA 2021)

reduce oil consumption by up to two billion barrels over the lifetime of the vehicles sold under the program (NHSTA 2019).

As of March 2020, NHSTA and USEPA finalized the Safer Affordable Fuel Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks (SAFE Vehicles Rule). The SAFE Vehicles Rule amended the existing CAFE standards such that the requirements for model years 2021 through 2026 increase the CO<sub>2</sub> emissions standard by 1.5 percent per year, as compared to the standards issued in 2012, which would have required increases of about 5 percent per year.

### **Construction Equipment Fuel Efficiency Standard**

USEPA sets emission standards for construction equipment. The first federal standards (Tier 1) were adopted in 1994 for all off-road engines over 50 horsepower (hp) and were phased in by 2000. A new standard was adopted in 1998 that introduced Tier 1 for all equipment below 50 hp and established the Tier 2 and Tier 3 standards. The Tier 2 and Tier 3 standards were phased in by 2008 for all equipment. The current iteration of emissions standards for construction equipment are the Tier 4 efficiency requirements are contained in 40 Code of Federal Regulations Parts 1039, 1065, and 1068 (originally adopted in 69 Federal Register 38958 [June 29, 2004], and most recently updated in 2014 [79 Federal Register 46356]).

### **Energy Star Program**

In 1992, the USEPA introduced Energy Star® as a voluntary labeling program designed to identify and promote energy-efficient products to reduce GHG emissions. The program applies to major household appliances, lighting, computers, and building components such as windows, doors, roofs, and heating and cooling systems. Under this program, appliances that meet specification for maximum energy use established under the program are certified to display the Energy Star® label. In 1996, the USEPA joined with the Energy Department to expand the program, which now also includes qualifying commercial and industrial buildings, as well as homes (Energy Star 2020).

## **c. State Regulations**

### **California Renewable Portfolio Standard and Senate Bills 100, 107 and X 1-2**

Established in 2002 under SB 1078, and accelerated by SB 107 (2006), SB X 1-2 (2011), and SB 100 (2018), California's Renewable Portfolio Standard (RPS) obligates investor-owned utilities, energy service providers, and community choice aggregators to procure 33 percent total retail sales of electricity from renewable energy sources by 2020, 60 percent by 2030, and 100 percent by 2045. SB 100 also states "that it is the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100 percent of retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all state agencies by December 31, 2045." The CPUC and the CEC are jointly responsible for implementing the program. Electricity in the proposed project is currently provided by Southern California Edison (SCE). In 2019, SCE power mix included 32 percent eligible renewable sources (SCE 2020).

### **Title 24, California Code of Regulations**

Updated every three years through a rigorous stakeholder process, Title 24 of the California Code of Regulations requires California homes and businesses to meet strong energy efficiency measures, thereby lowering their energy use. Title 24 contains numerous subparts, including Part 1 (Administrative Code), Part 2 (Building Code), Part 3 (Electrical Code), Part 4 (Mechanical Code), Part 5



(Plumbing Code), Part 6 (Energy Code), Part 8 (Historical Building Code), Part 9 (Fire Code), Part 10 (Existing Building Code), Part 11 (Green Building Standards Code), Part 12 (Referenced Standards Code).

*Part 6 (Building Energy Efficiency Standards)*

Part 6 of Title 24 contains the 2019 Building Energy Efficiency Standards, which were adopted on May 9, 2018, and became effective on January 1, 2020. The 2019 Standards move toward cutting energy use in new homes by more than 50 percent and will require installation of solar photovoltaic systems for single-family homes and multi-family buildings of three stories and less. The 2019 Standards focus on four key areas: (1) smart residential photovoltaic systems; (2) updated thermal envelope standards (preventing heat transfer from the interior to exterior and vice versa); (3) residential and nonresidential ventilation requirements; and (4) nonresidential lighting requirements (CEC 2018). Under the 2019 Standards, nonresidential buildings will be 30 percent more energy-efficient compared to the 2016 Standards, and single-family homes will be seven percent more energy-efficient (Welch 2019). When accounting for the electricity generated by the solar photovoltaic system, single-family homes would use 53 percent less energy compared to homes built to the 2016 standards (Welch 2019).

*Part 11 (CALGreen)*

On July 17, 2008, the California Building Standards Commission adopted the nation’s first green building standards. The California Green Building Standards Code (24 CCR, Part 11, known as “CALGreen”) was adopted as part of the California Building Standards Code. CALGreen established planning and design standards for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. The mandatory provisions of the CALGreen became effective January 1, 2011 and were updated in 2016. The 2016 Standards, which became effective on January 1, 2017, establish green building criteria for residential and nonresidential projects. The CEC adopted updates to the 2016 Standards in 2019 that will take effect on January 1, 2020. These changes include the following: increasing the number of parking spaces that must be prewired for electric vehicle chargers in residential development; requiring all residential development to adhere to the Model Water Efficient Landscape Ordinance; and requiring more appropriate sizing of HVAC ducts (VCA Green 2019).

**d. Local Regulations**

**City of Thousand Oaks General Plan – Conservation Element**

The purpose of this Element is to describe the general characteristics of these natural resources and identify appropriate policies and implementation measures that will be used to guide future development, as envisioned by the Land Use Element of the General Plan, in a sensitive manner that will afford the long term conservation and protection of these vital resources for future generations. The applicable policy for the proposed project is detailed below:

- **Policy CO-39:** Support efforts to reduce greenhouse gas emissions, consistent with the intent of the State of California’s California Global Warming Solutions Act of 2006 (Assembly Bill 32).
  - Prepare Greenhouse Gas Analyses for development projects which require the preparation of Environmental Impact Reports or Mitigated Negative Declarations.
  - Reduce energy use and utilize sustainable energy sources at City facilities where feasible, in accordance with City-adopted Energy Action Plan.

### 4.5.3 Impact Analysis

#### a. Significance Thresholds and Methodology

##### Significance Thresholds

Appendix G of the State CEQA Guidelines identifies the following criteria for determining whether development facilitated by the proposed project would have a significant impact on energy:

1. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation
2. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency

##### Methodology

Public Resources Code Section 21100(b)(3) states that an EIR shall include “mitigation measures proposed to minimize significant effects on the environment, including, but not limited to, measures to reduce the wasteful, inefficient, and unnecessary consumption of energy.”

Energy consumption is analyzed herein in terms of construction and operational energy. Construction energy demand accounts for anticipated energy consumption during construction of the proposed project, such as fuel consumed by construction equipment and construction workers’ vehicles traveling to and from the construction site. Operational energy demand accounts for the anticipated energy consumption during operation of the proposed project, such as fuel consumed by mobile vehicles; natural gas consumed for on-site power generation and heating building spaces; and electricity consumed for building power needs, including, but not limited to lighting, water conveyance, and air conditioning.

The California Emissions Estimator Model (CalEEMod) Version 2020.4.0 was used to estimate emissions resulting from the proposed project. Construction and operational energy consumption were modeled based on the size of the proposed land use type. In addition, on-site equipment, worker transportation, and off-site vendor and hauling transportation during construction activities. Vehicle trips, water conveyance, solid waste, and lightening would consume energy during operational activities. The CalEEMod results (Appendix B) provide the values used in this analysis to determine the anticipated energy consumption during construction and operation of the proposed project.

#### b. Impact Analysis

**Threshold 1:** Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

**Impact E-1**            **NEITHER CONSTRUCTION NOR OPERATION OF THE PROPOSED PROJECT WOULD RESULT IN A SIGNIFICANT ENVIRONMENTAL IMPACT DUE TO THE WASTEFUL, INEFFICIENT, OR UNNECESSARY CONSUMPTION OF ENERGY RESOURCES. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

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##### Construction

During construction, the proposed project would consume fuels associated with the onsite use of equipment, off-site hauling of materials and supplies, and worker transportation. The California Code of Regulations requires drivers of diesel-fueled commercial motor vehicles with gross vehicle weight

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ratings greater than 10,000 pounds not to idle the vehicle’s primary diesel engine longer than five minutes at any location.<sup>2</sup> Compliance with this regulation would prevent unnecessary consumption of energy from use of diesel fuel during construction.

Electricity use related to lighting and electronic equipment during construction would vary throughout the construction period, depending on the construction activities performed at the time. Night lighting of the project site during construction would also be limited to that needed for safety and security purposes, as the City’s Noise Ordinance restricts nighttime construction activity. Electricity necessary to supply water to the construction site is estimated to be 17,724 kilowatt-hours for dust suppression during grading activities. These activities would cease upon completion of the proposed project, and the overall demand for electricity during construction would be negligible when compared to the project operational phase.

The demolition, grading, and building development activities that would be associated with proposed project construction would not typically rely on natural gas as an energy source. Therefore, substantial quantities of natural gas would not be consumed in support of proposed project construction.

The proposed project’s demand for transportation fuels, gasoline and diesel, is provided in Table 4.5-3. The fuel consumption that is necessary to power off-road equipment is based on the quantity and type of equipment that would be used for each construction phase, the duration of use each day, the total construction period duration, and the hourly construction equipment fuel consumption factors that are made available by the OFFROAD model. On-road equipment includes haul trucks and vendor trucks, which are powered by diesel fuel, as well as vehicles associated with construction worker commuter trips, which are assumed to be powered by gasoline. The fuel consumption for on-road trucks is based on fuel consumption information from the EMISSION FACTORS (EMFAC) model. The fuel demand for construction worker commuter trips is based on the estimated number of workers for each phase of construction and the average distance that workers travel from CalEEMod, as well as on the emissions factors from the EMFAC model. As shown in Table 4.5-3, proposed project construction activities would result in the consumption of 170,424 gallons of diesel fuel and 88,792 gallons of gasoline.

**Table 4.5-3 Project Construction Energy Use**

Source	Energy Consumption <sup>1</sup>
Electricity	17,724 kWh
Natural Gas	N/A
Transportation Fuels	
Gasoline	88,792 gal
Diesel	
On-Road Haul Trucks	27,808 gal diesel
On-Road Vendor Trucks	28,093 gal diesel
Off-Road Construction Equipment	114,523 gal diesel
<b>Diesel Total</b>	<b>170,424 gal diesel</b>
Notes: kWh = kilowatt-hours gal = gallons	
Source: Appendix B	

<sup>2</sup> California Code of Regulations, Section 2485, Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling.

## Operations

During operations, the proposed project would consume energy for vehicle trips, water conveyance, solid waste disposal systems, lighting, and to operate electronic equipment and devices and HVAC systems. The proposed project's estimated energy use during operations is summarized in Table 4.5-4.

The proposed project would generate additional demand for electricity from the SCE. As estimated by CalEEMod, the project's total electricity demand would be approximately 3,185,785 kilowatt hours per year (kWh/year) or 3,185.8 megawatt hours per year (MWh/year). The SCE supplies more than more than 87 million MWh/year of electricity to customers.<sup>3</sup> The proposed project would represent approximately 0.004 percent of the yearly electricity demand, which is negligible in relation to the entire electricity demand of the SCE service area. Therefore, the proposed project would not result in a substantial increase in electricity demand. In addition, the proposed project would be required to comply with the applicable portions of the California Energy Code and California Green Building Standards Code (CALGreen Code), which establish planning and design standards for sustainable development, energy efficiency, water conservation, and material conservation. By required compliance with applicable regulations and continued energy efficient programs implemented by SCE, the proposed project's potential impacts regarding wasteful or inefficient use of electricity would be less than significant.

The proposed project would generate additional demand for natural gas from the SoCalGas. Total demand for natural gas would be approximately 5,092,960 thousand British thermal units per year (kBtu/year) as estimated by CalEEMod outputs. According to the CEC, the county consumed 180.18 million therms or 18,013,671,930 kBtu/year of natural gas in 2020.<sup>4</sup> The proposed project would represent approximately 0.03 percent of the natural gas consumption in the county in 2020, a negligible amount relative to countywide consumption. The proposed project would also be required to comply with applicable portions of the California Energy Code and CALGreen Code, both of which establish planning and design standards for sustainable development, energy efficiency, water conservation, and material conservation. By required compliance with applicable regulations, the proposed project's potential to result in impacts regarding wasteful or inefficient use of natural gas would be less than significant.

According to the CARB on-road vehicle emissions factor model, EMFAC2021, the average fuel economy for the fleet-wide mix of vehicles operating in the County of Ventura for the year 2022 is approximately 24.11 miles per gallon for gasoline-fueled vehicles and approximately 10.29 miles per gallon for diesel-fueled vehicles. As shown in the Operational Fuel Use worksheet provided in Appendix B, the proposed project would generate approximately 7,581,896 VMT annually, 91 percent of which would comprise light-duty vehicles with a gross vehicle weight rating (GVWR) of up to 8,500 pounds, and approximately nine percent of which would comprise heavy-duty vehicles (GVWR > 8,500 pound). For this analysis, light-duty vehicles are considered gasoline-powered and heavy-duty vehicles are considered diesel-fueled. As such, after complete project build-out, operation of the proposed project would generate approximately 6,901,064 annual VMT with gasoline-fueled vehicles, and approximately 680,824 annual VMT with diesel-fueled vehicles. Based on the State's projected fleet fuel mileage for the year 2022, after complete project build-out, annual operation of the proposed project would require transportation fuels of approximately 286,232 gallons of gasoline, and approximately 66,164 gallons of diesel fuel. The proposed project would also be required to comply with all standards set in the latest iteration of the California Building Standards Code

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<sup>3</sup> SCE, About Us, Who We Are, Accessed on October 26, 2021, at: <https://www.sce.com/about-us/who-we-are>.

<sup>4</sup> CEC, Gas Consumption by County, Ventura, Accessed on October 26, 2021 <https://ecdms.energy.ca.gov/gasbycounty.aspx>.

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(California Code of Regulations Title 24), which would minimize the wasteful, inefficient, or unnecessary consumption of energy resources by the built environment during operation. California’s CALGreen standards (California Code of Regulations Title 24, Part 11) require implementation of energy-efficient light fixtures and building materials into the design of new construction projects. Furthermore, the 2019 Building Energy Efficiency Standards (California Code of Regulations Title 24, Part 6) require newly constructed buildings to meet energy performance standards set by the CEC. These standards are specifically crafted for new buildings to result in energy efficient performance so that the buildings do not result in wasteful, inefficient, or unnecessary consumption of energy. In addition, per CALGreen, all plumbing fixtures used for the proposed project would be high-efficiency fixtures, which would minimize the potential the inefficient or wasteful consumption of energy related to water and wastewater. The proposed project’s potential to result in impacts regarding wasteful or inefficient use of transportation fuels would be less than significant.

**Table 4.5-4 Project Operational Energy Use**

Source	Energy Consumption <sup>1</sup>
Electricity	3.19 million kWh
Natural Gas	5.09 million kBtu
Transportation Fuels	
Gasoline	286,232 gallons
Diesel	66,164 gallons

Notes: kWh = kilowatt-hours; kBtu = kilo-British Thermal Units

Source: Appendix B

In summary, the proposed project would result in the consumption of energy in the forms of electricity, natural gas, and transportation fuels. The proposed project would be required to comply with federal, State, and local regulations aimed to reduce the inefficient, wasteful, and unnecessary consumption of energy. The proposed project’s electricity and natural gas consumption would be negligible compared to the energy demand for SCE and SoCalGas service areas. The proposed project would incorporate 10 percent of onsite electric vehicle parking, and promote active transportation to reduce transportation fuel consumption. Therefore, the proposed project’s energy requirements and its energy use efficiencies would result in a less than significant impact related to the wasteful, inefficient, and unnecessary consumption of energy.

**Threshold 2:** Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

**Impact E-2 THE PROPOSED PROJECT WOULD NOT CONFLICT WITH OR OBSTRUCT A STATE OR LOCAL PLAN FOR RENEWABLE ENERGY OR ENERGY EFFICIENCY. IMPACTS WOULD LESS THAN SIGNIFICANT.**

The city’s General Plan contains several policies related to energy consumption. The Conservation Element contains Policy CO-39, which supports the efforts to reduce GHG emissions, consistent with the intent of the State of California’s California Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32). The implementation measures of Policy CO-39 include reducing energy use and utilizing sustainable energy sources at City facilities where feasible, in accordance with City-adopted Energy Action Plan (City of Thousand Oaks 2013).

The City would review proposed project site plans to verify compliance with the Building and Energy Efficiency Standards in the California Energy Code prior to issuing a building permit. As a regulatory requirement, the proposed project would be reviewed for consistency with applicable State and local plans for renewable energy and efficiency, including CALGreen Code Title 24 standards. CALGreen Code standards require projects to provide energy saving features, establish minimum standards for energy efficient construction practices, and require increased energy efficiency. The proposed project would be built to the codes in effect at the time of construction. In addition, the proposed project proposes a mixed-use development with residential and commercial uses on an infill site, would provide bicycle storage areas with electric bike (e-bike) charging stations to encourage active transportation and reduce VMT, and would install solar panels to supplement electricity supplied by SCE. To reduce use of transportation fuels, 10 percent of the parking spaces would have electric vehicle (EV) chargers installed, and 30 percent of the parking would be EV-ready to facilitate future installation of additional EV charging equipment. As the proposed project would comply with regulatory requirements for building efficiency and incorporate features that encourage a reduction in the use of gasoline-fueled vehicles, the proposed project would not conflict with a State or local plan for renewable energy or energy efficiency.

#### 4.5.4 Cumulative Impacts

A project's environmental impacts are "cumulatively considerable" if the "incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects" (CEQA Guidelines Section 15065[a][3]). The cumulative geographic scope for energy consumption in relation to the proposed project is Ventura County. This geographic scope is appropriate because the smallest scale at which energy consumption information is readily available is the county level. Cumulative development would increase demand for energy resources across the county. However, new iterations of the California Building Energy Efficiency Standards and CALGreen would require increasingly more efficient appliances and building materials that reduce energy consumption in new development. As described under Impact E-1, the proposed project would be constructed in accordance with the California Building Energy Efficiency Standards and CALGreen. The proposed project's electricity and natural gas consumption would be 0.004 and 0.03 percent of the consumption in the SCE and SoCalGas service area, respectively. Therefore, the proposed project would not have a cumulatively considerable contribution to a significant cumulative impact related to energy. Additionally, residents of the proposed project have been anticipated under Southern California Association of Government (SCAG) population, housing and growth projections for 2020, and would not represent new energy demands within the region. The proposed project would comply with regulatory requirements for building efficiency and incorporate features that encourage a reduction in the use of gasoline-fueled vehicles, the proposed project would not conflict with a State or local plan for renewable energy or energy efficiency. Therefore, the proposed project would not result in a cumulatively considerable contribution to a significant cumulative impact with respect to consistency with renewable energy and energy efficiency plans.

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## 4.6 Geology and Soils

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This section evaluates potential impacts to geology and soils from development facilitated by the proposed project.

This analysis is based on a Geotechnical Evaluation and Infiltration Testing report by Gorian & Associates, Inc. (Gorian) dated October 18, 2021, which relied on the findings of the geotechnical report prepared for the proposed project by The Twining Laboratories, Inc. (Twining) dated September 13, 2005. The full text of the Gorian and Twining reports are included in Appendix E.

### 4.6.1 Setting

#### **a. Regional Geologic Setting**

The proposed project site is located within the City of Thousand Oaks (Thousand Oaks; city) which is included within the southern part of the Transverse Ranges geomorphic province of southern California (California Geological Survey 2002). The Transverse Ranges extend approximately 275 miles west-east from Point Arguello in Santa Barbara County, east to the San Bernardino Mountains, and south to the Anacapa-Santa Monica-Hollywood-Raymond-Cucamonga fault zone (Yerkes and Campbell 2005). The Transverse Ranges are composed of Proterozoic to Mesozoic intrusive crystalline igneous and metamorphic rocks overlain by Cenozoic marine and terrestrial deposits and volcanic rock (Morton and Miller 2006; Norris and Webb 1990).

While there are no active faults mapped within the City of Thousand Oaks, two quarternary age faults, the Boney Mountain and Sycamore Canyon faults, cross within city limits. Quarternary age faults are faults with movement in the last 1.6 million years (City of Thousand Oaks 2014).

#### **b. Project Area Setting**

##### **Topography and Soils**

Elevations within the proposed project site range from approximately 908 to 927 feet above mean sea level. According to the U.S. Department of Agriculture Natural Resources Conservation Service Web Soil Survey for Ventura County, California (2022), there are several soil types on the proposed project site, mostly consisting of loam, silty clay loam, and clay.

##### **Groundwater**

Groundwater was not encountered in any of the test borings drilled for the investigation by Twining on June 21, 2004. Additionally, as discussed in Section 4.7, *Hazards and Hazardous Materials*, soil borings conducted by Partner Engineering and Science, Inc. (Partner 2018; Partner 2019; Partner 2021) as part of the Phase I and Phase II Environmental Site Assessments also concluded that no groundwater was encountered during the investigation. The in-situ moisture contents of the soils encountered during the Twining investigation were, however, above the optimum moisture content. It should be noted that water table elevations fluctuate with time since they are dependent upon seasonal precipitation, irrigation, land use, and climatic conditions as well as other factors. Therefore, water level observations at the time of the field investigation may vary from those encountered both during the construction phase and the design life of the proposed project.



## **Seismicity and Seismic-Related Hazards**

No active faults have been mapped within the City of Thousand Oaks. However, because of the proximity of active faults in Ventura County, ground shaking has affected, and would continue to affect the Thousand Oaks area (City of Thousand Oaks 2014). Faults generally produce damage in two ways: surface rupture and seismically induced ground shaking. Surface rupture is limited to areas very near the fault while ground shaking can affect a wide area.

The U.S. Geological Survey defines active faults as those that have had surface displacement within Holocene time (about the last 11,000 years). Surface displacement can be recognized by the existence of cliffs in alluvium, terraces, offset stream courses, fault troughs and saddles, the alignment of depressions, sag ponds, and the existence of steep mountain fronts. Potentially active faults are those that have had surface displacement during the last 1.6 million years. Inactive faults have not had surface displacement within the last 1.6 million years. Sycamore Canyon and Boney Mountain faults, located to the south of the City of Thousand Oaks, are the nearest potentially active faults. Despite these potentially active nearby faults, the proposed project site itself is not within an Alquist-Priolo Fault Zone.

## **Liquefaction**

Liquefaction occurs when water-saturated soils lose structural integrity due to seismic activity. Soils that are most susceptible to liquefaction are loose to moderately dense, saturated granular soils with poor drainage. Based on a review of the California Department of Conservation (DOC) Earthquake Hazard map and previous geotechnical studies at the proposed project site, the site is not located in a Liquefaction Zone, which delineates areas of historical occurrence of liquefaction or local geological, geotechnical and groundwater conditions indicating a potential for permanent ground displacement such that a mitigation as defined in Public Resources Code (PRC) Section 26930 would be required (DOC 2022).

## **Expansive Soils**

One of the geotechnical concerns evaluated at the proposed project site noted by Twining in 2004 and subsequently Gorian in 2021, is the expansion potential of the near surface soils. Over time, expansive soils will experience cyclic drying and wetting as the dry and wet seasons pass. Expansive soils experience volumetric changes (shrink/swell) as the moisture content of the clayey soils fluctuate, these shrink/swell cycles can impact foundations and lightly loaded slabs-on-grade when not designed for the anticipated expansive soil pressures. Expansive soils cause more damage to structures than any other natural hazard, including earthquakes and floods (Jones and Holtz 1973). Expansion potential may not manifest itself until months or years after construction. The potential for damage to slabs-on-grade and foundations supported on expansive soils can be reduced by placing non-expansive sections underlying foundations and slabs-on-grade.

To evaluate the expansive soils at the site, expansion testing was performed in 2004 and 2021 on representative samples of the near surface soils that are anticipated to be within the zone of influence of proposed improvements. The expansion testing was performed in accordance with UBC Standard 18-2. The soils tested were classified by expansion potential in accordance with UBC Table 18-1-B. Based on the test results, the expansion potential of the onsite soils is considered moderate.

## **Lateral Spreading**

Lateral spreading typically occurs as a form of horizontal displacement of relatively flat-lying alluvial material toward an open or “free” face, such as an open body of water, channel, or excavation. There are no creeks or open bodies of water adjacent to the proposed project site where lateral spreading could occur. Therefore, the potential for lateral spreading on or adjacent to the proposed project site is low.

## **Landslides**

The hills to the west of the proposed project site within the Conejo Ridge Open Space are within a Landslide Zone (DOC 2022). However, the proposed project site is not within an identified landslide zone or landslide hazard area, and there is a low potential for landslides within the proposed project site.

### **c. Paleontological Resources**

Paleontological resources, or fossils, are the evidence of once-living organisms preserved in the rock record. They include both the fossilized remains of ancient plants and animals and the traces thereof (e.g., trackways, imprints, burrows, etc.). Paleontological resources are not found in “soil” but are contained within the geologic deposits or bedrock that underlies the soil layer. Typically, fossils are greater than 5,000 years old (i.e., older than middle Holocene in age) and are typically preserved in sedimentary rocks. Although rare, fossils can also be preserved in volcanic rocks and low-grade metamorphic rocks under certain conditions (Society of Vertebrate Paleontology [SVP] 2010). Fossils occur in a non-continuous and often unpredictable distribution within some sedimentary units, and the potential for fossils to occur within sedimentary units depends on several factors. It is possible to identify the potential for geologic units to contain scientifically important paleontological resources, and therefore evaluate the potential for impacts to those resources and provide mitigation for paleontological resources if they are discovered during construction of a project.

The geology underlying the proposed project site was mapped at a scale of 1:24,000 by Dibblee and Ehrenspeck (1993). These authors identified: Quaternary alluvium (Qa) as a geologic unit directly underlying the proposed project site, and lower Monterey Formation (Tml) as located immediately adjacent to the proposed project site (Figure 4.6-1). A third unit, Quaternary older alluvium (Qoa), is exposed at the surface less than 100 feet from the proposed project site.

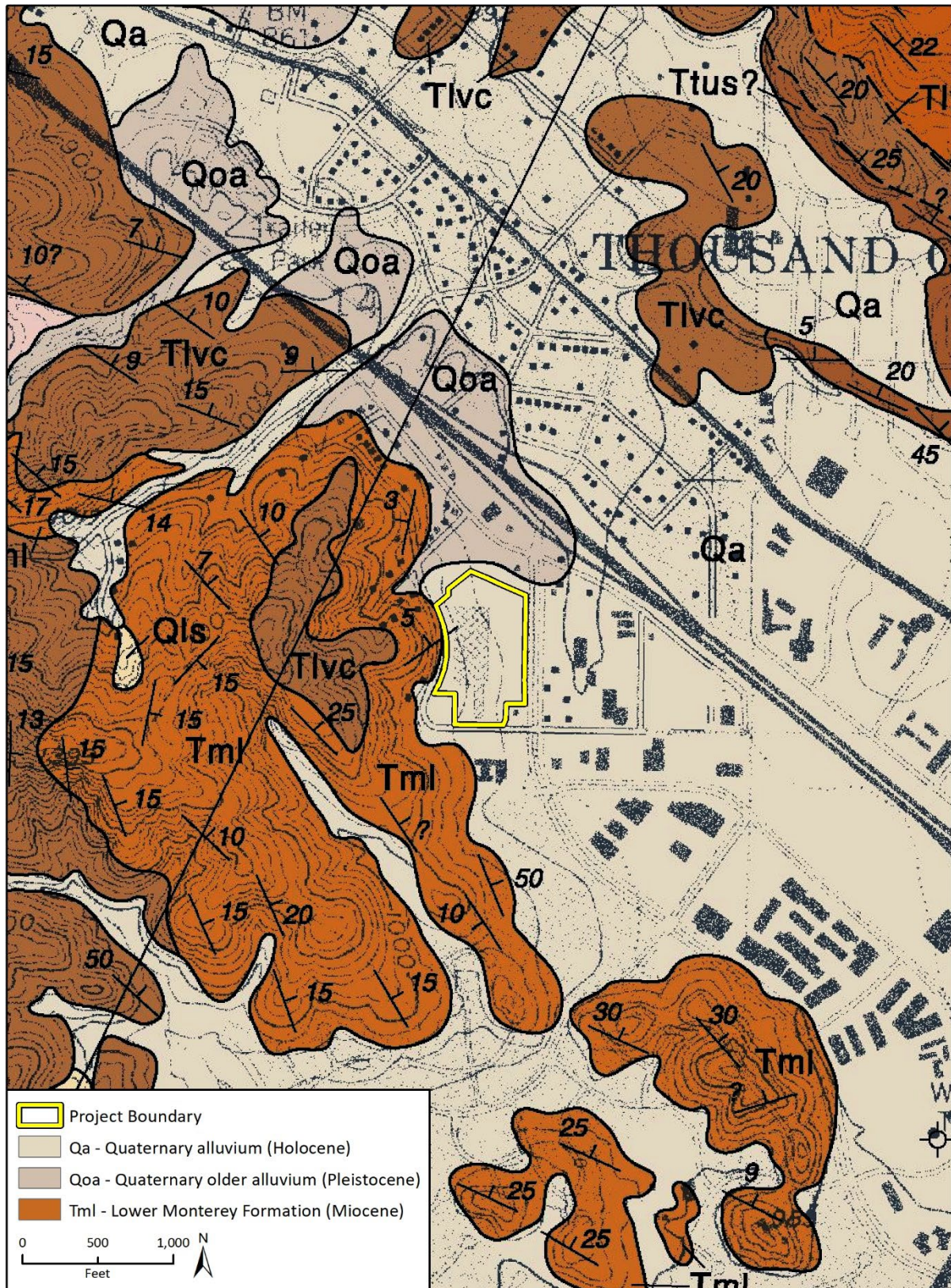
### **Quaternary Alluvium (Qa)**

Quaternary alluvium (Qa) underlies nearly the entire proposed project site (Figure 4.6-1). Qa consists of alluvial gravel, sand, and clay (Dibblee and Ehrenspeck 1993). Qa is Holocene in age and generally considered too young to preserve scientifically significant paleontological resources, but Holocene sediments may transition to older, more paleontologically sensitive units in the subsurface. Cross-sections included with Dibblee and Ehrenspeck (1993) suggest that, taken together, Qa and Qoa have a thickness of approximately 200 feet or less in the Conejo Valley.

### **Quaternary Older Alluvium (Qoa)**

Quaternary older alluvium (Qoa) does not directly underlie the proposed project site, but it is exposed at the surface less than 100 feet from the northern edge of the proposed project site, making it likely that this unit will be encountered at shallow depths in the subsurface (Figure 4.6-1). Qoa consists of dissected alluvial gravel and is Pleistocene in age (Dibblee and Ehrenspeck 1993). Pleistocene alluvial

Figure 4.6-1 Geologic Units of the Proposed Project Site



Imagery provided by Dibblee and Ehrenspeck, "Geologic map of the Thousand Oaks quadrangle Ventura and Los Angeles Counties, California," 1993.

deposits have yielded scientifically significant fossils in Ventura County, such as mammoths (*Mammuthus*), mastodon (*Mammut*), horse (*Equus*), and ground sloth (*Paramylodon*) (Jefferson 2010; Paleobiology Database [PBDB] 2022; University of California Museum of Paleontology [UCMP] 2022). Cross-sections included with Dibblee and Ehrenspeck (1993) suggest that, taken together, Qa and Qoa have a thickness of approximately 200 feet or less in the Conejo Valley.

### **Lower Monterey Formation (Tml)**

The lower Monterey Formation (Tml) underlies the western edge of the proposed project site but is located outside of the development area (Figure 4.6-1). Tml is a white-weathering, thin-bedded, fissile to punky siliceous shale with scattered thin, hard calcareous layers and concretions and is middle to late Miocene in age (Dibblee and Ehrenspeck 1993). The Monterey Formation is a marine unit that is fossiliferous throughout California (including Ventura County), producing numerous fish (Actinopterygii, Chondrichthyes), molluscan, crustacean, seal (Pinnipedia), sea cow (Sirenia), whale (Cetacea), and crocodilian fossils (Barboza et al. 2017; Leslie et al. 2019; PBDB 2022; Tweet et al. 2014; UCMP 2022).

## 4.6.2 Regulatory Setting

### **a. Federal Regulations**

#### **Clean Water Act**

Congress enacted the Clean Water Act (CWA), formerly the Federal Water Pollution Control Act of 1972, with the intent of restoring and maintaining the chemical, physical, and biological integrity of the waters of the United States. The CWA requires states to set standards to protect, maintain, and restore water quality through the regulation of discharges to surface water. Those discharges are regulated by the National Pollutant Discharge Elimination System (NPDES) permit process (CWA Section 402). NPDES permitting authority is administered by the California State Water Resources Control Board (SWRCB) and its nine Regional Water Quality Control Boards (RWQCBs). Thousand Oaks is within a watershed administered by the Los Angeles RWQCB. Individual projects within the city that disturb more than one acre would be required to obtain NPDES coverage under the California General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit).

The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) describing best management practices (BMPs) the discharger would use to prevent and retain storm water runoff and to prevent soil erosion. The SWPPP should contain a site map(s) which shows the construction site perimeter, existing and proposed buildings, lots, roadways, storm water collection and discharge points, general topography both before and after construction, and drainage patterns across the Plan Area. The SWPPP must list BMPs the discharger would use to protect storm water runoff and the placement of those BMPs. Additionally, the SWPPP must contain a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment. Section A of the Construction General Permit describes the elements that must be contained in a SWPPP.

## **b. State Regulations**

### **Alquist-Priolo Earthquake Fault Zoning Act**

The Alquist-Priolo Earthquake Fault Zoning Act of 1972 (Act) was passed into law following the destructive February 9, 1971, M6.6 San Fernando earthquake. The Act provides a mechanism for reducing losses from surface fault rupture on a statewide basis. The intent of the Act is to ensure public safety by prohibiting the siting of most structures for human occupancy across traces of active faults that constitute a potential hazard to structures from surface faulting or fault creep. This Act groups faults into categories of active, potentially active, and inactive. Historic and Holocene age faults are considered active, Late Quaternary and Quaternary age faults are considered potentially active, and pre-Quaternary age faults are considered inactive.

### **California Building Code**

The California Building Code (CBC), Title 24, Part 2 provides building codes and standards for the design and construction of structures in the state. The CBC requires, among other things, seismically resistant construction and foundation and soil investigations prior to construction. The CBC also establishes grading requirements that apply to excavation and fill activities and requires the implementation of erosion control measures. California's building codes are published in their entirety every three years. Half of the 2019 California Building Standards Code, California Code of Regulations, and Title 24 were approved and adopted by the Commission in December 2019. Both the 2016 CBC and the recently updated 2019 CBC are based on the 2015 International Building Code (IBC) with the addition of more extensive structural seismic provisions. Chapter 16 of the California Building Code contains definitions of seismic sources and the procedure used to calculate seismic forces on structures. The city is responsible for enforcing the 2016 CBC, or most current CBC version (California Building Standards Commission 2018).

The purpose of the CBC is to establish minimum standards to safeguard the public health, safety, and general welfare through structural strength, means of egress, and general stability by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all building and structures within its jurisdiction. In addition, the CBC contains necessary California amendments, which are based on the American Society of Civil Engineers (ASCE) Minimum Design Standards 7-05. ASCE 7-05 provides requirements for general structural design and includes means for determining earthquake loads as well as other loads (flood, wind, etc.) for inclusion into building codes. The provisions of the CBC apply to the construction, alteration, movement, replacement, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures throughout California.

The earthquake design requirements of the CBC take into account the occupancy category of the structure, site class, soil classifications, and various seismic coefficients, which are used to determine a Seismic Design Category (SDC) for a project. The SDC is a classification system that combines the occupancy categories with the level of expected ground motions at the site and ranges from SDC A (very small seismic vulnerability) to SDC E/F (very high seismic vulnerability and near a major fault). Design specifications are then determined according to the SDC. The proposed project would be required to comply with the CBC, including Part 2, Volume 2, Chapter 18, Soils and Foundations, which outlines the minimum standards for structural design and construction. This includes geotechnical evaluations, which among other requirements, includes a record of the soil profile, regulation of active faults in the area, recommendations for foundation type and design criteria that address issues, as applicable, such as (but not limited to) bearing capacity of soils, provisions to address expansive

soils, settlement, and varying soil strength. If a building department or other appropriate enforcement agency, determines that recommended action(s) presented in the geotechnical evaluations are likely to prevent structural damage, the approved recommended action(s) must be made a condition to the building permit (Section 1803.1.1.3 of Chapter 18).

The CBC provides standards for various aspects of construction, including but not limited to excavation, grading, and earthwork construction, preparation of the site prior to fill placement, specification on fill materials and fill compaction and field testing, retaining wall design and construction, foundation design and construction, and seismic requirements. It includes provisions to address issues such as (but not limited to) construction on expansive soils and soil strength loss. In accordance with California law, project design and construction would be required to comply with provisions of the CBC.

### **Seismic Hazards Mapping Act**

The Seismic Hazards Mapping Act (Act) addresses geo-seismic hazards, other than surface faulting, and applies to public buildings and most private buildings intended for human occupancy. The Act identifies and maps seismic hazard zones to assist cities and counties in preparing the safety elements of their general plans and encourages land use management policies and regulations that reduce seismic hazards. The Act mandates the preparation of maps delineating “Liquefaction and Earthquake-Induced Landslide Zones of Required Investigation.” Review of the Seismic Hazard Zones maps for the State of California shows the project area to be outside of the areas that have been mapped by the California Geological Survey.

### **California Environmental Quality Act**

Paleontological resources are protected under the California Environmental Quality Act (CEQA), which states, in part, that a project will “normally” have a significant effect on the environment if it, among other things, will disrupt or adversely affect a paleontological site except as part of a scientific study. Specifically, in Appendix G of the CEQA Guidelines, the Environmental Checklist Form, the question is posed, “Will the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.” To determine the uniqueness of a given paleontological resource, it must first be identified or recovered (i.e., salvaged).

### **California Public Resources Code**

California Public Resources Code (PRC) Section 5097.5 states “no person shall knowingly and willfully excavate upon, or remove, destroy, injure or deface” any “vertebrate paleontological site” on public lands without the “permission of the public agency having jurisdiction over such lands”. Violation of this section is a misdemeanor.

As used in this PRC section, “public lands” means lands owned by or under the jurisdiction of the State or any city, county, district, authority, or public corporation, or any agency thereof. Consequently, public agencies are required to comply with PRC Section 5097.5 for their own activities, including construction and maintenance, as well as for permit actions (e.g., encroachment permits) undertaken by others.

## **c. Local Regulations**

### **County of Ventura Stormwater Program**

The County of Ventura Stormwater Program reviews proposed land development projects in order to prevent potential impacts to surface water quality and to ensure compliance with the requirements in the NPDES Ventura County Stormwater Municipal Permit No. CAS004002 issued by the Los Angeles RWQCB. Proposed projects that are to deemed complete after October 11, 2011 are subject to the 2010 Ventura County Stormwater Municipal Permit (Order No. R4-2010-0108).

### **City of Thousand Oaks General Plan**

The following goals, policies, and actions in the City's General Plan Safety Element relate to geology and soils:

#### *A. Faulting and Seismic Hazards*

- **Goal S-1.** Minimize the risk of loss of life, injury, damage to property, and economic and social dislocation resulting from fault rupture and seismically induced ground shaking.
- **Policy A-1.** Require site-specific geologic and engineering investigations as specified in the California Building Code (International Building Code with California amendments) and Thousand Oaks Municipal Code (TOMC) for proposed new developments and/or when deemed necessary by the City Engineer and/or through the CEQA process.
- **Policy A-2.** Adopt the latest California Building Code (CBC) and enforce provisions relating to earthquake resistant design.
- **Policy A-3.** Enforce provisions of Title 7, Chapter 3 (Grading) and Title 8, Chapter 1 (Building Code) of the Municipal Code that incorporate the CBC with amendments specific to the City.
- **Policy A-4.** Continue to allocate a percentage of building permit fees (as specified in Chapter 8 of Division 2 of the Public Resources Code) to a trust fund (Strong Motion Instrumentation Program Fund) which is remitted to the State of California. The moneys are earmarked for seismic education pursuant to the Seismic Hazards Mapping Act of 1990.
- **Policy A-5.** Provide setbacks, as determined to be necessary, for any proposed development located on or near an active or potentially active fault. Appropriate setback distances will be determined through engineering geologic investigation. No active faults have been mapped within the Planning Area. Potentially active faults include the Sycamore Canyon and Boney Mountain Faults.
- **Policy A-6.** Require all developers and/or subdividers of a parcel or parcels in an area of known fault hazard to record a Notice of Geologic Hazards with the County Recorder describing the hazards on the parcel and the level of prior geologic investigation conducted.
- **Policy A-7** Require project modifications, including but not limited to hazard mitigation, project redesign, elimination of building sites, and the delineation of building envelopes, building setbacks and foundation requirements, as deemed necessary, in order to mitigate faulting/seismic hazards.

*B. Geologic Hazards*

- **Goal S-2.** Safeguard life, limb, health, property, and the public welfare by establishing minimum requirements for regulating grading and procedures by which such requirements may be enforced (Municipal Code Section 7-3.01).
- **Goal S-3.** Provide minimum standards to safeguard life or limb, health, property and the public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, demolition, and maintenance of all buildings and structures within the City and certain equipment specifically regulated therein (Municipal Code Section 8-1.02).
- Grading/Building Construction
- **Policy B-1.** Require any alteration, grading, excavation or fill activity to comply with the City's Grading Ordinance.
- **Policy B-2.** Require that all construction be in accordance with the most current version of the California Building Code and Title 8, Chapter 1 of the Municipal Code which incorporates the CBC with specific amendments.
- **Policy B-3.** Perform site-specific geologic and engineering investigations for new developments as specified in the CBC and Municipal Code.
- **Policy B-4.** Prohibit grading or relocation of earth on land having a natural slope greater than 25% unless approval is obtained from the Planning Commission or City Council and a grading permit has been obtained from the City Engineer (Municipal Code Section 7-3.07).
- **Policy B-5.** Continue to regulate grading during the rainy season (November-April) in order to control erosion and protect life and property from damage due to flooding or erosion associated with grading activities.

*B. Liquefaction*

- **Policy B-6.** Conduct soils investigations to evaluate hazards potential for proposed developments in areas of potential liquefaction.
- **Policy B-7.** Require project modifications, including but not limited to project redesign, elimination of building sites, building envelopes and drainage and foundation requirements, as necessary in order to mitigate liquefaction hazards.
- **Policy B-8.** Require the developers and/or subdividers of a parcel or parcels in a Liquefaction Hazard Zone to record a Notice of Geologic Hazards with the County Recorder describing the potential hazards on the parcel and the level of prior geologic investigation conducted unless the condition has been mitigated.

*B. Landslides and Debris Flows*

- **Policy B-9.** Require that all development activities provide a setback from potentially unstable areas or from the margins of potential debris flow channels and depositional areas as identified through engineering and geologic studies.
- **Policy B-10.** Require drainage plans designed to direct runoff away from unstable areas.
- **Policy B-11.** Where washouts or landslides have occurred on public or private roads, require that road reconstruction meet the conditions of appropriate geologic and engineering reports and provide for adequate engineering supervision.



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- **Policy B-12.** In general, prohibit building sites within the flowline or discharge areas of hillside swales or channels. Building may be able to occur near smaller swales and channels given appropriate mitigation measures.
- **Policy B-13.** In an area of known slope stability or debris flow hazards, require developers and/or subdividers of a parcel or parcels to record a Notice of Geologic Hazards with the County Recorder describing the potential hazards on the parcel and the level of prior geologic investigation conducted.
- **Policy B-14.** Require project modifications, including but not limited to hazard mitigation, project redesign, elimination of building sites and development of building and septic system envelopes, building setbacks and foundation and drainage requirements as necessary in order to mitigate landslide and debris flow hazards.

*B Soils Subject to Expansion, Settlement and Hydrocompaction*

- **Policy B-15.** Require the preparation of a preliminary soils report, prepared by a registered civil engineer and based upon adequate test borings, for every subdivision and every individual lot where soils have been identified that are subject to expansion, settlement or hydrocompaction.
- **Policy B-16.** Require a soils report where there is inadequate soils information prior to issuance of permits for habitable structures and private wastewater disposal (septic) systems.
- **Policy B-17.** Require the developers and/or subdividers of a parcel or parcels in an area of known highly expansive soils hazard to record a notice of Geologic Hazards with the County Recorder describing the potential hazards on the parcel and the level of prior geologic investigation conducted.
- **Policy B-18.** Require project modifications, including but not limited to hazard mitigation, project redesign, elimination of building sites, building envelopes and drainage and foundation requirements as necessary in order to mitigate hazards associated with soils that may be subject to expansion, settlement or hydrocompaction.

**City of Thousand Oaks Municipal Code**

The City's Municipal Code contains several regulations and development standards implementing the General Plan Policies identified above that address geology and soils. Building plans for development on the project site would be reviewed for consistency with the following ordinances:

*TOMC Title 7, Chapter 3: Grading*

This chapter establishes minimum requirements for regulating grading and procedures in order to safeguard life, limb, health, property, and the public welfare.

*TOMC Title 8, Chapter 1: Building Code*

This chapter provides minimum standards to safeguard life, limb, property, and public health, safety, and welfare, by regulation and control of the design, construction, addition, alteration, conversion, erection, installation, location, relocation, demolition, repair, maintenance, occupancy, and use of all structures and buildings located within the City and equipment regulated therein.

### 4.6.3 Impact Analysis

#### **a. Methodology and Thresholds of Significance**

Appendix G of the State CEQA Guidelines identifies the following criteria for determining whether development facilitated by the proposed project would have a significant impact on geology and soils:

- 1) 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;
  - ii. Strong seismic ground shaking;
  - iii. Seismic-related ground failure, including liquefaction; and
  - iv. Landslides.
- 2) Result in substantial soil erosion or the loss of topsoil;
- 3) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse;
- 4) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property;
- 5) 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 waste water;
- 6) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

#### **b. Project Impacts and Mitigation Measures**

**Threshold 1i:** Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving 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?

**Impact GEO-1** **NO ACTIVE FAULTS EXIST WITHIN THE PROJECT SITE AND NO ACTIVE FAULTS ARE TRENDING TOWARDS THE PROJECT SITE. THEREFORE, THE PROPOSED PROJECT WOULD NOT BE SUBJECT TO GROUND RUPTURE AND IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

The proposed project site has not been identified as having a known earthquake fault as delineated in the most recent Alquist-Priolo Earthquake Fault Zoning Map. In addition, no active faults have been mapped within the City of Thousand Oaks.

As with any site in the southern California region, the proposed project site is susceptible to strong seismic ground shaking in the event of a major earthquake. At its closest point, the proposed project site is located approximately 6.5 miles south to the delineated Alquist-Priolo Fault Zone for the Simi-Santa Rosa Fault Zone (DOC 2022). According to the Gorian Geotechnical Report, the potential for ground rupture due to faulting during the lifetime of the proposed project is considered remote (Gorian 2021).

The impact to people, buildings, or structures on the proposed project site from strong seismic ground shaking would be reduced by the required conformance with applicable building codes, accepted engineering practices, and the Thousand Oaks General Plan Policies. Geology and seismicity policies in the Safety Element (*Policies A-1 through A-7, B-1 through B-5, and B-15 through B-18*) require all structures within the City to be built to the latest seismic safety requirements of the California Building Code (CBC), Uniform Building Code (UBC), and the Thousand Oaks Municipal Code.

The UBC and the CBC include building standards to ensure that the design and construction of new structures are engineered to withstand the expected ground acceleration that may occur at this site. Therefore, through compliance with the applicable building codes, the proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault. Potential impacts associated with rupture of the ground surface within the vicinity of the proposed project site would be less than significant.

### **Mitigation Measures**

No mitigation measures are required.

**Threshold 1ii:** Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

**Impact GEO-2 THE PROJECT SITE IS SUSCEPTIBLE TO STRONG SEISMIC GROUND SHAKING IN THE EVENT OF A MAJOR EARTHQUAKE. THEREFORE, THE PROPOSED PROJECT WOULD BE EXPOSED TO POTENTIAL IMPACTS ASSOCIATED WITH SEISMIC GROUND SHAKING. HOWEVER, WITH ADHERENCE TO APPLICABLE BUILDING CODES AND CITY POLICIES, POTENTIAL IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION MEASURES.**

The proposed project site is located within the seismically active southern California region. Consequently, seismic ground shaking and associated geologic phenomena such as soil expansion and collapse could potentially damage onsite structures and pose risks to human safety. Such impacts would be potentially significant.

One of the geotechnical concerns evaluated at this site during the Twining analysis in 2005 is the expansion potential of the near surface soils. Over time, expansive soils experience cyclic drying and wetting as the dry and wet seasons pass and therefore volumetric changes (shrink/swell) as the moisture content of the clayey soils fluctuate. These shrink/swell cycles can impact foundations and lightly loaded slabs-on-grade when not designed for the anticipated expansive soil pressures. The potential for damage to slabs-on-grade and foundations supported on expansive soils can be reduced by placing non-expansive sections underlying foundations and slabs-on-grade.

In evaluation of the expansive soils, test results indicated the underlying materials have a medium expansion potential in the 51-90 Expansion Index range (Gorian 2021). Expansive soils could cause damage to the proposed structures. In order to reduce impacts to the proposed project from expansive soils, Mitigation Measure GEO-1a is proposed to aid in the protection of proposed structures. Mitigation Measure GEO-1a discusses specific recommendations regarding expansive soils, as outlined in the Twining Geotechnical Report.

Additionally, the UBC and the CBC include building standards to ensure that the design and construction of new structures are engineered to withstand the expected ground acceleration that may occur at this site. Earthquake resistant designs include such measures as concrete framing, flexible building diaphragms, anchoring concrete or masonry wall, framing below the base, building separation, and collector elements for seismic stresses.

## **Mitigation Measures**

### *GEO-1a Geotechnical Recommendations*

The geotechnical recommendations contained in the 2005 Twining Geotechnical Report shall be fully implemented. Among the study recommendations are specific parameters relating to:

- **Foundation Design** – over-excavation and compaction for foundations, soil stabilization, shoring, etc., conducted as indicated in the geotechnical report
- **Structural Fills** – the applicant shall comply with the recommendations contained in the Twining September 13, 2005 geotechnical report regarding site preparation. This includes over-excavating on-site soils so that new foundations are supported on a minimum of two feet of engineered fill or engineered fill extending to a depth of five feet below preconstruction site grades, whichever provides the deeper fill. These recommendations shall be fully implemented in order to comply with UBC standards and would reduce impacts to a less than significant level
- **Structural Footings** – minimum footing embedment depths, widths, and net vertical soil bearing pressures
- **Concrete Slabs** – testing of exposed subgrades prior to concrete pours, reinforcement of concrete slabs, use of moisture barriers or sand layers beneath slabs
- **Site Preparation** – compliance with SWPPP and SWPCP requirements

Additionally, the 2021 Gorian report recommended the following site design features:

- Positive drainage should be continuously maintained away from structures and slopes. Ponding or trapping of water in localized areas near the foundations can cause differential moisture levels in subsurface soils. Plumbing leaks should be immediately repaired so that the subgrade soils underlying the structure do not become saturated.
- Trees and large shrubbery should not be planted where roots can grow under foundations and flatwork when they mature.
- Landscape watering should be held to a minimum; however, landscaped areas should be maintained in a uniformly moist condition and not allowed to dry-out. During extreme hot and dry periods, adequate watering should be provided to keep soil from separating or pulling back from the foundations.

Prior to the issuance of building permits, a qualified Geotechnical Engineer retained by the applicant shall provide evidence to the City of Thousand Oaks Engineer that the geotechnical mitigation measure GEO-1a is implemented as described above.

### *GEO-1b Geotechnical Oversight*

A qualified Geotechnical Engineer shall be retained to perform the following tasks prior to and during construction:

- Review final grading, foundation, and drainage plans to verify that the recommendations contained in the 2005 Twining study have been properly interpreted and are incorporated into the project specifications.
- Observe and advise during all grading activities, including site preparation, foundation and retaining wall excavation, and placement of fill, to confirm that suitable fill materials are placed

upon competent material and to allow design changes if subsurface conditions differ from those anticipated prior to the start of grading and construction.

- Observe the installation of all drainage devices.
- Test all fill placed for engineering purposes to confirm that suitable fill materials are used and properly compacted.

The qualified Geotechnical Engineer shall provide evidence to the City of Thousand Oaks Engineer that the geotechnical mitigation measure GEO-1b is implemented as described above.

### **Significance After Mitigation**

The probability of a larger than expected earthquake with higher ground accelerations to occur is never zero. However, implementation of the most recent industry standards for structure designs, in combination with Mitigation Measures GEO-1a and GEO-1b, would reduce the potential for structural failure due to seismic ground shaking to a less than significant level.

**Threshold 1iii:** Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

**Impact GEO-3 THE PROJECT SITE IS NOT LOCATED WITHIN A LIQUEFACTION ZONE. THEREFORE, THERE IS LOW POTENTIAL FOR LIQUEFACTION AND RELATED LATERAL SPREADING WITHIN THE VICINITY OF THE PROJECT SITE. THE PROPOSED PROJECT WOULD NOT EXPOSE PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS INVOLVING SEISMIC-RELATED GROUND FAILURE, INCLUDING LIQUEFACTIONS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

According to the California Seismic Hazard Map, the city is not located within a liquefaction zone (California Department of Conservation 2019) and the associated risk of lateral spreading from liquefied soils is low, as lateral spreading occurs when soils liquefy. Additionally, the property is shown to be outside of an area having a potential for liquefaction on the State Earthquake Zones of Required Investigation, Thousand Oaks Quadrangle, Seismic Hazard Zones Quadrangle Official Map (CGS 2000); therefore, the potential for liquefaction is not considered a constraint on development (Gorian 2021). Therefore, impacts from seismic-related ground failure, including liquefaction and lateral spreading, would be less than significant.

### **Mitigation Measures**

Mitigation measures are not required.

### **Significance After Mitigation**

Impacts would be less than significant without mitigation.

**Threshold 1iv:** Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

**Impact GEO-4** THE PROJECT SITE IS NOT LOCATED WITHIN AN IDENTIFIED LANDSLIDE HAZARD AREA. THEREFORE, THE POTENTIAL FOR LANDSLIDES WITHIN THE PROJECT SITE IS LOW AND POTENTIAL IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The proposed project site is generally flat, and according to the California Seismic Hazard Map as well as Figure 5 of the Thousand Oaks General Plan Safety Element, the proposed project site is not located within an earthquake-induced landslide hazard zone (DOC 2022). Therefore, potential impacts associated with landslides would be less than significant.

### **Mitigation Measures**

Mitigation measures are not required.

### **Significance After Mitigation**

Impacts would be less than significant without mitigation.

**Threshold 2:** Would the project result in substantial soil erosion or the loss of topsoil?

**Impact GEO-5** CONSTRUCTION OF THE PROPOSED PROJECT COULD RESULT IN SOIL EROSION OR LOSS OF TOPSOIL. HOWEVER, COMPLIANCE WITH EXISTING REGULATIONS WOULD REDUCE IMPACTS TO LESS THAN SIGNIFICANT.

Construction of the proposed project would require grading and excavation. Grading and excavation activities would temporarily expose bare soils, which could be removed from the site and transported through wind shearing or stormwater runoff. Construction would disturb more than one acre of land, which mandates implementation of a NPDES-compliant SWPPP, as discussed in Section 4.15, *Effects Not Found Significant*. The SWPPP includes BMPs to reduce soil erosion and sedimentation. Additionally, because grading would exceed 50 cubic yards, a grading permit would be required. Therefore, a grading permit and inclusion of appropriate conditions, including, but not limited to, dust and rodent control, conducting pre-construction meetings with neighbors, traffic control plan, amongst other measures, would ensure that the proposed grading will have minimal impact. With mandatory implementation of the SWPPP and erosion control measures, impacts of the proposed project would be less than significant.

### **Mitigation Measures**

Mitigation measures are not required.

### **Significance After Mitigation**

Impacts would be less than significant without mitigation.

**Threshold 3:** Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

**Impact GEO-6 CONSTRUCTION OF THE PROPOSED PROJECT WOULD HAVE THE POTENTIAL TO RESULT IN UNSTABLE SOILS. UNSTABLE SOILS COULD LEAD TO LANDSLIDES OR COLLAPSE THAT COULD INJURE CONSTRUCTION WORKERS OR PROJECT OCCUPANTS, AS WELL AS OFF-SITE STRUCTURES. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.**

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The proposed project site is generally flat, and according to the California Seismic Hazard Map, the city is not located within an earthquake-induced landslide hazard zone (California Department of Conservation 2019). Therefore, potential impacts associated with landslides would be less than significant.

Subsidence is the sudden sinking or gradual downward settling of the earth's surface with little or no horizontal movement. Subsidence is caused by a variety of activities, which include, but are not limited to, withdrawal of groundwater, pumping of oil and gas from underground, the collapse of underground mines, liquefaction, and hydrocompaction. The proposed project does not include installation of new groundwater wells or use of groundwater from existing wells. In addition, the pumping of oil and gas and mining do not occur in the vicinity of the proposed project site. Furthermore, the proposed project site is not located in a Liquefaction Zone and characterized as having a low potential for liquefaction. Therefore, potential impacts associated with subsidence and liquefaction would be less than significant.

Lateral spreading is the horizontal movement or spreading of soil toward an open face. The potential for failure from subsidence and lateral spreading is highest in areas where the groundwater table is high and where relatively soft and recent alluvial deposits exist. Groundwater was not encountered in any of the borings drilled at the proposed project site in 2004 by Twining. Based on the lack of free water in the open boreholes and the moisture content of the collected soil sample, it was concluded that groundwater existed at a depth in excess of 50 feet at the time of subsurface exploration. However, the soils encountered at the boring locations possessed moisture content in excess of the optimum moisture content. Mitigation Measure GEO-2 would require subsurface soil stabilization should unstable soils be encountered during excavation. Therefore, impacts related to unstable soils would be less than significant with mitigation.

## **Mitigation Measures**

### *GEO-2 Site Preparation*

Based on the nature of the subsurface soil conditions, it should be anticipated that unstable soil conditions would be encountered during excavation and installation of slabs-on-grade, foundations, utilities, etc. Therefore, the soils may require stabilization. Soils shall be stabilized in accordance with the Twining Report (2005), including the procedures in the Appendices for Chemical Treatment of Soil. Stabilization of the subgrade soils shall be performed in a uniform manner. If stabilization of the subgrade soils is necessary, it shall be performed in the entire building area, including the overbuild zone. Additionally, all recommendations provided in the Gorian Report (2021) regarding soil expansiveness shall be implemented, evidence of implementation shall be provided to the City engineer prior to the issuance of a grading permit.

## Significance After Mitigation

The site preparation procedures for addressing moisture content in the soils under Mitigation Measure GEO-2 would reduce potential impacts to a less than significant level.

**Threshold 4:** Would the project be located on expansive soil, as defined in Table 1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

**Impact GEO-7** EXPANSIVE SOIL OCCURS WITHIN THE PROJECT SITE AND CONSTRUCTION ATOP THIS SOIL COULD RESULT IN DAMAGE TO PROJECT INFRASTRUCTURE AND PLANNED STRUCTURES. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.

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Soil expansion tests were performed by Gorian in 2021 on representative soil samples obtained from the property. Results indicate the subsurface materials have a medium expansion potential.

Expansive soils contain clay particles that experience cyclic drying and wetting as the dry and wet seasons pass. Expansive soils experience volumetric changes (shrink/swell) as the moisture content of the clayey soils fluctuate, these shrink/swell cycles can impact foundations and lightly loaded slabs-on-grade when not designed for the anticipated expansive soil pressures.

Expansion potential may not manifest itself until months or years after construction. Swelling soils can cause distress to walks, structures, patio slabs, and drains (Gorian 2021). Therefore, impacts would be potentially significant but mitigable. The potential for damage to slabs-on-grade and foundations supported on expansive soils can be reduced by placing non-expansive sections underlying foundations and slabs-on-grade. Through compliance with site-specific geotechnical recommendations from the 2005 Twining study for expansive soils as required by Mitigation Measure GEO-1a and GEO-2, in addition to the geotechnical oversight as required under Mitigation Measure GEO-1b, the proposed project would not create substantial direct or indirect risk to life or property due to the presence of expansive soils. Therefore, impacts related to expansive soils would be less than significant with mitigation.

## Mitigation Measures

Implementation of Mitigation Measures GEO-1a, GEO-1b, and GEO-2 would reduce impacts to less than significant.

## Significance After Mitigation

Less than significant with implementation of Mitigation Measures GEO-1a, GEO-1b, and GEO-2.

**Threshold 6:** Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

**Impact GEO-8** DEVELOPMENT FACILITATED BY THE PROPOSED PROJECT HAS THE POTENTIAL TO DESTROY PREVIOUSLY UNDISCOVERED PALEONTOLOGICAL RESOURCES. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.

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Two geologic units, Quaternary alluvium (Qa) and lower Monterey Formation (Tml), directly underlie the proposed project site (Figure 4.6-1). A third geologic unit, Quaternary older alluvium (Qoa), is exposed at the surface less than 100 feet from the proposed project site, making it highly likely that this unit will be encountered at shallow depths within the proposed project site. Given their fossil-producing history, Quaternary older alluvium and the lower Monterey Formation are assigned a high



paleontological sensitivity. Quaternary alluvium is generally considered too young to preserve scientifically significant paleontological resources (SVP 2010), but geologic cross-sections (Dibblee and Ehrenspeck 1993) and its proximity to highly sensitive geologic units suggests that Qa may preserve such resources at depths as shallow as five feet. Therefore, Qa is assigned a low paleontological sensitivity at less than five feet of depth, but a high paleontological sensitivity deeper than five feet. The Thousand Oaks General Plan Conservation Element includes Policy CO-37 that address the protection and conservation of paleontological resources and Mitigation Measure GEO-3 requires full time palaeontologic resources monitoring and reporting by a Qualified Paleontologist during ground disturbance activities within highly sensitive geologic units. Therefore, impacts to paleontological resources would be less than significant with mitigation as well as adherence to Policy C)-37.

## **Mitigation Measures**

### *GEO-3 Paleontological Resources Monitoring and Mitigation*

1. **Qualified Paleontologist.** The project applicant shall retain a Qualified Paleontologist to direct all mitigation measures related to paleontological resources. A qualified professional paleontologist is defined by the Society of Vertebrate Paleontology (SVP) standards (SVP 2010) as an individual preferably with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, and who has worked as a paleontological mitigation project supervisor for a least two years (SVP 2010).
2. **Paleontological Worker Environmental Awareness Program.** Prior to the start of construction, the Qualified Paleontologist or their designee shall conduct a paleontological Worker Environmental Awareness Program (WEAP) training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff.
3. **Paleontological Monitoring.** Full-time paleontological monitoring shall be conducted during ground disturbing construction activities (i.e., grading, trenching, foundation work) within native (i.e., previously undisturbed) sediments of any depth in the lower Monterey Formation and depths greater than five feet in Quaternary alluvium. Ground disturbing activities that only impact artificial fill (i.e., previously disturbed) sediments do not require paleontological monitoring. Paleontological monitoring shall be conducted by a qualified paleontological monitor, who is defined as an individual who has experience with collection and salvage of paleontological resources and meets the minimum standards of the SVP (2010) for a Paleontological Resources Monitor. The duration and timing of the monitoring will be determined by the Qualified Paleontologist based on the observation of the geologic setting from initial ground disturbance, and subject to the review and approval by the City of Thousand Oaks. If the Qualified Paleontologist determines that full-time monitoring is no longer warranted, based on the specific geologic conditions once the full depth of excavations has been reached, they may recommend that monitoring be reduced to periodic spot-checking or ceased entirely. Monitoring shall be reinstated if any new ground disturbances are required, and reduction or suspension shall be reconsidered by the Qualified Paleontologist at that time. In the event of a fossil discovery by the paleontological monitor or construction personnel, all work in the immediate vicinity of the find shall cease. A Qualified Paleontologist shall evaluate the find before restarting construction activity in the area. If it is determined that the fossil(s) is (are) scientifically significant, the

Qualified Paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources:

- a. **Salvage of Fossils.** If fossils are discovered, the paleontological monitor shall have the authority to halt or temporarily divert construction equipment within 50 feet of the find until the monitor and/or lead paleontologist evaluate the discovery and determine if the fossil may be considered significant. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. Bulk matrix sampling may be necessary to recover small invertebrates or microvertebrates from within paleontologically sensitive deposits
  - b. **Preparation and Curation of Recovered Fossils.** Once salvaged, significant fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection, along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the Qualified Paleontologist.
4. **Final Paleontological Mitigation Report.** Upon completion of ground disturbing activity (and curation of fossils if necessary) the Qualified Paleontologist shall prepare a final report describing the results of the paleontological monitoring efforts associated with the project. The report shall include a summary of the field and laboratory methods, an overview of the project geology and paleontology, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, and recommendations. The report shall be submitted to the City of Thousand Oaks. If the monitoring efforts produced fossils, then a copy of the report shall also be submitted to the designated museum repository

### **Significance After Mitigation**

Implementation of Mitigation Measure GEO-3 would reduce potential impacts to paleontological resources to a less than significant level.

#### **4.6.4 Cumulative Impacts**

Cumulative development in the city would gradually increase population and therefore gradually increase the number of people exposed to potential geological hazards, including effects associated with seismic events such as ground rupture, seismic shaking, liquefaction, and landslides. However, geologic hazards are site specific, and individual development would not create compounding impacts that would affect geologic conditions on other sites. Moreover, development projects such as the proposed project, would be subject to CEQA review on a case-by-case basis and would be required to comply with applicable provisions of the Thousand Oaks General Plan, Thousand Oaks Municipal Code, CBC, as well as other laws and regulations mentioned above. Thousand Oaks also requires that all new structures comply with seismic and geologic hazard safety standards, including design and construction standards that regulate land use in areas known to have or to potentially have significant seismic and/or other geologic hazards.

Cumulative projects would increase the potential for impacts to buried paleontological resources through construction activities in the area. However, project-specific mitigation for cumulative development would limit this impact to less than significant, and implementation of Mitigation Measure GEO-3 and adherence to Conservation Element Policies, CO-37 and CO-38 would ensure the proposed project would not have a cumulatively considerable contribution to a significant cumulative

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impact related to paleontological resources. Other potential impacts from future development would be addressed on a case-by-case basis, and appropriate mitigation would be designed to mitigate impacts resulting from individual projects. Therefore, cumulative impacts would be less than significant.

## 4.7 Greenhouse Gas Emissions

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This section evaluates potential impacts to greenhouse gas emissions (GHG) from development facilitated by the proposed project. This analysis is based on Envicom Corporation's Air Quality and Greenhouse Gas Emissions and Energy Report that is included in Appendix B of the Environmental Impact Report (EIR) (Envicom 2021).

### 4.7.1 Setting

#### a. Climate Change and Greenhouse Gases

Climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period. The term "climate change" is often used interchangeably with the term "global warming," but climate change is preferred because it conveys other changes are happening in addition to rising temperatures. The baseline against which these changes are measured originates in historical records that identify temperature changes that occurred in the past, such as during previous ice ages. The global climate is changing continuously, as evidenced in the geologic record which indicates repeated episodes of substantial warming and cooling. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming, as glaciers have steadily retreated across the globe. However, scientists have observed acceleration in the rate of warming over the past 150 years. The United Nations Intergovernmental Panel on Climate Change (IPCC) expressed that the rise and continued growth of atmospheric Carbon Dioxide (CO<sub>2</sub>) concentrations is unequivocally due to human activities in the IPCC's Sixth Assessment Report (2021). Human influence has warmed the atmosphere, ocean, and land, which has led the climate to warm at an unprecedented rate in the last 2,000 years. It is estimated that between the period of 1850 through 2019, that a total of 2,390 gigatonnes of anthropogenic carbon dioxide CO<sub>2</sub> was emitted. It is likely that anthropogenic activities have increased the global surface temperature by approximately 1.07 degrees Celsius (°C) between the years 2010 through 2019 (IPCC 2021). Furthermore, since the late 1700s, estimated concentrations of CO<sub>2</sub>, methane, and nitrous oxide in the atmosphere have increased by over 43 percent, 156 percent, and 17 percent, respectively, primarily due to human activity (U.S. Environmental Protection Agency [USEPA] 2021a). Emissions resulting from human activities are thereby contributing to an average increase in Earth's temperature.

Gases that absorb and re-emit infrared radiation in the atmosphere are called GHGs. The gases widely seen as the principal contributors to human-induced climate change include CO<sub>2</sub>, methane (CH<sub>4</sub>), nitrous oxides (N<sub>2</sub>O), fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere, and natural processes, such as oceanic evaporation, determine its atmospheric concentrations.

GHGs are emitted by natural processes and human activities. Of these gases, CO<sub>2</sub> and CH<sub>4</sub> are emitted in the greatest quantities from human activities. Emissions of CO<sub>2</sub> are usually by-products of fossil fuel combustion, and CH<sub>4</sub> results from off-gassing associated with agricultural practices and landfills. Human-made GHGs, many of which have greater heat-absorption potential than CO<sub>2</sub>, include fluorinated gases and SF<sub>6</sub> (USEPA 2021a).

Different types of GHGs have varying global warming potentials (GWP). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO<sub>2</sub>) is used to relate the amount of heat absorbed to the amount of the gas emitted, referred to as “carbon dioxide equivalent” (CO<sub>2</sub>e), which is the amount of GHG emitted multiplied by its GWP. CO<sub>2</sub> has a 100-year GWP of one. By contrast, methane has a GWP of 30, meaning its global warming effect is 30 times greater than CO<sub>2</sub> on a molecule per molecule basis (IPCC 2021).<sup>1</sup>

The accumulation of GHGs in the atmosphere regulates the earth’s temperature. Without the natural heat-trapping effect of GHGs, the earth’s surface would be about 33 C cooler (World Meteorological Organization 2020). However, since 1750, estimated concentrations of CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O in the atmosphere have increased by 47 percent, 156 percent, and 23 percent, respectively, primarily due to human activity (IPCC 2021). The main human influence on the climate is via combustion of fossil fuels and land use-change-related CO<sub>2</sub> emissions, the principal causes of increased CO<sub>2</sub> concentrations since the pre-industrial period (IPCC 2021).

## **b. Greenhouse Gas Emissions Inventory**

### **Global Emissions Inventory**

In 2018, worldwide anthropogenic total 48,940 billion MT of CO<sub>2</sub>e, which is a 50 percent increase from 1990 GHG levels (USEPA 2021b). Specifically, 36,442 million metric tons (MMT) of CO<sub>2</sub>e of CO<sub>2</sub>, 8,298 MMT of CO<sub>2</sub>e of CH<sub>4</sub>, 3,064 MMT of CO<sub>2</sub>e of N<sub>2</sub>O, and 1,136 MMT of CO<sub>2</sub>e of fluorinated gases were emitted in 2018. The largest source of GHG emissions were energy production and use (includes fuels used by vehicles and buildings), which accounted for 76 percent of the global GHG emissions. Agriculture uses and industrial processes contributed 12 percent and six percent, respectively. Waste sources contributed for three percent. These sources account for approximately 97 percent because there was a net sink of three percent from land-use change and forestry (ClimateWatch n.d).

### **United States Emissions Inventory**

U.S. GHG emissions were 6,558 MMT of CO<sub>2</sub>e in 2019. Emissions decreased by 1.7 percent from 2018 to 2019; since 1990, total U.S. emissions have increased by an average annual rate of 0.06 percent for a total increase of 1.8 percent between 1990 and 2019. The decrease from 2018 to 2019 reflects the combined influences of several long-term trends, including population changes, economic growth, energy market shifts, technological changes such as improvements in energy efficiency, and decrease carbon intensity of energy fuel choices. In 2019, the industrial and transportation end-use sectors accounted for 30 percent and 29 percent, respectively, of nationwide GHG emissions while the commercial and residential end-use sectors accounted for 16 percent and 15 percent of nationwide GHG emissions, respectively, with electricity emissions distributed among the various sectors (USEPA 2021c).

### **California Emissions Inventory**

Based on the California Air Resources Board (CARB) California Greenhouse Gas Inventory for 2000-2019, California produced 418.2MMT of CO<sub>2</sub>e in 2019, which is 7.2 MMT of CO<sub>2</sub>e lower than 2018 levels. The major source of GHG emissions in California is the transportation sector, which comprises

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<sup>1</sup> The IPCC (2021) *Sixth Assessment Report* determined that methane has a GWP of 30. However, the 2017 Climate Change Scoping Plan published by the California Air Resources Board uses a GWP of 25 for methane, consistent with the Intergovernmental Panel on Climate Change’s (2007) *Fourth Assessment Report*. Therefore, this analysis utilizes a GWP of 25.

40 percent of the state's total GHG emissions. The industrial sector is the second largest source, comprising 21 percent of the State's GHG emissions while electric power accounts for approximately 14 percent (CARB 2021a). The magnitude of California's total GHG emissions is due in part to its large size and large population compared to other states. However, a factor that reduces California's per capita fuel use and GHG emissions as compared to other states is its relatively mild climate. In 2016, California achieved its 2020 GHG emission reduction target of reducing emissions to 1990 levels as emissions fell below 431 MMT of CO<sub>2</sub>e (CARB 2021a). The annual 2030 statewide target emissions level is 260 MMT of CO<sub>2</sub>e (CARB 2017).

### **Local Emissions Inventory**

In 2018, the City of Thousand Oaks (Thousand Oaks; city) emitted 959,686 metric tons of CO<sub>2</sub>e (City of Thousand Oaks 2020). Transportation makes up about half of the emissions. These come mostly from our personal vehicles. Electricity was the second largest source in 2018 when most was supplied by Southern California Edison (SCE) who used natural gas for generating almost half of their electricity. Natural gas, which is mainly used for water heating, space heating, and food preparation, contributed 15 percent to the city's carbon footprint.

### **c. Potential Effects of Climate Change**

Globally, climate change has the potential to affect numerous environmental resources though potential impacts related to future air temperatures and precipitation patterns. Scientific modeling predicts that continued GHG emissions at or above current rates would induce more extreme climate changes during the 21<sup>st</sup> century than were observed during the 20<sup>th</sup> century. Each of the past three decades has been warmer than all the previous decades in the instrumental record, with 2013–2021 among the ten warmest years on record. The average global land and ocean surface temperature for January–December 2021 was 0.84°C (1.51 degrees Fahrenheit [°F]) above the 20<sup>th</sup> century average of 13.9°C (57.0°F) (National Oceanic and Atmospheric Administration 2022). Furthermore, several independently analyzed data records of global and regional Land-Surface Air Temperature (LSAT) obtained from station observations jointly indicate that LSAT and sea surface temperatures have increased. Due to past and current activities, anthropogenic GHG emissions are increasing global mean surface temperature at a rate of 0.2°C per decade. In addition to these findings, there are identifiable signs that global warming is currently taking place, including substantial ice loss in the Arctic over the past two decades (IPCC 2014 and 2018).

Potential impacts of climate change in California may include reduced water supply from snowpack, sea level rise, more extreme heat days per year, more large forest fires, and more drought years (California Natural Resource Agency 2018). *California's Fourth Climate Change Assessment* includes regional reports that summarize climate impacts and adaptation solutions for nine regions of the state and regionally specific climate change case studies. However, while there is growing scientific consensus about the possible effects of climate change at a global and statewide level, current scientific modeling tools are unable to predict what local impacts may occur with a similar degree of accuracy (State of California 2018). A summary follows of some of the potential effects that climate change could generate in California.

### **Air Quality**

Scientists project that the annual average maximum daily temperatures in California could rise by 2.4 to 3.2°C in the next 50 years and by 3.1 to 4.9°C in the next century (California Natural Resource Agency 2018). Higher temperatures are conducive to air pollution formation, and rising temperatures

could therefore result in worsened air quality in California. As a result, climate change may increase the concentration of ground-level ozone, but the magnitude of the effect, and therefore its indirect effects, are uncertain. In addition, as temperatures have increased in recent years, the area burned by wildfires throughout the state has increased, and wildfires have occurred at higher elevations in the Sierra Nevada Mountains (California Natural Resource Agency 2018). If higher temperatures continue to be accompanied by an increase in the incidence and extent of large wildfires, air quality could worsen. Severe heat accompanied by drier conditions and poor air quality could increase the number of heat-related deaths, illnesses, and asthma attacks throughout the state. With increasing temperatures, shifting weather patterns, longer dry seasons, and more dry fuel loads, the frequency of large wildfires and area burned is expected to increase. (California Natural Resources Agency 2021).

## **Water Supply**

Analysis of paleoclimatic data (such as tree-ring reconstructions of stream flow and precipitation) indicates a history of naturally and widely varying hydrologic conditions in California and the west, including a pattern of recurring and extended droughts. Uncertainty remains with respect to the overall impact of climate change on future precipitation trends and water supplies in California. Year-to-year variability in statewide precipitation levels has increased since 1980, meaning that wet and dry precipitation extremes have become more common (California Department of Water Resources 2018). This uncertainty regarding future precipitation trends complicates the analysis of future water demand, especially where the relationship between climate change and its potential effect on water demand is not well understood. The average early spring snowpack in the western U.S., including the Sierra Nevada Mountains, decreased by about 10 percent during the last century. During the same period, sea level rose over 0.15 meter along the central and southern California coasts (California Natural Resource Agency 2018). The Sierra Nevada Mountains snowpack provides the majority of California's water supply as snow that accumulates during wet winters is released slowly during the dry months of spring and summer. A warmer climate is predicted to reduce the fraction of precipitation that falls as snow and the amount of snowfall at lower elevations, thereby reducing the total snowpack. Projections indicate that average spring snowpack in the Sierra Nevada and other mountain catchments in central and northern California will decline by approximately 66 percent from its historical average by 2050 (California Natural Resource Agency 2018).

## **Hydrology and Sea Level Rise**

Climate change could affect the intensity and frequency of storms and flooding (California Natural Resource Agency 2018). Furthermore, climate change could induce substantial sea level rise in the coming century. Rising sea level increases the likelihood of and risk from flooding. The rate of increase of global mean sea levels between 1993 to 2020, observed by satellites, is approximately 3.3 millimeters per year, double the twentieth century trend of 1.6 millimeters per year (World Meteorological Organization 2013; National Aeronautics and Space Administration 2020). Global mean sea levels in 2013 were about 0.23 meter higher than those of 1880 (National Aeronautics and Space Administration 2020). Sea levels are rising faster now than in the previous two millennia, and the rise will probably accelerate, even with robust GHG emission control measures. The most recent IPCC report predicts a mean sea level rise ranging between 0.25 to 0 1.01 meters by 2100 with the sea level ranges dependent on a low, intermediate, or high GHG emissions scenario (IPCC 2021). A rise in sea levels could erode 31 to 67 percent of southern California beaches and cause flooding of approximately 370 miles of coastal highways during 100-year storm events. This would also jeopardize California's water supply due to saltwater intrusion and induce groundwater flooding and/or exposure of buried infrastructure (California Natural Resource Agency 2018). Furthermore,

increased storm intensity and frequency could affect the ability of flood-control facilities, including levees, to handle storm events.

## **Agriculture**

California has an over \$50 billion annual agricultural industry that produces over a third of the Country's vegetables and two-thirds of the Country's fruits and nuts (California Department of Food and Agriculture 2020). Higher CO<sub>2</sub> levels can stimulate plant production and increase plant water-use efficiency. However, if temperatures rise and drier conditions prevail, certain regions of agricultural production could experience water shortages of up to 16 percent, which would increase water demand as hotter conditions lead to the loss of soil moisture. In addition, crop yield could be threatened by water-induced stress and extreme heat waves, and plants may be susceptible to new and changing pest and disease outbreaks (California Natural Resource Agency 2018). Temperature increases could also change the time of year certain crops, such as wine grapes, bloom or ripen, and thereby affect their quality (California Climate Change Center 2006).

## **Ecosystems and Wildlife**

Climate change and the potential resultant changes in weather patterns could have ecological effects on the global and local scales. Soil moisture is likely to decline in many regions with higher temperatures, and intense rainstorms are likely to become more frequent. Rising temperatures could have four major impacts on plants and animals: timing of ecological events; geographic distribution and range of species; species composition and the incidence of nonnative species within communities; and ecosystem processes, such as carbon cycling and storage (Parmesan 2006; California Natural Resource Agency 2018).

### **4.7.2 Regulatory Setting**

#### **a. Federal Regulations**

##### **Federal Clean Air Act**

On April 2, 2007, in *Massachusetts v. EPA*, [549 U.S. 497 (2007)], the Supreme Court found that GHGs are air pollutants covered by the Clean Air Act (CAA). The Court held that the Administrator must determine whether or not emissions of greenhouse gases from new motor vehicles cause or contribute to air pollution which may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. On December 7, 2009, the Administrator signed two distinct findings regarding GHGs under Section 202(a) of the CAA:

**Endangerment Finding:** The Administrator finds that the current and projected concentrations of six GHGs (CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, HFCs, PFCs, and SF<sub>6</sub>) in the atmosphere threaten the public health and welfare of current and future generations.

**Cause or Contribute Finding:** The Administrator finds that the combined emissions of these GHGs from new motor vehicles and new motor vehicle engines contribute to the GHG pollution, which threatens public health and welfare.



These findings do not themselves impose any requirements on industry or other entities. However, this action was a prerequisite for implementing GHG emission standards for vehicles.<sup>2</sup> In collaboration with the National Highway Traffic Safety Administration (NHTSA) and CARB, the USEPA developed emission standards for light-duty vehicles (2012-2025 model years)<sup>3</sup> and heavy-duty vehicles (2014-2027 model years).<sup>4</sup>

## **Corporate Average Fuel Economy (CAFE) Standards**

First enacted by Congress in 1975, the purpose of the Corporate Average Fuel Economy (CAFE) standards was to reduce energy consumption by increasing the fuel economy of passenger cars and light trucks. On April 1, 2010, the NHTSA and USEPA issued a joint final rule establishing a new national program to regulate passenger cars and light trucks to improve fuel economy and reduce GHG emissions. According to Midterm Evaluation of Light-Duty Vehicle GHG Emission Standards and Corporate Average Fuel Economy Standards for Model Years 2022-2025, issued by the NHTSA, USEPA and ARB on July 18, 2016, CAFE standards for passenger cars and light trucks increased from an average fuel economy of 34.1 miles per gallon (mpg) by model year 2016 to 38.3 mpg by model year 2021 and 46.3 mpg by model year 2025.<sup>5</sup>

### **b. State Regulations**

#### **Assembly Bill 1493, The Pavley Standards**

In July 2002, the State enacted Assembly Bill (AB) 1493, which directed the CARB to develop and adopt regulations that achieve the maximum feasible reduction of GHGs emitted by passenger vehicles and light-duty trucks, beginning with model year 2009. In September 2004, pursuant to this directive, the CARB approved regulations to reduce GHG emissions from new motor vehicles beginning with the 2009 model year. These regulations created what are referred to as the Pavley Standards. In September 2009, the CARB adopted amendments to the Pavley Standards to reduce GHG emissions from new motor vehicles through the 2016 model year. These regulations created what are referred to as the Pavley II Standards. It is expected that the Pavley regulations will reduce GHG emissions from California passenger vehicles by about 34 percent below 2016 levels by 2025, as well as improve fuel efficiency and reduce motorists' costs.<sup>6</sup>

#### **Executive Order S-3-05**

Former Governor Schwarzenegger's 2005 Executive Order S-3-05 included the following GHG emission reduction targets: 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. To meet the targets, the Governor directed several State agencies to cooperate in the development of a climate action plan. The Secretary of the California Environmental Protection Agency (Cal EPA) leads

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<sup>2</sup> USEPA. Endangerment and Cause or Contribute Findings for Greenhouse Gases under Section 202(a) of the Clean Air Act. Available at: <https://www.epa.gov/climate-change/endangerment-and-cause-or-contribute-findings-greenhouse-gases-under-section-202a>, Accessed on November 8, 2021.

<sup>3</sup> NHTSA, USEPA and CARB, Draft Technical Assessment Report (TAR) of Light-Duty Vehicle Greenhouse Gas Emissions Standards and Corporate Average Fuel Economy Standards for Model Years 2022-2025, July 2016.

<sup>4</sup> U.S. Government Publishing Office, NHTSA 49 Code of Federal Regulations Parts 523, 534, 535, and 538, Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles - Phase 2, 2016. Federal Register Vol. 81, No. 206. October 25, 2016.

<sup>5</sup> NHTSA, USEPA and CARB, Draft Technical Assessment Report (TAR) of Light-Duty Vehicle Greenhouse Gas Emissions Standards and Corporate Average Fuel Economy Standards for Model Years 2022-2025, July 2016.

<sup>6</sup> ARB, California Air Resources Board Approves Advances Clean Car Rules, Accessed on November 8, 2021 at: <https://www2.arb.ca.gov/news/california-air-resources-board-approves-advanced-clean-car-rules>.

the Climate Action Team, whose goal is to implement global warming emission reduction programs identified in the Climate action plan and to report biannually on the progress made toward meeting the emission reduction targets established in the Executive Order.<sup>7</sup>

### **Assembly Bill 32, The Global Warming Solutions Act of 2006**

In September 2006, the California State Legislature enacted the California Global Warming Solutions Act of 2006, also known as AB 32 (California Health and Safety Code, Section 38500 et seq.). As required by AB 32, CARB was directed to determine statewide GHG emissions in 1990 and set that as a limit to be achieved statewide by 2020. AB 32 mandated CARB to establish a quantified emissions cap, institute a schedule to meet the cap, implement regulations to reduce statewide GHG emissions from stationary sources, and develop tracking, reporting, and enforcement mechanisms to ensure that reductions are achieved.

### **Low Carbon Fuel Standard**

Executive Order S-01-07 (January 18, 2007) requires a 10 percent or greater reduction in the average fuel carbon intensity for transportation fuels in California regulated by CARB. The Low Carbon Fuel Standard (LCFS) was identified by CARB as a Discrete Early Action item under AB 32, and the final resolution (09-31) was issued on April 23, 2009. In 2009, CARB approved for adoption the LCFS regulation, which became fully effective in April 2010 and is codified at Title 17, California Code of Regulations, Sections 95480-95490. The LCFS will reduce GHG emissions by reducing the carbon intensity of transportation fuels used in California by at least 10 percent by 2020. In September 2018, the standards were amended by CARB to require a 20 percent reduction in carbon intensity by 2030, aligning with California's 2030 targets set by SB 32.

### **Senate Bill 375, the Sustainable Communities and Climate Protection Act**

California's Sustainable Communities and Climate Protection Act, also referred to as Senate Bill (SB) 375 became effective January 1, 2009. The goal of SB 375 is to help achieve AB 32's GHG emissions reduction goals by aligning the planning processes for regional transportation, housing, and land use. SB 375 requires CARB to develop regional reduction targets for GHGs and prompts the creation of regional plans to reduce emissions from vehicle use throughout the State. California's 18 Metropolitan Planning Organizations (MPOs) have been tasked with creating "Sustainable Community Strategies" (SCS) in an effort to reduce each region's vehicle miles traveled (VMT) in order to help meet AB 32 targets through integrated transportation, land use, housing and environmental planning. Pursuant to SB 375, CARB set per-capita GHG emissions reduction targets from passenger vehicles for each of the State's 18 MPOs. For the Southern California Association of Governments (SCAG) region, the targets are set at eight percent below 2005 per capita emissions levels by 2020<sup>8</sup> and 13 percent below 2005 per capita emissions levels by 2035. Beginning October 1, 2018, the target changed to 19 percent for 2035. This new target has been incorporated into SCAG's 2020-2045 Regional Transportation Plan / Sustainable Communities Plan (2020-2045 RTP/SCS), also referred to as the "Connect SoCal" Plan).<sup>9</sup>

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<sup>7</sup> Office of Governor Arnold Schwarzenegger, Executive Order S-3-05, June 1, 2005.

<sup>8</sup> SCAG met 2020 GHG reduction but confirmation from CARB is still pending.

<sup>9</sup> SCAG, 2020-2045 RTP/SCS (Connect SoCal), adopted September 2020.

## **Climate Change Scoping Plan**

As explained earlier in the discussion of AB 32, one of CARB's first steps in implementing the statutory scheme was to prepare a scoping plan that identified strategies for reducing GHG emissions. The initial Climate Change Scoping Plan (Scoping Plan) was adopted in December 2008.

The First Update to the Scoping Plan (Update) was approved by the CARB on May 22, 2014. The Update builds upon the initial Scoping Plan with new strategies and recommendations and identifies opportunities to leverage existing and new funds to further drive GHG emission reductions through strategic planning and targeted low carbon investments. The Update defines near-term 2020 GHG limits but also sets the groundwork for achieving long-term GHG emission reductions.<sup>10</sup> The Update established a broad framework for achieving emission reductions of 80 percent below 1990 levels by 2050. Consequently, the Update recalculated the 1990 GHG emissions level from 427 MMT CO<sub>2</sub>e in the initial Scoping Plan to 431 MMT CO<sub>2</sub>e. According to the Update, GHG reductions that average approximately 5.2 percent per year would be required after 2020 to reach the 2050 goal.

The CARB identified six key focus areas comprising major components of the State's economy to evaluate and describe the larger transformative actions that would be needed to meet the State's more expansive emission reduction needs by 2050. The focus areas included Energy, Transportation (Vehicles/Equipment, Sustainable Communities, Housing, Fuels, and Infrastructure), Agriculture, Water, Waste Management, and Natural and Working Lands. The final recommendations of the CARB called for a 2030 target of, at a minimum, 40 percent reduction from 1990 levels and a 2040 target of, at a minimum, 60 percent reduction from 1990 levels; a call for California to reduce its energy use and transition to 100 percent renewable energy; financial support for transportation in disadvantaged communities; and amendments to the Cap-and-Trade Regulation that would exclude direct allocation and offset credits.<sup>11</sup>

The Scoping Plan was updated again in 2017 (2017 Scoping Plan) to address how the State can reach its 2030 climate target required by SB 32 (discussed below) to reduce GHG emissions by 40 percent from 1990 levels and substantially advance toward the 2050 climate goal to reduce GHG emissions by 80 percent below 1990 levels. The 2017 Scoping Plan builds on and integrates efforts that were already underway to reduce the State's GHG, criteria pollutant, and TAC emissions. Enhancing and implementing these ongoing efforts the 2017 Scoping Plan projects that by enhancing and implementing ongoing programs, paired with a more stringent Cap-and-Trade Program, to deliver climate, air quality, and other benefits, California on the path to achieving the 2030 target.<sup>12</sup>

## **The Advanced Clean Cars Program**

In 2012, the CARB adopted the Advanced Clean Cars Program, which is aimed at reducing both smog-causing pollutants and GHG emissions from cars and light-duty trucks model years 2017-2025. The set of regulations focus on increasing the number of plug-in hybrid cars and zero-emission vehicles (ZEVs) in the vehicle fleet and on making fuels such as electricity and hydrogen readily available for these vehicle technologies. The components of the Advanced Clean Cars Program are the Low-Emission Vehicle (LEV) regulations that reduce criteria pollutants and GHG emissions from light- and medium-duty vehicles, and the ZEV regulation, which requires manufacturers to produce an increasing number of pure ZEVs (meaning battery electric and fuel cell electric vehicles), with

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<sup>10</sup> California Air Resources Board, First Update to the AB 32 Scoping Plan. Accessed on November 8, 2021 at: <https://www.arb.ca.gov/cc/scopingplan/document/updatedscopingplan2013.htm>.

<sup>11</sup> CARB, First Update to the Climate Change Scoping Plan. May 2014.

<sup>12</sup> CARB, California's 2017 Climate Change Scoping Plan, November 2017.

provisions to also produce plug-in hybrid electric vehicles (PHEV) in the 2018 through 2025 model years. the new standards will reduce GHG emissions by 34 percent in 2025.<sup>13</sup>

### **Executive Order B-16-12**

In March 2012, Governor Brown issued Executive Order B-16-12, which embodied a vision of a future in which ZEV would help the State meet its GHG reduction targets. Executive Order B-16-12 directed the State government to accelerate the market for ZEVs in California through fleet replacement and electric vehicle infrastructure. The Executive Order set the following targets:

- By 2015, all major cities in California will have adequate infrastructure and be ZEV ready.
- By 2020, the State will have established adequate infrastructure to support one million ZEVs in California.
- By 2025, there will be 1.5 million ZEVs on the road in California.
- By 2050, virtually all personal transportation in the State will be based on ZEVs, and GHG emissions from the transportation sector will be reduced by 80 percent below 1990 levels.<sup>14</sup>

### **Title 24 Building Energy Efficiency Standards**

California’s Building Energy Efficiency Standards for Residential and Nonresidential Buildings, located at Title 24, Part 6 of the California Code of Regulations and commonly referred to as “Title 24,” were established in 1978 in response to a legislative mandate to reduce California’s energy consumption. Although not originally intended to reduce GHG emissions, increased energy efficiency and reduced consumption of electricity, natural gas, and other fuels would result in fewer GHG emissions from residential and nonresidential buildings subject to the standards. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods.

The 2019 Standards, which took effect on January 1, 2020, improve upon the previous 2016 Standards for new construction of, and additions and alterations to, residential and nonresidential buildings. The most significant efficiency improvements required by the 2019 Building Energy Efficiency Standards include the introduction of photovoltaic power systems requirements for residential uses, as well as improvements for attics, walls, water heating, and lighting. Title 24, Part 6 requires that local agencies determine compliance with the applicable Building Energy Efficiency Standards before issuing building permits for construction.

### **California Green Building Standards Code**

The California Green Building Standards Code, which is Part 11 of Title 24 of the California Code of Regulations, is commonly referred to as the CALGreen Code. The 2019 CALGreen Code became effective on January 1, 2020, and is intended to “improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices” in the following categories:

1. Planning and design.
2. Energy efficiency.

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<sup>13</sup> CARB, Facts About the Advanced Clean Cars Program, November 9, 2011.

<sup>14</sup> Office of Governor Edmund G. Brown Jr. Executive Order B-16-2012.

3. Water efficiency and conservation.
4. Material conservation and resource efficiency.
5. Environmental air quality.”

The 2019 CALGreen Code includes both voluntary and mandatory energy efficiency standards for commercial and residential buildings that address site selection, storm water management, construction waste reduction, indoor water use reduction, material selection, natural resource conservation, and irrigation, as well as other topics. As part of Title 24, applicable CalGreen Code requirements are enforced through the building permit process.

### **Executive Order B-30-15**

In 2015, Governor Brown issued Executive Order B-30-15, which created an interim Statewide GHG emission reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030. The interim standard was established to ensure that California would meet its target of reducing GHG emissions to 80 percent below 1990 levels by 2050.<sup>15</sup>

### **Senate Bill 743**

Governor Brown signed SB 743 in 2013, which creates a process to change the way that transportation impacts are analyzed under CEQA. SB 743 requires the Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to level of service (LOS) methodology for evaluating transportation impacts. Particularly within areas served by transit. The required alternative methodology criteria must promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses. Measurements of transportation impacts would involve VMT per capita or per employee.

### **Senate Bill 32**

Effective January 1, 2017, SB 32 added Section 38566 to the California Health and Safety Code, requiring Statewide GHG emissions reductions to 40 percent below those that occurred in 1990 by the year 2030.<sup>16</sup> As outlined in SB 32, achieving the required reductions involves increasing renewable energy use, imposing tighter limits on carbon content of gasoline and diesel fuel, increasing use of electric vehicles (EVs), improving energy efficiency, and reducing emissions from key industries.

### **Executive Order B-55-18**

Executive Order B-55-18, issued by Governor Brown on September 10, 2018, established an additional statewide policy goal to achieve carbon neutrality as soon as possible and no later than 2045, and to achieve and maintain net negative emissions thereafter. The Order states that this new goal is in addition to the prior statewide targets for reduction of GHG emissions.

### **Senate Bill 100**

On September 10, 2018, Governor Jerry Brown signed SB 100, which further increased California’s Renewable Portfolio Standards (RPS) and requires retail sellers and local publicly owned electric

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<sup>15</sup> Office of Governor Edmund G. Brown Jr, Governor Brown Establishes Most Ambitious Greenhouse Gas Reduction Target in North America, April 29, 2015, Accessed November 8, 2021 at: <https://www.ca.gov/archive/gov39/2015/04/29/news18938/index.html>.

<sup>16</sup> California Legislative Information, Senate Bill No. 32, Accessed on July 18, 2019 at: [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160SB32](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB32).

utilities to procure eligible renewable electricity for 44 percent of retail sales by December 31, 2024, 52 percent by December 31, 2027, and 60 percent by December 31, 2030, and that CARB should plan for 100 percent eligible renewable energy resources and zero-carbon resources by December 31, 2045.

## **Leadership in Energy and Environmental Design (LEED) Rating System**

LEED provides a framework for healthy, efficient, carbon and cost-saving green buildings. LEED certification is a globally recognized symbol of sustainability achievement and leadership. The goal of LEED is to create better buildings that:

- Reduce contribution to global climate change
- Enhance individual human health
- Protect and restore water resources
- Protect and enhance biodiversity and ecosystem services
- Promote sustainable and regenerative material cycles
- Enhance community quality of life

LEED is a holistic system that doesn't simply focus on one element of a building such as energy, water or health, rather it looks at the big picture factoring in all of the critical elements that work together to create the best building possible. In fact, 35 percent of the credits in LEED are related to climate change, 20 percent of the credits directly impact human health, 15 percent of the credits impact water resources, 10 percent of the credits affect biodiversity, 10 percent of the credits relate to the green economy, 5 percent of the credits impact community and 5 percent of the credits impact natural resources. In LEED v4.1, a majority of the LEED credits are related to operational and embodied carbon.

### **c. Regional**

#### **SCAG Regional Transportation Plan/Sustainable Communities Strategy**

SCAG functions as the MPO for six counties, including Los Angeles County, wherein the proposed project site is located. As the designated MPO, SCAG is required by federal law to prepare and update a long-range regional transportation plan, keep up with CAA requirements, monitor system performance, and develop SCS to achieve GHG reduction targets set by the CARB.

On September 1, 2020, SCAG's Regional Council adopted an updated RTP/SCS known as the 2020-2045 RTP/SCS or Connect SoCal.<sup>17</sup> The 2020-2045 RTP/SCS is a long-range visioning plan that builds upon and expands land use and transportation strategies of the 2016-2040 RTP/SCS to increase mobility options and achieve a more sustainable growth pattern. The 2020-2045 RTP/SCS projects growth in employment, population, and households at the regional, county, city, town and neighborhood levels. These projections take into account economic and demographic trends, as well feedback from SCAG's jurisdictions. The 2020-2045 RTP/SCS "Core Vision" centers on maintaining and better managing the transportation network for moving people and goods, while expanding mobility choices by locating housing, jobs and transit closer together and increasing investment in transit and complete streets.<sup>18</sup> The 2020-2045 RTP/SCS continues efforts to better align transportation

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<sup>17</sup> SCAG, 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments, Adopted September 3, 2020.

<sup>18</sup> SCAG, A Plan Summary for Connect SoCal, Adopted September 3, 2020.

investments and land use decisions to improve mobility and reduce GHGs by bringing housing, jobs and transit closer together. SCAG has determined that the 2020-2045 RTP/SCS would achieve the applicable GHG emissions reduction target for automobiles and light trucks of 19 percent per capita reduction by 2035, relative to 2005 levels, as established by CARB for the region.<sup>19</sup>

#### **d. Local**

The City's General Plan Conservation Element 2013 Update includes the following climate change policy:

**CO-39** Support efforts to reduce greenhouse gas emissions, consistent with the intent of the State of California's California Global Warming Solutions Act of 2006 (Assembly Bill 32).

#### **Implementation Measures**

- Prepare Greenhouse Gas Analyses for development projects which require the preparation of Environmental Impact Reports or Mitigated Negative Declarations.
- Reduce energy use and utilize sustainable energy sources at City facilities where feasible, in accordance with City-adopted Energy Action Plan.

Although the City does not have an adopted Climate action plan, the City is now developing its Climate and Environmental Action Plan (CEAP), which will detail the strategies and actions that the City will pursue to protect the environment and address the challenges of climate change. The CEAP is being developed in parallel with the City's General Plan update.

### 4.7.3 Impact Analysis

#### **a. Significance Thresholds and Methodology**

##### **Thresholds of Significance**

GHG impacts of a project are considered significant if they cause a considerable cumulative increase, directly or indirectly, of GHG emissions on the environment. In addition, the projects that do not comply with applicable regional or local plans to reduce GHG emission.

Appendix G of the California Environmental Quality Act (CEQA) Guidelines identifies the following criteria for determining whether development facilitated by the proposed project would have a significant impact on greenhouse gas emissions:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.
- Conflict with an applicable plan, policy or regulation adopted to reduce GHG emissions.

Because individual projects do not generate sufficient GHG emissions that would substantially affect climate change; the issue of climate change typically involves an analysis of whether a project's contribution toward an impact is cumulatively considerable. As defined by CEQA Guidelines Section 15355, "Cumulatively considerable" means that the incremental effects of an individual project are

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<sup>19</sup> CARB, Executive Order G-20-239 Southern California Association of Governments' 2020 Sustainable Communities Strategy CARB Acceptance of GHG Quantification Determination, October 30, 2020.

significant when viewed in connection with the effects of past projects, other current projects, and probable future projects.

The CEQA Guidelines Section 15064.4(a) states that a lead agency shall have discretion to determine, in the context of a particular project, whether to:

- Quantify greenhouse gas emissions resulting from a project; and/or
- Rely on a qualitative analysis or performance-based standards.

Additionally, CEQA Guidelines Section 15064.4(b) states that “In determining the significance of a project’s greenhouse gas emissions, the lead agency should focus its analysis on the reasonably foreseeable incremental contribution of the project’s emissions to the effects of climate change,” and that the following factors should be considered:

- The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting.
- Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
- The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions (see, e.g., Section 15183.5(b)). Such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project’s incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project. In determining the significance of impacts, the lead agency may consider a project’s consistency with the State’s long-term climate goals or strategies, provided that substantial evidence supports the agency’s analysis of how those goals or strategies address the project’s incremental contribution to climate change and its conclusion that the project’s incremental contribution is not cumulatively considerable.

CEQA Guidelines Section 15064.4 does not establish a threshold of significance for GHG emissions. Lead agencies have the discretion to establish significance thresholds for their respective jurisdictions, and in establishing those thresholds, a lead agency may appropriately look to thresholds developed by other public agencies or suggested by other experts (see CEQA Guidelines Section 15064.7(c)). Pursuant to CEQA Guidelines Section 15064.7(b), “Thresholds of significance to be adopted for general use as part of the lead agency’s environmental review process must be adopted by ordinance, resolution, rule, or regulation, and developed through a public review process and be supported by substantial evidence.” To date, the City, as lead agency, has not established a quantitative threshold for evaluating the significance of GHG emissions for general use as part of the City’s environmental review process.

In 2011, VCAPCD staff provided a report entitled “Greenhouse Gas Thresholds of Significance Options for Land Use Development Projects in Ventura County” to the Ventura County Air Pollution Control Board by way of a letter dated November 8, 2011. This letter notes that the most common approach for determining the significance of GHG emissions for land use projects is a tiered approach involving: (1) applicability of any CEQA exemptions; (2) project consistency with a local climate action plan; and (3) application of an efficiency-based threshold and/or a bright line gap-based threshold based on capturing 90 percent of project GHG emissions. This passage refers to and cites sections from a 2008 CAPCOA white paper titled “CEQA and Climate Change: Addressing Climate Change through California



Environmental Quality Act”<sup>20</sup> that provides “a common platform of information and tools to address climate change in CEQA analyses, including the evaluation and mitigation of GHG emissions from proposed projects and identifying significance threshold options.” The VCAPCD letter also states that “Given that Ventura County is adjacent to the South Coast AQMD jurisdiction and a part of the Southern California Association of Governments region, District staff believes it makes sense to set local GHG emission thresholds of significance for land use development projects at levels consistent with those set by the South Coast AQMD,” and concludes that “unless directed otherwise by [the Air Pollution Control] Board, District staff will continue to evaluate and develop suitable GHG threshold options for Ventura County with preference for GHG threshold consistency with the South Coast AQMD and the SCAG region.” However, to date, VCAPCD has not established quantitative significance thresholds for evaluating GHG emissions in CEQA analyses for non-industrial development projects.

In September 2010, SCAQMD proposed a tiered approach to evaluate potential GHG impacts from non-industrial development projects<sup>21</sup> that also used strategies described in the 2008 CAPCOA white paper titled “CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act.”<sup>22</sup> However, none of the proposed options for evaluating residential or mixed-use projects were ever adopted by SCAQMD.

To date, no quantitative GHG emissions significance threshold for general use in the environmental review process of non-industrial projects that would be applicable to the proposed project have been adopted by a local, regional, or State agency per the requirements of CEQA Guidelines Section 15064.7(b). As such, for this analysis, the potential significance of the project’s GHG emissions will be qualitatively evaluated based on the “extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions” (CEQA Guidelines Section 15064.4(b)). The proposed project would be required by the City to comply with applicable regulations or requirements adopted to implement statewide, regional, or local plans for the reduction or mitigation of greenhouse gas emissions. The project’s consistency with such plans is discussed in the Plan Consistency evaluation provided below.

## **Methodology**

GHG emissions were calculated using the California Emissions Estimator Model (CalEEMod) 2020.4.0. The CalEEMod output data for the proposed project, which also reports input data of project details that were used in the model, is provided in Appendix B. Project-specific details and design features used in CalEEMod to calculate GHG emissions are the same as those used in the analysis of air quality criteria pollutants discussed in Section 4.2, *Air Quality*.

### *Construction*

During construction, the proposed project would generate GHG emissions primarily from the use of internal combustion engines to power onsite equipment as well as offsite transportation of workers and materials. The proposed project’s estimated GHG emissions are depicted in the CalEEMod output sheets for annual emissions provided in Appendix B. Further detail for the assumptions included in the modeling of GHG emissions is provided in Section 4.2, *Air Quality*, as well as in Appendix B. Construction emissions occur for a limited period of a project’s lifetime, as a standard practice, GHG

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<sup>20</sup> CAPCOA, CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act, January 2008.

<sup>21</sup> SCAQMD, Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #15, September 28, 2010.

<sup>22</sup> CAPCOA, CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act, January 2008.

emissions from construction are amortized over a presumed project lifetime. A project lifetime of 30 years is recommended by SCAQMD<sup>23</sup> for amortizing construction-related GHG emissions.<sup>24</sup>

### *Operation*

During operations, the proposed project would generate GHG emissions from area sources, energy use, mobile, water use, and waste disposal. The proposed project's estimated GHG emissions are shown in the CalEEMod output sheets for annual emissions provided in Appendix B. Further detail for the assumptions included in the modeling of GHG emissions is provided in Section 4.2, *Air Quality*, as well as in Appendix B. Assumptions used for the estimation of GHG emissions that are not applicable to criteria pollutant emissions, and therefore not included in the methodology of Section 4.2, *Air Quality*, are detailed below.

The proposed project site is accessible to existing transit and is in proximity to existing shopping and dining options along Thousand Oaks Boulevard and Westlake Boulevard (approximately 0.3 and 0.9 mile, respectively), as well as recreation options including a hiking trailhead for accessing open spaces to the west of the site. The residential uses would include seven live/work units that would allow residents to live in their workspace and would provide co-working area amenities to facilitate teleworking by residents. Additionally, the proposed project would provide 15,000 square feet of commercial use space and would include recreation facilities including a dog park within the site. These features would allow residents to live, work, shop, and recreate without driving to an alternative location. The proposed project would also incorporate EV chargers at five percent of onsite parking spaces, EV-ready parking spaces for future installation of EV chargers at 30 percent of onsite parking spaces, and e-bike charging facilities to encourage the use of electric-powered vehicles and bicycles for transportation.

The proposed project's electricity consumption is estimated based on CalEEMod default assumptions for the proposed land-use types. Project details regarding Hill Canyon Wastewater Treatment are found in the CalEEMod Output sheets of Appendix B. An adjustment was made in CalEEMod regarding water use that was applied based on input from the project applicant detailing the proposed project's proposed green initiatives that include drought-tolerant landscaping, high-efficiency drip irrigation systems, and high-efficiency plumbing fixtures to promote water conservations. Beyond required compliance with California Code of Regulations Building Energy Efficiency Standards (Title 24, Part 6), and California Green Building Standards Code (Title 24, Part 11) that require energy efficient buildings and appliances, and water use conservation, the proposed project would be designed to achieve U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Gold Certification. The proposed project would achieve a LEED Gold certification, or LEED Gold equivalent, that address carbon, energy, water, waste, transportation, materials, health and indoor environmental quality. The proposed project specific water conservation include:

- Install low-flow bathroom faucet
- Install low-flow kitchen faucet
- Install low-flow toilet
- Install low-flow shower
- Use water-efficient irrigation system

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<sup>23</sup> The VCAPCD does not specify a presumed lifetime for development projects in the county.

<sup>24</sup> SCAQMD, Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold, October 2008.

**Threshold 1:** Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?

**Impact GHG-1 THE PROPOSED PROJECT WOULD GENERATE TEMPORARY AND LONG-TERM INCREASES IN GHG EMISSIONS APPROXIMATELY 3,564 MT CO<sub>2</sub>E PER YEAR. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

Construction of the proposed project would generate temporary GHG emissions primarily from the operation of construction equipment onsite as well as from vehicles transporting construction workers to and from the proposed project site and heavy trucks to transport building materials and soil export. As estimated using CalEEMod 2020.4.0, the proposed project's construction activities would generate a total of approximately 2,489 MT CO<sub>2</sub>e emissions. As construction emissions occur for a limited period of a proposed project's lifetime, as a standard practice, GHG emissions from construction are amortized over a presumed project lifetime. A proposed project lifetime of 30 years is recommended by SCAQMD<sup>25</sup> for amortizing construction-related GHG emissions.<sup>26</sup> The proposed project's amortized construction-related emissions would therefore be 83 MT CO<sub>2</sub>e. The amortized construction emissions have been added to the project's annual operational GHG emissions as shown in the following discussion.

Operation of the proposed project would generate GHG emissions associated with area sources (e.g., landscape maintenance), energy and water usage, vehicle trips, and wastewater and solid waste generation. Table 4.7-1 summarizes the estimated operational emissions as well as the amortized construction emissions based on the CalEEMod output files provided in Appendix B of this report. The estimated GHG emissions shown in Table 4.7-1 represent a conservative evaluation as further reductions that would result from some proposed project features have not been quantified. Measures that have not been quantified but would further reduce GHG emissions include measures that would reduce energy and water use, encourage use of EVs or electric bicycles (e-bikes), or other transportation demand management (TDM) measures which may be required by the City as conditions of approval through the land use entitlement process. Additionally, as future tenants or employees of the proposed project currently generate GHG emissions where they currently reside and/or are employed which cannot be known, the proposed project's estimated emissions shown in Table 4.7-1 conservatively do not reflect the net change in global, State, or regional GHG emissions that would result from the implementation of the proposed project.

<sup>25</sup> The VCAPCD does not specify a presumed lifetime for development projects in the County.

<sup>26</sup> SCAQMD, Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold, October 2008.

**Table 4.7-1 Annual Greenhouse Gas Emissions**

<b>Emission Source</b>	<b>Annual Emissions (MT CO<sub>2</sub>e)</b>
Area	5
Energy	875
Mobile <sup>a,b</sup>	2,394
Solid Waste	105
Water, Wastewater <sup>c</sup>	102
Construction (Amortized)	83
<b>Total<sup>d</sup></b>	<b>3,564</b>

<sup>a</sup> CalEEMod Version 2020.4.0 includes N<sub>2</sub>O emissions from vehicles.

<sup>b</sup> Increased density, mix of uses, proximity to commercial and employment destinations, below market rate housing, live/work units, and co-work amenity space.

<sup>c</sup> Green Initiatives that include drought tolerant landscaping, high-efficiency drip irrigation systems, and high efficiency plumbing fixtures to promote water conservation are included as project design features.

<sup>d</sup> Additional commitments by the project to achieve LEED Gold certification, use high efficiency LED lighting, install solar PV panels to supplement electric supply, install EV charging stations, provide indoor/outdoor bike parking with electric bike (e-bike) charging stations, and install drought tolerant landscaping, would further reduce the annual GHG emissions. Project-specific data used in the model are reported in the attached CalEEMod output sheets (Appendix B) and are listed in Section 4.2, *Air Quality*.

Note: Totals may differ from sums due to rounding.

Source: CalEEMod output January 14, 2022. (Appendix B)

The proposed project’s estimated emissions shown in Table 4.7-1 are provided pursuant to CEQA Guidelines Section 15064.4(a) for informational and disclosure purposes only. However, no numeric threshold for determining the potential significance of GHG emissions, such as a mass emissions rate (bright line threshold), per capita emissions rate (efficiency threshold), or emissions reduction percentage below an unmitigated rate (performance threshold to be generated by a mixed-use project with residential and commercial uses) has been adopted by the City, VCAPCD, SCAQMD<sup>27</sup> nor any other State, regional, or local agency with jurisdiction of the proposed project site. As such, there are no applicable numeric standards for determining if the proposed project’s estimated emissions shown in Table 4.7-1 would cause a cumulatively considerable contribution to an environmental impact under CEQA. Therefore, the proposed project’s GHG emissions would be less than significant.

**Threshold 2:** Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**Impact GHG-1 THE PROPOSED PROJECT WOULD BE CONSISTENT WITH STATEWIDE PLANS, POLICIES AND REGULATIONS, GENERAL PLAN POLICIES, SCOPING PLAN AND MAJOR GOALS OF SCAG’S 2016-2040 RTP/SCS AIMED AT REDUCING GHG EMISSIONS. AS SUCH, THE PROPOSED PROJECT WOULD NOT CONFLICT WITH AN APPLICABLE PLAN, POLICY, OR REGULATION ADOPTED FOR THE PURPOSE OF REDUCING THE EMISSIONS OF GHGS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

The project proposes an in-fill development within an urbanized portion of the city on a site that is surrounded by existing uses, is accessed by existing streets, and is served by existing utilities. The proposed project would replace a vacant commercial development with a new mixed-use development at a centralized location within the city. The proposed project site would reduce GHG

<sup>27</sup> Other than SCAQMD’s 10,000 MT of CO<sub>2</sub>e for industrial projects.

**T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project**

emissions by being accessible to existing transit, shopping, dining, and recreation activities. In addition, the proposed project would reduce vehicle transportation by encouraging teleworking and incorporating EV and e-bike charging facilities. The proposed project would implement the required Title 24 Building Energy Efficiency Standards and achieving LEED Gold Certification, or LEED Gold equivalency.

As discussed above, the City is developing a CEAP as part of the General Plan update process. However, to date the City has not adopted a local Climate action plan or other GHG reduction plan that addresses community-wide emissions that would meet the criteria of the CEQA Guidelines Section 15183.5(b). As such, to demonstrate the extent to which the proposed project complies with such plans, this evaluation provides an analysis of the proposed project’s consistency with the following plans that have been adopted on a regional and statewide scale, which include policies that would have the effect of reducing GHG emissions.

**SCAG RTP/SCS**

The SCAG 2020–2045 RTP/SCS, adopted September 3, 2020, is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. The RTP/SCS plans to accommodate future growth through intensification of residential and commercial land uses in urban areas to reduce VMT, which would reduce emissions of GHGs in the transportation sector, the largest contributing sector to statewide GHG emissions. Table 4.7-2, lists the relevant strategies identified in the SCAG 2020-2045 RTP/SCS that could be implemented to help achieve the State-mandated GHG emissions reduction targets and provides an analysis of project consistency with each strategy.

**Table 4.7-2 Project Consistency with SCAG RTP/SCS Strategies**

Strategy/Action	Project Consistency
<p><b>Focus Growth Near Destinations &amp; Mobility Options</b></p> <ul style="list-style-type: none"> <li>▪ Emphasize land use patterns that facilitate multimodal access to work, educational and other destinations</li> <li>▪ Focus on a regional jobs/housing balance to reduce commute times and distances and expand job opportunities near transit and along center-focused main streets</li> <li>▪ Plan for growth near transit investments and support implementation of first/last mile strategies.</li> <li>▪ Promote the redevelopment of underperforming retail developments and other outmoded nonresidential uses</li> <li>▪ Prioritize infill and redevelopment of underutilized land to accommodate new growth, increase amenities and connectivity in existing neighborhoods</li> <li>▪ Encourage design and transportation options that reduce the reliance on and number of solo car trips (this could include mixed uses or locating and orienting close to existing destinations)</li> <li>▪ Identify ways to “right size” parking requirements and promote alternative parking strategies (e.g., shared parking or smart parking)</li> </ul>	<p><b>Consistent.</b> The project site is located near existing transit facilities, including bus stops for the Metro Commuter Express 423 Route adjacent to the project site on Hampshire Road, bus stops for the Metro Commuter Express 422 Route approximately 650 feet from the project site on Hampshire Road, and is nearby existing bus stops for Metro Local Route 161 and Thousand Oaks Transit Route 43 on Thousand Oaks Boulevard. The project would construct a mixed-use development that would include residential and commercial uses, which would provide employment opportunities near transit as well as the residential uses on the site and in the surrounding vicinity. The project would replace an underperforming retail development that currently is developed with vacant commercial buildings including a big-box retail structure that has been unoccupied for many years. The project would redevelop an underutilized infill site providing new housing units to accommodate new growth and increase amenities and connectivity at a centralized location within the city. As a mixed-use development providing residential and commercial uses in proximity to existing transit, shopping, dining, and employment opportunities, and indoor/outdoor bicycle parking with e-bike charging stations, the project has been designed to reduce reliance on solo vehicle trips.</p>

Strategy/Action	Project Consistency
<p><b>Promote Diverse Housing Choices</b></p> <ul style="list-style-type: none"> <li>▪ Preserve and rehabilitate affordable housing and prevent displacement</li> <li>▪ Identify funding opportunities for new workforce and affordable housing development</li> <li>▪ Create incentives and reduce regulatory barriers for building context-sensitive accessory dwelling units to increase housing supply</li> <li>▪ Provide support to local jurisdictions to streamline and lessen barriers to housing development that supports reduction of GHG emissions</li> </ul>	<p><b>Consistent.</b> The project would not eliminate existing housing, nor would it displace residents. The project would provide diverse housing choices by including residential apartment units consisting of studios, one-bedroom, and two-bedroom units, and townhome units with two to four bedrooms. The project would also include 50 residential units for low income affordable housing. The project would not impede SCAG’s ability to provide funding opportunities for new workforce and affordable housing development or to create incentives and reduce regulatory barriers for building accessory dwelling units or other housing.</p>
<p><b>Leverage Technology Innovations</b></p> <ul style="list-style-type: none"> <li>▪ Promote low emission technologies such as neighborhood electric vehicles, shared rides hailing, car sharing, bike sharing and scooters by providing supportive and safe infrastructure such as dedicated lanes, charging and parking/drop-off space</li> <li>▪ Improve access to services through technology—such as telework and telemedicine as well as other incentives such as a “mobility wallet,” an app-based system for storing transit and other multi-modal payments</li> <li>▪ Identify ways to incorporate “micro-power grids” in communities, for example solar energy, hydrogen fuel cell power storage and power generation</li> </ul>	<p><b>Consistent.</b> The project would be consistent with these strategies by providing EV chargers at five percent of onsite parking spaces, and EV-ready parking spaces for future installation of EV chargers at 30 percent of onsite parking spaces. The combination of EV Ready and Future EV ready equates to 35% of the total 802 parking spaces. The project would also provide indoor/outdoor bicycle parking with electric bike charging stations, and the project would provide up to seven live-work apartment units, and both apartment buildings would include amenity/co-working spaces to facilitate telework and work from home uses. Although providing a community micro-power grid is not within the purview of the proposed project, it would accommodate solar in accordance with code requirements that would supplement electricity supplies for the project.</p>
<p><b>Support Implementation of Sustainability Policies</b></p> <ul style="list-style-type: none"> <li>▪ Pursue funding opportunities to support local sustainable development implementation projects that reduce GHG emissions</li> <li>▪ Support statewide legislation that reduces barriers to new construction and that incentivizes development near transit corridors and stations</li> <li>▪ Support local jurisdictions in the establishment of Enhanced Infrastructure Financing Districts, Community Revitalization and Investment Authorities, or other tax increment or value capture tools to finance sustainable infrastructure and development projects, including parks and open space</li> <li>▪ Work with local jurisdictions/communities to identify opportunities and assess barriers to implement sustainability strategies</li> <li>▪ Enhance partnerships with other planning organizations to promote resources and best practices in the SCAG region</li> <li>▪ Continue to support long range planning efforts by local jurisdictions</li> <li>▪ Provide educational opportunities to local decisions makers and staff on new tools, best practices and policies related to implementing the Sustainable Communities Strategy</li> </ul>	<p><b>Consistent.</b> The funding, support, and implementation of these sustainability policies and strategies is the responsibility of SCAG. Nevertheless, the project supports these policies and strategies by providing a mixed-use, mixed income, urban infill development in proximity to bus stops, shopping and dining opportunities, indoor/outdoor bicycle storage with e-bike charging stations, live-work units and amenity/co-working spaces, rooftop solar to code, and EV chargers at five percent of onsite parking spaces, and EV-ready parking spaces for future installation of EV chargers at 30 percent of onsite parking spaces as sustainability features.</p>

Strategy/Action	Project Consistency
<p><b>Promote a Green Region</b></p> <ul style="list-style-type: none"> <li>▪ Support development of local climate adaptation and hazard mitigation plans, as well as project implementation that improves community resiliency to climate change and natural hazards</li> <li>▪ Support local policies for renewable energy production, reduction of urban heat islands and carbon sequestration</li> <li>▪ Integrate local food production into the regional landscape</li> <li>▪ Promote more resource efficient development focused on conservation, recycling and reclamation</li> <li>▪ Preserve, enhance and restore regional wildlife connectivity</li> <li>▪ Reduce consumption of resource areas, including agricultural land</li> <li>▪ Identify ways to improve access to public park space</li> </ul>	<p><b>Consistent.</b> The project would redevelop an infill property currently occupied by vacant commercial buildings and an asphalt parking lot with remnant landscaping planter islands which would be removed by the project. Proposed landscaping would provide a net increase in trees and tree canopy onsite to reduce urban heat island effects relative to existing conditions while also providing carbon sequestration. The project would install rooftop solar as required by code to support policies for renewable energy production. The project would be designed to meet or exceed Title 24 Building Energy Efficiency Standards and Green Building Standards, as well as obtain LEED Gold certification, or LEED Gold equivalency. The project would include open space areas including a dog park for resident and public use, and would not remove any existing park space, agricultural land, or other open spaces.</p>
<p>Source: SCAG, Connect SoCal (The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments), September 3, 2020</p>	

## Climate Change Scoping Plan

In 2008, the CARB adopted the Climate Change Scoping Plan: A Framework for Change (Scoping Plan), which establishes an overall framework for measures to reduce statewide GHG emissions for various sources/sectors to 1990 levels by 2020, consistent with the reduction targets of Assembly Bill 32 (AB 32). Table 4.7-3, provides an analysis of proposed project consistency with these strategies.

**Table 4.7-3 2008 Scoping Plan Consistency**

Strategy/Action	Project Consistency
<p><b>California Cap and Trade Program</b> Implement a broad-based California Cap-and-Trade Program to provide a firm limit on emissions. Link the California Cap-and-Trade Program other Western Climate Initiative Partner programs to create a regional market system to achieve greater environmental and economic benefits for California. Ensure California’s program meets all applicable AB 32 requirements for market-based mechanisms.</p>	<p><b>Not Applicable.</b> The Statewide Cap-and-Trade Program is aimed at government agencies and does not apply directly to the project. Further, the goal of the Program is to reduce GHG emissions from major sources (covered entities), such as electricity generation and large stationary sources (including refineries, cement production facilities, oil and gas production facilities, glass manufacturing facilities, and food processing plants), rather than from private mixed-use development such as the project.</p>
<p><b>California Light Duty Vehicle GHG Standards</b> Implement the adopted Pavley Standards and the planned second phase of the program. Align zero emission vehicle (ZEV), alternative, and renewable fuel and vehicle technology programs with long-term climate change goals.</p>	<p><b>Consistent.</b> The development and implementation of Statewide Pavley Standards is not the responsibility of individual development or the project. However, the proposed infill development would be near bus stops and shopping, dining, and employment opportunities that would encourage pedestrian or transit travel. The project would also provide bicycle storage with e-bike chargers and would provide EV chargers at five percent of onsite parking spaces, and EV-ready parking spaces for future installation of EV chargers at 30 percent of onsite parking spaces that would support ZEV phase in and alternative transportation options.</p>

Strategy/Action	Project Consistency
<p><b>Energy Efficiency</b>            Maximize energy efficiency building and appliance standards, and pursue additional efficiency efforts, including new technologies and new policy and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California.</p>	<p><b>Consistent.</b> The project would comply with the performance standards of CALGreen and Title 24 building efficiency standards, including installation of Energy Star rated appliances, high-efficiency wall and/or roof insulation, and/or high efficiency LED lighting to maximize energy efficiency. The project would be designed to achieve LEED Gold certification, or LEED Gold equivalency, for sustainable design, which would include energy efficiency.</p>
<p><b>Renewable Portfolio Standard</b>            Achieve a 33 percent renewable energy mix Statewide</p>	<p><b>Consistent.</b> In February 2019, Thousand Oaks' residential customers began receiving electricity service from Clean Power Alliance (CPA) with service to the City's commercial and industrial customers beginning in May 2019. Customers' electricity service automatically transfers from SCE to CPA on the respective date. Individually choose any of the three programs that CPA offers – a standard product 36 percent renewable energy content, a 50 percent renewables product, or a 100 percent renewables product (CPA n.d.). Additionally, the project would accommodate solar as required by code to supplement electrical energy demands.</p>
<p><b>Low-Carbon Fuel Standard</b>            Develop and adopt the Low Carbon Fuel Standard (LCFS), which would reduce the carbon intensity of California's transportation fuels by at least ten percent by 2020.</p>	<p><b>Not Applicable.</b> Development and adoption of the LCFS would not be within the purview of the development project.</p>
<p><b>Regional Transportation-Related GHG Targets</b>            Develop regional GHG emissions reduction targets for passenger vehicles.</p>	<p><b>Not Applicable.</b> Development of GHG targets for vehicles would not be within the purview of the project. However, the project provides a mixed-use development located near bus stops, would include bicycle parking and e-bike charging facilities, live-work units and amenity/co-working spaces, 29 percent VMT reduction below citywide average, and would include EV chargers at five percent of onsite parking spaces, and EV-ready parking spaces for future installation of EV chargers at 30 percent of onsite parking spaces to facilitate phase in of ZEV use. All of these features would reduce transportation related GHG emissions.</p>
<p><b>Vehicle Efficiency Measures</b>            Implement light-duty vehicle efficiency measures.</p>	<p><b>Not Applicable.</b> The implementation of vehicle efficiency measures would not be within the purview of the project. However, as more efficient vehicles, including EVs become available, project residents and customers would begin utilizing more efficient vehicles.</p>
<p><b>Goods Movement</b>            Implement adopted regulations for the use of shore power for ships at berth. Improve efficiency in goods movement activities.</p>	<p><b>Not Applicable.</b> The implementation of shore power for ships and improving the efficiency of goods movement would not be within the purview of the project.</p>
<p><b>Million Solar Roofs Program</b>            Install 3,000 megawatts (MW) of solar-electric capacity under California's existing solar programs.</p>	<p><b>Consistent.</b> The project would accommodate rooftop solar to code, participating in this Statewide effort.</p>
<p><b>Medium/Heavy-Duty Vehicles</b>            Adopt medium and heavy-duty vehicle efficiency measures.</p>	<p><b>Not Applicable.</b> The implementation of vehicle efficiency measures is the responsibility of State agencies and does not directly apply to the project.</p>



Strategy/Action	Project Consistency
<p><b>Industrial Emissions</b> Require assessment of large industrial sources to determine whether individual sources within a facility can cost-effectively reduce GHG emissions and provide other pollution reduction co-benefits. Reduce GHG emissions from fugitive emissions from oil and gas extraction and gas transmission. Adopt and implement regulations to control fugitive methane emissions and reduce flaring at refineries.</p>	<p><b>Not Applicable.</b> The project does not include large industrial sources and therefore would not generate substantial emissions from industrial facilities.</p>
<p><b>High Speed Rail</b> Support implementation of a high speed rail system.</p>	<p><b>Not Applicable.</b> The project consists of infilling a vacant site with a mixed-use, mixed income, multi-family development with associated neighborhood commercial-serving restaurant and retail uses. Therefore, this measure does not directly apply to the project.</p>
<p><b>Green Building Strategy</b> Expand the use of green building practices to reduce the carbon footprint of California’s new and existing inventory of buildings.</p>	<p><b>Consistent.</b> The project would comply with CALGreen building standards and would include sustainability features, such as low-flow water fixtures and energy star appliances. The project would include photovoltaic panels, as required by the California solar mandate. The project would also be designed to achieve LEED Gold certification, or LEED Gold equivalency, of the USGBC.</p>
<p><b>High GWP Gases</b> Adopt measures to reduce high GWPs.</p>	<p><b>Not Applicable.</b> This is a project-level development therefore, this measure is addressed to government agencies and does not directly apply to the project.</p>
<p><b>Recycling and Waste</b> Reduce methane emissions at landfills. Increase waste diversion, composting and other beneficial uses of organic materials, and mandate commercial recycling. Move toward zero-waste.</p>	<p><b>Consistent.</b> The project is anticipated to comprise a small percentage of Citywide waste during operations and therefore would have a minimal impact on waste facilities. Additionally, the project is subject to the current City waste diversion program, which requires that construction waste be reduced by at least 65 percent<sup>28</sup> and would be required by State law to provide recycling carts/dumpsters and organics collection for tenants during operations.<sup>29</sup> The project design would include separate trash and recycling bins for sorting to facilitate diversion of recyclable items from the waste stream.</p>
<p><b>Sustainable Forests</b> Preserve forest sequestration and encourage the use of forest biomass for sustainable energy generation.</p>	<p><b>Not Applicable.</b> This measure does not directly apply to the project as it would redevelop an infill site, is not in or adjacent to a forest area, and thus would not reduce forest sequestration of carbon. The project would remove existing vacant structures and a parking lot and construct a mixed-use development with landscaping that would provide a net increase in trees and tree canopy on the site.</p>
<p><b>Water</b> Continue efficiency programs and use cleaner energy sources to move and treat water.</p>	<p><b>Consistent.</b> The project would include low-flow plumbing features and fittings, as well as drought resistant landscaping and efficient drip irrigation to reduce GHG emissions associated with water conveyance and wastewater processing.</p>
<p><b>Agriculture</b> In the near-term, encourage investment in manure digesters and at the five-year Scoping Plan update, determine if the program should be made mandatory by 2020.</p>	<p><b>Not Applicable.</b> The project does not contain agricultural facilities, and therefore this measure is not directly applicable.</p>

Source: CARB. 2008. Climate Change Scoping Plan: A Framework for Change. December.

<sup>28</sup> City of Thousand Oaks, Department of Public Works, Construction and Demolition Debris, Accessed on October 26, 2021 at <https://www.toaks.org/departments/public-works/sustainability/trash-recycling/trash-recycling-businesses/c-d-recycling-permits>.

<sup>29</sup> City of Thousand Oaks, Department of Public Works, Business Recycling: It’s Mandatory, Accessed on October 26, 2021 at <https://www.toaks.org/departments/public-works/sustainability/trash-recycling/trash-recycling-businesses/biz-recycling-it-s-mandatory>.

The Scoping Plan was updated in 2014, and again in 2017. The 2017 update to the Scoping Plan proposes CARB’s strategy for achieving the State’s 2030 GHG reduction target as established in SB 32. Table 4.7-4, provides an analysis of the proposed project’s consistency with the latest Scoping Plan Update (2017) policies and primary objectives.

**Table 4.7-4 2017 Scoping Plan update Consistency**

Policy/Primary Objective	Project Consistency
<p><b>SB350</b>            Reduce GHG emissions in the electricity sector through the implementation of the 50 percent RPS, doubling of energy savings, and other actions as appropriate to achieve GHG emissions reductions planning targets in the Integrated Resource Plan (IRP) process.</p>	<p><b>Consistent.</b> CPA or SCE as your electricity supplier, SCE will continue to deliver electricity to all residents and businesses, maintain and build the distribution network, install and read meters, respond to outages, and provide billing and customer service. SCE would be the electricity provider for the project and would be responsible for meeting the applicable RPS standards. The project would support this policy and objective with energy saving features to meet or exceed performance standards prescribed by Title 24 Building Energy Efficiency Standards and Green Building Standards. Additionally, the project would be designed to achieve USGBC LEED Gold certification, or LEED Gold equivalency, and would install solar to code to supplement electricity supplied by SCE. Thus, the project would support efforts of the energy sector to achieve GHG emissions reduction planning targets.</p>
<p><b>Low-Carbon Fuel Standard (LCFS)</b>            Transition to cleaner/less polluting fuels that have a lower carbon footprint</p>	<p><b>Consistent.</b> The project would not eliminate existing housing, nor would it displace residents. The project would provide diverse housing choices by including residential apartment units consisting of studios, one-bedroom, and two-bedroom units, and townhome units with two to four bedrooms. The project would also include 50 residential units for low-income affordable housing. The project would not impede SCAG’s ability to provide funding opportunities for new workforce and affordable housing development or to create incentives and reduce regulatory barriers for building accessory dwelling units or other housing.</p>
<p><b>Mobile Source Strategy (Cleaner Technology and Fuels [CTF] Scenario)</b>            Reduce GHGs and other pollutants from the transportation sector through transition to zero emission and (low emission vehicles (LEVs), cleaner transit systems and reduction of VMT.</p>	<p><b>Consistent.</b> This objective would be the responsibility of public agencies. It is not the responsibility of the project to introduce ZEVs or LEVs. However, the project would provide EV chargers at five percent of onsite parking spaces, and EV-ready parking spaces for future installation of EV chargers at 30 percent of onsite parking spaces to support transition to ZEV and LEV use. In addition, the proposed mixed-use development would provide multi-family and commercial uses within an infill site located near existing bus stops, shopping, dining, and employment opportunities, and is served by pedestrian sidewalks and bike lanes. The project would include live-work units and amenity/co-working spaces to facilitate telework for residents to work from home and would provide bicycle storage with e-bike charging stations which would reduce 29 percent VMT below citywide average. As such, the project would support the objective of this policy.</p>

Policy/Primary Objective	Project Consistency
<p><b>SB 1383</b> Approve and Implement Short-Lived Climate Pollutant strategy to reduce highly potent GHGs</p>	<p><b>Not Applicable.</b> This objective would be the responsibility of public agencies. The project would not be responsible for implementing a Short-Lived Climate Pollutant strategy to reduce highly potent GHGs.</p>
<p><b>California Sustainable Freight Action Plan</b> Improve freight efficiency, transition to zero emission technologies, and increase competitiveness of California’s freight system.</p>	<p><b>Not Applicable.</b> This objective would be the responsibility of public agencies. The project would not be responsible for improving freight efficiency, transitioning to zero emission technologies, and increasing the competitiveness of California’s freight system. Additionally, the proposed residential and commercial uses would not be anticipated to generate substantial freight traffic.</p>
<p><b>Post-2020 Cap and Trade Program</b> Reduce GHGs across largest GHG emissions sources</p>	<p><b>Not Applicable.</b> This objective would be the responsibility of public agencies. The project would not be responsible for implementing a cap-and-trade program for large GHG emissions sources.</p>

Source: CARB. 2017. California’s 2017 Climate Change Scoping Plan, November

#### 4.7.4 Cumulative Impacts

GHG impacts are assessed in a cumulative context since no single project can cause a discernible change to climate. Therefore, cumulative significance is based on the same thresholds as the proposed project. In the absence of an adopted quantitative threshold for determining the potential significance of GHG emissions that would be applicable to the proposed project, in accordance with CEQA Guidelines Section 15064.4(b)(3), the determination of the significance of the project’s GHG emissions impact is based on a qualitative analysis considering the project’s consistency with applicable statewide, regional, and local plans adopted for the purpose of reducing GHG emissions. The project would comply with statewide, regional, or local plan for the reduction or mitigation of GHG emissions including solar readiness to code and EV parking space provision as well as energy conservation standards of Title 24 Building Energy Efficiency Standards (Part 6) and Green Building Standards (Part 11). The project would also be designed to meet or exceed “green” building standards including energy efficiency to achieve equivalency to USGBC LEED Gold Certification. As shown in Table 4.7-2, the project would be consistent with the 2020-2045 RTP/SCS, the implementation of which CARB has stated would achieve the per capita reduction by 2035, relative to 2005 levels, as established by CARB for the region.<sup>30</sup> The project also would be consistent with the policies of the 2008 Scoping Plan or the 2017 Scoping Plan Update as shown in Table 4.7-3 and Table 4.7-4. Therefore, based on the CEQA Guidelines for determining the significance of GHG emissions, the currently available adopted plans for reducing GHG emissions applicable to the project, and the absence of applicable adopted quantitative significance thresholds, potential impacts would be less than significant.

<sup>30</sup> CARB, Executive Order G-20-239 Southern California Association of Governments’ (SCAG) 2020 Sustainable Communities Strategy CARB Acceptance of GHG Quantification Determination, October 30, 2020.

## 4.8 Hazards and Hazardous Materials

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This section evaluates potential impacts to hazards and hazardous materials from development facilitated by the proposed project.

The information related to past environmental investigations of the project site in this section is based on the 2018 Phase I Environmental Site Assessment (ESA) prepared by Partner Engineering and Science, Inc. (Partner 2018), a subsequent 2019 Phase I ESA prepared by Partner (Partner 2019), a 2021 Phase II Subsurface Investigation by Partner (Partner 2021), a 2021 Hazardous Materials Report prepared by Stantec Consulting Services, Inc. (Stantec 2021), and a 2022 Additional Soil Gas Investigation Report by Partner (Partner 2022) for the project site (see Appendix F).

### 4.8.1 Setting

#### Hazardous Materials and Waste

The term “hazardous material” is defined in the State of California’s Health and Safety Code (HSC), Chapter 6.95, Section 25501(n)(1) as:

[Any material] that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment.

“Hazardous materials” include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment.

Hazardous waste is hazardous material generated, intentionally or unintentionally, as a byproduct of some process or condition. Hazardous wastes are defined in California HSC Section 25141(b) as wastes that:

...because of their quantity, concentration, or physical, chemical, or infectious characteristics, [may either] cause, or significantly contribute to an increase in mortality or an increase in [serious] illness [or] pose a substantial present or potential hazard to human health or the environment due to factors including, but not limited to, carcinogenicity, acute toxicity, chronic toxicity, bioaccumulative properties, or persistence in the environment, when improperly treated, stored, transported, disposed of, or otherwise managed.

According to the U.S. Environmental Protection Agency (USEPA), waste may be considered hazardous under the Resource Conservation and Recovery Act (RCRA, the primary Federal hazardous materials law) if it is specifically listed as known hazardous waste or if it meets the one or more of the following characteristics of a hazardous waste:

- **Toxicity.** Poisonous, harmful when ingested or absorbed
- **Ignitability.** Capable of being ignited by open flame, liquids with flash points<sup>1</sup> below 60 degrees Celsius, non-liquids that cause fire through specific conditions, ignitable compressed gases and oxidizers

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<sup>1</sup> Flash point is the lowest temperature at which the vapors of a volatile combustible substance ignite in the air when exposed to flame.

- **Corrosivity.** Capable of corroding other materials, aqueous wastes with a pH of 2 or less or greater than or equal to 12.5
- **Reactivity.** May be unstable under normal conditions, may react with water, may give off toxic gases or may be capable of detonation or explosion under normal conditions or when heated

Waste which meets certain criteria included in 40 CFR 261.11 (a) (2), including being ‘fatal to humans in low doses’ or having specified lethal dose levels in laboratory rats or rabbits is designated as ‘acute hazardous waste’ under RCRA; Sections 261.31 and 261.33 set out lists of substances currently classified by USEPA as acutely hazardous.

## **Generation and Disposal of Hazardous Materials and Waste in Thousand Oaks**

Many chemicals used in construction, light industry, commercial and retail business, and landscaping are considered to generate hazardous materials and waste. Additionally, in some cases, past uses on a site may have resulted in spills or leaks of hazardous materials and petroleum that have caused contamination of the underlying soil and groundwater. Federal and state laws require that soils and groundwater having concentrations of contaminants that are higher than certain acceptable levels (often called ‘screening levels’) are handled and disposed as hazardous waste during excavation, transportation, and disposal. The California Code of Regulations (CCR), Title 22, Sections 66261.20-24 contains technical descriptions of characteristics that would cause a waste to be classified as a hazardous waste. Hazardous materials require special methods of disposal, storage, and treatment, and the release of hazardous materials requires an immediate response to protect human health and safety, and the environment. Improper disposal can harm the environment and people who work in the waste management industry.

Businesses that handle or generate hazardous materials or waste within Thousand Oaks are monitored by USEPA; the County of Ventura Resource Management Agency (CVRMA) and Ventura County Environmental Health Division (VCEHD), which acts as the Certified Unified Program Agency (CUPA, see Section 4.7.2 *Regulatory Setting*); the Los Angeles Regional Water Quality Control Board (LARWQCB); Ventura County Fire Protection District, and the Ventura County Air Pollution Control District (VCAPCD). Generators of hazardous waste fall into three categories under USEPA: large-quantity generators (LQG), small-quantity generators (SQG), and very small quantity generators (VSQG). An LQG is defined as a person or facility generating more than 1,000 kilograms (kg) of hazardous waste per month. An SQG is defined as generating greater than 100 kg and less than 1,000 kg of hazardous waste per month. A VSQG generates 100 kilograms or less of hazardous waste a month.

LQGs include industrial and commercial facilities, such as manufacturing companies, petroleum refining facilities, and other heavy industrial businesses. SQGs include facilities such as service stations, automotive repair, dry cleaners, and medical offices. LQGs must comply with federal and state requirements for managing hazardous waste; regulatory requirements for SQGs and VSQGs are less stringent than the requirements for LQGs but are still comprehensive. As most states are authorized by EPA to implement the hazardous waste regulations, some states have different categories. In California, only the LQG and SQG categories are recognized, but the SQG category includes generators that are defined as VSQG under the federal statutes, thus the California categories are more stringent. Pursuant to Federal law (40 CFR 262.41-43), all such generators are required to obtain a USEPA identification number that is used to monitor and track hazardous waste activities, for record-keeping and reporting, and for traceability on all hazardous waste documentation.

## Transportation of Hazardous Materials and Waste in Thousand Oaks

Hazardous materials, hazardous wastes, medical waste, and petroleum products are a subset of the goods routinely shipped along the transportation corridors in Thousand Oaks and Ventura County. In California, unless specifically exempted, it is unlawful for any person to transport hazardous wastes unless the person holds a valid registration issued by the California Environmental Protection Agency (CalEPA) Department of Toxic Substances Control (DTSC). The DTSC maintains a list of active registered hazardous waste transporters throughout California, and the California Department of Public Health regulates the haulers of hazardous waste. There are no active registered hazardous waste transporters in the City of Thousand Oaks, but there are 12 active registered hazardous waste transporters in Ventura County (DTSC 2022).

Transportation of hazardous materials and wastes within Ventura County occurs through a variety of modes: truck, rail, air, and pipeline.

Transportation of hazardous materials by truck is regulated by the federal Department of Transportation (DOT). The DOT’s Federal Motor Carrier Safety Administration identifies several transportation corridors in Ventura County as a Hazardous Materials Route in its National Hazardous Materials Route Registry. At any given time, there may be multiple registered hazardous waste transporters using these designated routes who are not based in Ventura County, and transporters based in the County may likewise be utilizing similar routes in other counties or States. Transporters must take the shortest feasible route to the nearest registered corridor when they must transport materials to and from locations not adjacent to a registered route and must remain on registered routes once on them until their destination. Federally designated Hazardous Materials Routes are listed in Table 4.8-1 below. There are no County roads or City streets in Thousand Oaks on the Registry. Transporters related to the project would have to take the shortest route to U.S. Route 101 (US-101) Freeway, which is immediately north of the project site.

**Table 4.8-1 Federally Designated Hazardous Routes, Ventura County**

Road or Highway Name	
<b>Interstate Highways and U.S. Routes</b>	
US-101	
<b>State and County Highways</b>	
Route 232	Highway 126 north of Highway 118
Highway 118	Route 1 from NAS Pt. Mugu to Hueneme Road
<b>Thousand Oaks Streets</b>	
None	
Source: DOT Federal Motor Carrier Safety Administration National Hazardous Materials Route Registry	

## Existing and Past Hazardous Materials at the Project Site

The information related to existing and past uses at the project site and the presence of hazardous materials in this section is based on the 2018 Phase I ESA, 2019 Phase I ESA, 2021 Phase II ESA, and 2022 Additional Soil Gas Investigation reports prepared by Partner, the earlier reports referenced by Partner, and the 2021 Hazardous Materials Report prepared by Stantec for the project site (see Appendices F1, F2, F3 and F4).

The structures present at the project site were developed by 1969 and have supported commercial and retail uses of which some hazardous materials were utilized, including a former large commercial

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discount center, dry cleaning service, and automotive uses. Currently the project site contains unoccupied commercial structures and non-operational restaurants. Adjacent facilities include medical offices and care facilities, gasoline stations, a preschool, and residential uses.

The following environmental conditions were identified on-site or adjacent to the project site (Partner 2018, 2019):

- A former 1,000-gallon waste oil underground storage tank (UST) associated with the Kmart Automotive Center that was removed in 1989. During the investigation, no records of analytical results or agency records regarding the tank were located. The UST is discussed further below.
- A former dry cleaner that operated at least from 1970 to 1973. Dry cleaning is frequently associated with contamination from chlorinated solvents, including tetrachloroethylene (PCE) and trichloroethylene (TCE).
- A 3-stage clarifier and six belowground hydraulic lifts associated with the former automotive center were investigated in a separate 2007 soils investigation conducted by Stechmann Geoscience, Inc. and included as an appendix in the 2018 Partner Phase I ESA. Analytical results from the investigation did not indicate the presence of contaminants typically associated with automotive repair, or elevated levels of metals, in the surrounding soil.
- The potential for asbestos-containing building materials (ACM), lead-based paint (LBP), and polychlorinated biphenyls (PCB) in the vacant buildings, as identified in a 2017 inspection conducted by Patriot Environmental Laboratory Services.
- A Leaking Underground Storage Tank (LUST) cleanup site located at the southeastern adjacent Shell service station. The cleanup involved removal of four 10,000-gallon USTs and associated remediation activities, including removal of 1.31 tons of impacted soil and installation of a soil vapor extraction (SVE) system. The case was closed in 2013 by CVRMA with elevated levels of typical gasoline constituents, including methyl tertiary-butyl ether (MTBE), remaining in the soil which were deemed no longer a threat to human health. The investigation notes this conclusion was based on there being no nearby sensitive uses.

The 2021 Phase II subsurface investigation was conducted to locate further unknown USTs on the project site, confirm the removal of the known former UST, and evaluate potential impacts of the former onsite dry cleaner and automotive center. Additional environmental concerns identified during the Phase II investigation include:

- Presence of a former photo developing area with documented visual staining indicating the potential presence of metals and volatile organic compounds (VOCs) from development processes.
- Two compressors with visual staining near a subsurface drain within the largest building indicating the potential presence of petroleum products from the compressors in the compressor room and discharged to the drain.
- Potential past illegal dumping in the southwestern portion of the project site, in the loading dock area behind the large building near the trash bins and storm drain infrastructure, including paint stains and visual staining.

The results of the Phase II subsurface investigation include detections of petroleum hydrocarbons and VOCs in soil samples collected at the project site, and detections of cobalt and thallium in soil at concentrations above their respective background concentrations for metals in California soil. The VOCs vinyl chloride, benzene, and PCE were detected in soil vapor at the project site at concentrations

above both the residential and commercial/industrial screening levels (DTS-modified screening levels [DTSC-SLs] or USEPA Regional Screening Levels [RSLs]). Common petroleum products and byproducts were also detected in soil vapor samples collected at the project site. The concentrations of PCE and similar chemicals associated with dry cleaning operations in soil vapor were above residential screening levels at the project site and were present within 100 feet of the adjacent preschool.

The soil borings advanced at the project site as part of the Phase II subsurface investigation did not encounter groundwater, which is known to occur between 12 and 40 feet below the surface based on numerous analytical records from nearby monitoring wells and the prior ESAs. Therefore, no groundwater sampling was conducted and the presence and concentration of any constituents of concern in groundwater at the project site is unknown. The investigation noted the evidence of releases on the project site, especially in the vicinity of the former dry cleaners, and raised potential vapor intrusion concerns for current and future occupants of the project site (Partner 2021).

The 2022 Additional Soil Gas Investigation Report was conducted to assess soil vapor within future building footprints at the project site. The analytical results of the soil vapor investigation indicate that VOCs were detected in nine of 21 soil vapor samples collected at the project site, including ethylbenzene at concentrations exceeding the residential screening levels and PCE at concentrations exceeding the residential and commercial/industrial screening levels (DTSC-SLs or USEPA RSLs). The investigation concluded that a potential vapor intrusion concern only exists for the occupants of the northwestern, northeastern, west-central, and southeastern future buildings in the areas with identified regulatory exceedances in soil vapor, and noted that vapor mitigation “will be required” for those seven future buildings (Partner 2022).

The pre-demolition hazardous materials survey obtained analytical evidence of ACM, LBP, and PCBs throughout the buildings on the project site, as well as evidence of mercury-containing thermostats, older ventilation equipment likely to contain ozone-depleting substances (such as freon), and potentially hazardous materials such as batteries, exit signs, radioactive smoke detectors, expired fire extinguishers, and numerous other potentially hazardous items which would be expected in a vacant commercial site of this size and which will require proper disposal (Stantec 2021).

## **Potential Regional Hazards**

Rincon completed additional research to determine if wildlands, educational facilities, airports, landfills, oil and gas wells, hazardous material transportation pipelines, and per- and polyfluoroalkyl substances (PFAS) investigative sites are located onsite or could be affecting the project site. An examination of the prior ESAs and a search of relevant databases revealed no issues of concern arising from these types of hazards.

### *Wildlands*

As detailed in Section 4.17, *Wildfire*, the project site is located adjacent to Very High Fire Hazard Severity Zone (VHFHSZ) and within the Wildland-Urban Interface (WUI).

### *Educational Facilities*

A preschool is located immediately adjacent to the project site at the southwestern corner, at 3277 Foothill Drive.



### *Airports*

The project site is not located within two miles of an airport. The nearest airport is Camarillo Airport, located approximately 14 miles west of the project site.

### *Landfills*

Two municipal landfills are located within two miles of the proposed project as follows (CalRecycle 2022):

- Thousand Oaks County 1962: SWIS No. 56-CR-0033, closed solid waste disposal site located approximately 0.5 mile northwest of the proposed project
- Prudential/Westlake Landfill: SWIS No. 56-AA-0120, closed solid waste disposal site located approximately 1.9 miles east-southeast of the proposed project

Based on the distance of these landfills from the project site (over 2,000 feet), landfill gases and methane vapor migration impacts are not anticipated at the project site.

### *Oil and Gas Wells/Fields*

As discussed in the 2018 Phase I ESA, the project site is not located within an oil/gas field and no oil wells are located within 0.25 mile of the project site. The nearest oil well is a plugged dry hole well located approximately 0.7 mile east-northeast of the project site.

### *Hazardous Material Pipelines*

As discussed in the 2018 Phase I ESA, no liquid hazardous material or natural gas pipelines are located within or adjacent to the project site. Additionally, no pipeline-related accidents or incidents within one-half mile of the project site have been listed on the online National Pipeline Mapping System (NPMS) database.

### *Per- and Polyfluoroalkyl Substances*

Review of the California 2019 Statewide Drinking Water System Quarterly Testing Results Public Map Viewer indicates that perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) were detected in drinking water wells located within 10 miles of the project site and tested quarterly as part of a PFAS investigative order. Several of these wells contain PFOA and PFOS at concentrations between their respective State Water Resource Control Board (SWRCB) notification and response levels. The nearest drinking water wells to the project site, located approximately 5.5 miles northwest of the project site, contained PFOA at concentrations above its SWRCB response level and PFOS at concentrations below its SWRCB notification level (SWRCB 2022).

## 4.8.2 Regulatory Setting

### **a. Federal Regulations**

The USEPA is the lead agency responsible for enforcing federal regulations that affect public health or the environment. The primary federal laws and regulations include the RCRA of 1976 (RCRA) and the Hazardous and Solid Waste Amendments enacted in 1984, the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), and the Superfund Act and Reauthorization Act of 1986 (SARA). Federal statutes pertaining to hazardous materials and wastes

are contained in the CFR Title 40 – Protection of the Environment. Regulations relevant to this analysis are discussed below.

### **Resource Conservation and Recovery Act**

RCRA was enacted in 1974 to provide a general framework for the national hazardous waste management system, including the determination of whether hazardous wastes are being generated, techniques for tracking wastes to eventual disposal, and the design and permitting of hazardous waste management facilities.

RCRA Subtitle C regulates the generation, transportation, treatment, storage, and disposal of hazardous waste by LQGs (1,000 kilograms per month or more) through comprehensive life cycle or “cradle to grave” tracking requirements. The requirements include maintaining inspection logs of hazardous waste storage locations, records of quantities being generated and stored, and manifests of pick-ups and deliveries to licensed treatment/storage/disposal facilities. RCRA also identifies standards for treatment, storage, and disposal, which are codified in 40 CFR 260.

The Hazardous and Solid Waste Amendments were enacted in 1984 to better address hazardous waste; this amendment began the process of eliminating land disposal as the principal hazardous waste disposal method.

### **Hazardous Materials Transportation Act**

The transportation of hazardous materials is regulated by the Hazardous Materials Transportation Act (49 CFR § 101 et seq.), which is administered by the Office of Hazardous Materials Safety within the Pipeline and Hazardous Materials Administration of DOT. The Hazardous Materials Transportation Act governs the safe transportation of hazardous materials by all modes. DOT regulations that govern the transportation of hazardous materials are applicable to any person who transports, ships, or causes to be transported or shipped hazardous materials, or who is involved in any way with the manufacture or testing of hazardous materials packaging or containers. DOT regulations govern every aspect of the movement of hazardous materials including packaging, handling, labeling, marking, placarding, operational standards, and highway routing.

### **Federal Disaster Mitigation Act**

The Disaster Mitigation Act of 2000 provided a new set of mitigation plan requirements that encourage state and local jurisdictions to coordinate disaster mitigation planning and implementation. States are encouraged to complete a “Standard” or an “Enhanced” Hazard Mitigation Plan. “Enhanced” plans demonstrate increased coordination of mitigation activities at the state level and, if completed and approved, increase the amount of funding through the Hazard Mitigation Grant Program. California’s Hazard Mitigation Plan is an ‘Enhanced’ Plan.

#### **b. State Regulations**

Regulation of hazardous material use and transport occurs under a variety of state agencies and authorities, many of whom are partners in the California Unified Program Administration (CUPA) program discussed below. There are many state statutes and regulations governing hazardous materials and wastes, and they are contained within many different parts of the States’ codes, therefore only regulations relevant to this analysis are considered below.

## **California Unified Program Administration**

CUPA consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities of six environmental and emergency response programs, as listed below:

- Hazardous Materials Release Response Plans and Inventories (Business Plans)
- California Accidental Release Prevention (CalARP) Program
- UST Program
- Aboveground Petroleum Storage Act Program
- Hazardous Waste Generator and Onsite Hazardous Waste Treatment (tiered permitting) Programs
- California Uniform Fire Code: Hazardous Material Management Plans and Hazardous Material Inventory Statements

The state agency partners involved in the Unified Program have the responsibility of setting program element standards, working with CalEPA on ensuring program consistency, and providing technical assistance to the CUPA. The following state agencies are involved with the Unified Program:

- CalEPA is directly responsible for coordinating the administration of the Unified Program; the Secretary of the CalEPA certifies CUPAs
- DTSC provides technical assistance and evaluation for the hazardous waste generator program including onsite treatment (tiered permitting)
- The California Office of Emergency Services (OES) is responsible for providing technical assistance and evaluation of the Hazardous Material Release Response Plan (Business Plan) Program and the CalARP Programs
- The Office of the State Fire Marshal is responsible for ensuring the implementation of the Hazardous Material Management Plans and the Hazardous Material Inventory Statement Programs. These programs tie in closely with the Business Plan Program
- SWRCB provides technical assistance and evaluation for the UST program in addition to handling the oversight and enforcement for the aboveground storage tank program

The CUPA for Ventura County is the VCEHD. The VCEHD is responsible for implementing the federal and state laws and regulations pertaining to the handling of hazardous wastes and hazardous materials.

## **California Fire Code**

The California Fire Code is Chapter 9 of CCR Title 24. It 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. The California Fire Code regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The California Fire Code and the California Building Code use a hazard classification system to determine what protective measures are required to protect fire and life safety. These measures may include construction standards, separations from property lines, and specialized equipment. To ensure that these safety measures are met, the California Fire Code employs a permit system based on hazard classification.

## **California Accidental Release Prevention Program**

The CalARP Program addresses facilities that contain specified hazardous materials, known as “regulated substances,” that, if involved in an accidental release, could result in adverse off-site consequences. The CalARP Program defines regulated substances as chemicals that pose a threat to public health and safety or the environment because they are highly toxic, flammable, or explosive.

## **State Assembly Bill 2948**

Enacted in 1986 and sometimes referred to as ‘Tanner 1986’, State Assembly Bill 2948 mandates that local governments have hazardous waste plans for dealing with hazardous wastes generated within the community, including identifying sources of hazardous wastes, transportation routes needed to remove the waste and areas for potential treatment and disposal. These plans are often integrated with or part of municipal and county General Plan documents.

## **California Health and Safety Code**

California Health and Safety Code section 25150, requires DTSC to adopt, and revise when appropriate, standards and regulations for the management of hazardous wastes to protect against hazards to the public health, domestic livestock, wildlife, or the environment. In adopting or revising standards and regulations pursuant to this chapter, the department shall, insofar as practicable, make the standards and regulations conform with corresponding regulations adopted by the USEPA pursuant to the federal act. This section does not prohibit the department from adopting standards and regulations that are more stringent or more extensive than federal regulations.

CalEPA, in cooperation with the DTSC and the SWRCB and the Office of Environmental Health Hazard Assessment, publishes a list of screening numbers for select contaminants. Screening numbers are defined as the concentration of a contaminant published by CalEPA as an advisory number. In determining screening numbers, CalEPA considers the toxicology of the contaminant, risk assessments prepared by federal or state agencies, epidemiological studies, risk assessments or other evaluations of the contaminant during remediation of a site, and screening numbers that have been published by other agencies.

In January 2018, the DTSC’s Human and Ecological Risk Office issued Human Health Risk Assessment Note Number 3. The document lists DTSC-SLs for select compounds in soil, tap water, and air for use in the human health risk assessment process at hazardous waste sites and permitted facilities.

## **California Public Resources Code 21151.4**

Pursuant to Public Resources Code Section 21151.4, projects that can be reasonably anticipated to produce hazardous air emissions or handle extremely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school must consult with the potentially affected school district and provide written notification not less than 30 days prior to the proposed certification or adoption of an environmental document. Where a school district proposes property acquisition or the construction of a school, the environmental document must address existing environmental hazards, and written findings must be prepared regarding existing pollutant sources.

## **California Cortese List, Government Code 65962.5**

Government Code Section 65962.5 requires CalEPA to develop and update the Hazardous Waste and Substance Sites (Cortese) List. The Cortese List is a planning document used by state and local agencies

and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites.

### **California Hazardous Materials Release Response Plans and Inventory Law**

The California Hazardous Materials Release Response Plans and Inventory Law of 1985 (Business Plan Act) requires that any business that handles hazardous materials prepare a Business Plan. That Business Plan must include details of the facility and business conducted at the project site, an inventory of hazardous materials that are handled or stored on site, an emergency response plan and a training program for safety and emergency response for new employees, with annual refresher courses.

### **California Code of Regulations, Title 8**

CCR Title 8 contains the General Industry Safety Orders of the state regulations. Article 4 addresses dusts, fumes, mists, vapors, and gasses. Article 4, Section 1529 deals with asbestos and ACM and Section 1532.1 addresses lead and LBP. Both Sections set out requirements for employer monitoring of employee exposure to these materials as well as regulations on worker personal protective equipment (PPE), disposal of wastes, medical examinations of exposed workers, and action levels and exposure limits for ACM and LBP dusts. Title 8 is administered by the California Occupational Safety and Health Administration (Cal/OSHA).

### **c. Local Regulations**

#### **Ventura County and Thousand Oaks Hazardous Materials Plans**

There are several hazardous materials plans in effect in Thousand Oaks that regulate and guide the storage, use, handling, transport, and disposal of hazardous materials. Some are managed by the County and enforced by local agencies as appropriate and others, such as individual city plans, are managed directly by local authorities.

The Ventura County Hazardous Materials Emergency Response Plan is overseen by the CUPA. It integrates many regional response plans to provide a cohesive system of information sharing, individual agency responsibilities and command and control of hazardous materials spill response, which is generally managed on the ground by Ventura County Fire Protection District. An important part of the Hazardous Materials Emergency Response Plan is the incorporation of Business Plans for each individual commercial operation. The CUPA integrates these Business Plans into both local and regional emergency planning.

The County Hazardous Waste/Materials Management Plan (CHWMP) is the Tanner 1986 document for the County and sets out the standards and plans for transportation and disposal of hazardous wastes including household wastes. On July 10, 1990, the City adopted the CHWMP as an element of the City General Plan.

The City of Thousand Oaks adopted their own Tanner 1986 document with the City Hazard Mitigation Plan on October 12, 2004. The City Hazard Mitigation Plan includes detailed plans to reduce hazardous materials risks through interagency cooperation, risk reduction, public outreach, and similar goals.

#### **Ventura County Sheriff's Office of Emergency Services**

In cooperation with local jurisdictions, Ventura County Sheriff's Office of Emergency Services developed the Ventura County Emergency Operations Plan (EOP) which addresses the County's

planned response to extraordinary emergency situations and natural, human caused or technological disasters as well as provides an overview of operational concepts and identifies components of the County's emergency management organization within the California Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS) and describes the overall responsibilities of the federal, state, and county entities for protecting life, property, the environment and assuring the overall well-being of the population. The latest draft EOP was published in February 2021 (County of Ventura 2021).

### **Ventura County Air Pollution Control District Rule 6.27**

VCAPCD regulates demolition and renovation operations involving ACM through Rule 6.27, which applies to any planned demolition or renovation that involves 100 square feet or more of ACM, with exceptions for indoor renovations, single-unit dwelling renovations performed by the owner or occupant, and work with certain categories of ACM that are removed according to a subset of VCAPCD requirements. The requirements include a noticing period and a general prohibition on demolition until ACM has been abated and removed from the location and requires that abatement be conducted by persons with specific asbestos certifications (primarily Asbestos Hazard Emergency Response Act [AHERA] certification).

### **Thousand Oaks General Plan and Municipal Code**

The City of Thousand Oaks contains numerous policies related to the handling and transport of hazardous materials in the Safety Element of its General Plan, under the Plan's overarching Goal S-7: "Protect life, property, and the environment from the effects of releases of hazardous materials into the air, land, or water." The General Plan policies most relevant to this analysis include:

**Policy E-3:** Strive to locate businesses that utilize hazardous materials in areas which will minimize risks to the public or environment.

**Policy E-4:** Coordinate with [EHD] and [LARWQCB] to encourage cleanup of sites that have been impacted by hazardous materials releases – especially those that have impacted groundwater.

The City Municipal Code further affirms the City's use of uniform standards which contain provisions including the Uniform Fire Code, California Health and Safety Code, and Uniform Building Code and regulations are administered by CUPA through the appropriate local agencies.

## **4.8.3 Impact Analysis**

### **a. Methodology and Significance Thresholds**

Appendix G of the State CEQA Guidelines identifies the following criteria for determining whether development facilitated by the proposed project would have a significant impact on hazards and hazardous materials:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;

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3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment;
5. Be 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, and result in a safety hazard or excessive noise for people residing or working in the project area;
6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or,
7. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

The methodology used for the following evaluation is based on a review of publicly available documents and includes information about hazardous and potentially hazardous materials or conditions in the project vicinity. These records were used to determine the potential for the proposed project to result in an increased health or safety hazard to people or the environment. Information reviewed included city and county planning documents such as the City General Plan and hazardous materials plans, the results of the previous on-site investigative studies, and hazardous materials database information maintained by various state and federal agencies, such as DTSC’s EnviroStor and SWRCB’s GeoTracker environmental databases.

The evaluation of hazards and hazardous materials impacts assumes that the construction and development of the proposed project would adhere to the latest federal, state, and local regulations, and conform to the latest required standards in the industry, as appropriate.

As analysis of potential impacts related to wildland fires is covered in detail in Section 4.17, *Wildfire*; therefore, discussion of *Hazards and Hazardous Materials* threshold 7 is not included in this section.

**b. Project Impacts and Mitigation Measures**

<p><b>Threshold 1:</b> Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</p> <p><b>Threshold 2:</b> Would the project 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?</p>
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**Impact HAZ-1 IMPLEMENTATION OF THE PROPOSED PROJECT WOULD INCLUDE DEMOLITION OF EXISTING BUILDINGS WITH KNOWN HAZARDOUS MATERIALS INCLUDING ASBESTOS AND LEAD. CONSTRUCTION AND OPERATION OF THE PROJECT COULD INVOLVE THE USE, STORAGE, DISPOSAL OR TRANSPORTATION OF HAZARDOUS MATERIALS. IN ADDITION, UPSET OR ACCIDENT CONDITIONS COULD RESULT IN THE RELEASE OF HAZARDOUS MATERIALS INTO THE ENVIRONMENT. COMPLIANCE WITH FEDERAL, STATE, AND LOCAL REGULATIONS WOULD REDUCE POTENTIAL IMPACTS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

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Transport and use of hazardous materials for the proposed project could occur during the three stages of the proposed project: demolition, construction, and operation. Impacts from aboveground hazardous material generation, handling, use, and transport are discussed below; impacts from potential contaminated soil and groundwater are discussed under Impact HAZ-3, below.

## **Demolition**

As detailed in Section 4.7.1, *Setting*, under *Existing and Past Hazardous Materials at the Project Site*, the pre-demolition survey conducted by Stantec (2021) determined that numerous hazardous materials were present throughout the buildings on the project site, including ACM and LBP, as well as potential sources of PCBs, mercury, radiation, and numerous other potentially hazardous materials normally associated with commercial buildings of this size and former use (Stantec 2021).

Demolition of the existing structures prior to construction has the potential to release LBP and ACM dust into the atmosphere if not remediated prior to demolition, exposing both workers and nearby residents to health hazards. In addition, demolition has the potential to release other toxic constituents identified in the pre-demolition survey which including but not limited to mercury from thermostats, radiation from exit signs, PCBs from electrical and other components, and similar common hazardous materials (Stantec 2021). In addition, demolition activities may also include temporary storage or transport of these hazardous materials.

The City of Thousand Oaks Municipal Code, Section 8-1.05.3.5 (amended by Section 8-1.06) addresses the issuance of demolition permits within the City. The Code states, “No person, firm or corporation shall raze any building or structure, or portion thereof, in the City, or cause the same to be done, without first obtaining a separate Demolition Permit for each building or structure from the Building Official.” In order to obtain a demolition permit, there must be a site inspection, a construction debris and recycling plan (which includes requirements for diversion of certain amounts of construction and demolition wastes from landfill), and approval from the Building, Planning, and Public Works Departments. In addition, the applicant must obtain a signature from VCAPCD on the permit application.

Approval from the various City Departments would be dependent upon acceptance of the debris and recycling plan, which must address the disposal of hazardous wastes generated during demolition. In order to obtain a signature from VCAPCD, the applicant would have to demonstrate compliance with VCAPCD Rule 6.27, which requires abatement of ACM by a licensed contractor prior to the issuance of a demolition permit. The requirements to obtain a demolition permit for the structures on the project location would ensure that ACM is handled appropriately and that hazardous materials are disposed of according to federal and State regulations. There is no specific permit requirement for LBP, and VCAPCD does not enforce any standards for LBP. However, during demolition activities the project proponent or their representatives would be required to comply with CCR Title 8 regulations regarding worker exposure to LBP dust or other potentially hazardous dusts arising from demolition, which would require monitoring, containment, and proper disposal of LBP. Therefore, all demolition activities involving hazardous materials in existing buildings would fall under strict regulation and be required to be conducted in a manner which eliminates threats to worker or resident health and safety and would not create a significant hazard to the public or the environment. Impacts from demolition would be less than significant.

## **Construction**

Construction of the proposed project may involve the temporary use, storage, and transport of hazardous materials related to construction activities, including fuel, solvents, paints, maintenance fluids, cleaners, and similar construction-related hazardous materials. If released, these substances could pose a threat to worker safety or a threat to the environment.

As discussed in Section 4.18, *Impacts found to be Less Than Significant*, under Hydrology and Water Quality, prior to beginning construction activities on the project site (including demolition), the



project proponent would be required to obtain National Pollutant Discharge Elimination System (NPDES) coverage under the California Statewide Construction General Permit (CGP). A core requirement for obtaining coverage under the CGP is the submission of a site-specific Stormwater Pollution Prevention Plan (SWPPP) and its review and approval by the City as an implementing party of the LARWQCB, which administers the NPDES system in Ventura County. The SWPPP must include specific Best Management Practices (BMPs) designed to prevent or control any release of construction-related hazardous materials. Common BMPs include designated fueling areas with containment structures, strategic location of spill kits, employee training, and temporal phasing of the use of hazardous materials to ensure limited amounts are used at any given time. SWPPP compliance is monitored regularly and BMPs are examined frequently to ensure they are maintaining structural integrity and functioning as intended.

Hazardous material transport may occur regularly throughout the construction phase, as materials are brought to and from the project location. Any use and transport of hazardous materials, such as solvents or construction fuels, would comply with all local, State, and federal regulations regarding the handling of potentially hazardous materials, as discussed under Section 4.7.2, *Regulatory Setting*, above. Hazardous materials would be transported by DTSC-registered transporters and be required to follow all DOT regulations under the Hazardous Materials Transport Act, in addition to CalEPA and local CUPA regulations regarding hazardous materials transport. In addition, construction activities that transport hazardous materials would be required to transport such materials along designated roadways in the city and county, as discussed under Section 4.7.1, *Setting*. Materials transported to and from the project site would be required to reach the closest designated transport route by the shortest path; US-101 is the closest designated route and on-ramps are in the immediate vicinity of the project site. Therefore, transporters would spend a limited time in the proposed project area, reducing the risk of upset near sensitive land uses such as the nearby preschool and residences.

The requirements for SWPPP development and for licensed transportation of any hazardous materials along designated routes would minimize any risks from use, storage, or transport of hazardous materials during construction, ensuring that the project did not present a significant risk to the public or the environment, and impacts would be less than significant.

## **Operation**

Operation of the proposed project would include development of residential uses and commercial retail, open space, and other amenities. Standard residential activities do not present a significant threat to the public or the environment through the transport or use of hazardous materials due to the small amounts of hazardous materials residential uses generate as compared to a SQG or larger commercial generator, and therefore impacts from the residential land uses would be less than significant.

The amount and nature of hazardous material use, storage, and transport during project operation would be dependent upon the uses which may lease commercial space within the proposed development, which is currently unknown, and which may change with regularity throughout the project lifespan. Businesses that may involve hazardous materials or waste handling could include medical offices, dry cleaners, automotive or similar retail offering household hazardous materials, and similar uses.

Most commercial uses at the proposed project would not be expected to generate or transport hazardous materials in quantities large enough to present a significant threat to the public or the environment. Those that do would be required to register with DTSC as SQGs and comply with all applicable regulation regarding storage and transport of hazardous materials under RCRA and other

federal, State, and local regulations. Businesses would be required to submit hazardous material Business Plans to the CUPA and update them regularly, and to adhere to all California Fire Code and Building Code requirements for hazardous material storage. The City of Thousand Oaks' General Plan Policy E-3 discourages businesses utilizing hazardous materials or wastes from locating in the proposed project, although it would not prohibit it. Compliance with all applicable regulation would ensure that risks from hazardous material storage and use in the proposed commercial areas would be minimized. There would be no significant threat to the public or the environment and impacts would be less than significant.

Any business that may involve the use of hazardous materials would also involve the routine transport of such materials and/or hazardous wastes. As discussed under *Construction* above, and in Section 4.7.2, *Regulatory Setting*, such transport is governed by a wide range of regulations including the requirement that it be conducted by transporters registered with DTSC. As previously described, the project site is located immediately in the vicinity of access to designated hazardous material transport routes and the possibility of an accident or spill in an area that presents a threat to the public is minimal.

In addition, the previous uses at the project site included regular transport of hazardous materials for automotive and dry-cleaning purposes, and the current vacant use of the project site encourages regular illegal dumping of materials, some of which may be hazardous, as noted in Partner 2018 and Partner 2019. Although there may be commercial uses at the project site that may involve the use of hazardous materials, it is unlikely the uses would involve transport of large quantities of such hazardous materials. Adherence with the various regulations overseeing hazardous material transport would ensure that operation of the proposed project does not present a significant risk to the public or the environment through routine transport of hazardous materials or through reasonably foreseeable accident or spill conditions, and impacts would be less than significant.

### **Mitigation Measures**

No mitigation is required.

**Threshold 3:** Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

**Impact HAZ-2 THE PROJECT MAY EMIT HAZARDOUS EMISSIONS OR HANDLE HAZARDOUS OR ACUTELY HAZARDOUS MATERIALS, SUBSTANCES, OR WASTE WITHIN 0.25 OF AN EXISTING SCHOOL. COMPLIANCE WITH EXISTING FEDERAL, STATE, AND LOCAL REGULATIONS WOULD ENSURE SUCH MATERIALS DO NOT PRESENT A HAZARD TO STUDENTS OR WORKERS AT THE SCHOOL. NO HAZARDOUS MATERIALS WOULD BE TRANSPORTED ON ROADS ADJACENT TO THE SCHOOL. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

Children are particularly susceptible to long-term effects from exposure to hazardous materials. Locations where children spend extended periods of time, such as schools, are considered sensitive to hazardous air emissions and accidental release associated with the handling of extremely hazardous materials, substances, or wastes. As described in Section 4.7.1, *Setting*, the Little Dreamers Early Childhood preschool is located adjacent to the project site immediately to the southwest. There are no other schools within 0.25 mile of the project site.

As described under Impact HAZ-1, above, the proposed project may involve use, storage, and transport of hazardous materials during construction and operation, as well as generation of hazardous materials during demolition including ACM and LBP. As described above, numerous

regulatory requirements aid in minimizing threats to the public and the environment from such hazards. Adherence to the requirements of CCR Title 8 and VCAPCD Rule 6.27, such as monitoring for hazardous dust during demolition and construction activities, along with conditions set by the CUPA and the demolition and grading permits from the City of Thousand Oaks, would ensure impacts to the school from demolition and construction would be less than significant.

As discussed above, the nearest sensitive receptor is the preschool. Proposed project uses near the preschool are exclusively residential (refer to Figure 2-3 in Section 2, *Project Description*). Additionally, any uses that generate hazardous materials during operation of the proposed project would be located in the commercial and retail areas of the proposed development. Hazardous materials generated through project operations would not be classified as acutely hazardous, although it is possible that certain medical office uses may generate acutely hazardous materials; however, such material generation would require additional levels of regulatory oversight and restriction under RCRA, the Hazardous Materials Transportation Act, DTSC, CUPA, Fire Code, and Building Code regulations. In addition, transporters of hazardous materials or wastes related to the proposed project development would be required to take the shortest route to the on-ramps to US-101, as discussed throughout this section. Therefore, there would be no significant risk to the school from reasonably foreseeable accident or spill conditions. Impacts to the preschool related to routine transport and use of hazardous materials would be less than significant.

California Public Resources Code 21151.4 establishes notification requirements when projects which may involve the use of hazardous materials or generate hazardous emissions are proposed within the 0.25-mile radius from an area school. The notification requirements include consultation with the relevant school district prior to submission of environmental documents and written notification not less than 30 days before proposed certification of environmental documents. The notification requirements are intended to give school districts time to make lead agencies and project applicants aware of potential issues regarding the location of area schools and to ensure the districts are made aware of comment periods and opportunities for input on the approval process. The City has been communicating the proposed project progress with the school and will notify the school upon release of the Draft EIR.

### **Mitigation Measures**

No mitigation is required.

**Threshold 4:** Would the project be located on a site that is included on a list of hazardous material 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?

**Impact HAZ-3** THE PROJECT SITE IS NOT INCLUDED ON A LIST OF HAZARDOUS MATERIALS SITES COMPILED PURSUANT TO GOVERNMENT CODE SECTION 65962.5. NONETHELESS, PROJECT SITE SOILS ARE KNOWN TO BE IMPACTED BY CONTAMINANTS, AND THE EXTENT OF IMPACTS TO GROUNDWATER IS UNKNOWN. THEREFORE, HAZARDOUS MATERIALS COULD BE DISTURBED DURING PROJECT CONSTRUCTION AND CONSTRUCTION WORKERS AND RESIDENTS IN THE IMMEDIATE VICINITY COULD BE EXPOSED TO HAZARDS. IMPLEMENTATION OF MITIGATION MEASURES HAZ-1 THROUGH HAZ-4 WOULD ENSURE THE COORDINATION WITH THE APPROPRIATE REGULATORY AGENCIES AND PROPER HANDLING AND DISPOSAL OF CONTAMINATED MATERIALS FROM THE PROJECT SITE DURING CONSTRUCTION, AND MITIGATION MEASURE HAZ-5 WOULD REDUCE THE POTENTIAL FOR ONGOING OPERATIONAL IMPACTS RELATED TO CONTAMINATION REMAINING ONSITE. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.

Although there are no Cortese sites identified at the project site, there are contaminated soils onsite, as detailed in the 2018 Phase I Environmental Site Assessment (ESA) prepared by Partner Engineering and Science, Inc. (Partner 2018), a subsequent 2019 Phase I ESA prepared by Partner (Partner 2019), a 2021 Phase II Subsurface Investigation by Partner (Partner 2021), a 2021 Hazardous Materials Report prepared by Stantec Consulting Services, Inc. (Stantec 2021), and a 2022 Additional Soil Gas Investigation Report by Partner (Partner 2022) for the project site 2018 and 2019 Phase I ESAs, 2021 Phase II ESA, and 2022. Additional Soil Gas Investigation Report performed by Partner and detailed in Section 4.7.1, *Setting*. As described above, former uses of the vacant commercial building at 325 Hampshire Road included an automotive center with a known UST and hydraulic lifts and a clarifier which still remain onsite, as well as a dry-cleaning business which operated at the southern end of the property. Investigations of the area around the former automotive center by Stechmann Geoscience in 2007 (included in Appendix F) and by Partner in 2019 did not uncover evidence of a subsurface release of petroleum hydrocarbons or other contaminants in the vicinity of the former automotive shop, including around the clarifier and hydraulic lifts, and uncovered evidence that the UST was removed. However, only a limited number of soil samples were taken in these investigations, and it is possible that subsurface contaminants exist in the area of the former automotive shop.

As detailed in 4.7.1, *Setting*, above, the 2021 and 2022 investigations by Partner uncovered evidence of a subsurface release of chlorinated VOCs commonly associated with dry cleaning in the vicinity of the former dry cleaners, including elevated levels of PCE, benzene, ethylbenzene, and vinyl chloride in soil vapor above residential and commercial/industrial screening levels. As only a few samples were taken in the area, the nature and extent of any contamination plume resulting from the former dry cleaners is unknown. In addition, although borings were advanced as deep as 30 feet, the investigation did not encounter groundwater, although groundwater is expected to exist between 12 and 40 feet below the project site; therefore, the extent of potential impacts to groundwater from residual solvents from the dry cleaners is unknown. The levels of PCE and related compounds detected indicate that impacted soil vapor is present at the project site, and such constituents present a risk of vapor intrusion into structures built above the impacted area. In addition, the locations where elevated levels of VOCs were detected are as close as 100 feet from the off-site preschool. The 2021 and 2022 investigations by Partner conclude that a potential vapor intrusion concern exists for occupants of seven future buildings on the project site and that vapor mitigation would be required for those buildings.

In addition to the suspected releases at the project site, the adjacent Shell station at 395 Hampshire Road was formerly the site of a LUST cleanup (Partner 2021, GeoTracker Case #02004). Two 10,000-

gallon USTS were removed, and remediation activities continued until the case was closed in 2013. At the time of closure, elevated levels of common petroleum chemicals and MTBE were detected at groundwater monitoring wells for the cleanup effort that were installed at 391 Hampshire Road, which is part of the project site. At the time, the LARWQCB approved the closure of the case and the destruction of the groundwater monitoring wells, as the remaining levels of contaminants in the soil did not present a threat due to the lack of nearby sensitive uses, such as residential buildings. However, the proposed project design plans include residential and commercial uses situated directly over former groundwater monitoring wells that continued to display detectable levels of MTBE, including over former groundwater monitoring wells MW-5 and MW-8 (GeoTracker 2022a). MTBE was detected at a concentration of 57.7 µg/L and gasoline-range organics (GRO) were detected at a concentration of 191 µg/L when MW-8 was last sampled in March 2013. The Maximum Contaminant Level (MCL) for MTBE in drinking water is 13 µg/L in California. However, although the project would not source drinking water from the groundwater beneath the project site.

Groundwater at the project site is known to flow to the northwest (Partner 2018, 2019, and 2021), and as the closed release case was located at the southeastern corner of the project location, any remaining constituents would likely be contained in a groundwater plume extending onto the project site. The current extent of possible MTBE or GRO contamination on the project site from the closed case is unknown, as groundwater monitoring activities ended when the case was closed by the LARWQCB. However, construction of residential units in the area of the cleanup site and over soils located above and downgradient from the known former release area may expose residents and workers to potentially hazardous levels of these contaminants.

Construction of the proposed project would involve grading, trenching, and other activities which would result in the disturbance, relocation, and possible removal of contaminated soils. If contaminated soils are disturbed during construction activities, they could expose workers and area residents to hazards from contaminated dust, soils, and vapors. Such soils would need to be handled and disposed of as hazardous waste. In addition, if potentially contaminated soils are not removed during grading and construction, or are relocated elsewhere on the project site, they may present a hazard to future residents of the project site through vapor intrusion, contact with contaminated soil, or other pathways. This would result in a potential impact associated with a potential significant hazard to the public or the environment on the health of the public and the environment and mitigation is required.

Implementation of Mitigation Measure HAZ-1 would ensure that the proper regulatory agencies are able to determine that the adjacent closed release case is not a hazard to new residential uses which were not present before. Mitigation Measures HAZ-1 through HAZ-4 would ensure coordination with the proper regulatory agencies and proper handling and/or disposal of contaminated soils during grading or other construction activities. Mitigation Measure HAZ-5 would reduce the potential for ongoing operational impacts related to contamination on the project site, including minimizing the risk of vapor intrusion into areas constructed above potential VOC plumes. Implementation of these measures would ensure that all appropriate regulatory oversight and approvals are obtained throughout project construction and operation and would reduce impacts related to potentially contaminated soils at the project site to less than significant.

## Mitigation Measures

### HAZ-1 *Regulatory Agency Notification and Approval*

Prior to the issuance of any demolition or grading permits, the project applicant shall contact the VCEHD to discuss the proposed redevelopment project, the proposed change to residential land use, the known hazardous material soil, soil vapor, and groundwater impacts onsite, and the adjacent closed release case at 395 Hampshire Road (Shell Station – Case #02004). The project applicant shall provide VCEHD with the proposed site use plans regarding the conversion of commercial land use to residential land use and discuss the onsite presence of groundwater impacted by VOCs at the proposed residential development. The project applicant shall provide the City Planning Department with copies of all communications to and from VCEHD.

VCEHD may require the project applicant or the adjacent property owner to conduct additional investigation/studies, including, but not limited to, soil vapor, soil, and/or groundwater investigations, which could help delineate the extent of contaminated soil, soil vapor, and groundwater and allow for the proposed project to be designed in a manner to avoid or minimize impacts to proposed construction and operation of the residential development.

### HAZ-2 *Regulatory Agency Voluntary Oversight Agreement*

Prior to issuance of a grading permit, the applicant shall enter into a Voluntary Oversight Agreement with VCEHD to provide regulatory oversight of identified releases at the project site. VCEHD shall be utilized for agency oversight of assessment and remediation within the site through completion of building demolition, subsurface demolition, and construction the proposed project. Additionally, the project applicant shall notify the VCEHD project manager of the following:

- Current development plan and any modifications to the development plan
- All written documents concerning hazardous material impacts to soil, soil vapor, and or groundwater, including, but not limited to, Phase I ESAs, Phase II ESAs, geophysical surveys, and other subsurface investigations.
- All former environmental documents completed for the project site, including this EIR
- Other documents, as requested by VCEHD

Upon notification of the information above, VCHED could require actions such as: development of subsurface investigation workplans; completion of soil vapor, soil, and/or groundwater investigations; installation of soil vapor or groundwater monitoring wells; soil excavation and offsite disposal; completion of human health risk assessments; and/or completion of remediation reports or case closure documents. The project applicant shall retain a qualified environmental consultant, California Professional Geologist (PG) or California Professional Engineer (PE), to prepare the documents required by VCEHD.

If groundwater wells or soil vapor monitoring probes are identified during demolition, subsurface demolition, or construction at the project site, they shall be abandoned per City of Thousand Oaks Public Works Department specifications. Abandonment activities will be documented in a letter report submitted to VCEHD within 60 days of the completion of abandonment activities.

The VCEHD closure and agency approval documents shall be submitted to the City Planning Department prior to issuance of grading permits.

**T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project**

It should also be noted that VCEHD may determine that RWQCB or DTSC may be best suited to perform the lead agency duties for assessment and/or remediation at the project site. Should the lead agency be transferred to LARWQCB or DTSC, this and other mitigation measures would still apply.

*HAZ-3 Site Management Plan for Impacted Soils, Soil Vapor and/or Groundwater*

The project applicant shall retain a qualified environmental consultant (PG or PE), to prepare a Soil and Groundwater Management Plan prior to construction. The Soil and Groundwater Management Plan, or equivalent document, shall address onsite handling and management of impacted soils, soil vapor, groundwater, or other impacted wastes, and reduce hazards to construction workers and offsite receptors during construction. The plan must establish remedial measures and/or soil management practices to ensure construction worker safety, the health of future workers and visitors, and the off-site migration of contaminants from the project site. These measures and practices may include, but are not limited to:

- Stockpile management including stormwater pollution prevention and the installation of BMPs
- Proper handling and disposal procedures of contaminated building materials, soil, and groundwater
- Monitoring and reporting
- A health and safety plan for contractors working at the project site that addresses the safety and health hazards of each phase of site construction activities with the requirements and procedures for employee protection

The health and safety plan shall also outline proper soil handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction.

VCEHD shall review and approve the Soil and Groundwater Management Plan prior to demolition and grading (construction). The project applicant shall review and implement the Soil and Groundwater Management Plan prior to demolition and grading (construction).

Evidence of the review and approval by VCEHD shall be provided to the City Planning Department and City Engineers prior to the issuance of any demolition or grading permits.

*HAZ-4 Remediation*

If soils within the construction envelope at the development site contain chemicals at concentrations exceeding hazardous waste screening thresholds for contaminants in soil (California Code of Regulations [CCR] Title 22, Section 66261.24), the project applicant shall retain a qualified environmental consultant (PG or PE) to conduct additional analytical testing and recommend soil disposal recommendations, or consider other remedial engineering controls, as necessary.

The qualified environmental consultant shall utilize the development site analytical results for waste characterization purposes prior to offsite transportation or disposal of potentially impacted soils or other impacted wastes. The qualified environmental consultant shall provide disposal recommendations and arrange for proper disposal of the waste soils or other impacted wastes (as necessary), and/or provide recommendations for remedial engineering controls, if appropriate.

Remediation of impacted soils and/or implementation of remedial engineering controls may require additional delineation of impacts; additional analytical testing per landfill or recycling facility requirements; soil excavation; and offsite disposal or recycling.

VCEHD will review and approve the disposal recommendations prior to transportation of waste soils offsite, and review and approve remedial engineering controls, prior to construction. The project applicant shall review the disposal and remedial engineering control recommendations prior to the issuance of any demolition permits. The project applicant shall implement the disposal recommendations and implement the remedial engineering controls during demolition/construction.

Evidence of the review and approval by VCEHD shall be provided to the City Planning Department and City Engineering Department prior to the issuance of any demolition or grading permits.

#### *HAZ-5 Vapor Mitigation System*

VCEHD may require the installation of a sub-slab vapor barrier system at the proposed project. The project applicant shall retain a qualified environmental consultant PG or PE or other qualified person to prepare a sub-slab vapor barrier system design for the proposed project. The plan may include, but is not limited to:

- Design specifications
- Material specifications
- Installation requirements
- Monitoring requirements

The project applicant shall incorporate a sub-slab vapor barrier system during construction, the implementation of which would reduce the potential for soil gas VOCs from migrating to indoor air within the residential building. VCEHD will review and approve the sub-slab vapor barrier system prior to construction.

Evidence of the review and approval by VCEHD shall be provided to the City Planning Department and City Engineers prior to the issuance of any demolition or grading permits.

### **Significance After Mitigation**

Implementation of Mitigation Measures HAZ-1 through HAZ-5, above, would reduce impacts related to impacted soils and groundwater at the project site. Impacts would be less than significant with mitigation.

**Threshold 5:** For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

#### **Impact HAZ-4    THERE ARE NO PUBLIC OR PRIVATE AIRPORTS WITHIN TWO MILES OF THE PROJECT SITE AND THE PROJECT SITE IS NOT INCLUDED IN ANY AIRPORT LAND USE PLAN. THERE WOULD BE NO IMPACT.**

The proposed project location is not located within an airport land use plan or within two miles of a public or private airport. The closest airport is Camarillo Airport, approximately 14 miles west, as well as Oxnard Airport, approximately 18 miles west. The Airport Master Plan for Camarillo Airport does not include the project site in its planning area noise contours (Camarillo 2011).

There are multiple small heliports in the region, including the Las Robles and Westlake Medical Centers helipads and the East Valley Sheriff's Station Heliport. The Westlake Medical Center helipad is approximately two miles to the southeast. Noise from helicopters taking off and landing at this



medical center would be barely discernable at the project area and would not result in a safety hazard or excessive noise for people residing or working in the project area. There would be no impact.

### **Mitigation Measures**

No mitigation is required.

**Threshold 6:** Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

**Impact HAZ-5 THE PROJECT WOULD NOT OBSTRUCT ACCESS TO US-101 OR OTHER DESIGNATED EVACUATION ROUTE OR IMPAIR IMPLEMENTATION OF THE LOCAL EMERGENCY OPERATIONS PLAN OR COUNTY HAZARD MITIGATION PLAN. TEMPORARY CONSTRUCTION IMPACTS TO ACCESS POINTS WOULD NOT RENDER ROUTES IMPASSABLE TO EMERGENCY SERVICES. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

The primary documents governing emergency response in Thousand Oaks are the Ventura County Multi-Hazard Mitigation Plan (Ventura County 2015), the Thousand Oaks Emergency Operations Plan (Thousand Oaks 2020), and the Disaster Preparedness chapter of the Thousand Oaks General Plan Safety Element. The Ventura County Sheriff's Office of Emergency Services is responsible for the County evacuation plans and maintains evacuation route plans for Thousand Oaks which are depicted in the General Plan Disaster Preparedness chapter, as well as handling the operational control of the various levels of evacuation which may be advised or ordered.

These regional and local plans define the strategic, operational, and tactical chain of command and functions of the various emergency response agencies throughout the area and set out the procedures to be followed during the onset, duration, and aftermath of a wide variety of emergencies at the local, regional, and state scales. In general, the plans follow strictly the procedures of the SEMS and the NIMS.

A standard consideration of both SEMS and NIMS is redundancy of systems and planning for multiple possibilities in any incident, including the loss of primary command centers, failure of important communications systems, and loss of tactical control of situations. A multi-layered set of failsafe and backup options is included in both plans, specifically designed to counteract the effect of a disaster or other emergency interfering with the execution of the operations plans through rendering access routes unusable.

The plans identify key locations and areas which are critical to emergency operations. Access to U.S. Route 101 is a key component of an orderly evacuation in the project vicinity, as well as of all emergency response scenarios. The on-ramps to US-101 north of the project site are considered critical access points. Construction of the proposed project would not involve temporary or long-term obstruction of these access points, nor would it involve shutdown of State Highway 23 or Hampshire Road (a secondary evacuation route to US-101 for southern Thousand Oaks in case of loss of State Highway 23). Standard practices in construction traffic management require notification of local emergency response agencies in the event of a planned shutdown or obstruction of traffic along any public thoroughfare; thus, in the unlikely event that project construction would involve temporary traffic management along Hampshire Road, potential impacts related to obstruction would be known to local agencies. In addition, such construction impacts are highly unlikely to render Hampshire Road impassable to emergency vehicles; they would merely necessitate traffic management and possible temporary alteration of lane widths or number. Therefore, the proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Impacts would be less than significant.

## **Mitigation Measures**

No mitigation is required.

### 4.8.4 Cumulative Impacts

Cumulative development in the city would gradually increase population and therefore gradually increase the number of people exposed to potential hazards and hazardous materials. However, hazards are site specific unless being transported beyond the project area, and individual development would not create compounding impacts that would affect hazardous conditions on other sites. Moreover, development projects would be subject to CEQA review on a case-by-case basis and would be required to comply with applicable provisions of the Thousand Oaks General Plan, Thousand Oaks Municipal Code, as well as all of the other laws and regulations mentioned above. Including creating remediation plans and requiring compliance with the remediation plans.

Cumulative projects would increase the potential for impacts related to encounters with hazardous materials by construction workers during construction activities and residences and employees exposed to hazardous materials. However, project-specific mitigation for cumulative development would limit this impact to less than significant, and implementation of Mitigation Measure HAZ-1 through Mitigation Measure HAZ-5 and adherence to all regulatory requirements would ensure the proposed project would not have a cumulatively considerable contribution to a significant cumulative impact related to hazardous materials. Other potential impacts from future development would be addressed on a case-by-case basis, and appropriate mitigation would be designed to mitigate impacts resulting from individual projects. Therefore, cumulative impacts would be less than significant.

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## 4.9 Land Use and Planning

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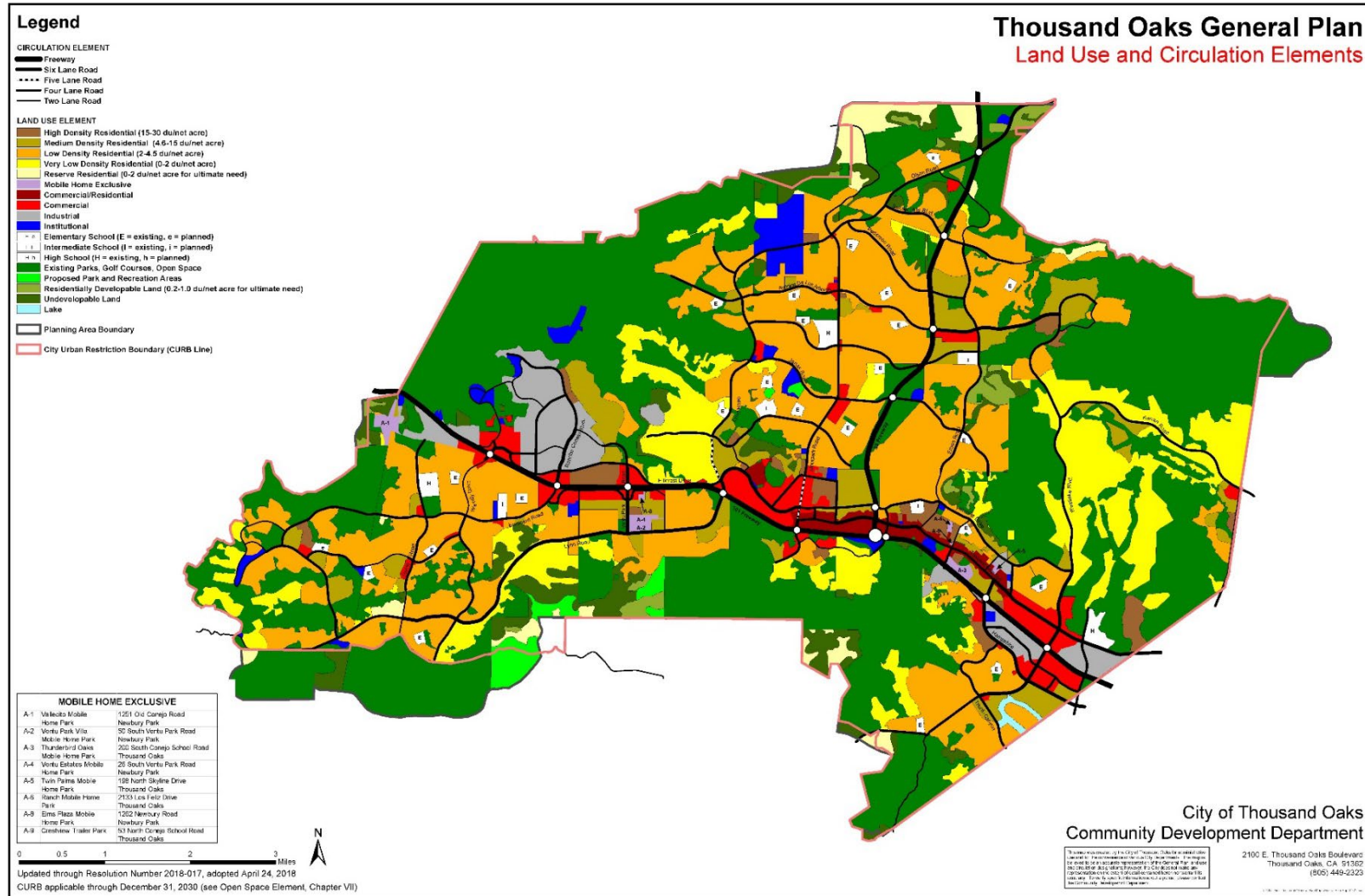
This section describes the regulatory framework governing the project site. It explains existing and proposed land uses. Topics addressed include the division of an established community, land use compatibility, and consistency with applicable land use plans, policies, and regulations. Information presented in this section is based on the General Plan, the 2014-2021 Housing Element, Draft 2021-2029 Housing Element, zoning regulations, and policies.

### 4.9.1 Setting

When first incorporated in 1964, Thousand Oaks had a population of 20,000 in an area of 14.28 square miles (City of Thousand Oaks 2022). Thousand Oaks has a population of approximately 125,426, as of January 2021 (California Department of Finance [DOF] 2021a) within an area of about 56 square miles. Between 2010 and 2020, population growth was relatively flat, with an overall decline in population for the 10-year period of nearly two percent, as discussed in more detail in Section 4.11, *Population and Housing* (DOF 2021b).

The land use designations of the City of Thousand Oaks can be seen in Figure 4.9-1. The project site is a vacant commercial site that is surrounded by residential, commercial, industrial and institutional uses. Along Foothill Drive at the project site southern boundary, multi-family apartment complex occupies most of the block from Hampshire Road to the west. Along the western project boundary, parcels west of Foothill Drive are zoned Rural-Exclusive (R-E-20 Av.) and are partly developed with single-family homes. Further to the west, beyond the residential zoned areas along Foothill Drive, the undeveloped Conejo Ridge Open Space forms a natural divide between this southwesterly part and the northwestern part of Thousand Oaks. A daycare is adjacent to the southwest corner of the project site. An assisted living facility is adjacent to the northwest corner of the site and medical offices and a gas station occupy the adjacent lots along the northern project site boundary. Office complexes and light industrial uses with large surface parking lots with perimeter landscaping comprise much of the development on the east side of Hampshire Road.

Figure 4.9-1 General Plan Land Use Map



## 4.9.2 Regulatory Setting

Agencies with roles in establishing and implementing land use policy and practices in Thousand Oaks are the State Department of Housing and Community Development (HCD), the regional Southern California Association of Governments (SCAG), and the City of Thousand Oaks.

### **a. State**

#### **Specific Plans (Government Code Section 63450)**

State law authorizes jurisdictions to adopt specific plans for implementation of general plans in a defined area. All specific plans must comply with Government Code Sections 65450 to 65457, which require a specific plan to be consistent with the adopted general plan, and that, within the specific plan area, subdivisions and development, public works projects, and zoning regulations be consistent with the specific plan. Specific plans are required to include descriptions of distribution, location, and types of uses, development, and improvements to public facilities and infrastructure.

#### **Housing Element (Government Code Section 65302(c))**

Although part of the City's General Plan, the Housing Element is a state mandated document that includes, among many things, housing goals, objectives, and policies relative to the preservation and development of housing and has a shorter planning horizon (eight years) than the General Plan, which generally is updated every 20 years. HCD reviews all Housing Elements and determines whether proposed changes meet State housing objectives. According to the City of Thousand Oaks *2021-2029 Draft Housing Element* (January 2022) current residential zoning is not sufficient to accommodate the Regional Housing Needs Assessment (RHNA) of 1,663 units, most of the need being very low- and low-income units. This is discussed in more detail below (*Thousand Oaks General Plan*).

### **b. Regional**

#### **Southern California Association of Governments**

SCAG is the federally recognized metropolitan planning organization (MPO) for the region, which encompasses over 38,000 square miles and represents Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. As a regional planning agency, SCAG offers a forum for addressing regional issues concerning transportation, economic growth, community development, and the environment. SCAG is also the regional clearinghouse for projects requiring environmental documentation under federal and State law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their impacts on regional planning programs and offers comments on mitigation that will help to reduce environmental impacts. As the southern California region's MPO, SCAG cooperates with the South Coast Air Quality Management District, California Department of Transportation (Caltrans), and other agencies in preparing regional planning documents. SCAG has developed regional plans to achieve specific regional objectives.

SCAG's 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) is a long-range regional transportation and land use network plan that looks ahead 20 or more years and provides a vision of the region's future mobility and housing needs with economic, environmental, and public health goals. The RTP/SCS identifies major challenges as well as potential opportunities associated with growth, transportation finances, and pending transportation system deficiencies that could result from regional growth. SCAG adopted its current RTP/SCS, *Connect SoCal 2020* in

September 2020, which covers the 2020 to 2040 planning horizon. The agency is working on an update, Connect SoCal 2024, that will cover the 2024 to 2050 planning horizon. Further discussion and analysis of transportation policies are provided in Section 4.14, *Transportation and Traffic*.

### **c. Local**

#### **City of Thousand Oaks**

The project site is governed by the City's General Plan, Thousand Oaks Municipal Code, Resolution Nos. 91-172, 95-020, and 07-116, Measure E, and the City's design guidelines. Although part of the City's zoning regulations, the Oak Tree Preservation Ordinance is discussed in Section 4.3, *Biological Resources*.

#### **Thousand Oaks General Plan**

As of January 2022, the project site has a "Commercial" land use designation and is zoned C-1 (Neighborhood Shopping Center Zone). On May 25, 2021, the Thousand Oaks City Council endorsed the Preferred Land Use Map that indicates the project site to be designated Mixed-Use Low with a density between 20-30 dwelling units per acre (adoption is expected in 2023). According to the endorsed Map, this designation will enable neighborhood-serving goods and services and multifamily residential in a mixed-use format (vertical or horizontal) or as stand-alone projects at the project site. Future buildings with this land use designation are expected to provide wide sidewalks, active frontages, and minimal setbacks from the back of the sidewalk. Allowable land uses in the Mixed-Use Low designation are retail, restaurants, commercial uses (such as banks or real estate offices), residential in multi-family buildings, or attached single-family units (e.g., townhomes), and public facilities such as libraries. The density and Floor Area Ratio (FAR) is 20 to 30 dwelling units per acre 0.25 FAR (non-residential) 1.0 FAR (all uses) with a maximum building height of 50 feet.

#### **Thousand Oaks Zoning Regulations**

A zone change is necessary to change the property's zone from "Neighborhood Shopping Center" (C-1) to "Specific Plan" (SP) on the City's Zoning Map, to allow new residential development alongside commercial uses (vertical and horizontal mixed-use development).

Specific plans are regulatory tools designed to implement the goals and policies of the General Plan and guide a project with custom regulatory standards. A specific plan must include text and diagram or diagrams that specify the components (Section 65451 of the California Government Code) that includes distribution, location, and extent of land uses, including open space, within the area covered by the Specific Plan and other aspects as may be determined appropriate by the City. This includes detailed development standards including height and building setbacks, distribution of land uses, infrastructure requirements, and implementation measures for the proposed development.

#### **Measure E**

Measure E is a local regulatory tool that stipulates any amendment to the General Plan's Land Use Element that provides a net increase to the allowed commercial or residential density must be approved by a majority of the city's voters at a general or special election. With a residential baseline of 81,000 units, there are approximately 5,400 units theoretically available for reallocation through General Plan amendments (City of Thousand Oaks 2017). Upon reviewing the proposed General Plan amendment to change the project site land use that would provide a net increase in residential development, City Council approval is required to place any residential units into the Measure E pool,

and to reallocate units to a particular project that proposes an increase in General Plan density on a given site. This requirement is effective until November 5, 2026 and is therefore applicable to this project.

### **Guidelines For Development Within the Corridors of the Route 101 and 23 Freeways and Architectural Design Review Guidelines**

Being partially located within 1,000 feet of the centerline to U.S. 101, the proposed project is required to comply with the *Guidelines for Development within the Corridors of the Route 101 and 23 Freeways* pursuant to Resolution 91-172 and expected to be incorporated within the Specific Plan's design guidelines. Due to its commercial component, the Specific Plan is also required to comply with the Architectural Design Review Guidelines. These standards include, but are not limited to, site planning, architectural design, landscaping, walls, barriers, and berms. These standards are meant as guidelines. The Planning Commission and City council may waive or reduce the standards if the unique configuration of the site prevents reasonable development of the property consistent with such guidelines or when the community benefit of the project justifies such waivers or deviations.

#### 4.9.3 Impact Analysis

##### **a. Methodology and Thresholds of Significance**

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project does the following:

- 1) Physically divide an established community
- 2) 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

This section focuses primarily on consistency of the Specific Plan with General Plan goals and policies. Because the policy language found in a general plan may vary with interpretation, it is often difficult to determine whether a proposed project is consistent or inconsistent with such policies. Furthermore, a project may be consistent with a general plan, even though it may appear to be inconsistent with specific policies within the plan.

##### **b. Project Impacts and Mitigation Measures**

<b>Threshold:</b> Would the project physically divide an established community?
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**Impact LU-1 THE PROJECT PROPOSES REDEVELOPMENT OF A CURRENTLY A VACANT COMMERCIAL SITE. THE PROJECT WOULD NOT DIVIDE AN ESTABLISHED COMMUNITY AND WOULD HAVE LESS THAN SIGNIFICANT IMPACTS.**

The project would not physically divide an established community. The project site is developed with a vacant commercial shopping center and surface parking lot. Vehicular access to the site is currently blocked with metal posts and rails on Hampshire Road frontage and a chain-linked fence blocks access from Foothill Boulevard. The proposed project would redevelop the site with a mixed-use development with internal circulation that provides greater continuity with vehicular and pedestrian access points throughout, along with connectivity to the adjacent open space trails. The proposed project would not remove or alter existing neighborhoods but would be implemented entirely within



the project site. Therefore, development under the proposed project would not result in the division of an existing community; and impacts would be less than significant.

**Mitigation Measures**

No mitigation is required.

**Significance After Mitigation**

There would be less than significant impacts without mitigation.

<b>Threshold:</b> Would the project 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?
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**Impact LU-2 WITH IMPLEMENTATION OF THE MITIGATION MEASURES IN THIS EIR, THE PROPOSED PROJECT WOULD BE CONSISTENT WITH APPLICABLE CITY POLICIES AND REGULATIONS UPON APPROVAL OF THE PROPOSED PROJECT, SPECIFIC PLAN, ZONE CHANGE, AND AFTER CONSTRUCTION ACTIVITIES ARE COMPLETE. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

The City of Thousand Oaks General Plan is the principal tool used to evaluate land use proposals, as the General Plan governs land use decisions and requires project approvals be consistent with its designations and use restrictions. This discussion focuses on the goals and policies in the existing General Plan that relate to avoiding or mitigating environmental impacts. This discussion includes an assessment of any potential inconsistency with these standards and that would create a significant physical impact on the environment. Only policies relevant and applicable to the Specific Plan are included.

Table 4.9-1 describes the proposed project’s consistency with applicable policies of the General Plan either directly or indirectly related to avoiding or mitigating environmental effects.

**Table 4.9-1 Evaluation of Consistency with City of Thousand Oaks General Plan**

Goals, Policies, Actions, and Development Standards	Preliminary Statement of Consistency/Conflict
<b>General Land Use Development Goals &amp; Policies</b>	
<p><b>Goal</b> To provide the framework for a planned and unified community containing a balance of living, working, shopping, educational, civic, cultural, and recreational facilities.</p>	<p><b>Consistent.</b> The project contains a range of amenities including residential, retail, and passive recreation through pocket parks, gardens, and a dog park.</p>
<p><b>Goal</b> To provide and maintain a system of natural open space and trails.</p>	<p><b>Consistent.</b> The project includes pedestrian paths through the site’s residential area, retail village, pocket parks, gardens, and dog park.</p>
<p><b>Goal</b> To develop appropriate additional tools enabling commercial, industrial and residential development to flourish in an efficient and compatible manner.</p>	<p><b>Consistent.</b> The Specific Plan is an additional tool to enable a mix of residential and commercial uses in an efficient and compatible manner, subject to discretionary review and approval.</p>
<p><b>Goal</b> To provide a high quality environment, healthful and pleasing to the senses, which values the relationship between maintenance of ecological systems and the people's general welfare.</p>	<p><b>Consistent.</b> Development implemented under the Specific Plan will be subject to the City’s review during the permitting process and will follow established design guidelines. The project also includes increased</p>

Goals, Policies, Actions, and Development Standards	Preliminary Statement of Consistency/Conflict
<p><b>Policy</b>            The City's unique natural setting will be a guide to its future physical shape. In general, development will occur in the low-lying areas with the natural hills and mountains being preserved in open space. A ring of natural open space will be created around the City. The City will support and encourage open space/greenbelt buffers around it, separating the City from adjoining communities.</p>	<p>permeability, forestation, and native plant species on site, which would help to ensure consistency with this goal.</p> <p><b>Consistent.</b> The Specific Plan area is an existing inoperative commercial development situated on a low-lying area and adjacent to other developed uses and an open-space zone. All development would occur on the site with increased connectivity through the landscaping plan to the adjacent open spaces. No expansion into open space/greenbelts will occur with the redevelopment of this site.</p>
<p><b>Policy</b>            Through good design and the implementation of appropriate development tools, a freeway corridor image will be created making Thousand Oaks visually distinct from surrounding communities, retaining the special qualities of the landscape, viewshed and open space which originally attracted people to the area.</p>	<p><b>Consistent.</b> Being located within 1,000 feet of the centerline of U.S. 101, development under the Specific Plan is required to comply with the <i>Guidelines for Development within the Corridors of the Route 101 and 23 Freeways Corridor</i> pursuant to Resolution 91-172 in the approval process.</p>
<p><b>Policy</b>            Highly intensive land uses--major industrial and commercial centers--should be located in proximity to or within easy access of the Ventura Freeway corridor.</p>	<p><b>Consistent.</b> The project area is within 1,000 feet from the centerline of U.S. 101 and includes intensive commercial retail/restaurant and residential land uses. Project implementation would continue to provide easy access to the U.S. 101 corridor.</p>
<p><b>Policy</b>            High density residential development will have a range of 15 to 30 dwelling units of any type per net acre and should be located primarily at sites accessible and close to major centers of activity and along the Ventura Freeway.</p>	<p><b>Not Consistent.</b> The project area is within 1,000 feet of the centerline of U.S. 101 on 10.97 acres. The site is currently zoned C-1 and does not allow residential development. The proposed project would require rezoning to SP (Specific Plan). The Specific Plan would allow mixed commercial and residential uses with a maximum base density of 30 dwelling units per acre and 27.5% density bonus . This would total 420 dwelling units. Once the General plan amendment, Zone Change, and associated entitlements are approved by the City Council, the project would be consistent.</p>
<p><b>Policy</b>            Commercial/Residential: The Commercial/Residential designation in the Land Use Element shall mean that either residential or commercial land uses may be permitted on land so designated, provided that a Specific Plan has been adopted for the land and that the proposed uses are consistent with the uses authorized by the Specific Plan.</p>	<p><b>Not Consistent.</b> The project area is currently designated as "Commercial" and requires a General Plan amendment to "Mixed Use Low" to allow proposed residential development. Once the General Plan amendment is adopted, the zoning designation for the Specific Plan can be adopted and considered consistent.</p>
<p><b>Policy</b>            Low profile and aesthetically designed signage shall be allowed for all developments; no billboards shall be allowed.</p>	<p><b>Consistent.</b> The Specific Plan states that signage shall comply with Thousand Oaks Municipal Code Section 9-4.2308 and City of Thousand Oaks Sign Design Guidelines Resolution No. 91-172. The Specific Plan further specifies "Signage may be engaging and multi-layered, but must be tasteful in character."</p>

**T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project**

Goals, Policies, Actions, and Development Standards	Preliminary Statement of Consistency/Conflict
<p><b>Policy</b> Aesthetics: As the City ages, it is important to maintain, improve and enhance the City's aesthetic appearance.</p>	<p><b>Consistent.</b> The review and approval of the T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project's design guidelines are consistent with the intent of this policy. According to the Specific Plan, the design guidelines therein shall supersede those found in Resolution No. 2006-108 for residential uses. Stand-alone commercial projects shall be subject to design guidelines found in Resolution No. 95-20 (Commercial Projects Standards Conditions).</p>
<p><b>Policy</b> Strive to provide a balanced range of adequate housing for Thousand Oaks Planning Area residents in a variety of locations for all individuals regardless of age, income, ethnic background, marital status, physical or developmental disability.</p>	<p><b>Consistent.</b> The project would allow for development of 420 residential units, 50 of which are set aside as low-income affordable units located in an area where single-family development and multi-family uses are nearby, along with other office, commercial, and light industrial uses. 15 percent of the base density is reserved for low-income earners and the density bonus units (91 du) allowed under Measure E would also be reserved for low-income earners. These would be integrated throughout the development.</p>
<p><b>Policy</b> Promote the upgrading of substandard neighborhoods throughout the Planning Area to prevent costly and undesirable deterioration.</p>	<p><b>Consistent.</b> The Specific Plan's design guidelines, development standards, and allowable land uses would allow an upgraded design to replace the existing vacant commercial development and parking lot.</p>
<b>Housing Element</b>	
<p><b>Goal 1</b> Provide a wide range of housing opportunities for persons of all income levels.</p>	<p><b>Consistent.</b> The Specific Plan incorporates residential development to help meet the City's RHNA allocation, providing 15 percent of the base density units (50 du) and the density bonus units (91 du) as reserved for low-income households, consistent with the State Density Bonus Law. Further housing analysis is contained in Section, 4.11 <i>Population and Housing</i>.</p>
<p><b>Goal 2</b> Provide housing opportunities for persons with special needs.</p>	<p><b>Unknown.</b> The project sets aside 50 low-income level affordable units consisting of four (4) studio units, 26 one-bedroom units, and 20 two-bedroom units; however, no information is available that describes how these units would be distributed onsite or marketed.</p>
<b>Open Space Element 2013 Update</b>	
<p><b>OS-15</b> Both within its Area of Interest, and in the larger regional setting, the City shall continue to support policies and programs (e.g., the Guidelines for Orderly Development) that encourage urban development to locate within cities and that preserve regional open space in order to preserve valuable elements of the natural environment, to protect agricultural land, and to guide urban form.</p>	<p><b>Consistent.</b> The project area is in an existing vacant commercial center. Redevelopment of the site would construct infill residential and new commercial uses along with internal public, communal, and private open space with pedestrian walkways that connect to nearby open space trails. It would not develop lands in regional open space or other valuable resources that the City seeks to preserve.</p>

Goals, Policies, Actions, and Development Standards	Preliminary Statement of Consistency/Conflict
<p><b>OS-31</b>            Plan new developments to avoid direct and secondary impacts on valuable open space resources; including appropriate access control, location, and maintenance of fuel modification areas.</p>	<p><b>Consistent.</b> Redevelopment of the site would construct infill residential and new commercial uses along with internal public, communal, and private open space with pedestrian walkways that connect to nearby open space trails. Development would not encroach upon or otherwise impact open space resources. Onsite landscaping would be maintained and would provide increased fuel modification in the area without impairing access to nearby open space to the west.</p>
<p><b>Circulation Policies</b></p>	
<p>A variety of transportation modes should be encouraged.</p>	<p><b>Consistent.</b> The Specific Plan allows for the clustering of mixed uses within the project site that encourages alternative modes of transportation, such as walking, bicycling and transit due to the design and proximity of the project. Project design includes the following:</p> <ul style="list-style-type: none"> <li>▪ Adds EV charging stations to encourage the use of electric vehicles</li> <li>▪ Reduces single occupancy trips by implementing car sharing program</li> <li>▪ Provides indoor/outdoor bike parking with electric charging stations</li> <li>▪ A central location with readily accessible transit</li> <li>▪ Walkable to shopping and dining on Thousand Oaks and Westlake Boulevards</li> <li>▪ Offers an opportunity to live, shop, and dine without driving to alternative location</li> <li>▪ Features outdoor park areas and amenity space including community collaborative workspaces that allow residents to work and play without driving to alternative locations</li> </ul>
<p>A City-wide system of pedestrian and bicycle facilities that provide safe, continuous accessibility to all residential, commercial, and industrial areas, to the trail system and to the scenic bike route system shall be provided and maintained.</p>	<p><b>Consistent.</b> As mentioned in Section 4.14, <i>Transportation and Traffic</i>, the proposed project would provide direct access to the Los Robles trailhead, which connects to the Los Robles Trail and Open Space system, just west of the Conejo Ridge Open Space west of Foothill Drive. Internal pedestrian walkways would connect to the trailhead.</p>
<p>The City shall balance vehicular circulation requirements with aesthetic, pedestrian, bicycle, and equestrian needs which affect the quality of life.</p>	<p><b>Consistent.</b> The Specific Plan incorporates internal vehicular and pedestrian circulation and incorporates design guidelines subject to the review and approval of the Planning Commission and City Council.</p>
<p><b>Recreational, Parks and Natural Open Space Policies</b></p>	
<p>Neighborhood parks and open spaces should be located within walking distance of residential areas.</p>	<p><b>Consistent.</b> The Specific Plan incorporates open space in the form of a dog park, pocket parks, and gardens all connected via pedestrian pathways that lead to the residences and sidewalks along Hampshire Road and Foothill Drive.</p>

Goals, Policies, Actions, and Development Standards	Preliminary Statement of Consistency/Conflict
<p>A multi-use system of equestrian, biking and hiking trails should be implemented to provide access between and within open space reserves.</p>	<p><b>Consistent.</b> Pedestrian circulation is provided by a network of walkways along the internal drives and open space areas, which connect to existing city sidewalks along Hampshire Road and Foothill Drive to the south. Los Robles Trail winds from Potrero Road (near Wendy Drive) to Foothill Drive (near Hampshire Road). A pedestrian connection is provided throughout the internal walkway system to the Los Robles trailhead, located about 150 feet to the southwest, along Foothill Road.</p>
Noise Element	
<p><b>Goal N-1</b> Achieve and maintain an environment in which noise-sensitive uses are not disturbed by noise that exceeds exposure guidelines in this Noise Element.</p>	<p><b>Not Consistent.</b> Noise-sensitive uses exist directly adjacent to the project site along its southern boundary. Construction activities associated with project implementation would intermittently generate noise within and adjacent to the project site that exceed established standards. With implementation of Mitigation Measures NOI-1 and NO-2, the proposed project's construction noise impacts would be reduced, but they would remain significant and unavoidable. However, these would be temporary and would cease when project construction concludes.</p>
<p><b>Policy N1-1. Land Use Compatibility for Noise</b> In establishing the pattern of land uses and setting standards for development within land use categories, the City will consider the need to minimize the potential for conflicts between noise-sensitive land uses and activities and land uses that are normally expected to generate noise.</p>	<p><b>Consistent.</b> The project includes commercial retail frontage along Hampshire Road with multi-family residential along the perimeters. Residential uses are considered a noise-sensitive land use, consistent with other noise-sensitive land uses in the vicinity, such as a pre-school, medical office, and residential. Noise sources after project completion are anticipated to be typical of a mixed-use development, such as heating, ventilation, and air conditioning (HVAC) units, parking, deliveries, trash collection, and landscape maintenance equipment noise. Noise sources such as deliveries, trash collection, and landscape maintenance equipment are consistent with the existing noise environment and would be anticipated to conform to Municipal Code daytime limits, specifically Thousand Oaks Municipal Code 5-12.02 limiting landscape equipment noise to the hours of 7:00 a.m. to 9:00 p.m.</p>
<p><b>Policy N1-4. Prevention of Future Noise Conflicts</b> The City will strive to avoid future noise conflicts between land uses and noise sources or activities that would exceed the noise guidelines for noise sensitive land uses adopted in this Noise Element.</p>	<p><b>Not Consistent.</b> Construction activities associated with project implementation would intermittently generate noise within and adjacent to the project site more than established standards. With implementation of Mitigation Measures NOI-1 and NO-2, the proposed project's construction noise impacts would be reduced, but they would remain significant and unavoidable. However, these would be temporary and would cease when project construction concludes.</p>

Goals, Policies, Actions, and Development Standards	Preliminary Statement of Consistency/Conflict
<p><b>Goal N-2</b>            Preserve quiet and diminish existing noise levels in areas of noise-sensitive uses to the extent reasonable and feasible while permitting development in accordance with the Land Use and Circulation Elements of the General Plan.</p>	<p><b>Consistent.</b> Noise sensitive land uses exist in the project vicinity, including multi-family residential, a daycare, medical offices, and an assisted living facility. Construction activity aside, the proposed land uses of small-scale commercial retail facing Hampshire Road and residential along the project perimeter are reasonably complimentary land uses. The project's traffic noise increase would not exceed 3 dBA or more, and impacts are considered less than significant. Furthermore, noise sources at the project site upon completion of construction are anticipated to be those that would be typical of a mixed-use development, such as HVAC units, parking, deliveries, trash collection, and landscape maintenance equipment noise. Noise sources such as deliveries, trash collection, and landscape maintenance equipment are consistent with the existing noise environment and would be anticipated to conform to Thousand Oaks Municipal Code daytime limits, specifically Thousand Oaks Municipal Code 5-12.02 limiting landscape equipment noise to the hours of 7:00 a.m. to 9:00 p.m. Furthermore, parking, deliveries, trash collection, and landscape maintenance equipment noise would not cause a permanent increase in ambient noise levels.</p>
<p><b>Policy N-2.1 Consider Impact of Noise Increases in Quiet Areas</b>            In evaluating projects for significant adverse environmental effects under the California Environmental Quality Act, the City will consider substantial increases in community noise level to be a potentially significant effect even if these increases do not result in a violation of the City's guidelines for normally acceptable noise levels for noise-sensitive land uses.</p>	<p><b>Consistent.</b> A CEQA analysis of the potential noise impacts of the Specific Plan is provided in Section 4.10, <i>Noise</i>. As described therein construction activities associated with implementation of the Specific Plan would intermittently generate noise more than established standards. With implementation of Mitigation Measure NOI-1, the proposed project's construction noise impacts would be reduced, however they would remain significant and unavoidable. Operational noise impacts would be less than significant levels.</p>
<b>Safety Element 2014 Update</b>	
<p><b>Goal S-1</b>            Minimize the risk of loss of life, injury, damage to property, and economic and social dislocation resulting from fault rupture and seismically induced ground shaking.</p>	<p><b>Consistent.</b> With adherence to applicable building codes and City policies, potential impacts would be less than significant with mitigation measures identified in Section 4.5, <i>Geology</i>.</p>
<p><b>Policy A-1</b>            Require site-specific geologic and engineering investigations as specified in the California Building Code (International Building Code with California amendments) and Municipal Code for proposed new developments and/or when deemed necessary by the City Engineer and/or through the CEQA process.</p>	<p><b>Consistent.</b> A site-specific preliminary geotechnical investigation has been prepared for the proposed project. With adherence to applicable building codes and City policies, potential impacts would be less than significant with mitigation measures identified in Section 4.5, <i>Geology and Soils</i>.</p>

Goals, Policies, Actions, and Development Standards	Preliminary Statement of Consistency/Conflict
<p><b>Goal S-4</b> Minimize the risk of loss of life, injury, damage to property, and economic and social dislocations resulting from inundation by dam failure or floods.</p>	<p><b>Consistent.</b> The proposed project location is not located in a 100- or 500-year FEMA floodplain, is not located near a coast or in an area threatened by potential tsunami behavior, and is not located near any lakes, reservoirs, or dams which would be at risk from seiche behavior. Failure of the dams associated with Westlake, Bard Reservoir and Las Virgenes Reservoir would result in flows away from the City of Thousand Oaks and would not be expected to inundate the City’s Planning Area. There would be no impact</p>
<p><b>Goal S-6</b> Prevent the loss of life and property due to uncontrolled wildfire in the urban/wildland interface through the cooperation of the Ventura County Fire Protection District and property owners living in these areas.</p>	<p><b>Consistent.</b> As discussed in Section 4.17, <i>Wildfire</i>, the project’s conformance with the California Building Code and California Fire Code, as well as the procedural review by the City of Thousand Oaks and the Ventura County Fire Department, would help prevent the loss of life and property.</p>
<p><b>Goal S-7</b> Protect life, property, and the environment from the effects of releases of hazardous materials into the air, land, or water.</p>	<p><b>Consistent.</b> Construction activities may involve the temporary use, storage, and transport of hazardous materials. If released, these substances could pose a threat to worker safety or a threat to the environment. As discussed in Section 4.6, <i>Hazards and Hazardous Materials</i>, projects involving hazardous materials are required to follow all U.S. Department of Transportation regulations under the Hazardous Materials Transport Act, in addition to California Environmental Protection Agency and local CUPA regulations regarding hazardous materials transport.</p>

As detailed in Table 4.9-1 the Specific Plan would be inconsistent with a few General Plan policies, and in some cases these inconsistencies would result in adverse environmental effects. For example, project construction would be temporarily inconsistent with General Plan Policy N1-4, which aims to prevent future noise conflicts. As described in Section 4.12, *Noise*, construction noise impacts would be potentially significant and unavoidable. However, construction impacts are temporary and noise impacts would cease when project construction is completed. And therefore, after construction the project would be consistent with those noise policies.

Taken as a whole, although the proposed project is inconsistent with some of General Plan policies, the proposed project is in harmony with the overall intent of the City’s General Plan goals and policies. In addition, once the General Plan amendment is adopted, the zoning designation for the Specific Plan can be adopted and considered consistent. Therefore, the project would not conflict with any land use plan, policy, or regulation and impacts would be less than significant.

**Mitigation Measures**

Mitigation measures are not required.

**Significance After Mitigation**

Impacts would be less than significant without mitigation.

### **c. Cumulative Impacts and Mitigation Measures**

The General Plan attempts to facilitate growth complimentary to adjacent land uses. Projects that can divide communities, such as new freeways, have long been recognized as an adverse effect on neighborhoods. Therefore, the General Plan attempts to avoid such development in areas of established communities. The Specific Plan would not divide established communities and would have no cumulative contribution to impacts on dividing established communities.

Individual projects envisioned in the General Plan would also be evaluated for consistency with the County General Plan policies that avoid or mitigate environmental effects at the time they are proposed and evaluated pursuant to CEQA. As described above, the proposed project would conflict with some policies pertaining to noise. However, the Specific Plan would generally be in harmony with the General Plan when taken as a whole. Cumulative impacts would be less than significant.



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## 4.10 Noise

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This section evaluates potential impacts to noise from development facilitated by the proposed project. Impact analysis is based on the results of the project Noise and Vibration Impact Analysis prepared by Envicom Corporation and summarized herein (Appendix G).

### 4.10.1 Setting

#### Overview of Environmental Noise

Sound is a vibratory disturbance created by a moving or vibrating source, which is capable of being detected by the hearing organs. Noise is defined as sound that is loud, unpleasant, unexpected, or undesired and may therefore be classified as a more specific group of sounds. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance, and, in the extreme, hearing impairment (California Department of Transportation [Caltrans] 2013).

Noise levels are commonly measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels so that they are consistent with the human hearing response, which is most sensitive to frequencies around 4,000 Hertz and less sensitive to frequencies around and below 100 Hertz (Kinsler, et. al. 1999). Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used to measure earthquake magnitudes. A doubling of the energy of a noise source, such as doubling of traffic volume, would increase the noise level by 3 dB; dividing the energy in half would result in a 3 dB decrease (Crocker 2007).

Human perception of noise has no simple correlation with sound energy: the perception of sound is not linear in terms of dBA or in terms of sound energy. Two sources do not “sound twice as loud” as one source. It is widely accepted that the average healthy ear can barely perceive changes of 3 dBA, increase or decrease (i.e., twice the sound energy); that a change of 5 dBA is readily perceptible (8 times the sound energy); and that an increase (or decrease) of 10 dBA sounds twice (half) as loud (Crocker 2007).

Sound changes in both level and frequency spectrum as it travels from the source to the receiver. The most obvious change is the decrease in level as the distance from the source increases. The manner by which noise reduces with distance depends on factors such as the type of sources (e.g., point or line, the path the sound will travel, site conditions, and obstructions). Noise levels from a point source typically attenuate, or drop off, at a rate of 6 dBA per doubling of distance (e.g., construction, industrial machinery, ventilation units). Noise from a line source (e.g., roadway, pipeline, railroad) typically attenuates at about 3 dBA per doubling of distance (Caltrans 2013). The propagation of noise is also affected by the intervening ground, known as ground absorption. A hard site, such as a parking lot or smooth body of water, receives no additional ground attenuation and the changes in noise levels with distance (drop-off rate) result from simply the geometric spreading of the source. An additional ground attenuation value of 1.5 dBA per doubling of distance applies to a soft site (e.g., soft dirt, grass, or scattered bushes and trees) (Caltrans 2013). Noise levels may also be reduced by intervening structures; the amount of attenuation provided by this “shielding” depends on the size of the object and the frequencies of the noise levels. Natural terrain features such as hills and dense woods, and man-made features such as buildings and walls, can significantly alter noise levels. Generally, any large structure blocking the line of sight will provide at least a 5 dBA reduction in source noise levels at the receiver (Federal Highway Administration [FHWA] 2011). Structures can

substantially reduce exposure to noise as well. The FHWA's guidelines indicate that modern building construction generally provides an exterior-to-interior noise level reduction of 20 to 35 dBA with closed windows.

The impact of noise is not a function of loudness alone. The time of day when activities that create noise occurs and the duration of the noise generating activities are also important factors of project noise impact. Most noise that lasts for more than a few seconds is variable in its intensity. Consequently, a variety of noise descriptors have been developed. One of the most frequently used noise metrics is the equivalent noise level (Leq); it considers both duration and sound power level. Leq is defined as the single steady A-weighted level equivalent to the same amount of energy as that contained in the actual fluctuating levels over time.

Noise that occurs at night tends to be more disturbing than that occurring during the day. Community noise is usually measured using Day-Night Average Level (Ldn), which is the 24-hour average noise level with a +10 dBA penalty for noise occurring during nighttime (10:00 p.m. to 7:00 a.m.) hours. It is also measured using Community Noise Equivalent Level (CNEL), which is the 24-hour average noise level with a +5 dBA penalty for noise occurring from 7:00 p.m. to 10:00 p.m. and a +10 dBA penalty for noise occurring from 10:00 p.m. to 7:00 a.m. (Caltrans 2013). Noise levels described by Ldn and CNEL usually differ by about 1 dBA. The relationship between the peak-hour Leq value and the Ldn/CNEL depends on the distribution of traffic during the day, evening, and night.

## **Overview of Vibration**

Groundborne vibration that has the potential for impacts to sensitive receptors and structures include the oscillatory waves that move from a source through the ground to adjacent structures. The number of cycles per second of oscillation makes up the vibration frequency, described in terms of hertz (Hz). The frequency of a vibrating object describes how rapidly it oscillates. The normal frequency range of most groundborne vibration that can be felt by the human body starts from a low frequency of less than 1 Hz and goes to a high of about 200 Hz (Crocker 2007).

While people have varying sensitivities to vibrations at different frequencies, in general they are most sensitive to low-frequency vibration. Vibration in buildings, such as from nearby construction activities, may cause windows, items on shelves, and pictures on walls to rattle. Vibration of building components can also take the form of an audible low-frequency rumbling noise, referred to as groundborne noise. Groundborne noise is usually only a problem when the originating vibration spectrum is dominated by frequencies in the upper end of the range (60 to 200 Hz), or when foundations or utilities, such as sewer and water pipes, physically connect the structure and the vibration source (Federal Transit Administration [FTA] 2018). Although groundborne vibration is sometimes noticeable in outdoor environments, it is almost never annoying to people who are outdoors. The primary concern from vibration is that it can be intrusive and annoying to building occupants and vibration-sensitive land uses.

Vibration amplitudes are usually expressed in peak particle velocity (PPV) or root mean squared (RMS) vibration velocity. The PPV and RMS velocity are normally described in inches per second (in/sec). PPV is defined as the maximum instantaneous positive or negative peak of a vibration signal. PPV is often used in monitoring of blasting vibration because it is related to the stresses that are experienced by buildings (Caltrans 2020).

## **Sensitive Receivers**

Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. According to the City of Thousand Oaks Noise Element, the following land uses are considered noise-sensitive uses of primary concern: residential uses, schools, hospitals, churches, outdoor spectator sports facilities, performing arts facilities, and hotels and motels (City of Thousand Oaks 2000).

Vibration-sensitive receivers, which are similar to noise-sensitive receivers, include residences and institutional uses, such as schools, churches, and hospitals. Vibration-sensitive receivers also include buildings where vibrations may interfere with vibration-sensitive equipment that is affected by vibration levels that may be well below those associated with human annoyance (e.g., recording studios or medical facilities with sensitive equipment).

The nearest sensitive receivers are a daycare facility, a convalescent home, medical office building; several single-family homes and a multi-family residential development to the west, across Foothill Drive; a multi-family residential development to the south, also across Foothill Drive; and a preschool immediately adjacent to the south.

## **Existing Noise Environment**

The most common source of noise in the project site vicinity is vehicular traffic on the US-101 and Hampshire Road, as well as commercial use noise (parking and garbage pickups) and activity at the preschool (Little Dreamers Early Childhood). To characterize ambient sound levels at and near the project site, five 15-minute sound level measurements were conducted on October 6 and 20, 2021, and one 24-hour measurement was conducted on October 20 and 21, 2021 (Appendix G). Measurement Short-Term (ST) 1 and ST 5 were conducted to capture the existing noise levels attributable to Hampshire Road; ST-2 and ST-3 were conducted along Foothill Drive to capture existing noise levels at residential uses to the west of the project site; ST-4 was conducted to capture existing noise levels at the preschool use adjacent to the southwest portion of the project site; ST-5 was conducted to capture existing noise levels at residential uses along Foothill Drive; and Measurement Long-Term (LT) 1 was conducted on-site over a 24-hour period. The 24-hour measurement resulted in a noise level of 65.2 dBA CNEL with hourly noise levels ranging from 54.4 dBA to 63.8 dBA  $L_{eq}$ . Table 4.10-1 summarizes the results of the short-term noise measurements. Noise measurement locations are shown in Figure 4.10-1.

Figure 4.10-1 Noise Measurement Locations



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Fig. 4.10-1 Noise Measurement Locations

**Table 4.10-1 Project Site Vicinity Sound Level Monitoring Results**

Measurement	Location	Sample Times	Approximate Distance to Primary Noise Source	$L_{eq}$ (dBA)	Noise Sources
ST-1	Northeast corner of site, near Hampshire Road	1:10p.m.-1:26p.m. 10/06/2021	60 feet from Hampshire Road centerline	67.6	Hampshire Road and US-101 traffic
ST-2	In front of the residence at 3142 Foothill Boulevard	9:57a.m.-10:13a.m. 10/20/2021	25 feet from Foothill Drive centerline	57.9	US-101 and occasional Foothill Drive traffic
ST-3	In front of the residence at 3168 Foothill Boulevard	9:59a.m.-10:15a.m. 10/06/2021	25 feet from Foothill Drive centerline	56.6	Distant US-101 and occasional Foothill Drive traffic and preschool activity
ST-4	East of Little Dreamers Early Childhood Preschool, in line with south façade	11:12a.m.-11:27a.m. 10/06/2021	Southwest portion of the project site	47.3	Distant US-101 and occasional Hampshire Road traffic and preschool activity
ST-5	In front of former Freddy's restaurant at 391 Hampshire Road and north of existing Shell gas station	12:26p.m.-12:41p.m. 10/06/2021	70 feet from Hampshire Road centerline	62.3	Hampshire Road and distant US-101 traffic

dBA = A-weighted decibels;  $L_{eq}$  = average energy noise level;

Source: Appendix G, field measurements conducted on October 6 and 20, 2021

See Appendix G.

## 4.10.2 Regulatory Setting

### a. Federal Regulations

The FTA provides reasonable criteria for assessing construction noise impacts based on the potential for adverse community reaction in their Transit and Noise Vibration Impact Assessment Manual (FTA 2018). For residential, commercial, and industrial uses, the daytime noise threshold is 80 dBA  $L_{eq}$ , 85 dBA  $L_{eq}$ , and 90 dBA  $L_{eq}$  for an 8-hour period, respectively.

### b. State Regulations

The state of California regulates freeway noise, sets standards for sound transmission, provides occupational noise control criteria, identifies noise standards, and provides guidance for local land use compatibility. State law requires each county and city to adopt a General Plan that includes a Noise Element prepared per guidelines adopted by the Governor's Office of Planning and Research. The purpose of the Noise Element is to limit the exposure of the community to excessive noise levels.

The California Environmental Quality Act (CEQA) requires all known environmental effects of a project be analyzed, including environmental noise impacts.

### **California Noise Control Act of 1973**

California Health and Safety Code Sections 46000 through 46080, known as the California Noise Control Act, find that excessive noise is a serious hazard to public health and welfare and that exposure to certain levels of noise can result in physiological, psychological, and economic damage. The act also finds that there is a continuous and increasing bombardment of noise in urban, suburban, and rural areas. The California Noise Control Act declares that the State of California has a responsibility to protect the health and welfare of its citizens by the control, prevention, and abatement of noise. It is the policy of the State to provide an environment for all Californians that is free from noise that jeopardizes their health or welfare.

### **California Building Code (CCR Title 24, Part 2)**

California adopted noise insulation standards for residential buildings (Title 24, Part 2, California Code of Regulations, section 1206, et. seq.). Title 24 establishes standards for interior room noise (attributable to outside noise sources). A project must be designed to limit intruding noise to an interior CNEL (or Ldn) of at least 45 dBA in any habitable room.

### **California Green Building Code**

California Green Building Standards Code 2016 (CalGreen) Section 5.507.4, Acoustical Control, requires that construction within the 65 dB(A) day-night noise level ( $L_{dn}$ ) contour of an airport, freeway, expressway, railroad, industrial noise source, or other fixed source. According to Section 5.507.4.1.1, where noise contours are not readily available “buildings exposed to a noise level of 65 dB Leq-1-hr during any hour of operation shall employ sound-resistant assemblies as determined by a prescriptive method (CalGreen Section 5.507.4.1) or performance method (CalGreen Section 5.507.4.2).

- Projects may demonstrate compliance through the prescriptive method if wall and roof-ceiling assemblies exposed to the noise source shall meet a composite STC rating of at least 50 or a composite OITC rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30.
- Projects may demonstrate compliance through the performance method if wall and roof-ceiling assemblies exposed to the noise source shall be constructed to provide an interior noise environment that does not exceed 50 dB Leq-1-hour in occupied areas during hours of operations.

## **c. Local Regulations**

### **Thousand Oaks General Plan Noise Element**

Chapter 4.6 of the City of Thousand Oaks General Plan Noise Element develops more specific thresholds of significance where the ambient noise is at or above certain levels. Table 4.10-2 identifies noise impacts associated with project related noise level increases.

**Table 4.10-2 City of Thousand Oaks Stationary Noise Standards**

If the annual average noise level with the proposed project, cumulative projects, and General Plan buildout in an area currently used for or designated in the General Plan for a noise-sensitive land use <sup>1</sup> is expected to be:	A significant project or cumulative impact may result if the change in annual average noise levels from existing conditions due to all sources in an area currently used for or designated in the General Plan for a noise-sensitive land use <sup>1</sup> is:	The project alone may be considered to make a substantial contribution to significant cumulative impact if the change in annual average noise level due to the project is:
Less than 55 dBA CNEL	Not significant for any change in noise level	Not significant for any change in noise level
55 – 60 dBA CNEL	Equal to or greater than 3.0 dBA	Equal to or greater than 1.0 dBA
60 – 70 dBA CNEL	Equal to or greater than 1.5 dBA	Equal to or greater than 0.5 dBA
Greater than 70 dBA CNEL	Equal to or greater than 1.0 dBA	Equal to or greater than 0.5 dBA

<sup>1</sup> A noise-sensitive land use is a use for which the lower limit of the noise level considered “normally unacceptable” for development because of noise impact is 70 dBA CNEL or lower. In identifying land use areas, areas which are undevelopable for noise-sensitive uses because of slope, development restriction, easement, etc., or which are used for non-noise-sensitive components of a multiple-use or mixed-use project, should not be considered noise sensitive. Exceptions. Development of single-family or multi-family residential uses in an infill project in an existing residential area which is designated for development for residential uses in the General Plan, and for which a sound insulation study has been prepared by a qualified acoustical engineer or other sound insulation specialist, and for which sound insulation is included in the proposed project to meet state standards for interior noise levels for multi-family residential development, shall not be considered to have a significant adverse effect when considering the exposure of the project itself to noise level exceeding the standards of this Noise Element.

For project which would result in a potentially significant impact, the City may require an acoustical study to identify mitigation measures to reduce impacts to a less-than-significant level.

Source: Table 9, City of Thousand Oaks Noise Element 2000

Chapter 4.9 of the Noise Element limits construction to the hours between 7:00 a.m. and 7:00 p.m., Monday through Saturday. No construction is permitted on Sunday. In addition, no congregation of trucks or construction-related vehicles or construction workers is allowed before 7:00 a.m. at the project site or in the nearby residential areas.

### Thousand Oaks Municipal Code (TOMC)

Section 5-21.02 of the City of Thousand Oaks Municipal Code regulates powered equipment noise in residential areas. Between the hours of 9:00 p.m. and 7:00 a.m. of the following day, no person shall operate any lawn mower, backpack blower, lawn edger, riding tractor, or any other machinery, equipment, or other mechanical or electrical device, or any hand tool which creates a loud, raucous or impulsive sound, within any residential zone or within any commercial zone which can be heard from any inhabited real property in a residential zone.

Section 8-11.01 of the City of Thousand Oaks Municipal Code limits the construction of any building or structure, the moving of earth, or the laying of any pavement, including, but not limited to, the making of any excavation, clearing or grading of surface land, and loading or unloading material, equipment, or supplies to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday.

The City of Thousand Oaks does not have defined thresholds for vibration. Therefore, vibration impacts are analyzed using the thresholds from Caltrans’ Transportation and Construction Vibration Guidance Manual and the FTA’s Transit Noise and Vibration Impact Assessment Manual (Caltrans 2020; FTA 2018).



### 4.10.3 Impact Analysis

#### **a. Methodology and Significance Thresholds**

##### **Methodology**

###### *Construction Noise*

During construction, equipment goes through varying load cycles and is operated intermittently to allow for non-equipment tasks such as measurement and demarcation of foundations and soil content testing. Power variation is accounted for by describing the noise at a reference distance from the equipment operating at full power and adjusting it based on the duty cycle of the activity to determine the Leq of the operation (FHWA 2018). Reference noise levels for heavy-duty construction equipment were estimated using the FHWA Roadway Construction Noise Model (RCNM) (FHWA 2006) and are shown in Table 4.10-3. RCNM also provides an acoustical usage factor that estimates the fraction of time each piece of equipment is operating at full power during construction. Table 4.10-3 adjusts the maximum noise levels using the acoustical usage factor published by FHWA.

###### *Groundborne Vibration*

Construction generates groundborne vibration when heavy equipment travels over unpaved surfaces or engages in soil movement; however, the ground surface dampens ground-borne vibration over a relatively short distance. The reference vibration levels at 25 feet between the source and receiver from the FTA Noise and Vibration Impact Assessment Manual are used to calculate in/sec PPV for other distances (FTA 2018).

###### *Operational Noise Sources*

The noise sources on the project site after completion of construction are anticipated to be those that would be typical of a mixed-use development, such as heating, ventilation, and air conditioning (HVAC) units, parking, deliveries, trash collection, and landscape maintenance equipment noise. Noise sources such as deliveries, trash collection, and landscape maintenance equipment are consistent with the existing noise environment and would be anticipated to conform to Municipal Code daytime limits, specifically TOMC 5-12.02 limiting landscape equipment noise to the hours of 7:00 a.m. to 9:00 p.m. Furthermore, parking, deliveries, trash collection, and landscape maintenance equipment noise would not cause a permanent increase in ambient noise levels (Appendix G). Therefore, these noise sources are not discussed further.

**Table 4.10-3 Construction Equipment Noise Levels<sup>1</sup>**

Phase	Quantity and Equipment Type <sup>1</sup>	L <sub>max</sub> at 50 feet (dB) <sup>2</sup>	Usage Factor <sup>3</sup>	L <sub>eq</sub> at 50 feet (dB)
Demolition	1 Concrete/Industrial Saw	90	20	83
	2 Dozers	82	40	78
	3 Excavators	81	40	77
Site Preparation	3 Dozers	85	40	81
	4 Tractor/Loader/Backhoes	78	40	74
Grading	2 Excavators	81	40	77
	1 Grader	85	40	81
	1 Dozer	82	40	78
	2 Scrapers	84	40	80
	2 Loaders	79	40	75
	2 Tractor/Loader/Backhoes	78	40	74
Building Construction	1 Crane	81	16	73
	1 Pile Vibration Rig	101	20	94
	3 Forklifts	75	20	68
	1 Generator Set	81	50	78
	3 Tractor/Loader/Backhoes	78	40	74
	1 Concrete Pump	81	50	78
	1 Welder	74	40	70
Paving	2 Pavers	77	50	74
	2 Paving Equipment	83	20	76
	2 Rollers	80	20	73
Architectural Coating	1 Compressor	78	40	74

<sup>1</sup> Construction Equipment List from Appendix G.

<sup>2</sup> Noise levels are for individual equipment pieces. Each piece of equipment would operate at a distance from other equipment.

<sup>3</sup> Usage Factor is the portion of time equipment is operating at full power.

### *Heating, Ventilation, and Air Conditioning*

Heating ventilation and air conditioning (HVAC) units would be associated with the proposed project. The HVAC units associated with on-site buildings are anticipated to be centrally located roof mounted with mechanical screening (Appendix G). Specific planning data for the future HVAC systems are not available at this stage of project design; however, noise levels generated by HVAC units used for similar residential and light commercial uses as the project are typically approximately 66 dB L<sub>eq</sub> at 3.28 feet (Appendix G). This analysis conservatively evaluates potential noise effects from the nearest buildings to the sensitive receivers in the event that all HVAC units would operate simultaneously, although actual HVAC use would depend on weather conditions, occupancy, and occupant preferences.

<sup>1</sup> Standard Construction Equipment from Appendix G

## **Significance Thresholds**

Appendix G of the State CEQA Guidelines identifies the following criteria for determining whether development facilitated by the proposed project would have a significant impact on noise:

1. 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;
2. Generation of excessive groundborne vibration or groundborne noise levels; or,
3. 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, expose people residing or working in the project area to excessive noise levels.

### *Construction Noise*

The City Municipal Code does not specify a numerical limit on construction noise. In the absence of City thresholds for substantial temporary noise increases, this analysis uses a threshold of a 10 dB increase above ambient noise levels, which humans perceive as a doubling of noise levels.

### *Construction Vibration*

The applicable criteria for potential vibration damage are 0.5 in/sec PPV for modern industrial/commercial buildings and new residential structures and 0.3 in/sec PPV for older residential structures (Appendix G). In addition, applicable criteria for human annoyance is the strongly perceptible limit of 0.1 in/sec PPV.

### *On-site Operational Noise*

The proposed project includes a mix of uses that would include screened rooftop HVAC sources. As discussed above, Table 4.10-2 (City of Thousand Oaks 2000) identifies noise impacts associated with project related noise level increases. This analysis conservatively evaluates potential noise effects from the nearest buildings to the sensitive receivers in the event that all HVAC units would operate simultaneously, although actual HVAC use would depend on weather conditions, occupancy, and occupant preferences (Appendix G).

### *Off-site Traffic Noise*

Per Table 4.10-2 (City of Thousand Oaks 2000), off-site project noise (i.e., roadway noise) would result in a significant impact if the cumulative with project traffic noise level to cause: (1) an increase of 3 dB or more above existing ambient noise levels to or within 55-60 dB CNEL; (2) an increase of 1.5 dB or more above existing ambient noise levels to or within 60-70 dB CNEL; or (3) an increase of 1.0 dB or more above existing ambient noise to greater than 70 dB CNEL (Appendix G).

**Threshold 1:** Would the project result in 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?

**Impact NOI-1 CONSTRUCTION ACTIVITIES ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED PROJECT WOULD INTERMITTENTLY GENERATE NOISE WITHIN AND ADJACENT TO THE PROJECT SITE IN EXCESS OF ESTABLISHED STANDARDS. WITH IMPLEMENTATION OF MITIGATION MEASURE NOI-1, THE PROPOSED PROJECT'S CONSTRUCTION NOISE IMPACTS WOULD BE REDUCED, HOWEVER THEY WOULD REMAIN SIGNIFICANT AND UNAVOIDABLE. OPERATIONAL NOISE IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

## Construction

The highest construction noise levels would be generated by vibratory pile driving during the building construction phase. The average noise levels from construction equipment at the closest sensitive receiver location, which is the Little Dreamers Early Childhood preschool, as well as other nearby sensitive receivers, are shown below in Table 4.10-4. These noise levels are based on the previously described RCNM with an individual piece of construction equipment operating at the edge of construction activity.

Based on the noise levels in Table 4.10-4, when concrete saws operate near the project boundary construction activity noise levels would reach 93.5 dB  $L_{eq}$ , which would occur at the Little Dreamers Early Childhood preschool. The building would be expected to have an exterior-to-interior noise reduction of 12 dB with windows open and 24 dB with windows closed, assuming typical warm climate construction (U.S. Environmental Protection Agency 1978). Therefore, interior noise levels at the nearest noise-sensitive receiver would reach up to 81.5 dB  $L_{eq}$  with windows open and 69.5 dB  $L_{eq}$  with windows closed. In addition, construction noise levels would exceed the 10 dB increase threshold at the other nearby sensitive receivers analyzed in Table 4.10-4.

To analyze sensitive receivers further from construction than those analyzed in Table 4.10-4, the loudest piece of construction equipment (vibratory pile driver) was analyzed. Vibratory pile driver noise levels at these receivers are shown in Table 4.10-5; as shown, construction noise levels would not exceed the 10 dB increase threshold at these receivers. As other construction equipment is quieter than the vibratory pile driver, all construction activities would not exceed the 10 dB increase threshold at these receivers.

Table 4.10-4 shows, project construction equipment during all construction phases would increase noise levels at the nearest sensitive receivers by 10 dB or more, which humans perceive as a doubling of loudness. With mitigation, construction noise impacts would be reduced, however they would remain significant and unavoidable.

**Table 4.10-4 Construction Equipment Noise Levels at Nearest Sensitive Receivers**

Receiver	Phase	Equipment	Leq at 50 feet (dB) <sup>1</sup>	Distance (ft) <sup>2</sup>	Construction Equipment Noise Level (dB L <sub>eq</sub> )	Existing Ambient Noise Level (dB L <sub>eq</sub> )	With Project Construction Noise Level (dB L <sub>eq</sub> )	Project Construction Related Noise Increase (dB)	Significant Increase?
Little Dreamers Early Childhood Preschool	Demolition	Concrete Saw	83	15	93	47.3	93.5	46.2	Yes
		Dozer	78	15	88	47.3	88.5	41.2	Yes
		Excavator	77	15	87	47.3	87.5	40.2	Yes
	Site Preparation	Dozer	78	15	88	47.3	88.5	41.2	Yes
		Backhoe	74	15	84	47.3	84.5	37.2	Yes
	Grading	Excavator	77	15	87	47.3	87.5	40.2	Yes
		Grader	81	15	91	47.3	91.5	44.2	Yes
		Dozer	78	15	88	47.3	88.5	41.2	Yes
		Scraper	80	15	90	47.3	90.5	43.2	Yes
		Front End Loader	75	15	85	47.3	85.5	38.2	Yes
		Backhoe	74	15	84	47.3	84.5	37.2	Yes
		Building Construction	Crane	73	75	70	47.3	69.5	22.2
		Vibratory Pile Driver	94	270	79	47.3	79.4	32.1	Yes
		Man Lift	68	75	64	47.3	64.6	17.3	Yes
		Generator	78	75	74	47.3	74.5	27.2	Yes
		Backhoe	74	75	70	47.3	70.5	23.2	Yes
		Pumps	78	75	74	47.3	74.5	27.2	Yes
		Welder/Torch	70	75	66	47.3	66.6	19.3	Yes
	Paving	Paver	74	15	84	47.3	84.4	37.1	Yes
		Compactor (ground)	76	15	86	47.3	86.5	39.2	Yes
Roller		73	15	83	47.3	83.5	36.2	Yes	
Architectural Coating	Compressor (air)	74	75	70	47.3	70.5	23.2	Yes	

Receiver	Phase	Equipment	Leq at 50 feet (dB) <sup>1</sup>	Distance (ft) <sup>2</sup>	Construction Equipment Noise Level (dB L <sub>eq</sub> )	Existing Ambient Noise Level (dB L <sub>eq</sub> )	With Project Construction Noise Level (dB L <sub>eq</sub> )	Project Construction Related Noise Increase (dB)	Significant Increase?
Single Family Residence at 3152 Foothill Drive and Other Single-Family Residences on Foothill Drive, South of Fairview Road	Demolition	Concrete Saw	83	120	75	57.9	75.5	17.6	Yes
		Dozer	78	120	70	57.9	70.7	12.8	Yes
		Excavator	77	120	69	57.9	69.7	11.8	Yes
	Site Preparation	Dozer	78	120	70	57.9	70.7	12.8	Yes
		Backhoe	74	120	66	57.9	67.0	9.1	No
	Grading	Excavator	77	120	69	57.9	69.7	11.8	Yes
		Grader	81	120	73	57.9	73.5	15.6	Yes
		Dozer	78	120	70	57.9	70.7	12.8	Yes
		Scraper	80	120	72	57.9	72.6	14.7	Yes
		Front End Loader	75	120	67	57.9	67.9	10.0	Yes
		Backhoe	74	120	66	57.9	67.0	9.1	No
		Building Construction	Crane	73	145	64	57.9	64.8	6.9
	Vibratory Pile Driver		94	320	78	57.9	77.9	20.0	Yes
	Man Lift		68	145	59	57.9	61.4	3.5	No
	Generator		78	145	69	57.9	69.1	11.2	Yes
	Backhoe		74	145	65	57.9	65.6	7.7	No
	Pumps		78	145	69	57.9	69.1	11.2	Yes
	Welder/Torch		70	145	61	57.9	62.6	4.7	No
	Paving	Paver	74	120	66	57.9	67.0	9.1	No
		Compactor (ground)	76	120	68	57.9	68.8	10.9	Yes
Roller		73	120	65	57.9	66.1	8.2	No	
Architectural Coating	Compressor (air)	74	145	65	57.9	65.6	7.7	No	

**T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project**

Receiver	Phase	Equipment	Leq at 50 feet (dB) <sup>1</sup>	Distance (ft) <sup>2</sup>	Construction Equipment Noise Level (dB L <sub>eq</sub> )	Existing Ambient Noise Level (dB L <sub>eq</sub> )	With Project Construction Noise Level (dB L <sub>eq</sub> )	Project Construction Related Noise Increase (dB)	Significant Increase?
Single Family Residence at 3168 Foothill Drive and The Verona Multifamily Residences at 3200 Foothill Drive	Demolition	Concrete Saw	83	95	77	56.6	77.5	20.9	Yes
		Dozer	78	95	72	56.6	72.6	16.0	Yes
		Excavator	77	95	71	56.6	71.6	15.0	Yes
	Site Preparation	Dozer	78	95	72	56.6	72.6	16.0	Yes
		Backhoe	74	95	68	56.6	68.7	12.1	Yes
	Grading	Excavator	77	95	71	56.6	71.6	15.0	Yes
		Grader	81	95	75	56.6	75.5	18.9	Yes
		Dozer	78	95	72	56.6	72.6	16.0	Yes
		Scraper	80	95	74	56.6	74.5	17.9	Yes
		Front End Loader	75	95	69	56.6	69.7	13.1	Yes
		Backhoe	74	95	68	56.6	68.7	12.1	Yes
		Building Construction	Crane	73	150	63	56.6	64.3	7.7
	Vibratory Pile Driver		94	395	76	56.6	76.1	19.5	Yes
	Man Lift		68	150	58	56.6	60.6	4.0	No
	Generator		78	150	68	56.6	68.7	12.1	Yes
	Backhoe		74	150	64	56.6	65.1	8.5	No
	Pumps		78	150	68	56.6	68.7	12.1	Yes
	Welder/Torch		70	150	60	56.6	62.0	5.4	No
	Paving	Paver	74	95	68	56.6	68.7	12.1	Yes
Compactor (ground)		76	95	70	56.6	70.6	14.0	Yes	
Roller		73	95	67	56.6	67.8	11.2	Yes	
Architectural Coating	Compressor (air)	74	150	64	56.6	65.1	8.5	No	

Receiver	Phase	Equipment	Leq at 50 feet (dB) <sup>1</sup>	Distance (ft) <sup>2</sup>	Construction Equipment Noise Level (dB L <sub>eq</sub> )	Existing Ambient Noise Level (dB L <sub>eq</sub> )	With Project Construction Noise Level (dB L <sub>eq</sub> )	Project Construction Related Noise Increase (dB)	Significant Increase?
Windsor Terrace of Westlake Village Convalescent Home	Demolition	Concrete Saw	83	20	91	57.4	91.0	33.6	Yes
		Dozer	78	20	86	57.4	86.0	28.6	Yes
		Excavator	77	20	85	57.4	85.0	27.6	Yes
	Site Preparation	Dozer	78	20	86	57.4	86.0	28.6	Yes
		Backhoe	74	20	82	57.4	82.0	24.6	Yes
	Grading	Excavator	77	20	85	57.4	85.0	27.6	Yes
		Grader	81	20	89	57.4	89.0	31.6	Yes
		Dozer	78	20	86	57.4	86.0	28.6	Yes
		Scraper	80	20	88	57.4	88.0	30.6	Yes
		Front End Loader	75	20	83	57.4	83.0	25.6	Yes
		Backhoe	74	20	82	57.4	82.0	24.6	Yes
		Building Construction	Crane	73	20	81	57.4	81.0	23.6
	Vibratory Pile Driver		94	150	84	57.4	84.5	27.1	Yes
	Man Lift		68	70	65	57.4	65.8	8.4	No
	Generator		78	70	75	57.4	75.1	17.7	Yes
	Backhoe		74	70	71	57.4	71.3	13.9	Yes
	Pumps		78	70	75	57.4	75.1	17.7	Yes
	Welder/Torch		70	70	67	57.4	67.5	10.1	Yes
	Paving	Paver	74	20	82	57.4	82.0	24.6	Yes
		Compactor (ground)	76	20	84	57.4	84.0	26.6	Yes
Roller		73	20	81	57.4	81.0	23.6	Yes	
Architectural Coating	Compressor (air)	74	70	71	57.4	71.3	13.9	Yes	



**T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project**

Receiver	Phase	Equipment	Leq at 50 feet (dB) <sup>1</sup>	Distance (ft) <sup>2</sup>	Construction Equipment Noise Level (dB L <sub>eq</sub> )	Existing Ambient Noise Level (dB L <sub>eq</sub> )	With Project Construction Noise Level (dB L <sub>eq</sub> )	Project Construction Related Noise Increase (dB)	Significant Increase?
Westlake Villas Multifamily Residences, 575 Hampshire Road	Demolition	Concrete Saw	83	140	74	56.6	74.1	17.5	Yes
		Dozer	78	140	69	56.6	69.3	12.7	Yes
		Excavator	77	140	68	56.6	68.4	11.8	Yes
	Site Preparation	Dozer	78	140	69	56.6	69.3	12.7	Yes
		Backhoe	74	140	65	56.6	65.7	9.1	No
	Grading	Excavator	77	140	68	56.6	68.4	11.8	Yes
		Grader	81	140	72	56.6	72.2	15.6	Yes
		Dozer	78	140	69	56.6	69.3	12.7	Yes
		Scraper	80	140	71	56.6	71.2	14.6	Yes
		Front End Loader	75	140	66	56.6	66.5	9.9	No
		Backhoe	74	140	65	56.6	65.7	9.1	No
		Building Construction	Crane	73	160	63	56.6	63.8	7.2
	Vibratory Pile Driver		94	305	78	56.6	78.3	21.7	Yes
	Man Lift		68	160	58	56.6	60.3	3.7	No
	Generator		78	160	68	56.6	68.2	11.6	Yes
	Backhoe		74	160	64	56.6	64.7	8.1	No
	Pumps		78	160	68	56.6	68.2	11.6	Yes
	Welder/Torch		70	160	60	56.6	61.6	5.0	No
	Paving	Paver	74	140	65	56.6	65.6	9.0	No
		Compactor (ground)	76	140	67	56.6	67.4	10.8	Yes
Roller		73	140	64	56.6	64.8	8.2	No	
Architectural Coating	Compressor (air)	74	160	64	56.6	64.7	8.1	No	

<sup>1</sup>Noise levels are for individual equipment pieces. Each piece of equipment would operate at a distance from other equipment.

<sup>2</sup>Distance from the edge of a given construction activity to the sensitive receiver building.

Note: Numbers in bold exceed significance threshold of a 10 dB increase over ambient.

Source: Appendix G

**Table 4.10-5 Maximum Construction Equipment (Vibratory Pile Driver) Noise Levels at Additional Sensitive Receivers**

Receiver	Equipment	Leq at 50 feet (dB) <sup>1</sup>	Distance (ft) <sup>2</sup>	Reduction of Construction Noise from Intervening Building Rows	Construction Equipment Noise Level (dB L <sub>eq</sub> )	Existing Ambient Noise Level (dB L <sub>eq</sub> )	With Project Construction Noise Level (dB L <sub>eq</sub> )	Project Construction-Related Noise Increase (dB)	Significant Increase?
Single Family Residences on Fairview Road, west of Foothill Drive and on Fairview Fire Road	Vibratory Pile Driver	94	570	6.0	66.9	61.0	67.9	6.9	No
Single Family Residences on Foothill Drive, North of Fairview Road	Vibratory Pile Driver	94	450	4.5	70.4	62.6	71.1	8.5	No
Single Family Residences at the Cul-de-sac of Coral Ridge Court	Vibratory Pile Driver	94	870	4.5	64.7	56.1	65.3	9.2	No
The Meadows at Westlake Village Multifamily Residences, 603 Hampshire Road	Vibratory Pile Driver	94	730	7.5	63.2	57.2	64.2	7.0	No

<sup>1</sup> Noise levels are for individual equipment pieces. Each piece of equipment would operate at a distance from other equipment.

<sup>2</sup> Distance from the edge of a given construction activity to the sensitive receiver building.

Note: Numbers in bold exceed significance threshold of a 10 dB increase over ambient.

Source: Appendix G

## **Mitigation Measures**

The following mitigation measure would be implemented to reduce construction noise levels:

### *NOI-1 Construction Noise Reduction Measures*

- Temporary construction barriers along the southern edge of the project site facing the Westlake Villas multifamily residences at 575 Hampshire Road and along the northwestern edge of the project facing the Windsor Terrace of Westlake Village convalescent home at 250 Fairview Road shall be in place during the Project construction (including demolition, grading, and site preparation), when heavy construction equipment is used, excluding areas where gaps in the barrier are necessary for access. The barrier shall be least 12 feet in height above the project site existing grade level and constructed of a material with a Sound Transmission Class (STC) rating of at least STC-31 (such as acoustic panels or sound barrier products) or a transmission loss of at least 21 dB at 500 hertz (such as 3/4-inch plywood), which would provide an insertion loss (net barrier reduction) of up to 11 dB at the convalescent home and multifamily residences.
- Power construction equipment (including combustion engines), fixed or mobile, shall be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.
- With the exception of excavation equipment, grading and construction contractors shall use rubber-tired equipment rather than metal-tracked equipment.
- The use of on-site electrical power shall be preferred to the use of stationary construction equipment such as generators or air compressors. If stationary construction equipment would be used on site for more than one hour in a day, such equipment shall be placed as far as possible from off-site sensitive receivers. Stationary construction equipment shall also be shielded by either noise blankets or by temporary noise barriers at least three feet taller and six feet wider than the noise source.
- Construction staging and delivery areas shall be located towards the center of the property and a minimum of 100 feet from the project lines.
- The project applicant shall post a notice at the construction site. The notice shall contain information on the type of project, anticipated duration of construction activity, and provide a phone number where people can register questions or complaints. The notice shall be posted no later than 72 hours prior to the planned activity.
- Based on areas of construction noise impacts, the Little Dreamers Early Childhood preschool, the Windsor Terrace of Westlake Village convalescent home, the single-family residences and multifamily communities to the west (along Foothill Drive, south of Fairview Road), and the Westlake Villas apartment community to the south shall be informed via mail and posting at the site of the anticipated start date, duration, noise impact, and other pertinent information prior to the construction of the project. Notification shall also include a phone number where people can register questions or complaints. Notification shall also be delivered no later than 72 hours prior to the planned activity.
- An on-site construction manager shall be responsible for responding to local complaints about construction noise. All notices that are sent to sensitive receivers and all signs posted at the construction site shall list the telephone number for the on-site construction manager.

- Construction supervisors shall be informed of project-specific noise requirements, noise issues for sensitive land uses adjacent to and near the project construction site, and/or equipment operations to ensure compliance with the required regulations and best practices.

### **Significance After Mitigation**

Implementation of Mitigation Measure NOI-1 would reduce construction noise levels by up to 11 dB through use of the temporary construction noise barrier. However, a temporary construction noise barrier is not proposed for the Early Childhood facility and the residences west of the project site on Foothill Drive that are elevated approximately 30 feet to 40 feet above the project site because a construction noise barrier would not be tall enough to block line of sight from the project construction equipment to these receivers. Even with the barrier, when pile driving occurs project construction-related noise increases in ambient noise levels would still be greater than 10 dB at the Westlake Villas multifamily residences to the south during the building construction phase and at the Windsor Terrace of Westlake Village convalescent home during the demolition, site preparation, grading, building construction, and paving phases of construction, as shown on Table 4.10-6. In addition, the magnitude of the project's temporary construction noise levels relative to the ambient levels is such that even a maximally-effective noise barrier would not feasibly reduce project construction-related noise increases to below the 10 dB increase threshold during other, non-pile driving activities. Therefore, construction noise impacts after mitigation would be significant and unavoidable at these receivers.

### **Operation**

Following the methodology discussed in Section 4.10.3, HVAC and off-site traffic noise levels were modeled. Noise modeling data is included as Appendix G

**Table 4.10-6 Mitigated Construction Equipment Noise Levels**

		Phase	Equipment	Construction Equipment Noise Level (dB L <sub>eq</sub> ) <sup>1</sup>	Barrier Reduction (dB L <sub>eq</sub> ) <sup>2</sup>	Mitigated Construction Equipment Noise Level (dB L <sub>eq</sub> )	Existing Ambient Noise Level (dB)	Mitigated With Project Construction Noise Level (dB L <sub>eq</sub> )	Mitigated Project Construction Related Noise Increase (dB)	Significant Increase?
Windsor Terrace of Westlake Village Convalescent Home	Demolition	Concrete Saw	91	10	81.0	57.4	81.0	23.6	Yes	
		Dozer	86	10	76.0	57.4	76.0	18.6	Yes	
		Excavator	85	10	75.0	57.4	75.1	17.7	Yes	
	Site Preparation	Dozer	86	10	76.0	57.4	76.0	18.6	Yes	
		Backhoe	82	10	72.0	57.4	72.1	14.7	Yes	
	Grading	Excavator	85	10	75.0	57.4	75.1	17.7	Yes	
		Grader	89	10	79.0	57.4	79.0	21.6	Yes	
		Dozer	86	10	76.0	57.4	76.0	18.6	Yes	
		Scraper	88	10	78.0	57.4	78.0	20.6	Yes	
		Front End Loader	83	10	73.0	57.4	73.1	15.7	Yes	
		Backhoe	82	10	72.0	57.4	72.1	14.7	Yes	
	Building Construction	Crane	81	10	71.0	57.4	71.2	13.8	Yes	
		Vibratory Pile Driver	84	10	74.5	57.4	74.6	17.2	Yes	
		Man Lift	65	10	55.8	57.4	59.7	2.3	No	
		Generator	75	10	65.1	57.4	65.8	8.4	No	
		Backhoe	71	10	61.3	57.4	62.8	5.4	No	
		Pumps	75	10	65.1	57.4	65.8	8.4	No	
		Welder/Torch	67	10	57.5	57.4	60.5	3.1	No	
	Paving	Paver	82	10	72.0	57.4	72.1	14.7	Yes	
		Compactor (ground)	84	10	74.0	57.4	74.1	16.7	Yes	
Roller		81	10	71.0	57.4	71.2	13.8	Yes		
Architectural Coating	Compressor (air)	71	10	61.3	57.4	62.8	5.4	No		
Demolition	Concrete Saw	74	11	63.1	56.6	64.0	7.4	No		

Phase		Equipment	Construction Equipment Noise Level (dB L <sub>eq</sub> ) <sup>1</sup>	Barrier Reduction (dB L <sub>eq</sub> ) <sup>2</sup>	Mitigated Construction Equipment Noise Level (dB L <sub>eq</sub> )	Existing Ambient Noise Level (dB)	Mitigated With Project Construction Noise Level (dB L <sub>eq</sub> )	Mitigated Project Construction Related Noise Increase (dB)	Significant Increase?
Westlake Villas Multifamily Residences, 575 Hampshire Road	Site Preparation	Dozer	69	11	58.3	56.6	60.6	4.0	No
		Excavator	68	11	57.4	56.6	60.0	3.4	No
Grading	Site Preparation	Dozer	69	11	58.3	56.6	60.6	4.0	No
		Backhoe	65	11	54.7	56.6	58.7	2.1	No
		Excavator	68	11	57.4	56.6	60.0	3.4	No
		Grader	72	11	61.2	56.6	62.5	5.9	No
	Grading	Dozer	69	11	58.3	56.6	60.6	4.0	No
		Scraper	71	11	60.2	56.6	61.8	5.2	No
		Front End Loader	66	11	55.5	56.6	59.1	2.5	No
		Backhoe	65	11	54.7	56.6	58.7	2.1	No
Building Construction	Crane	63	11	52.8	56.6	58.1	1.5	No	
	Vibratory Driver	Pile	78	11	67.3	56.6	67.7	11.1	Yes
	Man Lift	58	11	49.3	56.6	57.3	0.7	No	
	Generator	68	11	57.2	56.6	59.9	3.3	No	
	Backhoe	64	11	53.7	56.6	58.4	1.8	No	
	Pumps	68	11	57.2	56.6	59.9	3.3	No	
	Welder/Torch	60	11	50.6	56.6	57.6	1.0	No	
Paving	Paver	65	11	54.6	56.6	58.7	2.1	No	
	Compactor (ground)	67	11	56.4	56.6	59.5	2.9	No	
	Roller	64	11	53.8	56.6	58.4	1.8	No	
Architectural Coating	Compressor (air)	64	11	53.7	56.6	58.4	1.8	No	

<sup>1</sup> Noise levels are for individual equipment pieces. Each piece of equipment would operate at a distance from other equipment.

<sup>2</sup> Distance from the edge of a given construction activity to the sensitive receiver building.

Note: Numbers in bold exceed significance threshold of a 10 dB increase over ambient.

Source: Appendix G

*Heating, Ventilation, and Air Conditioning*

The project would introduce sources of operational HVAC noise to the site. Noise levels generated by HVAC units used for similar residential and light commercial uses as the project. York 3-ton to 5-ton HVAC units with a sound power level of 74 dB, is equivalent to a sound pressure level of 66 dB  $L_{eq}$  at 3.28 feet, assuming half-spherical propagation of sound due to roof mounting have been (Appendix G). Noise levels at the nearest properties from each noise source and their combined noise levels are shown in Table 4.10-7.

**Table 4.10-7 HVAC Noise Levels at Off-site Land Uses**

Receiver	Location	Number of Units	Combined Noise Level (dBA $L_{eq}$ ) <sup>1</sup>	Average Distance to Receiver (ft)	Parapet/Roofline Reduction (dBA) <sup>2</sup>	Noise Level (dBA $L_{eq}$ )	Noise Level (dBA CNEL) <sup>3</sup>
Windsor Terrace of Westlake Village Convalescent Home	North of site	5	73	99	8	35	45
		5	73	176	8	30	
		5	73	184	8	30	
		5	73	196	8	30	
Single Family Residence at 3152 Foothill Drive and Other Single-Family Residences on Foothill Drive, South of Fairview Road	West of site	5	73	257	0	35	50
		5	73	239	0	36	
		6	74	165	0	40	
		6	74	189	0	39	
Single Family Residence at 3168 Foothill Drive and The Verona multifamily residences at 3200 Foothill Drive	West of site	5	73	181	0	38	50
		5	73	174	0	39	
		5	73	197	0	37	
		5	73	216	0	37	
Little Dreamers Early Childhood Preschool	Southwest of site	5	73	95	0	44	55
		6	74	101	0	44	
		6	74	169	0	40	
		6	74	168	0	40	
Westlake Villas Apartments	South of site	6	74	191	8	31	40
		6	74	292	8	27	
		6	74	293	8	27	

<sup>1</sup> York, 2019, Technical Guide: Single Package Air Conditioner / Electric Heat 14 Seer – R-410a – 460v - 3 Phase 3 Thru 5 Nominal Tons Models: PCE4\*36 THRU 60. The sound power level (Lw) of 74 dB, is equivalent to a sound pressure level of 66 dB  $L_{eq}$  at 3.28 feet, assuming half-spherical propagation of sound due to roof mounting.

<sup>2</sup> An 8 dB reduction from the mechanical screening was assumed, based on guidance from the Federal Highway Administration, Roadway Construction Noise Model User’s Guide, January 2006.

<sup>3</sup> CNEL was calculated assuming 24 hours of continuous operation.

Based on the results shown in Table 4.10-7 and compared to ambient noise levels shown in Table 4.10-1, operational HVAC noise increases over ambient noise levels would range from less than 1 dBA CNEL to 2 dBA CNEL at noise sensitive uses adjacent to the project site (Appendix G). These

noise level increases would be below the City's threshold of a 3 dB or more increase for areas that experience a noise level of 55 dBA CNEL to 60 dBA CNEL and the City's threshold of a 1.5 dBA or more increase for areas that experience a noise level of 65 dBA CNEL to 70 dBA CNEL with the project. In addition, a noise level increase of less than 3 dBA would not be perceptible to the human ear in an outdoor environment. Therefore, a substantial noise increase would not occur, and HVAC noise impacts would be less than significant.

### **Off-site Traffic Noise Increases**

The proposed project would generate new vehicle trips that would increase noise levels on nearby roadways. The increase in roadway noise with the addition of project traffic are shown in Table 4.10-8 (existing scenario) and Table 4.10-9 (cumulative scenario). Traffic data was obtained from the project's Traffic Impact Analysis (Iteris, Inc. 2022). Due to the relatively small increase in overall ADT volumes from project-generated traffic, the noise level increases would range between less than 1 dBA CNEL to be 2 dBA CNEL, when comparing existing to existing plus and cumulative to cumulative plus project traffic scenarios. These noise level increases would be below the City's noise thresholds of a 3 dBA increase to 55 dBA – 60 dBA CNEL, a 1.5 dBA increase to 60 dBA – 70 dBA CNEL, or a 1 dBA increase to more than 70 dB CNEL. Furthermore, the project's traffic noise increase would not exceed 3 dBA or more, and impacts would be less than significant.



**Table 4.10-8 Existing Scenario Offsite Traffic Noise Increases, dBA CNEL at 50 Feet**

Roadway	Segment	Existing ADT <sup>1</sup>	Existing Traffic Level (dB CNEL) <sup>2</sup>	Noise	Existing Plus Project ADT	Existing Plus Project Traffic Noise Level (dB CNEL) <sup>2</sup>	Existing Project Traffic Increase (dB CNEL)	Year Related Noise	Significance Threshold (dB) <sup>3</sup>	Significant Increase?
Conejo Road	School Road	Thousand Oaks Boulevard to the north	4,297	60	4,437	60	<1		3	No
		Thousand Oaks Boulevard to the south	4,991	61	5,131	61	<1		1.5	No
Hampshire Road		Thousand Oaks Boulevard to US-101 NB ramps	20,384	67	20,774	67	<1		1.5	No
		US-101 NB Ramps to US-101 SB Ramps	20,517	66	21,807	66	<1		1.5	No
		US-101 SB Ramps to Willow Lane	21,516	66	23,756	67	1		1.5	No
		Willow Lane to Foothill Drive	21,247	68	23,482	69	<1		1.5	No
		Foothill Drive to the south	18,488	68	18,748	68	<1		1.5	No
		Westlake Boulevard to the north	10,058	65	10,318	65	<1		1.5	No
Agoura Road		Westlake Boulevard	15,505	68	15,635	69	<1		1.5	No
Skyline Drive		Thousand Oaks Boulevard to the north	4,807	59	4,937	59	<1		3	No
Thousand Oaks Boulevard		Conejo School Road to the west	14,539	65	14,679	65	<1		1.5	No
		Conejo School Road to Skyline Drive	15,526	65	15,661	65	<1		1.5	No
		Skyline Drive to Hampshire Road	20,083	66	20,343	66	<1		1.5	No
		Hampshire Road to the east	18,825	65	18,955	65	<1		1.5	No
Willow Lane		Hampshire Road to the west	572	53	584	54	<1		None	No
		Hampshire Road to the east	640	50	640	50	<1		None	No
Foothill Drive		Hampshire Road to the west	1,855	54	2,505	56	1		3	No
		Hampshire Road to the east	944	51	944	51	<1		None	No
Westlake Boulevard		Hampshire Road to the west	22,091	64	22,221	64	<1		1.5	No
		Hampshire Road to the east	19,335	68	19,335	68	<1		1.5	No

Roadway	Segment	Existing ADT <sup>1</sup>	Existing Traffic Noise Level (dB CNEL) <sup>2</sup>	Existing Plus Project ADT	Existing Plus Project Traffic Noise Level (dB CNEL) <sup>2</sup>	Existing Project Traffic Increase (dB CNEL)	Year Related Noise	Significance Threshold (dB) <sup>3</sup>	Significant Increase?
US-101	Hampshire Road to the west	171,000	80	172,100	80	<1		1	No
	Hampshire Road to the east	156,000	80	156,630	80	<1		1	No

<sup>1</sup> Iteris, Inc., Thousand Oaks Ranch Traffic Impact Analysis: Draft Report, January 11, 2022.

<sup>2</sup> CNEL noise levels at a distance of 50 feet from the centerline of the outermost travel lane, modelled in FHWA RD-77-108.

<sup>3</sup> Based on the City's noise thresholds, a significant impact may result if the change in noise levels to a noise-sensitive land use is 3.0 dB CNEL or greater at a noise-sensitive land use where with project noise level would be 55 dB CNEL – 60 dB CNEL, if the noise increase would be 1.5 dB CNEL or greater at a noise-sensitive land use where the with project noise level would be 60 dB CNEL – 70 dB CNEL, or the noise increase would be 1.0 dB CNEL or greater at a noise-sensitive land use where the with project noise level would be greater than 70 dB CNEL.

**Table 4.10-9 Cumulative Scenario Offsite Traffic Noise Increases, dBA CNEL at 50 Feet**

Roadway	Segment	Buildout Year WP ADT <sup>1</sup>	Buildout		Cumulative Increase (dB CNEL) <sup>3</sup>	Cumulative Impact Threshold <sup>4</sup>	Cumulatively Significant Increase?
			Year WP	Noise Level (dB CNEL) <sup>2</sup>			
Conejo School Road	Thousand Oaks Boulevard to the north	4,437	60		<1	3	No
	Thousand Oaks Boulevard to the south	6,032	62		1	1.5	No
Hampshire Road	Thousand Oaks Boulevard to US-101 NB ramps	21,329	67		<1	1.5	No
	US-101 NB Ramps to US-101 SB Ramps	22,198	66		<1	1.5	No
	US-101 SB Ramps to Willow Lane	24,034	67		1	1.5	No
	Willow Lane to Foothill Drive	23,761	69		<1	1.5	No
	Foothill Drive to the south	18,952	68		<1	1.5	No
	Westlake Boulevard to the north	10,318	65		<1	1.5	No
Agoura Road	Westlake Boulevard	15,635	69		<1	1.5	No
Skyline Drive	Thousand Oaks Boulevard to the north	4,937	59		<1	3	No
Thousand Oaks Boulevard	Conejo School Road to the west	16,061	65		1	1.5	No
	Conejo School Road to Skyline Drive	16,771	65		<1	1.5	No
	Skyline Drive to Hampshire Road	21,456	66		<1	1.5	No
	Hampshire Road to the east	20,059	66		<1	1.5	No
Willow Lane	Hampshire Road to the west	584	54		<1	None	No
	Hampshire Road to the east	640	50		<1	None	No
Foothill Drive	Hampshire Road to the west	2,580	56		1	3	No
	Hampshire Road to the east	944	51		<1	None	No
Westlake Boulevard	Hampshire Road to the west	22,231	64		<1	1.5	No
	Hampshire Road to the east	19,345	68		<1	1.5	No
US-101	Hampshire Road to the west	172,100	80		<1	1	No
	Hampshire Road to the east	156,630	80		<1	1	No

<sup>1</sup> Source: Appendix G.

<sup>2</sup> CNEL noise levels at a distance of 50 feet from the centerline of the outermost travel lane, modelled in FHWA RD-77-108.

<sup>3</sup> Buildout Year Plus Project traffic noise level minus Existing Year traffic noise level.

<sup>4</sup> Based on the City's noise thresholds, a significant cumulative impact may result if the cumulative noise increase to a noise-sensitive land use is 3.0 dB CNEL or greater at a noise-sensitive land use where the cumulative with project noise level would be 55 dB CNEL – 60 dB CNEL, if the cumulative noise increase would be 1.5 dB CNEL or greater at a noise-sensitive land use where the cumulative with project noise level would be 60 dB CNEL – 70 dB CNEL, or the cumulative noise increase would be 1.0 dB CNEL or greater at a noise-sensitive land use where the cumulative with project noise level would be greater than 70 dB CNEL.

**Threshold 2:** Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

**Impact NOI-2 CONSTRUCTION ACTIVITIES ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED PROJECT WOULD GENERATE GROUNDBORNE VIBRATION LEVELS THAT MAY EXCEED THE POTENTIAL FOR STRUCTURAL DAMAGE AND HUMAN ANNOYANCE. WITH IMPLEMENTATION OF MITIGATION MEASURE NOI-2, IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

## Construction

The predicted vibration levels generated by construction equipment and potential associated impacts are provided in terms of in/sec PPV at the nearest structure in Table 4.10-10. The greatest vibration levels would be generated by vibratory pile driving, which would generate vibration levels equivalent to the sonic pile driving vibration levels from the FTA Transit Noise and Vibration Impact Assessment Manual because, as stated in the manual, “a sonic pile driver operates by continuously shaking the pile at a fixed frequency, literally vibrating it into the ground” (FTA 2018). The Manual also states that a “sonic/vibratory pile driver” generates substantially lower peak vibration levels than impact pile driving. The project vibration levels from this construction activity would be the typical levels for sonic pile driving, as construction contractors would be aware of neighboring buildings and there are no unusual site conditions or unusual proposed activities that would affect pile installation. Vibratory pile driving activity is proposed for the subterranean parking structures for the two mixed-use buildings on the eastern half of the project site.

Assuming typical operation of the vibratory pile driving equipment during building construction, such equipment would generate vibration levels of 0.170 in/sec PPV at 25 feet. The off-site structures nearest to the proposed vibratory pile driving activity are the medical office building approximately 10 feet north of the project boundary and approximately 27 feet north of the nearest proposed subterranean parking structure, and the Shell Gas station, approximately 4 feet south of the project boundary and over 30 feet south of the nearest proposed subterranean parking structure. Vibration levels at the medical office building would be 0.151 in/sec PPV, below the applicable structural damage criteria for modern industrial/commercial buildings of 0.5 in/sec PPV, and therefore no vibration damage impact would occur. At the Shell Gas station to the south, vibration levels would be 1.391 in/sec PPV, above the applicable structural damage criteria for modern industrial/commercial buildings of 0.5 in/sec PPV, and therefore vibration impacts to structures would be potentially significant.

Regarding human annoyance, vibration levels from vibratory pile driving and large bulldozers at the medical office building would be above the levels that would be strongly perceptible of 0.1 in/sec PPV as shown in 4.10-9. In addition, vibration levels at the Little Dreamers Early Childhood preschool and the Windsor Terrace of Westlake Village convalescent home would be strongly perceptible when large bulldozers operate close to the construction boundary and vibration annoyance could occur. Therefore, construction vibration impacts are potentially significant. Vibration levels from vibratory pile driving would not exceed levels that would be strongly perceptible (i.e., 0.1 PPV, in/sec) at other vibration-sensitive receivers due to the greater distance from the proposed construction activities.

**Table 4.10-10 Groundborne Vibration from Project Construction Equipment at Nearest Structures**

Receiver	Construction Equipment	Reference Vibration Levels (in/sec PPV at 25 ft)	Attenuated Vibration Levels at Nearest Residence		Vibration Damage Impact Assessment		Vibration Annoyance Impact Assessment	
			Distance(ft)	in/sec PPV	Potential Damage Threshold (in/sec PPV)	Exceedance?	Potential Annoyance Threshold (in/sec PPV)	Exceedance?
Little Dreamers Early Childhood Preschool (South)	Pile Driver (sonic) <sup>1</sup>	0.170	270 <sup>2</sup>	0.005	0.5	No	0.1	No
	Loaded Trucks	0.076	25 <sup>3</sup>	0.076	0.5	No	0.1	No
	Large Bulldozer	0.089	15 <sup>4</sup>	<b>0.191</b>	0.5	No	0.1	Yes
Windsor Terrace of Westlake Village Convalescent Home (North)	Pile Driver (sonic)	0.170	150	0.012	0.5	No	0.1	No
	Loaded Trucks	0.076	25	0.076	0.5	No	0.1	No
	Large Bulldozer	0.089	20	<b>0.124</b>	0.5	No	0.1	Yes
Single Family Residence at 3168 Foothill Drive (West)	Pile Driver (sonic)	0.170	395	0.003	0.5	No	0.1	No
	Loaded Trucks	0.076	95	0.010	0.5	No	0.1	No
	Large Bulldozer	0.089	95	0.012	0.5	No	0.1	No
Single Family Residence at 3152 Foothill Drive (West)	Pile Driver (sonic)	0.170	320	0.004	0.3	No	0.1	No
	Loaded Trucks	0.076	120	0.007	0.3	No	0.1	No
	Large Bulldozer	0.089	120	0.008	0.3	No	0.1	No
Westlake Villas Apartments (South)	Pile Driver (sonic)	0.170	305	0.004	0.5	No	0.1	No
	Loaded Trucks	0.076	140	0.006	0.5	No	0.1	No
	Large Bulldozer	0.089	140	0.007	0.5	No	0.1	No
Medical Office Building (North)	Pile Driver (sonic)	0.170	27	<b>0.151</b>	0.5	No	0.1	Yes
	Loaded Trucks	0.076	25	0.076	0.5	No	0.1	No
	Large Bulldozer	0.089	10	<b>0.352</b>	0.5	No	0.1	Yes

Receiver	Construction Equipment	Reference Vibration Levels (in/sec PPV at 25 ft)	Attenuated Vibration Levels at Nearest Residence		Vibration Damage Impact Assessment		Vibration Annoyance Impact Assessment	
			Distance(ft)	in/sec PPV	Potential Damage Threshold (in/sec PPV)	Exceedance?	Potential Annoyance Threshold (in/sec PPV)	Exceedance?
Shell Gas Station (South)	Pile Driver (sonic)	0.170	30	0.129	0.5	No	None <sup>5</sup>	No
	Loaded Trucks	0.076	25	0.076	0.5	No	None	No
	Large Bulldozer	0.089	4	<b>1.391</b>	0.5	Yes	None	No

<sup>1</sup> The proposed vibratory pile driving vibration levels would be equivalent to the sonic pile driving vibration levels from the FTA Transit Noise and Vibration Impact Assessment Manual. (A sonic pile driver operates by continuously shaking the pile at a fixed frequency, literally vibrating it into the ground.)

<sup>2</sup> The distances between the proposed subterranean parking structures for the two mixed-use buildings and the off-site structures would be the minimum distances for vibratory pile driving activity.

<sup>3</sup> It is anticipated that loaded trucks traveling on unpaved surfaces would not operate within 25 feet of off-site structures because they would not have to travel immediately adjacent to the site boundary.

<sup>4</sup> It is assumed that the distance between the limits of grading activity and the off-site structures would be the minimum distance for large bulldozers.

<sup>5</sup> The Shell Gas Station does not contain vibration-sensitive activities or equipment.

Note: Numbers in bold exceed a significance threshold for either potential vibration damage or potential human annoyance.

Source: Appendix G

## **Operation**

The proposed project does not include any substantial vibration sources associated with operation. Therefore, operational vibration impacts would be less than significant.

## **Mitigation Measures**

### *NOI-2 Construction Equipment Vibration Restrictions*

- Large bulldozers or similar equipment shall not operate within eight feet of the Shell Gas Station, smaller equipment shall be substituted within this distance.
- As the medical office building could potentially experience temporary construction-related and intermittently "strongly perceptible" vibration from vibratory/sonic pile driving activity occurring within 36 feet of the building, the developer shall give prior notice to that facility of any such activity within that distance, the developer shall provide evidence of notification to the City Planning Department prior to initiation of pile driving activities.
- Vibratory pile driving activity within 36 feet of the medical office building shall be scheduled during times outside of its hours of operation. Large bulldozers or similar equipment shall not operate within 24 feet of the Little Dreamers Early Childhood Preschool building, the Windsor Terrace of Westlake Village convalescent home, or the medical office building, with smaller equipment substituted within this distance.

## **Significance After Mitigation**

As shown in Table 4.10-11, with implementation of setback distances, prior notice, and limiting the hours of operation of vibratory pile drivers and heavy construction equipment, such as bulldozers, as described Mitigation Measure NOI-2, potential structural damage and annoyance due to construction would be reduced, to less than significant with mitigation.

**Table 4.10-11 Mitigated Groundborne Vibration from Project Construction Equipment at Nearest Structures**

Receiver	Construction Equipment	Reference Vibration Levels (in/sec PPV at 25 ft)	Attenuated Vibration Levels at Nearest Residence		Mitigated Vibration Damage Impact Assessment		Mitigated Vibration Annoyance Impact Assessment	
			Distance (ft)	in/sec PPV	Potential Damage Threshold (in/sec PPV)	Exceed-ance?	Potential Annoyance Threshold (in/sec PPV)	Exceed-ance?
Little Dreamers Early Childhood Preschool (South)	Large Bulldozer	0.089	24	0.095	0.5	No	0.1	No
Windsor Terrace of Westlake Village Convalescent Home (North)	Large Bulldozer	0.089	24	0.095	0.5	No	0.1	No
Medical Office Building (North)	Pile Driver (sonic) <sup>1</sup>	0.170	36 <sup>2</sup>	0.098	0.5	No	0.1	No
	Large Bulldozer	0.089	24	0.095	0.5	No	0.1	No
Shell Gas Station (South)	Large Bulldozer	0.089	8	0.492	0.5	No	None <sup>3</sup>	No

<sup>1</sup> The proposed vibratory pile driving vibration levels would be equivalent to the sonic pile driving vibration levels from the FTA Transit Noise and Vibration Impact Assessment Manual. (A sonic pile driver operates by continuously shaking the pile at a fixed frequency, literally vibrating it into the ground.)

<sup>2</sup> Per Mitigation Measure NOI-2, vibratory pile driving activity within 36 feet of the medical office building shall be scheduled during times outside of its hours of operation.

<sup>3</sup> The Shell Gas Station does not contain vibration-sensitive activities or equipment.

Source: Appendix G

**Threshold 3:** 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?

**Impact NOI-3 THE PROJECT SITE IS LOCATED OUTSIDE OF NOISE CONTOURS ASSOCIATED WITH AIRPORTS. THEREFORE, NEW DEVELOPMENT UNDER THE SPECIFIC PLAN WOULD NOT BE EXPOSED TO EXCESSIVE NOISE LEVELS FROM AIRCRAFT OPERATIONS AND NO IMPACT WOULD OCCUR.**

Camarillo Airport is the nearest airport, located approximately 14 miles to the west of the project site. According to the noise compatibility contours shown on Exhibit H2 for the Camarillo Airport Land Use Compatibility Plan (Ventura County Airport Land Use Commission 2000), the project site is located outside the airport’s 60 dBA CNEL noise contour. Therefore, no substantial noise exposure from airport noise would occur to construction workers, users, or employees of the project, and no impacts would occur.



#### 4.10.4 Cumulative Impacts

The closest project is a cluster of three single-family residences at Willow Land and Skyline Drive, approximately 0.4-mile northwest of the project site. A storage facility is proposed for 2650 Willow Lane, 0.5-mile northwest of the project site. Other proposed projects include multi-family residential, commercial, two mixed-use projects on Thousand Oaks Boulevard, and an assisted living facility. These projects range from 0.5 mile to 1.8 miles from the site. Although some cumulative projects in the surrounding area may be under construction at the same time as the proposed project, these projects are not located in close enough proximity to the project site such that noise and vibration from construction activities would impact the same sensitive receivers and structures due to existing intervening structures that would block the line of sight, distance attenuation, and sensitivity to noise for the affected land use. The proposed project's construction noise would exceed applicable thresholds; with mitigation, noise would be reduced, but would remain significant after mitigation. Therefore, if other construction projects were to occur in the immediate area simultaneous to the proposed project, impacts would be cumulatively considerable. Vibration impacts would be less than significant with mitigation and would not be cumulatively considerable.

Some cumulative projects in the surrounding area would include similar operational noise sources as the proposed project (e.g., HVAC, parking activities). Similar to construction noise and vibration, operational noise and vibration from these sources is localized and rapidly attenuates within an urbanized setting due to the effects of intervening structures and topography that block the line of sight and other noise sources closer to receivers that obscure project-related noise. Project-generated traffic would generate an increase of up to approximately 2 dBA at adjacent roadways; however, this increase is not considered cumulatively substantial. Given the distance of the cumulative projects from the project site, these projects are not located in close enough proximity to the project site such that operational noise and vibration would impact the same sensitive receivers. Therefore, there would be no cumulatively considerable noise impacts related to operational noise and vibration associated with the proposed project.

## 4.11 Population and Housing

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This section evaluates the population and housing effects associated with implementation of proposed project. Impact topics address direct or indirect inducement of unplanned population growth and the displacement of people or housing, requiring replacement housing to be constructed elsewhere.

### 4.11.1 Setting

#### a. Current Population, Housing, and Employment in Thousand Oaks

##### Population

Thousand Oaks is the second most populous city in Ventura County, with a current population of 125,426 (California Department of Finance [DOF] 2021a). Table 4.11-1 shows the population growth in the city from 2010 to 2021. The city's population growth was generally flat during this period, with the last five years seeing slight decreases in population that amount to nearly five percent. This is similar to Ventura County as a whole, which experienced a decline in population from 2020 to 2021 of -0.7 percent.

**Table 4.11-1 Thousand Oaks Population 2010 to 2021**

Year	Population	Change from Previous Year (%)
2010	126,683	–
2011	127,624	0.1%
2012	128,391	0.1%
2013	129,041	0.2%
2014	129,506	0.05%
2015	129,551	0.01%
2016	129,216	-1.0%
2017	128,696	-1.0%
2018	128,684	-1.0%
2019	127,495	-1.0%
2020	126,384	-1.0%
2021	125,426	-1.0%

Source: DOF 2021a

## Housing

A household is defined as a group of people who occupy a housing unit (United States [U.S.] Census Bureau 2020). Not all the population lives in formal households. Some within a community reside in group quarters such as board and care facilities, while others are in alternative housing.

### *Housing Units*

Table 4.11-2 shows the growth in number of housing units in the city between 2010 and 2021. During that time, approximately 630 housing units were added to the city (DOF 2021b). Growth was relatively flat, with less than 100 new residences being added for many of the years and an average annual growth rate of 57 dwelling units, and with four years showing negative housing production.

**Table 4.11-2 Thousand Oaks Housing Units 2010 to 2021**

Year	Number of Housing Units	Increase in Units (#)	Change from Previous Year (%)
2010	47,497	–	–
2011	47,529	32	–
2012	47,637	108	29%
2013	47,679	42	-38%
2014	47,778	99	42%
2015	47,886	108	8.4%
2016	47,925	39	-36%
2017	47,967	42	7.2%
2018	48,081	114	-36.8%
2019	48,081	0	0.0%
2020	48,159	78	–
2021	48,169	10	-23%

Source: DOF 2021b

### *Household Size*

Small households of one to two persons per household traditionally reside in units with zero to two bedrooms. Family households of three to four people per household normally reside in units with three to four bedrooms. Large households, being five or more people per household, typically reside in units with four or more bedrooms. However, the number of units in relation to the household size may also reflect preference and economics.

In Thousand Oaks, the average household size ranged from 2.72 to 2.77, with the current (2021) average household size 2.67 persons. This is slightly lower than the countywide average household size of 2.99 (DOF 2021b). Housing vacancy was 3.5 percent in 2011 and 3.7 percent in 2021. This 2021 vacancy rate was 1.6 percent, lower than the countywide vacancy rate of 5.3 percent.

## **Employment**

Employment in the city can be evaluated based on the number of jobs available in Thousand Oaks and based on the number of employed individuals that reside in the city. The number of jobs includes all jobs available in Thousand Oaks, including jobs held by individuals who commute into Thousand Oaks for work. The number of employed individuals that reside in the city represents how many people participate in the workforce, regardless of whether they are employed at places inside or outside the City's jurisdictional boundary.

According to the City's recent General Plan background report, SCAG projects an increase in employment of 32 percent or approximately 20,600 job opportunities by 2045 (City of Thousand Oaks 2020). With roughly 60,000 jobs currently available in the city, the increase over the next 20-plus years would total more than 80,000 jobs under current projections (SCAG 2020).

California Employment Development Department (EDD) provides labor force participation data for the city based on the resident population. According to the EDD, in 2022, the City of Thousand Oaks had an annual average labor force of 62,000 individuals, 59,900 were employed and approximately 2,100 were unemployed (EDD 2022). This translates to an unemployment rate of 3.3 percent.

### **b. Population, Housing, and Employment Projections**

This analysis assumes buildout of the proposed project would occur in a 10- to 15-year time frame following adoption of the Specific Plan, and therefore uses the current Thousand Oaks Housing Element and SCAG year 2040 projections for comparison with the project.

## **Population**

Regional growth forecasts estimate an increase of 19,274 persons (15 percent) in the city's population, for an estimated 2045 population of 144,700 (SCAG 2020). This forecasted growth represents the addition of 838 people per year on average, an annual growth rate of about 4.5 percent.

## **Housing**

In 2021, there were 48,169 housing units in the city (DOF 2022). These included 32,526 single detached and 5,412 single attached residential units; 9,028 multi-family units; and 1,203 mobile homes (DOF 2022). There were also 1,742 "group quarters," which can include nursing homes. SCAG projects the need for an additional 2,621 dwelling units which comprises the final 6<sup>th</sup> cycle Regional Housing Needs Assessment (RHNA) allocation for the city (City of Thousand Oaks 2022). This allocation is distributed as follows:

- 1,229 lower income units
- 532 moderate income units
- 860 above-moderate income units

The City's recently updated Housing Element reflects the manner by which the City will accommodate this increase in residential development, including through rezoning underutilized parcels, such as those included in the project site, to accommodate residential or a mix of residential and commercial development.

## **Jobs-Housing Ratio**

Jurisdictions throughout California have used jobs-housing ratios as an overall indicator of both availability of jobs in an area, providing residents with an opportunity to work locally, and availability of housing, providing employees with adequate housing opportunities. An appropriate balance of jobs and housing is considered beneficial as it provides residents an opportunity to work locally and avoid employment commutes to other places in the region. However, a ratio that strictly measures jobs per housing unit may not accurately convey whether a city has a healthy balance of jobs and housing units, as some community dynamics may affect the ratio, such as large retirement communities. Therefore, this analysis instead considers the ratio of jobs to employed residents that live within the City's jurisdictional boundary to evaluate the job-housing balance. This ratio is an indicator of the balance between the number of jobs relative to the labor force in the city. This ratio also shows if there are enough jobs and housing to support existing residents.

The most recent conditions report for the Thousand Oaks 2045 General Plan provides demographic and economic information for the city. It states that Thousand Oaks is a net importer of jobs, with roughly 44,000 employees commuting into the city for work, and 36,400 residents commuting out of the city to work elsewhere (City of Thousand Oaks 2020). Approximately 14,000 workers live and are employed in the city, which is a high proportion compared to other communities with a similar net import jobs ratio.

### **4.11.2 Regulatory Setting**

The following section summarizes regulations that pertain to population and housing.

#### **c. State**

##### **California Housing Law**

State housing element statutes (Government Code Sections 65580-65589.9) mandate that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The law recognizes that for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development. As a result, State housing policy rests largely upon the effective implementation of local general plans and in particular, housing elements. Additionally, Government Code Section 65588 dictates that housing elements must be updated at least once every eight years.

##### **Housing Crisis Act of 2019**

The Housing Crisis Act of 2019 (Senate Bill [SB] 330) seeks to accelerate housing production in the next half decade through 2025 by eliminating some of the most common entitlement impediments to the creation of new housing. These may include delays in the local permitting process and cities enacting new requirements after an application is complete and undergoing local review—both of which can exacerbate the cost and uncertainty that sponsors of housing projects face. In addition to speeding up the timeline to obtain building permits, the bill prohibits local governments from reducing the number of homes that can be built through down-planning or down-zoning or the introduction of new discretionary design guidelines. The bill is in effect as of January 1, 2020 and expires on January 1, 2025.

## **Fair Employment and Housing Act**

The Fair Employment and Housing Act of 1959 (Government Code Section 12900 et seq.) prohibits housing discrimination based on race, color, religion, sexual orientation, marital status, national origin, ancestry, familial status, disability, or source of income.

## **The Unruh Civil Rights Act**

The Unruh Civil Rights Act of 1959 (Civ. Code Section 51) prohibits discrimination in “all business establishments of every kind whatsoever.” The provision has been interpreted to include businesses and persons engaged in the sale or rental of housing accommodations.

## **Relocation Assistance: California Government Code Section 7261(a)**

Section 7261(a) of the California Government Code requires that programs or projects undertaken by a public entity must be planned in a manner that (1) recognizes, at an early stage in the planning of the programs or projects and before the commencement of any actions which will cause displacements, the problems associated with the displacement of individuals, families, businesses, and farm operations, and (2) provides for the resolution of these problems in order to minimize adverse impacts on displaced persons and to expedite program or project advancement and completion. The displacing agency must ensure the relocation assistance advisory services are made available to all persons displaced by the public entity. If the agency determines that any person occupying property immediately adjacent to the property where the displacing activity occurs is caused substantial economic injury because of the displacement, the agency may also make the advisory services available to that person.

### **a. Regional**

#### **Southern California Association of Governments**

Southern California Association of Governments (SCAG) functions as the Metropolitan Planning Organization (MPO) for Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties, as well as incorporated cities within those counties, and as such it develops and maintains regional and local area socio-economic forecasting and allocation models (SCAG 2020). These estimates and projections are used for both federal and State long-range planning efforts. Additionally, these forecasts are used to help develop and analyze potential impacts stemming from both public and private sector projects.

The 2020 Connect SoCal is the most recent update to the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and represents the most likely future growth scenario for the region based on information available at the time it was prepared (SCAG 2020). SoCal Connect includes projections to 2045, accounting for a combination of recent and past trends and reasonable key technical assumptions. SCAG also sought input from local cities to prepare the RTP/SCS.

SCAG uses three major growth indicators for the region: population, households, and employment. SCAG’s regional forecast maintains the balance between employment, population, and households due to their interrelationship, assuming that employment growth is a driving force of regional population and household growth. Population, household and employment estimates and forecasts are maintained at the jurisdictional and county level. The employment-population-household forecast framework has been the basis for developing the growth forecast for the SCAG region (SCAG 2020).

## Regional Housing Needs Assessment

California’s Housing Element law requires that each city develop local housing programs to meet its “fair share” of future state-wide housing growth needs for all income groups, as determined by the State Department of Housing and Community Development (HCD). The regional councils of government, including SCAG, are then tasked with distributing the State-projected housing growth need by income category for their regions among their city and county jurisdictions. This fair share allocation is referred to as the RHNA process. The SCAG prepared a the RHNA allocation in October 2020 to address the State-mandated regional housing need determination for 2021-2029 planning period and to fairly distribute the housing needs throughout the region (SCAG 2021).

The RHNA represents the minimum number of housing units each community is required to plan for through a combination of: (1) zoning adequate sites at suitable densities to provide affordability; and (2) housing programs to support production of below-market rate units. The County and City allocations from the 6<sup>th</sup> cycle RHNA, distributed among the four income categories is shown in Table 4.11-3.

**Table 4.11-3 Regional Housing Needs Assessment 2021 to 2035**

Jurisdiction	Need Allocation	Income Groups Share of Jurisdiction Total
<b>Ventura County</b>	<b>24,452</b>	
Very Low	5,774	24%
Low	3,810	16%
Moderate	4,525	19%
Above Moderate	10,343	42%
<b>Thousand Oaks</b>	<b>2,621</b>	
Very Low	735	28%
Low	494	19%
Moderate	532	20%
Above Moderate	860	34%

Note: Percentages may not add up due to rounding.  
Source: SCAG 2021

Some of the City’s RHNA allocation is being met through the addition of accessory dwelling units to existing single-family development, and some is being met by projects that were approved before the Housing Element was updated but were not yet built. The proposed project would contribute to the remaining RHNA allocation.

### b. Local Regulations

#### City of Thousand Oaks General Plan

The 2020-2040 General Plan was prepared pursuant to State law to guide future development and to identify the community’s environmental, social, and economic goals and functions as a blueprint that defines how the city will evolve through 2040. The General Plan sets forth goals, objectives, and programs to provide a guideline for day-to-day land use policies and to meet the existing and future

needs and desires of the community, while at the same time integrating a range of State-mandated elements including Land Use, Transportation, Noise, Safety, Housing, and Open Space/Conservation.

The Housing Element of the General Plan is prepared pursuant to State law and provides planning guidance in meeting the housing needs identified in SCAG's RHNA. The Housing Element identifies the city's housing conditions and needs; establishes the goals, objectives, and policies that are the foundation of the City's housing and growth strategy (City of Thousand Oaks 2021). The City adopted the most recent Housing Element in January 2022. For the 2021-2029 Housing Element, the City's RHNA amounted to 2,621 total housing units at varying income levels (see discussion in Section 4.11.1, *Setting*).

### **Thousand Oaks Municipal Code**

Zoning regulations provide for the types and densities of residential and other uses permitted in each of the city's zones. The Zoning Code for the City of Thousand Oaks establishes the maximum allowable development in a zone. Zoning also includes height limitations and other development standards which together regulate setbacks, building heights, floor area ratios (FAR), open space and parking for each parcel within the city, as applicable.

### **Measure E Ordinance – Ordinance No. 1280-NS**

Passed by voters in 1996, Measure E requires voter approval for any amendment to the Land Use Element of the City's General Plan that:

- Increases residential land use density beyond the City's General Plan of November 5, 1996 or
- Increases the amount of commercial acreage beyond the City's General Plan of November 5, 1996

In 2017, after a comprehensive analysis of the residential baseline that existed when Measure E was approved in 1996, no changes were found to baseline between 1996 and 2017. The 5,400 dwelling units in the Measure E bank should be strategically reallocated through General Plan Amendments. In February 2020, the City Council approved a Residential Capacity Allocation application for the Specific Plan area, allowing for the development of the Specific Plan area at the maximum allowable base density of 30 dwelling units per acre identified in the General Plan, resulting in a maximum unit yield for the Specific Plan area of 329 base units. The approval of this request utilized 28 percent of remaining citywide residential capacity, leaving a balance of 908 units.

## 4.11.3 Impact Analysis

### **a. Methodology and Significance Thresholds**

Population and housing trends in the city were evaluated by reviewing the most recent data available from the U.S. Census Bureau, DOF, the City's Housing Element, SCAG RGF, and the 2021-2030 RHNA. Impacts related to population are generally social and economic in nature. Under CEQA, a social economic change generally is not considered a significant effect on the environment unless the changes are directly linked to a physical change.

The following thresholds of significance were developed based on the CEQA Guidelines Appendix G. Accordingly, the project would have a significant impact with respect to population and housing if it would:



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1. Induce substantial 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)
2. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere

For purposes this analysis, “substantial” unplanned population growth is defined as growth that would occur from construction of new homes, businesses, roads, or other infrastructure that would result in population growth that exceeds planned growth in the City’s or SCAG’s adopted plans. Forecasts of planned growth in the city are included in 2021-2029 Housing Element and SCAG’s 2020 RTP/SCS. Population and housing growth themselves are not a significant impact under CEQA; but, if the project would generate substantial growth that would result in significant physical impact to the environment, then the growth induced by the plan or project would be significant under CEQA.

**b. Project Impacts**

**Threshold:** Would the project 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)?

**Impact POP-1 THE PROPOSED PROJECT WOULD INCREASE RESIDENTIAL DEVELOPMENT IN THE CITY, BUT POPULATION GROWTH WOULD BE WITHIN THAT ESTIMATED BY SCAG’S REGIONAL FORECAST. IMPACTS WOULD BE LESS THAN SIGNIFICANT**

The proposed project would develop a mixed-use use project on a group of parcels currently zone for commercial use. As discussed in Section 2, *Project Description*, implementation of the project would result in 420 new residences, new commercial, service and office uses, outdoor space, and recreational facilities. The project would provide 141 affordable housing units, 50 of which would come from the base residential allowance and 91 of which would come from the Measure E density bonus. This would also go toward meeting the City’s total RHNA for lower income housing, described above in Table 4.11-3.

Based on the average 2.67 people per household in the city, the proposed addition of between 420 housing units would generate an increase of approximately 1,121 residents. This would bring the city’s total population to 126,547, a roughly one percent increase from the current population. This number is well below the SCAG projected population estimate of 144,700 by 2045. Therefore, the proposed project would not generate population in excess of that anticipated by the City or SCAG planning efforts.

The addition of 420 housing units would also increase the number of housing units in the city to 48,586, an increase of less than 1 percent from current (2021) total housing units. This is below the housing unit estimate anticipated in the 2022 Housing Element and in SCAG’s RHNA allocation plan, which projected up to 54,195 housing units by 2045.<sup>1</sup> Therefore, the proposed project would not create dwelling units in excess of those anticipated by the City or SCAG planning efforts.

The commercial space currently on the project site is vacant and inoperative. Therefore, no jobs are currently associated with the existing development on the project site. The proposed project would consist of mixed-use development at the eastern side of the project site, where ground floor uses would be retail, restaurant, and other neighborhood-serving commercial businesses in 15,000 sf.

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<sup>1</sup> This assumes a population of 144,700 by 2045 divided by an average household size of 2.67 and would include the planning horizon that extends to 2045, not only the 8-year Housing Element planning horizon that ends in 2030.

Employment generation for neighborhood and retail uses was developed using empirical data collected as part of a comprehensive study prepared by the SCAG, which estimated employment densities for various land uses (Natelson Company 2001). At 412 square feet per employee in retail and service industries, the project would have the potential to create up to 36 new job opportunities in the city. Table 4.11-4 details the formula for determining this estimation.

**Table 4.11-4 Employee Generation Assumptions**

Land Use Category	Average Employment Density	Project Area	Estimated Employee Generation
Other Retail/Service	412 sf per employee	15,000 sf	36.4
<b>Net Increase in Employees</b>	-	-	<b>36.0</b>

Source: Natelson Company 2001

The proposed project would increase residential units in Thousand Oaks commensurate with what is anticipated by the City’s latest Housing Element, which also supports the City’s fulfillment of its RHNA obligation, and assuming all residents of those new units were new to the city, it would increase the population to roughly one percent over existing conditions. As SCAG and the City anticipate a population increase of up to 13.4 percent by 2045, the incremental increase the proposed project would generate is well within the projections and unanticipated population growth would not occur. Furthermore, the potential increase of 36 retail and service employees would likely come from existing population or new residents associated with the proposed project. Therefore, impacts to population growth would be less than significant.

**Mitigation Measures**

No mitigation required.

**Significance After Mitigation**

No mitigation required and therefore impacts would remain less than significant.

**Threshold: Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

**Impact POP-2 THE PROJECT WOULD NOT DISPLACE SUBSTANTIAL NUMBERS OF EXISTING PEOPLE OR HOUSING AND WOULD NOT REQUIRE THE CONSTRUCTION OF REPLACEMENT HOUSING. THERE WOULD BE NO IMPACT.**

Project implementation would redevelop a vacant commercial site with no existing residential units and redevelop a mixed used complex with residential and commercial uses. No houses would be removed and the current commercial development is unoccupied. As the project site does not currently contain residences, the introduction of new housing units and commercial retail would not result in the displacement of a substantial number of existing housing or people, necessitating the construction of replacement housing elsewhere. No impact would occur.

**Mitigation Measures**

No mitigation required.

## **Significance After Mitigation**

No mitigation required and no impact would occur.

### 4.11.4 Cumulative Impacts

A project's environmental impacts are "cumulatively considerable" if the "incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects" (CEQA Guidelines Section 15065[a][3]). The geographic scope for cumulative population and housing impacts is generally limited to the city of Thousand Oaks. This geographic scope is appropriate for population and housing because projections at this level are used to estimate the need for public services and other government facilities and programs within the city. Cumulative development includes development associated with buildout of the City's General Plan and 2020 Housing Element.

As indicated in Table 4.11-1, Thousand Oaks has experienced relatively flat population growth over the last 20 years. However, the SCAG forecast anticipates that population will grow substantially over the 2020 and 2045 (SCAG 2020). The City's population is expected to grow from 125,426 to 144,700, a roughly 13.4 percent increase, and the number of households is expected to grow from the current 48,169 to 54,195 (11.2 percent) (City of Thousand Oaks 2020). SCAG projects employment in Thousand Oaks to increase up to 32 percent or 20,600 jobs by 2045. This growth rate is slightly lower than that of Ventura County overall, where employment is expected to grow about 42 percent and quite a bit higher than Los Angeles County, where employment growth is expected to be about 22 percent by 2045. (City of Thousand Oaks 2020).

As described under Impact POP-1, the proposed project would not directly induce substantial unplanned growth and would not contribute cumulatively to unplanned growth in the city. Therefore, the cumulative impacts would be less than cumulative considerable for Impact POP 1.

Similarly, the proposed project would involve the redevelopment of an existing, non-operational commercial use and would not contribute to the displacement of any existing residents or remove housing that would necessitate the construction of replacement housing elsewhere. Thus, the project would not contribute to cumulative impacts relative to the displacement of housing and people. Therefore, the cumulative impacts would be less than cumulative considerable for Impact POP 2.

## 4.12 Public Services

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This section of the Draft Environmental Impact Report (DEIR) provides an overview of existing public services and evaluates potential environmental impacts resulting from the provision of public service facilities to accommodate development of the proposed project. Public services addressed include fire and emergency services, police protection services, public schools, and libraries; parks are addressed in Section 4.13, *Recreation*.

### 4.12.1 Setting

#### **a. Fire Protection Services**

The City of Thousand Oaks (Thousand Oaks; city) is serviced by the Ventura County Fire Department (VCFD). The VCFD is a full-spectrum life safety and fire protection agency that provides essential emergency and non-emergency services throughout its 848-square mile jurisdiction within the city. The VCFD consists of seven fire stations (Station 30, 31 32 33 34 37, and 44) as well as 553 uniformed fire personnel that provide fire protection, medical services, rescue services, hazardous materials response, and other services for the city. If additional assistance is required, the VCFD has a cooperative fire protection agreement with the California Department of Forestry and Fire Protection (CAL FIRE), the Office of Emergency Services, State Marshal, the US Forest Service, the National Park Service and Bureau of Land Management, and the Department of Defense (City of Thousand Oaks 2014).

The project site is served by Fire Station 30, which serves the central portion of the city. It is the headquarters for Division 3 and Battalion 3 and located at 325 W. Hillcrest Drive. This station is staffed by one chief officer and three fire fighters, along with two fire-fighter paramedics. The station is equipped with Engine 30, a command vehicle, and a fire fighter paramedic squad vehicle.

The Fire Protection District (District) has instituted several programs to minimize the potential for hazards including fire safety and fire prevention training, site inspections, and wildland/urban interface hazard mitigation programs. The District has a goal of responding to emergencies within five minutes which includes one minute to dress into protective gear and four minutes to drive to the incident. This is consistent with the National Fire Protection Association's response time standard of four minutes (2010 edition of NFPA 1710) for the initial arriving company.

#### **b. Law Enforcement**

The City of Thousand Oaks provides law enforcement through the Ventura County Sheriff's Department (VCSD)/Thousand Oaks Police Department (TOPD). The main Sheriff's station is located at 2101 E Olsen Road. Staffed by approximately 1,200 personnel, including 700 sworn positions, the VCSD comprises four primary divisions, including Patrol, Detention, Special Services, and Support Services (CPUC 2015). The Operations Division operates the Patrol Operations Division and the Special Services Division.

The Patrol Division operates 24/7 within unincorporated Ventura County, as well contract cities which include Camarillo, Fillmore, Moorpark, Ojai, and Thousand Oaks. It is responsible for law enforcement, citizen assistance, and responding to emergency situations. The Patrol Division includes a Mounted Unit, K-9 Unit, Sheriff's Communications Center, and the Office of Emergency Services. Service areas are patrolled by deputies 24 hours a day, seven days a week. An additional overlapping patrol deputy is provided during peak hours (11:00 a.m. to 3:00 a.m.) seven days a week (CPUC 2015)

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The Special Services Division fully is staffed and provides services such as Major Crime Investigations, Narcotics Investigations, Intelligence & Vice Investigations, Aviation Unit, Search & Rescue, Tactical Negotiations Team, Special Weapons and Tactics Team (S.W.A.T.), and the Sheriff's Bomb Squad. This Division also has a Crime Laboratory, Crime Scene Investigations Unit, and the Information Systems Bureau. The Support Services Division is responsible for the internal departments that provide structure and help operate the VCSD. These internal departments include Business Office, Human Resources, Professional Standards Bureau, Records, the Training Academy as well as the Office of Emergency Services, Forensic Science Laboratory, and Information Systems.

The Detention Services Division is the largest division within the VCSD. This division is responsible for inmate services such as reception, booking and classification, jail services, court room and pre-trial security. There are three jail facilities, East County Jail located at 2101 E. Olsen Road, Thousand Oaks, the Pre-Trial Detention Facility located at 800 S. Victoria Avenue, Ventura, and the Todd Road Jail located at 600 Todd Road, Santa Paula.

**c. Schools**

The Conejo Valley Unified School District (CVUSD) serves the City of Thousand Oaks. The 2014 General Plan Safety Element lists a total of 51 schools which include educational facilities such as public, private, daycare centers adult schools and colleges and universities. CVUSD operates 18 elementary schools, one homeschool program, one K-8 school, five middle schools, one online hybrid school (Grade 6-12), six high schools including an alternative school, and two adult schools. In addition to these schools, Thousand Oaks also has several private schools and daycares found throughout the area as well as four colleges and universities.

**d. Libraries**

Thousand Oaks is served by one main library facility at Grant R Brimhall Library located at 1401 E. Janss Road and one branch library, the Newbury Park Branch, located at 2331 Borchard Road. Library services include technology training classes, borrower services, and computer related equipment such as Wi-Fi hotspot lending, meeting rooms, a community art gallery, passport appointments, and proctoring.

4.12.2 Regulatory Setting

**a. Federal Regulations**

**Federal Emergency Management Act**

The Federal Emergency Management Act (FEMA) was established in 1979 via executive order and is an independent agency of the federal government. In March 2003, FEMA became part of the U.S. Department of Homeland Security with the mission to lead the effort in preparing the nation for all hazards and effectively manage federal response and recovery efforts following any national incident. FEMA also initiates proactive mitigation activities, trains first responders, and manages the National Flood Insurance Program and the U.S. Fire Administration.

**Disaster Mitigation Act of 2000**

Disaster Mitigation Act of 2000 (42 United States Code [U.S.C.] Section 5121) provides the legal basis for FEMA mitigation planning requirements for state, local, and Indian Tribal governments as a

condition of mitigation grant assistance. It amends the Robert T. Stafford Disaster Relief Act of 1988 (42 U.S.C. Section 5121-5207) by repealing the previous mitigation planning provisions and replacing them with a new set of requirements that emphasize the need and creates incentives for state, tribal, and local agencies to closely coordinate mitigation planning and implementation efforts. This Act reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide and the streamlining of the administration of federal disaster relief and programs to promote mitigation activities.

### **Federal Fire Safety Act**

The Federal Fire Safety Act (FFSA) of 1992 is different from other laws affecting fire safety as the law applies to federal operations, and there is no requirement for local action unless a private building owner leases space to the federal government. The FFSA requires federal agencies to provide sprinkler protection in any building, whether owned or leased by the federal government that houses at least 25 federal employees during their employment.

### **National Fire Plan 2000**

The National Fire Plan (NFP) was developed under Executive Order 11246 in August 2000, following a landmark wildland fire season. Its intent is to actively respond to severe wildland fires and their impacts to communities while ensuring sufficient firefighting capacity for the future. The plan addresses firefighting, rehabilitation, hazardous fuels reduction, community assistance, and accountability.

### **Occupational Safety and Health Act**

The Occupational Safety and Health Act of 1970 led to the foundation of the Occupational Safety and Health Administration to assure safe and healthful working conditions for all workers by setting and enforcing standards and by providing training and education. The required safety and health regulations for construction sites are included in the Code of Federal Regulations, Title 29, Part 1926. Safety requirements related to fire protection and prevention for construction sites are provided in Part 1926, Subpart F, and generally include; provision of fire suppression and fire-fighting equipment on construction sites, sufficient water supply, and requirement for keeping storage sites free from accumulation of unnecessary combustible materials. In California, the Division of Occupational Safety and Health, also known as Cal/OSHA is responsible for administering these safety and health requirements.

## **b. State Regulations**

### **2018 California Strategic Fire Plan**

The 2018 California Strategic Fire Plan (Fire Plan) is a cooperative effort between the State Board of Forestry and Fire Protection and the California Department of Forestry and Fire Protection (CAL FIRE 2018). The 2018 Fire Plan reflects a focus on fire prevention, suppression activities, and natural resource management to maintain the State's forests as a resilient carbon sink to meet California's climate change goals and to serve as important habitat for adaptation and mitigation.

### **State Multi-Hazard Mitigation Plan**

The State Multi-Hazard Mitigation Plan (SHMP) intends to significantly reduce deaths, injuries, and other losses attributed to natural and human-caused hazards in California. The SHMP provides

guidance for hazard mitigation activities emphasizing partnerships among local, state, and federal agencies as well as the private sector. The SHMP is federally required under the Disaster Mitigation Act of 2000 in order for the state to receive federal funding in case of disaster. The California Office of Emergency Services prepares the California SHMP, which identifies hazard risks, and includes a vulnerability analysis and a hazard mitigation strategy.

### **California Code of Regulations, Title 24, Part 2, California Building Code**

Current law states that every local agency enforcing building regulations, such as cities and counties, must adopt the provisions of the California Building Code (CBC). The most recent building standard adopted by the legislature and used throughout the state is the 2019 version of the CBC, often with local, more restrictive amendments that are based on local geographic, topographic, or climatic conditions. The CBC is updated on a three-year cycle, and the 2019 CBC took effect on January 1, 2020. Requirements for structures in Fire Hazard Severity Zones are provided in Chapter 7A of the CBC, "Materials and Construction Methods for Exterior Wildfire Exposure," and Chapter 49 of the California Fire Code, "Requirements for Wildland-Urban Interface Fire Areas." Requirements in these two chapters cover roofing; attic ventilation; exterior walls; exterior windows and glazing; exterior doors; decking; protection of underfloor, appendages, and floor projections; and ancillary structures.

### **California Code of Regulations, Title 24, Part 9, California Fire Code**

Requirements in the California Fire Code (CFC) are for building and equipment design, such as fire-rated construction, alarm systems, sprinkler systems, and means of egress; requirements for specific land uses, including airports, dry cleaners, gas stations, and automotive service businesses; hazardous materials; fire flow requirements; and fire hydrant spacing. Other fire safety requirements of the CFC are related to the provision of fire resistance standards for doors, building materials, and particular types of construction, and clearance of debris within a prescribed distance from occupied structures within wildfire hazard areas. The CFC is updated on a three-year cycle, and the 2019 CFC took effect on January 1, 2020.

### **California Highway Patrol**

The California Highway Patrol (CHP) provides traffic safety and enforcement services on unincorporated roadways and State highways. The City of Thousand Oaks is located in the CHP Coastal Division that operates eleven area offices along the coast. The nearest offices proximate to the project site are the Moorpark, West Valley, and Ventura offices. The Coastal Division also includes two Commercial Vehicle Enforcement facilities, and three Communications/Dispatch Centers. These facilities contain nearly 700 uniformed and non-uniformed employees. In addition to patrol officers, the CHP Coastal Division has at their disposal, the Commercial Vehicle Unit, Motor Carrier Unit, Investigative Services Unit, Air Operations Unit, Multidisciplinary Accident Investigation Team (MAIT), Recruiting, and Public Affairs as resources to facilitate enforcing laws and providing security.

### **California Commission on Peace Officer Standards and Training (POST)**

The California Commission on Peace Officer Standards and Training (POST) advocates for, exchanges information with sets selection and training standards for, and works with law enforcement and other public and private entities. POST was established by the Legislature in 1959 to identify common needs that are shared by representatives of law enforcement

### **California Constitution Article XIII, § 35**

California Constitution Article XIII, § 35 (a)(2) states: “The protection of public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services.” Article XIII, § 35 of the California Constitution was adopted under Proposition 172, which directed the proceeds of a 0.50 percent sales tax to be used exclusively for public safety services. Therefore, lead agencies are required use Proposition 172 to supplement local funds and ensure that public safety services including fire protection, emergency medical services and other public safety services are provided.

### **California Education Code Section 17620(a)(1)**

Government Code § 65995(h) states in part: “The payment or satisfaction of a fee ...specified in § 65995 ... are hereby deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property ... on the provision of adequate school facilities.”

### **Assembly Bill 16 (AB 16)**

In 2002, AB 16 created the Critically Overcrowded School Facilities program, which supplements the new construction provisions within the School Facilities Program (SFP). SFP provides State funding assistance for two major types of facility construction projects: new construction and modernization. The Critically Overcrowded School Facilities program allows school districts with critically overcrowded school facilities, as determined by the CDE, to apply for new construction projects in advance of meeting all SFP new construction program requirements. Districts with SFP new construction eligibility and school sites included on a CDE list of source schools may apply.

### **Senate Bill 50/Proposition 1A**

Senate Bill (SB) 50, the Leroy F. Greene School Facilities Act of 1998, was signed into law on August 27, 1998. SB 50 provides grant funding to school districts for acquisition of school sites, construction of new facilities, or modernization of existing facilities. Grants are funded through a \$9.2 billion state bond measure, Proposition 1A, that was approved by voters during the November 3, 1998 election. An additional \$12.3 million in funding was provided by Proposition 55 that was passed in March 2004. Under SB 50, construction grants are provided at a 50:50 state and local ratio, while modernization grants are provided on a 60:40 ratio are shared between the State and local school district. School districts that are unable to meet any share of the local match requirement may be eligible for additional state funding if they satisfy financial hardship. In addition, SB 50 allows governing boards of school districts to establish fees to offset costs associated with school facilities made necessary by new construction.

### **California Public Schools Accountability Act of 1999**

This act authorized the creation of an educational accountability system for California public schools. Its primary goal is to help schools improve and to measure the academic achievement of all students. The cornerstone of this Act is the Academic Performance Index (API) which measures the academic performance and growth of schools on a variety of academic measures



## c. Local Regulations

### City of Thousand Oaks General Plan

The following policies identified in the Thousand Oaks General Plan Safety Element would be relevant to the analysis of public services (City of Thousand Oaks 2014):

- Policy D-2:** Continue to provide adequate fire protection and prevention services to meet the needs of the community and continue to support inter-jurisdictional fire protection agreements.
- Policy D-6:** Continue to strive for 5-minute response time to all fire and life safety emergency responses.
- Policy D-13:** Discourage the location of public facilities and above-ground utilities in extreme fire hazard areas. When unavoidable, special precautions should be taken to minimize potential impacts.

### Thousand Oaks Municipal Code

The City of Thousand Oaks Municipal Code contains, by reference, the California Building Code (CBC) building construction standards, including the California Fire Code (CFC). Title 4 Chapter 6, Fire Control and Prevention of the Thousand Oaks Municipal Code includes standards for the Uniform Fire Code, Enforcement, Rules and regulations, Authority of fire personnel to exercise powers of police officers, Compliance and penalties, and the Amendments to Uniform Fire Code.

## 4.12.3 Impact Analysis

### a. Significance Thresholds and Methodology

#### Significance Thresholds

Appendix G of the State CEQA Guidelines identifies the following criteria for determining whether development facilitated by the proposed project would have a significant impact related to public services:

1. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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
  - b) Police protection
  - c) Schools
  - d) Parks
  - e) Other public facilities

Impacts related to parks and recreational facilities are described in detail in Section 4.12, *Recreation*.

## Methodology

Evaluation of public service impacts was based on a review of documents identifying current levels of service, service standards, and consultation with public service providers. Impacts on public services that would result from the proposed project were identified. Project Impacts and Mitigation Measures

**Threshold 1:** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

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**Impact PS-1 IMPLEMENTATION OF THE PROPOSED PROJECT WOULD INCREMENTALLY INCREASE THE SERVICE POPULATION OF THE VCFD AND THE NUMBER OF BUILDINGS IN THE PROJECT AREA. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.**

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The project area is serviced by VCFD Fire Stations #30, located approximately one mile from the project site. The project site is within the five-minute response time of the VCFD which has adequate staff at Fire Station 30 to address any project related needs for fire safety.

As described in Section 2, *Project Description*, the proposed project would involve demolishing vacant structures consisting of an existing a one-story 103,670-sf commercial structure, an attached one-story, 12,512-sf commercial building, a 2,600-sf fast food drive-thru restaurant pad building. The proposed project would also develop mixed-use and multi-family residential development, thereby adding approximately 1,121 new residents and 36 new employees to the area.

During project construction, construction workers would access the project site; however, the presence of these additional individuals would be temporary and generally limited to daytime hours. Construction activities associated with development of the project site could temporarily increase existing demand on fire protection and EMS. Construction activities could potentially expose combustible materials (e.g., wood, plastics, sawdust, coverings, and coatings) to fire risks from machinery and equipment sparks, exposed electrical lines, and chemical reactions in combustible materials and coatings. Since construction activities would be limited in duration and would require a small local construction workforce, they would not increase long-term demand for fire protection services or impede the City of Thousand Oaks General Plan goal of achieving a five-minute response time to calls for emergency service.

Construction related regulatory practices, proposed project construction would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire facilities, or the need for new or physically altered fire facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services. Therefore, impact to fire protection and emergency medical services during project construction would be less than significant, and no mitigation measures are required.

Existing regulations and policies would partially offset future increases in demand for fire protection service. Developers would be required to comply with current fire code standards. As development occurs over the lifetime of the proposed project, it is expected that fire protection service levels will be evaluated and maintained by VCFD. In conformance with California Constitution Article XIII, Section 35, (a)(2), existing policies, procedures and practices related to fire protection and emergency

**T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project**

services, VCFD would maintain acceptable emergency response times through the provision of additional personnel and equipment as needed, as well as potentially constructing new or expanding existing fire and emergency response facilities.

The ability of EMS and fire protection services to respond to calls in a timely manner depends primarily on the distance of the station to the incident and the speed at which the emergency vehicles are able to navigate intervening roadways. While growth reasonably anticipated under the proposed project would result in higher overall traffic volumes, this would not impede emergency response, since California State law requires that drivers yield the right-of-way to emergency vehicles and remain stopped until the emergency vehicles have passed. Therefore, EMS and fire protection services response times generally would not change substantially with increases in population.

The project site is within the five-minute response time of the VCFD which has adequate staff at Fire Station 30 to address any project related needs for fire safety. The proposed project would not require construction of new or physically altered fire protection facilities in order to maintain acceptable service ratios, response times, or other performance standards. Impacts related to fire protection services would be less than significant.

**Mitigation Measures**

No mitigation is required.

**Significance After Mitigation**

Impacts would be less than significant with mitigation.

**Threshold 2:** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

**Impact PS-2 THE PROPOSED PROJECT WOULD ACCOMMODATE RESIDENTIAL AND COMMERCIAL DEVELOPMENT IN THE PROJECT AREA, WHICH WOULD INCREASE DEMAND FOR POLICE PROTECTION. HOWEVER, THE INCREASE IN DEMAND WOULD NOT WARRANT THE CONSTRUCTION OF NEW FACILITIES, THE CONSTRUCTION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL IMPACTS. THEREFORE, IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

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Police services to the project site would be provided by VCSD and TOPD. The main VCSD station is approximately six miles northwest from the project site and the nearest TOPD Resource station is located approximately one north mile from the project site.

If temporary lane closures are required for construction activities within public streets, police services may be necessary during closure periods. Although project construction may result in increased demand for police services, such increase would be temporary and would be adequately served by the 700 police personnel on VCSD and Thousand Oaks Police Department staff. As mentioned in Section 4.11, *Population and Housing*, the proposed addition of between 420 housing units would generate an increase of approximately 1,121 residents. This would bring the city's total population to 126,547, a roughly one percent increase from the current population. This nominal increase in demand would not measurably increase response times nor warrant the construction of new police facilities to achieve response times. Therefore, the proposed project would not require construction of new or physically altered police protection facilities in order to maintain acceptable service ratios,

response times, or other performance standards. Impacts related to police emergency services would be less than significant.

### **Mitigation Measures**

No mitigation measures are required.

### **Significance After Mitigation**

Impacts would be less than significant without mitigation.

**Threshold 3:** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

**Impact PS-3 IMPLEMENTATION OF PROPOSED PROJECT WOULD INCREMENTALLY INCREASE THE ENROLLMENT OF STUDENTS IN LOCAL SCHOOLS. HOWEVER, ENROLLMENT WOULD NOT CAUSE SCHOOLS TO EXCEED CAPACITY. THEREFORE, THE PROPOSED PROJECT WOULD NOT RESULT IN THE NEED FOR THE PROVISION OF NEW OR PHYSICALLY ALTERED SCHOOLS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

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As mentioned in Section 4.12.1, *Setting*, the project would be served by CVUSD. The proposed project would add 420 new residential units and approximately 1,121 new residents to the City of Thousand Oaks. Based on the student generation factors for multifamily attached units in the CVUSD Enrollment Analysis Report (CVUSD 2017), the proposed project would generate an estimated 60 elementary school students, 30 middle school students, and 41 high school students, for a total of 131 students.. Since the 2000/2001 school year, the enrollment of the School District has experienced a 9.52 percent decline. This continues to be a consistent pattern throughout 2016/2017 (CVUSD 2017). Based off this pattern, it is expected that throughout 2026/2027, there will be a continuing decline in enrollment. The proposed project has the potential to add approximately 90 new students to the CVUSD service area. This increase would be served by the existing elementary and high schools around the project site.

While future development would increase the number of students, it would not do so to the extent that new school facilities would be required, as the increase would be incremental, and would not result in an exceedance in capacity of CVUSD. Furthermore, a school impact fee would be collected for each residential unit constructed. As stated in California Government Code Section 65996, payment of school impact fees is deemed to constitute full and complete mitigation for potential impacts to schools caused by development. Therefore, impacts related to the need for new school facilities as a result of implementing the proposed project would be less than significant.

### **Mitigation Measures**

No mitigation measures are required.

### **Significance After Mitigation**

Impacts would be less than significant without mitigation.

**Threshold 4:** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

**Impact PS-4 IMPLEMENTATION OF PROPOSED PROJECT WOULD INCREMENTALLY INCREASE DEMAND FOR PARKLAND, BUT WOULD NOT GENERATE THE NEED FOR NEW OR PHYSICALLY ALTERED PARKS, THE CONSTRUCTION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL IMPACTS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

Buildout of the proposed project would result in 420 residential units and an associated increase of 1,121 residents, who would generate additional demand for recreational facilities. As stated in Section 2, *Project Description*, the project would include approximately 126,932 sf of publicly accessible open space in addition to 76,240 sf of private and common open space reserved for residents in the form of balconies, interior courtyards, and rooftop areas. These public and private open space areas would help meet the demand generated by project residents. On-site residents may also utilize existing parks in other areas of the City; however, this increase in use would be incremental and would not be expected to cause physical deterioration of existing facilities. Section 4.13, *Recreation*, further explains that the proposed project would comply with and exceed the City requirements for open space. The project would not require additional open space facilities other than those already included within the proposed site plans. Impacts related to parks would be less than significant.

### **Mitigation Measures**

No mitigation measures are required.

**Threshold 5:** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered public facilities, or the need for new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

**Impact PS-5 THE PROPOSED PROJECT WOULD INCREASE DEMAND FOR OTHER PUBLIC FACILITIES. HOWEVER, THE PROPOSED PROJECT IS WELL-SERVED BY EXISTING PUBLIC FACILITIES AND WOULD NOT REQUIRE THE CONSTRUCTION OF NEW OR EXPANDED FACILITIES. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

There are two public libraries located in the City of Thousand Oaks, along with numerous neighborhood and school library facilities. The Grant Brimhall Library is a City owned public library funded through homeowner assessment fees, with a secondary branch library in Newbury Park. The Grant Brimhall Library was expanded in 2006 to improve availability of books, add quiet study rooms and children's service areas. The Newbury Library facility was opened in 1991 and has the capacity to serve Thousand Oaks residents as well provide cultural spaces for local artists.

The proposed project would add approximately 1,121 new residents to the City of Thousand Oaks. This increase in population should not affect the city's ability to provide library space since there are currently two libraries within the proposed project vicinity as well as others within the city boundaries. Thus, the proposed project would not result in the construction of new library branches nor the expansion of existing branches. Therefore, impacts associated with other public facilities such as public libraries would be less than significant.

### **Mitigation Measures**

No mitigation measures are required.

### **Significance After Mitigation**

Impacts would be less than significant without mitigation.

#### **4.12.4 Cumulative Impacts**

The cumulative setting for the proposed project is the County of Ventura. School services and library services would be provided by local schools and libraries within the city. Other projects within Ventura County may require the construction of new or expansion of existing fire and police stations, schools and public facilities within each jurisdiction. The potential environmental impacts resulting from the construction of new or expanded public facilities within the county would have to be evaluated at each associated project level. While the proposed project would add approximately 1,121 new residents to the City of Thousand Oaks, the construction and operation of the proposed project would not add to the need for new or modified services and facilities in relation to other proposed projects in Ventura County. Law enforcement, fire protection, and emergency services would be provided by the VCFD, VCSD and TOPD. The incremental effects of the proposed project in relation to future growth projects in the county would result in less than cumulatively considerable impacts to public services.

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## 4.13 Recreation

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This section evaluates potential impacts to recreation from development facilitated by the proposed project.

### 4.13.1 Setting

As discussed in Section 2, Project Description, the proposed project would redevelop the site which currently contains a former K-mart building and ancillary uses but is otherwise vacant, other than intermittent and temporary seasonal uses (Christmas tree lot). There are currently no recreation and open space amenities on the site. The proposed project would demolish and replace the existing buildings with a multiuse residential and commercial development with three acres of open and recreation space.

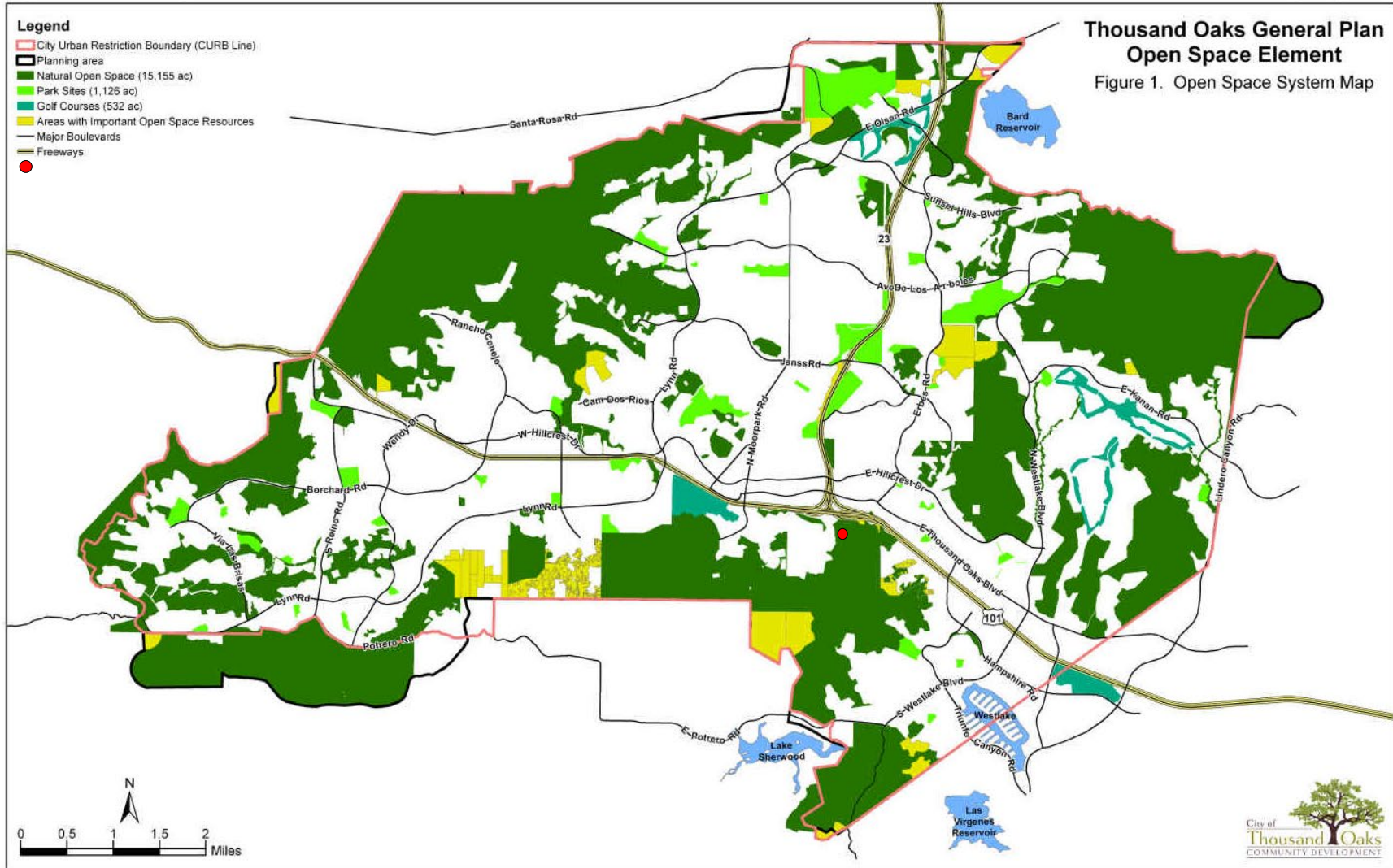
#### **Parks and Open Space**

Open space, broadly defined as land which is essentially free of structures and buildings and/or is natural in character, typically encompasses both publicly- and privately-owned properties that are . It is often used for the preservation of natural resources, managed production of resources, wildlife corridors, outdoor recreation, connecting neighborhoods and people, and for the protection of life and property due to natural hazards. "Open space" is also a designation in the City of Thousand Oaks (Thousand Oaks, city) land use classification system. Figure 4.3-1, below, shows the location of the various parks and open spaces throughout the city.

Many areas of the city are bounded by mountains or hills, which are generally less tolerant of development and have therefore been designated as open space or very low intensity development. The City, in partnership with Conejo Recreation and Parks District (CRPD), oversees the conservation and maintenance of approximately 15,221. At the last update of the Thousand Oaks Open Space Element, the City of Thousand Oaks owns 2,845 acres of parks and CRPD 1,614 acres of the Thousand Oaks Planning Area which includes the City of Thousand Oaks, a community in the Conejo Valley, and a small coastal valley in the foothills at the northwest end of the Santa Monica mountains (City of Thousand Oaks 2013). Table 4.13-1 identifies the open spaces, acreage, and ownership of all open spaces within Thousand Oaks.



Figure 4.3-1 Parks and Open Spaces within Thousand Oaks



Source: Thousand Oaks General Plan Open Space Element 2013 Update

**Table 4.13-1 Open Space Inventory within Thousand Oaks**

Number	Open Space Area	Acres by Ownership					Total
		COSCA	City	CRPD	Other Public	Private	
1	Alta Vista	11				32	43
2	Arroyo Conejo	320	6			2	328
3	Conejo Canyons	303	945			380	1,628
4	Conejo Ridge	146	34		224		404
5	Deer Ridge	117	3			68	188
6	Dos Vientos	158	743		150	179	1,230
7	Fireworks Hill		33				33
8	Gilder Hill					57	57
9	Hope Nature Preserve	348					348
10	Knoll	21					21
11	La Jolla		15				15
12	Labisco Hill		24				24
13	Lake Eleanor	516					516
14	Lang Ranch	79	525		250	9	863
15	Los Padres	160	8			19	187
16	Los Robles	357					357
17	Los Vientos	28					28
18	Lynnmere	107					107
19	McCrea	74	55	33		12	174
20	Mt. Clef Ridge	84	23	11	11	83	212
21	North Ranch	2,304	100			191	2,595
22	Oakbrook Regional Park			422		3	425
23	Old Conejo	38					38
24	Old Meadows		28	20			48
25	Portero Ridge	181	1		8	13	210
26	Rancho Portero	306					306
27	Santa Monica Mtns. NRA				964		964
28	Skyline	43	16				662
29	South Ranch	621	24	17			13
30	Southshore Hills	13					34
31	Summit House	32	2				410
32	Sunset Hills	326	2		50	32	47
33	Tarantula Hill	47					67
34	Vallecito		67				67
35	Ventu Park	141					141
36	Vista Del Mar		9				59
37	Walnut	9					9
38	Wildwood	621		1,111			9

Number	Open Space Area	Acres by Ownership					Total
		COSCA	City	CRPD	Other Public	Private	
38	Woodridge	441	181				1,732
40	Zuniga Ridge		1				622
<b>Total</b>		<b>7,959</b>	<b>2,845</b>	<b>1,614</b>	<b>1,657</b>	<b>1,080</b>	<b>15,221</b>
<b>Percent</b>		52%	18%	12%	11%	7%	100%

Source: Thousand Oaks General Plan, Open Space Element 2013 Update

## 4.13.2 Regulatory Setting

### a. Federal Regulations

There are no applicable federal regulations relating to parkland or recreational facilities.

### b. State Laws and Regulations

#### Quimby Act

The California State Legislature established the Quimby Act and codified it as California Government Code Section 66477 in 1975. The Quimby Act allows the legislative body of a city or county to establish an ordinance requiring the dedication of land, payment of fees in lieu thereof, or a combination of both, for the provision of parks or recreational facilities as a condition to the approval of a tentative tract map or parcel map. Revenues generated through the Quimby Act cannot be used for the operation and maintenance of park facilities in the same subdivision for which fees were paid as a condition to the approval of a map. The Quimby Act was amended in 1982 (AB 1600) to require agencies to clearly show a reasonable relationship between the public need for the recreation facility or parkland and the type of development project upon which the fee is imposed.

#### State Public Park Preservation Act of 1971 (PRC Section 5400–5409)

The State Public Park Preservation Act (SRPPA) provides for no net loss of parkland and facilities by prohibiting cities and counties from acquiring any real property that is in use as a public park for any non-park use unless compensation or land, or both, are provided to replace the parkland acquired.

### c. Local Regulations

#### Conejo Recreation & Park District Master Plan

The Conejo Recreation and Park District (CRPD) is located in the Conejo Valley and currently serves more than 136,000 residents in the City of Thousand Oaks and its various sub-communities. The CRPD Master Plan (Master Plan) was originally adopted by the CRPD’s Board of Directors in June 1975 and was last updated in 2011. The Master Plan is intended to serve as a statement of the CRPD standards for park areas and facilities and to provide a guideline in the location, acquisition, and development of those facilities. The overall objectives of the CRPD Master Plan are as follows (CRPD 2011):

- To provide an information base from which the Board of Directors may make determinations pertaining to short-range goals in relationship to longer-term goals of the CRPD and current planning principles.

- To consider and evaluate trends in recreation pursuits so that the people of the Conejo Valley may have a meaningful selection of recreational opportunities and facilities.
- To determine population trends and projections, growth indicators, recreational interests, and all other changing demographic factors pertinent to a viable planning process.
- To review and propose planning guidelines and standards for the acquisition and development of recreation areas and facilities to meet the existing and future needs and desires of the community.
- To inventory and categorize all existing recreation areas and facilities within the public, semi-public, private, and commercial sectors of the community to provide data pertaining to the availability of all recreational opportunities in the community.
- To afford the community the opportunity to participate in the determination of future requirements for public recreation and park development within the capabilities and philosophy of CRPD.

## **City of Thousand Oaks General Plan**

### Open Space Element

The City of Thousand Oaks General Plan Open Space Element was last updated in 2013 to provide an official guide to the City Planning Commission, the City Council, the Mayor, and other governmental agencies and interested citizens for the identification, preservation, conservation, and acquisition of open space in the city. This document distinguishes open space areas as privately or publicly owned, and includes goals, objectives, policies, and programs directed towards the regulation of privately owned lands both for the benefit of the public, and for protection of individuals from the misuses of these lands. In addition, this document discusses the acquisition and use of publicly owned lands and recommends further implementation of studies and actions to guide development of open space in the city. Furthermore, in order to address the standards and criteria of identifying open space, this document describes various contextual factors that may affect open space, including, but not limited to recreation standards, scenic corridors, density and development, cultural or historical sites, safety, health and social welfare, environmental and ecological balance, and unique sites. The City Open Space Element of the City's General Plan includes the following goals and policies for parks and open space (City of Thousand Oaks 2013):

- Policy OS-1** Open space shall include those areas which contain resources and/or characteristics as described in by the Conservation Element as necessary to preserve in an essentially undisturbed state, except for restoration and enhancement activities which may be desirable to improve the site's resource value, for purposes of natural resource protection.
- Policy OS-4** The degree of public access, and the nature, extent, and design of facilities necessary to provide access to, and enjoyment of, open space areas, such as trails, trailheads, information kiosks, signage, parking, camping areas, and other visitor facilities and improvements, shall be dictated by the nature and sensitivity of the specific open space area. Such improvements, where necessary and warranted, shall blend unobtrusively with the natural setting.
- Policy OS-6** Outdoor recreation activities within open space shall be planned to avoid adverse impacts to natural and cultural resources and on nearby locations.

## Conservation Element

The City of Thousand Oaks General Plan Conservation Element was adopted in 1972 and last updated in 2013. This document's purpose is to describe the general characteristics of the diverse variety of natural resources throughout the Thousand Oaks Planning Area and identify appropriate policies and implementation measures to guide future development. Resources can fall under the jurisdiction of public agencies or exist within remaining vacant parcels of private-owned land. The Conservation Element is based on the premise that the existing natural environment has intrinsic value and that conservation is a positive action to assure that physiographic, hydrological, biological, and cultural resources are not lost or permanently altered as community development continues. The Conservation Element of the City's General Plan includes the following goals and policies for parks and open space (City of Thousand Oaks 2013):

- Policy CO-4** The most suitable forms of development for steeply sloping terrain are passive recreation areas, open space and very low density residential which can be developed in natural pockets of land less than 25% slope.
- Policy CO-15** Every effort shall be made to design and construct stormwater retention and debris basins to minimize any potentially adverse impacts to significant landform features, aquatic resources, and associated native plant and animal communities.
- Policy CO-21** The City shall encourage the proper management, conservation and protection of native plant communities throughout the City's Planning Area, including developed areas and undeveloped open space lands.
- Policy CO-29** Continue to protect oak and landmark trees and their habitat in recognition of their historic, aesthetic, and environmental value to the citizens of Thousand Oaks, in particular Valley Oak habitat

## Thousand Oaks Code of Ordinances

The City's Code of Ordinances contains several regulations and standards implementing the General Plan Policies identified above.

### *Parkland Development Requirements*

This section discusses the recommended County Standard of five park-acres per 1,000 population, including what types of facilities can be counted toward the standard, and the recommendation that neighborhood parks should be located so that County residents in urban areas live within 0.5 mile of a neighborhood park. Section 9-3.1602. Dedication of land for park and recreational purposes.

- In 1972, the Legislature of the State amended the Subdivision Map Act (formerly Section 11596 of the Business and Professions Code of the State), to enable cities and counties to also require either the dedication of land, the payment of fees, or a combination of both for park or recreational purposes as a condition of the approval of a parcel map for a division of land not a subdivision.

Section 9-3.1603. Subdividers required to provide park and recreational facilities.

- Every subdivider who subdivides land requiring either a final map or a parcel map shall dedicate a portion of such land, pay a fee, or do both, as set forth in this article, for the purpose of providing park and recreational facilities to serve the future residents of such divided property.

#### Section 9-4.26: Community Park and Recreational Facilities

- To require subdividers to provide for parks, recreational facilities, and open space areas for the health, safety, and general welfare of future residents and owners of their property and to encourage the orderly development of the City, the Commission shall, in the manner set forth in this chapter and in Article 6 of Chapter 3 (Subdivisions) of this title, require the dedication of land, the payment of fees, or both for park and recreational purposes as a condition of residential development permit (R-P-D, H-P-D, and T-P-D) approvals.

### 4.13.3 Impact Analysis

#### **a. Significance Thresholds and Methodology**

##### **Significance Thresholds**

Appendix G of the State CEQA Guidelines identifies the following criteria for determining whether development facilitated by the proposed project would have a significant impact on recreation:

1. 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.
2. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

##### **Methodology**

Potential impacts to parks and recreational resources were assessed based on the following:

- A review of existing recreational resources in the Thousand Oaks community
- Considering new park and access to open space that would be provided by the proposed project
- Projecting future population growth associated with implementation of the project
- Determining demand for park and recreational services anticipated with implementation of the proposed project, based on established service ratios.

#### **b. Project Design Features**

As described in Section 2, Project Description, the proposed project would include 126,932 square feet (sf) of public open space (including a dog park, a seating garden, paseos, and trail connections), 40,786 sf of shared open space, and 29,800 sf of private residential open space, equating to a total of 203,172 sf (4.7 acres) of open space. Public open space will comprise of 24.7 percent of the 512,689 sf project site area, shared open space eight percent, and private residential open space at 5.8 percent. These public open space would be available to the greater Thousand Oaks community, while the shared open space would be available only to the residents of the development, and private open space would be associated with individual residences. In addition, the site's landscape would work to integrate surrounding City-owned open spaces and existing trails beyond the project site boundaries into the green spaces provided throughout the site. By extending this green network into the proposed project site through these various open spaces and trail connectivity, the project ensure that the site would continue to provide habitat for pollinators, birds, and other threatened species on nearby sites. The proposed project's Open Space Plan is illustrated in Figure 4.13-2, below.

### c. Project Impacts and Mitigation Measures

**Threshold 1:** Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

**Impact REC-1** THE PROPOSED PROJECT WOULD INCREASE THE NUMBER OF RESIDENTS IN THE CITY OF THOUSAND OAKS BY UP TO 1,121 PERSONS WHO COULD POTENTIALLY USE EXISTING AND PLANNED PARKS AND RECREATION FACILITIES. THE PROPOSED PROJECT PROVIDES VARIETY OF OPEN SPACE AND RECREATIONAL AMENITIES, INCLUDING 203,172 SF (4.7 ACRES) OF PUBLIC, SHARED, AND PRIVATE OPEN SPACE ON A CURRENTLY DEVELOPED COMMERCIAL PROPERTY THAT IS ABANDONED AND DILAPIDATED. IT WOULD ENHANCE THE NEIGHBORHOOD AND CONTRIBUTE TO THE CITY'S PARKLAND STANDARD OF 5 ACRES FOR EVERY 1,000 RESIDENTS THEREFORE, DEVELOPMENT OF THE PROPOSED PROJECT WOULD RESULT IN ADDITIONAL RECREATIONAL FACILITIES AND NOT SUBSTANTIALLY DETERIORATE EXISTING RECREATIONAL FACILITIES. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The City of Thousand Oaks currently has over 15,000 acres of parkland and open space available to its residents and visitors. There are currently four parks and trails within a 1-mile radius of the proposed project: Evenstar Park, Triunfo Community Park, Russell Park, and Los Robles Trail. At full build-out, the proposed project would include 420 housing units and generate a potential population increase of 1,121 residents (refer to Section 4.11, *Population and Housing* for a discussion of population increases) to the proposed project site. New residents associated with the proposed project would increase the use of existing City recreational facilities.

Figure 4.13-2, below, illustrates the site's open space plan. The proposed project would include a variety of open space and recreational amenities including 126,932 sf (2.9 acres) of public open space, 40,786 sf (0.9 acres) of shared common open space, and 35,454 sf (0.8 acres) of private residential open space for a total of 203,172 sf (approximately 4.7 acres) of public, shared, and private open space. The proposed project would provide approximately 5.61 acres per 1,121 residents, which falls very slightly short of the City's 5-acre goal per 1,000 residents by 0.91 acres. However, access to the city's existing interconnected trail system, dog park, and the shared landscaped areas would allow future residents of the proposed project to access additional park and recreation areas.

While the proposed project has the potential to increase use of the city's existing park and open spaces, thereby leading to the deterioration of such uses over time, the proposed project would be subject to adding an additional 4.7 acres to the community. Furthermore, the proposed project applicant and City of Thousand Oaks can coordinate a post-construction option to pay City parkland development fees (Quimby Act fees) in accordance with the City's Development Impact Fee program. Parkland development fees are intended to offset increased use of existing recreational facilities that might be affected by proposed project buildout. Proposed development may be eligible for a fee credit at the City's determination, based on parks provided as part of the proposed project.

Additionally, the proposed project would be required to comply with all City Code regulations for open space and recreational facilities. Section 9-3 and Section 9-4 of the Thousand Oaks Municipal Code, include the requirement for every subdivider to provide for parks, recreational facilities, and open space areas for the health, safety, and general welfare of future residents and owners of their property and to encourage the orderly development of the city. Such requirements are a condition of residential development permit (R-P-D, H-P-D, and T-P-D) approvals.

## **Construction**

Proposed project construction would result in an increase in construction workers in the project area. However, given the temporary nature of construction activities and employment patterns of construction workers in the region, where construction workers are engaged in a variety of projects of varying lengths and locations, construction of the proposed project would not be anticipated to introduce a permanent new population to the project area which could result in an increase in the use of existing parks and recreational facilities. During construction, the use of parks and recreational facilities in the immediate vicinity of the site by construction workers would be limited to lunch and other breaks. However, any resulting increase in the use of such parks and recreational facilities would be temporary and would not result in the substantial physical deterioration of the facilities. Therefore, construction impacts would be temporary and not significant.

## **Operation**

The proposed project would involve the phased demolition of the existing uses on the site and would introduce 420 new residential units and 15,000 sf of commercial and restaurant uses (see Figure 4.3-1). The proposed project would have a residential population of approximately 1,121 people. New jobs associated with the commercial and neighborhood serving uses would result in approximately 30 employees on site (refer to Section 4.11, *Population and Housing*). While the addition of residents, employees and visitors could result in an increased use of existing neighborhood and regional parks and other recreation facilities in the Thousand Oaks area, the proposed project would also provide for 4.7 acres of new open and park spaces, in adherence to the requirements of the Thousand Oaks Municipal Code, by providing approximately 4.7 acres of public, shared, and private open space on the site. This would help offset any potential demand on parks in the vicinity of the project site. Therefore, the project would not significantly 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. Impacts would be less than significant.

## **Mitigation Measures**

Mitigation measures are not required.

## **Significance After Mitigation**

The impact would be less than significant without mitigation.



**Table 4.13-2 Open Space Required Pursuant to Thousand Oaks Municipal Code (TOMC) Section 9-3.1605**

Dwelling Type	Quantity	Usable Open Space Requirement (sf per unit)	Total Usable Open Space Required
Studio Units	28	50	1,400 sf
1 BR (1 BR w/ 2 habitable rooms)	184	50	9,200 sf
2 BR (2 BR w/ 3 habitable rooms)	157	50	7,850 sf
3 BR (3 BR w/ 4 habitable rooms)	38	50	1,900 sf
4 BR (4 BR w/ 4+ habitable rooms)	13	50	650
<b>Total Usable Open Space Required</b>			<b>21,000</b>

BR = bedroom, w/ = with, sf = square feet

<sup>1</sup> This analysis conservatively assumes that, except for the replacement 1 BR and 2BR units, all additional units will have more than 3 habitable rooms

**Table 4.13-3 Proposed Open Space**

Open Space Type	Example Amenities	Amount of Open Space (sf)
Public open space	Dog park, paseos, trail connections	126,932
Shared/Common open space	Walkways, mini parks, sitting gardens, recreational facilities	40,786
Private/Residential Open Space	Balconies, patios, courtyards	35,454
<b>Total Open Space</b>		<b>203,172</b>
<b>Total Usable Open Space Required</b>		<b>56,628</b>
Usable Open Space Provided Above Requirement		14,372

Figure 4.13-2 Park and Recreational Amenities Proposed



Source: Thousand Oaks Ranch Specific Plan, 2021

**Threshold 2:** Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

**Impact REC-2 THE PROPOSED PROJECT INCLUDES NEW PRIVATE RECREATIONAL FACILITIES AND OPEN SPACE AREAS FOR OUTDOOR RECREATION. THE PHYSICAL ENVIRONMENTAL EFFECTS OF CONSTRUCTING THESE FACILITIES WITHIN THE PROPOSED PROJECT ARE ANALYZED IN THE ENTIRETY OF THIS EIR AND NO ADDITIONAL, ADVERSE PERMANENT IMPACTS WOULD OCCUR. -IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

As described in Section 2, Project Description, implementation of the proposed project would generate total of 4.7 acres of open space areas and amenities that would provide recreational opportunities for residents, employees, and visitors. New recreational amenities that would be provided by the project include a dog park, walking paths, a fitness center with a pool, sitting gardens, and access to local trailheads. The project's proposed open space features would either improve existing facilities (trailheads) or be constructed on a previously developed and currently abandoned commercial project site so implementation would provide long-term benefits by improving existing site conditions. The proposed project's open space would encourage residents to access the site and bridge connections between the proposed project's open spaces and other neighboring sites. The environmental impacts of construction these recreational facilities are evaluated and disclosed in the applicable sections of this EIR. EIR Sections Air Quality, Greenhouse Gases, Geology and Soils, Land Use, and Noise all discuss potential temporary construction impacts from the proposed project. Section 4.8, *Hazards and Hazardous Materials*, describes impacts to soil, groundwater and existing structures that would result from implementation of the proposed project. There are no additional adverse environmental impacts that would result from implementation of the proposed project that are not otherwise evaluated and disclosed throughout this EIR. As such, the proposed project would not result in the construction of recreational facilities which might have an adverse physical effect on the environment. Impacts would be less than significant.

### **Mitigation Measures**

Mitigation measures are not required.

### **Significance After Mitigation**

There proposed project would have no additional impacts without mitigation.

#### 4.13.4 Cumulative Impacts

Cumulative growth near the site includes specific known development projects and ambient growth in the city of Thousand Oaks. As listed in Section 3, Environmental Setting, a total of 24 projects have been identified in the vicinity of the proposed project site. These projects have anticipated adding 912 dwelling units and 336 thousand square feet of commercial uses to the city. Given the future potential growth in the vicinity of the project site, this development of other residential and mixed-use development would increase population and would create additional need for recreational opportunities within the area. However, much of this growth has been anticipated by the City and is factored in the 2013 Thousand Oaks General Plan Land Use Element.

The proposed project would provide approximately 3.8 acres of new public and common shared open space including a dog park, walking paths, sitting gardens, fitness facilities with pool, and improved access to trailheads that residents in the surrounding communities can take advantage of. Such features would enhance the park space and recreational opportunities in the greater Thousand Oaks community and would help to offset the demand for additional parks from the proposed project and other cumulative projects in the vicinity. In addition, there are currently 10 CRPD parks and recreational facilities located within a two-mile radius of the project site that would be able to serve the new residents from cumulative development in the community (CRPD 2022). Such parks include El Parque de la Paz, a 4.8-acre park, Beyer Park, a 4-acre park, Estella Park, a 1.9-acre park, and Russell Park, a 7-acre park (City of Thousand Oaks 2016).

Finally, as with the proposed project, other residential or mixed-use project proposed in the area would be required to comply with TOMC Section 9-3.1 and provide a certain amount of usable open space, which would help offset the demand for parks and recreational facilities generated by the related projects. Because of this, other cumulative projects would not result in significant cumulative impacts associated with the substantial deterioration of parks and recreational facilities or the need to construct new or expand recreational facilities that might have an adverse impact on the environment. Impacts would be cumulatively less than significant.

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## 4.14 Transportation and Traffic

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This section evaluates potential impacts to transportation and traffic from development facilitated by the proposed project.

This section specifically includes an analysis of the proposed project's consistency with applicable local, regional, and state land use plans, policies, and regulations and discusses the potential for the proposed project to increase local and regional vehicle miles traveled (VMT), increase transportation hazards, or interfere with emergency access. The analysis provided herein is based on information included in the Traffic Impact Analysis (TIA) prepared by Iteris, Inc. in January 2022 (Appendix H).

### 4.14.1 Setting

#### a. Existing Street Network

The functional classification system of roadways within the City of Thousand Oaks is generally based upon the Federal Highways Administration (FHWA) Functional Classifications System of Streets and Highways. The Functional Classifications System is defined as follows (FHWA 2013):

- **Freeways.** Freeways are intended to provide high-speed intra- and inter-regional mobility. Access to freeways is usually restricted to arterial roads through interchanges that are spaced at least one mile apart. U.S. 101 is the only freeway in the City of Thousand Oaks.
- **Ramp.** A ramp is a connecting roadway between a freeway or expressway and another highway, road, or roadside area.
- **Arterials.** Arterials are intended to connect areas of major activity within the urban and suburban area. They also work to distribute traffic between freeways and collector streets. Arterials usually have limited direct access to adjacent land uses.
- **Collectors.** Collectors are intended to function as connector routes between local and arterial streets. They provide access to residential, commercial, and industrial areas, and typically provide direct access to adjacent properties.
- **Local Roads (Streets).** Local streets are intended to provide direct access to adjacent properties and allow for the localized movement of daily traffic. They are characterized by lower traffic volumes and low speed limits (25-30 miles per hour [mph]). Bike lanes are not required on local streets, but it is assumed that these roads are bike-friendly and may be informally considered a Class III Bike Route.

The proposed project is generally surrounded by Ventura Freeway (U.S. 101) to the north, Hampshire Road to the east, and Foothill Drive to the south and west. Other roadways in the vicinity of the proposed project include Willow Lane, a two-lane frontage road located north of the proposed project, Thousand Oaks Boulevard, an arterial located north of the proposed project, and Westlake Boulevard (State Route [S.R.] 23), located south of the proposed project. Figure 2-2 in Chapter 2, *Project Description*, provides an overview of the existing roadways within the vicinity of the proposed project. Existing lane configurations in the vicinity of the proposed project are identified in Figure 4 of the TIA (Appendix H). A description of each significant roadway in the vicinity of the proposed project is provided below:

**T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project**

- **Hampshire Road** is a four to six-lane divided roadway within the study area, generally oriented in a north-south direction, providing access to U.S. 101 as well as direct access to the project site. On-street parking is generally prohibited in the study area. The roadway's speed limit in the study area varies between 35 miles per hour (mph) and 45 mph.
- **Thousand Oaks Boulevard** is a four-lane-divided roadway with a two-way left-turn median, oriented in a northwest-southeast direction, parallel to U.S. 101 within the study area. The roadway has a posted speed limit of 35 mph and allows for on-street parking.
- **Willow Lane** is a two-lane undivided roadway, oriented in a northwest-southeast direction, running parallel to U.S. 101 within the study area. The roadway's posted speed limit is 40 mph and on-street parking is permitted within the residential area south of Skyline Drive.
- **Foothill Drive** is two-lane undivided local roadway, running in an east-west and north-south orientation, providing access to the project site along the southwest end. Within the study area, on-street parking is provided on both sides of the street. The roadway's posted speed limit is 25 mph.
- **Westlake Boulevard** is a six-lane divided roadway, oriented mostly north-south, providing access to U.S. 101. The roadway is designated as SR-23 south of U.S. 101 and has a posted speed limit of 40 mph. Within the project area, the roadway includes Class II bike lanes in both directions, which are striped and stenciled lanes for one-way bicycle travel on a street or highway.
- **Townsgate Road** is a 2-lane east-west roadway south of the project site. Townsgate Road extends east to South Lakeview Canyon Road where it terminates. The Hampshire Road/Townsgate Road intersection is controlled by traffic signal.
- **Ventura Freeway (U.S. 101)**, located north of the site, provides regional access to the project via the freeway interchange located at Hampshire Road. U.S. Highway 101 is a 6-lane freeway within the study area.

**b. Pedestrian and Bicycle Facilities**

The City of Thousand Oaks contains a comprehensive network of pedestrian and bicycle paths that support commuter and recreational walking and biking. Pedestrian and bicycle facilities in the City are described below.

**Pedestrian Facilities**

According to the City of Thousand Oaks' 2019 Active Transportation Plan (ATP), existing pedestrian facilities in the city consist of sidewalks along roadways (68 percent), trails (23 percent), roadways with missing sidewalks (9 percent) and greenbelts (1 percent). Most streets in the City of Thousand Oaks have sidewalks and have been evaluated to be determine whether they have appropriate sidewalk widths and are compliant with the Americans with Disabilities (ADA) regulations for curb ramps. Curb ramps throughout the city provide wheelchair and stroller access to sidewalks at the corner of intersections. Sidewalk projects are expected to meet ADA standards with the inclusion of truncated domes on sidewalks to help alert visually impaired pedestrians as they approach a street crossing. The city also includes different pedestrian enhancements to facilitate pedestrian transit, which include enhanced crosswalk markings, curb extensions, refuge islands, mid-block crossings (with and without electronic warning systems), pedestrian-scale lighting, modified traffic signal timing, senior zones, and transit stop amenities such as shelter with seating (City of Thousand Oaks 2019).

## Bicycle Facilities

The five types of bikeways identified by the California Department of Transportation (Caltrans) in the Highway Design Manual are identified below (Caltrans 2020):

- **Shared Roadway (No Bikeway Designation).** A majority of bicycle travel throughout California occurs on streets and highways without specific bikeway designations.
- **Class I Bikeway (Multi-Use/Bike Path).** A Class I bikeway is a multi-use facility that provides travel on a paved right-of-way completely separated from a street or highway. They usually provide a recreational opportunity or serve as a direct high-speed commute route. Cross flow by motor vehicles is minimized to avoid conflict with bicycles and pedestrians.
- **Class II Bikeway (Bike Lane).** A Class II bikeway provides a striped and stenciled lane for one-way travel on a street or highway and is intended to delineate the right of way, creating more predictable movements from both bicyclists and motorists. These bike lanes are usually established along streets in corridors where there is significant bicycle demand in order to improve conditions for bicyclists.
- **Class III Bikeway (Bike Route).** A Class III bikeway is a shared use facility (normally with motor vehicles) which serve to either provide continuity to other bicycle facilities or designate preferred routes through high demand corridors.
- **Class IV Bikeway (Cycle Tracks or Separated Bikeway).** A Class IV bikeway is intended for the exclusive use by bicycles and features a separation between the bikeway and the through vehicular traffic.

The City of Thousand Oaks recognizes each of the bikeways defined by Caltrans in addition to enhanced bicycle facilities such as buffered bicycle lanes, shared lane markings, and bike boxes, as well as low-stress bicycle treatments such as bicycle boulevards, signage and wayfinding, colored bicycle lanes, green intersection conflict striping, protected intersections, two-stage turn queue boxes, bicycle signals, and bicycle detection (City of Thousand Oaks 2019). The city also offers a variety of traffic calming mechanisms, such as roundabouts/traffic circles, signals and warning devices, radar speed displays, traffic diverters, and on-street edge friction, to ensure the safety of all users of the transportation system, including pedestrian and bicycle riders (City of Thousand Oaks 2019).

According to the City of Thousand Oaks 2019 ATP, the city's existing bicycle facilities include 112.2 miles of bikeways and is largely comprised of multi-use paths, bicycle lanes, and shared bicycle routes. Class II bike lanes are striped on Hampshire Road in the vicinity of the proposed project and on Westlake Boulevard, located approximately one mile south of the proposed project. In 2021 the City started installing sidewalks and bike lanes on Willow Lane.

### c. Public Transit

#### Regional Transit

The Ventura County Transportation Commission (VCTC) provides regional transportation for Thousand Oaks. VCTC's Route 101/Conejo Connection is a regional round-trip bus service between Oxnard, Camarillo, Thousand Oaks, and Warner Center in Canoga Park, operating from 5:40 a.m. to 7:00 p.m. Monday through Friday and operating from 6:55 a.m. to 5:40 p.m. on Saturday (City of Thousand Oaks 2022a). The VCTC East Route provides regional round-trip bus service between Thousand Oaks and Simi Valley, Moorpark College and Moorpark, operating from 5:50 a.m. to 7:40



p.m. Monday through Friday and from 7:00 a.m. to 6:20 p.m. on Saturday (City of Thousand Oaks 2022a).

In addition to the VCTC, the Los Angeles Department of Transportation (LADOT) Transit and Metro also provide services to Thousand Oaks. The LADOT Commuter Express provides public transit throughout much of the Los Angeles area with 15 Commuter Express Routes. The Commuter Express Route 422 offers transportation between Hollywood and Thousand Oaks, while Route 423 offers transportation from Thousand Oaks to Downtown Los Angeles. Route 422 operates Monday through Friday with no service on Saturdays, Sundays, or major holidays. This route provides morning services to Thousand Oaks from 4:55 a.m. to 9:31 a.m. and evening services back to Central Los Angeles from 1:55 p.m. to 8:17 p.m., with additional stops in Hollywood, San Fernando Valley, and Agoura Hills (LADOT 2022a). Route 423 provides morning services from Thousand Oaks to the Downtown/University of Southern California (USC) with afternoon services back to Thousand Oaks. The LADOT 423 operates Monday through Friday with morning services from 5:00 a.m. to 6:40 a.m. towards Downtown/USC and afternoon services from 3:30 p.m. to 6:35 p.m. towards Thousand Oaks (LADOT 2022b).

The Metro Line 161 provides regional round-trip services from Thousand Oaks, Westlake Village, Agoura Hills, Calabasas, Woodland Hills, and Canoga Park. The Metro Line runs Monday through Friday, eastbound from 5:43 a.m. to 7:45 p.m. and westbound from 5:18 a.m. to 7:08 p.m. Weekend and Holiday service hours operate eastbound from 7:51 a.m. to 7:50 p.m. and westbound from 6:14 a.m. to 7:13 p.m. Additional regional transportation services are also available from Moorpark City Transit, Simi Valley Transit, and Gold Coast Transit District.

## **Local Transit**

The Thousand Oaks Transportation Commission (TOT) operates five local buses in Thousand Oaks: Route 40 Newbury Park, Route 41 Midtown A, Route 42 Midtown B, Route 43 TOB Express, and Route 44 Crosstown. The general bus service hours are Monday through Friday from 6:00 a.m. to 7:00 p.m. and Saturdays from 8:00 a.m. to 7:00 p.m. (City of Thousand Oaks 2022b). TOT also provides Senior and ADA Dial-A-Ride services operating Monday through Friday from 6:00 a.m. to 7:00 p.m. and weekend services from 8:00 a.m. to 7:00 p.m. Three Park and Ride services are also offered in Thousand Oaks, located at the Thousand Oaks Community Transportation Center on South Rancho Road, on Janss Road at the SR 23 Freeway, and Borchard Road at the U.S. 101 Freeway (City of Thousand Oaks 2022a).

The nearest bus stop to the proposed project is located at the intersection of Hampshire Road and Townsgate Road, approximately 475 feet south of the project site, serviced by Commuter Express 422 (LADOT 2022a). Another nearby bus stop is located at the intersection of Thousand Oaks Boulevard and Skyline Drive, approximately 0.5 mile north of the project site, serviced by TOT Route 43, which covers Thousand Oaks Boulevard and Westlake areas (City of Thousand Oaks 2022b). The main loading and unloading zones for the transit areas are located at the southeast corner of the project site near the intersection of Hampshire Road and Thousand Oaks Boulevard.

## **Rail Service**

Metrolink and Amtrak also provide routine services for longer distance trips to and from the City of Thousand Oaks. A single railroad track, owned by the Union Pacific Railroad, extends through Thousand Oaks between Simi Valley and Ventura. The nearest rail station located in the vicinity of Thousand Oaks is located south at E. High Street in Moorpark. The rail line is serviced by the Ventura

County Line and operated by Metrolink on its route between Ventura-East and the Los Angeles Union Station. The rail line is serviced by the Pacific Surfliner and operated by Amtrak on its route between San Luis Obispo and San Diego (City of Thousand Oaks 2022a).

#### **d. Travel Characteristics**

##### **Existing Traffic Volumes and Capacity**

Pursuant to Senate Bill (SB) 743, VMT has replaced automobile delay, historically measured as LOS, as the appropriate metric for evaluating environmental transportation impacts under CEQA. VMT measures travel on roadways by all types of motorized vehicles carrying passengers or cargo. Each mile traveled is counted as one vehicle mile regardless of the number of people in the vehicle. VMT is typically expressed as VMT per day. Residential VMT per Capita is the average household VMT and is calculated by dividing the average home-based VMT production by the residential population. The City of Thousand Oak's average daily residential VMT per Capita, the baseline condition used for comparative analysis herein, is 15.31 VMT (Appendix H). Refer to Section 4.14.3(a), Methodology, for a full discussion of VMT calculation methodology.

##### **Traffic Safety**

The California Office of Traffic Safety (OTS) compares collision rates for cities throughout the State. There are 75 cities in the State that are in the same category as Thousand Oaks with populations between 100,001-250,000. In 2019, the most recent year for which collision rate data is published, Thousand Oaks was ranked 33rd in its category for fatal and injury collisions, with the most common contributing factor to collisions being alcohol involved and speed related (OTS 2019).

#### **e. Level of Service at Traffic Study Intersections**

Intersections are typically the most critical element within a roadway system because they are the points where opposing and intersecting streams of travel must be served, and the locations where the majority of travel delay occurs along a corridor. A variety of right-of-way controls exist to direct traffic through intersections.

The study area for the proposed project TIA was selected to include the intersections most likely to be impacted by full buildout of the proposed project, particularly where major streets intersect each other and/or key access points to the proposed project (Appendix H). The study area consists of the following eight intersections located in the vicinity of the proposed project, also shown in Figure 2 of the TIA:

- Conejo School Road/Thousand Oaks Boulevard
- Skyline Drive/Thousand Oaks Boulevard
- Hampshire Road/Thousand Oaks Boulevard
- Hampshire Road/U.S. 101 Northbound Ramps
- Hampshire Road/U.S. 101 Southbound Ramps
- Hampshire Road/Willow Lane
- Hampshire Road/Foothill Drive
- Hampshire Road/Westlake Blvd

## 4.14.2 Regulatory Setting

### **a. Federal**

The U.S. Department of Transportation (USDOT) provides a number of grant programs, primarily for the construction and upgrading of major highways and transit facilities. Many of these grants are administered by the state and regional governments.

### **b. State**

#### **Caltrans Authority over the State Highway System**

Caltrans is responsible for the planning, design, construction and maintenance of all interstate freeways and state routes. It builds, maintains, and operates the State Highway System in California with a goal to facilitate the safe and efficient use of the state transportation system for all users. Caltrans sets standards in its 2020 Transportation Impact Study Guide that focus on the VMT metric. This document is often used by local governments to uniformly review transportation analysis and assess the operational standards of Caltrans-maintained facilities. The document is intended to be a reference and informational document that aligns with the standards and thresholds established in the State's Office of Planning and Research's (OPR) *Technical Advisory on Evaluating Transportation Impacts in CEQA*. The 2020 document acts as a replacement for the 2002 *Guide for the Preparation of Traffic Impact Studies* but is only intended to be used with local land use projects and plans and not to be used for transportation projects on the State Highway System.

#### **Senate Bill 743**

SB 743, which was signed into law in 2013, tasked the OPR with establishing new criteria for determining the significance of transportation impacts under CEQA. SB 743 requires the new criteria to "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." It also states that alternative measures of transportation impacts may include "vehicle miles traveled, vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated." SB 743 changes the way that public agencies evaluate the transportation impacts of projects under CEQA by recognizing that roadway congestion, while an inconvenience to drivers, is not itself an environmental impact (see Public Resource Code, Section 21099, subd. [b][2]). In addition to new exemptions for projects that are consistent with specific plans, the draft SB 743 guidelines replace congestion-based metrics, such as auto delay and level of service, with VMT as the basis for determining significant impacts, unless the guidelines provide specific exceptions. Statewide implementation of SB 743 is now required. Therefore, the analysis in this EIR relies on VMT to evaluate transportation impacts.

### **c. Regional**

#### **Southern California Association of Governments 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (Connect SoCal)**

The Southern California Association of Governments (SCAG) is required by state and federal law to prepare, update, and adopt a Regional Transportation Plan (RTP) every four years. The most recent RTP was adopted by SCAG in 2020. All transportation projects that use state and federal funds, or that could significantly affect transportation within the SCAG region, must be included in the RTP. The 2020 RTP includes the identification of transportation facilities such as major roadways, transit,

intermodal facilities, and connectors that function as an integrated metropolitan system over at least a 20 year forecast period; a financial plan demonstrating how the RTP can be implemented with “reasonably available” resources and additional financial approaches; strategies to improve existing facilities and relieve vehicular congestion and maximize the safety and mobility of people and goods; and environmental mitigation activities. The 2020 RTP includes the following goals (SCAG 2020):

- Encourage regional economic prosperity and global competitiveness;
- Improve mobility, accessibility, reliability, and travel safety for people and goods;
- Enhance the preservation, security, and resilience of the regional transportation system;
- Increase person and goods movement and travel choices within the transportation system;
- Reduce greenhouse gas emissions and improve air quality;
- Support healthy and equitable communities;
- Adapt to a changing climate and support an integrated regional development pattern and transportation network;
- Leverage new transportation technologies and data-driven solutions that result in more efficient travel;
- Encourage development of diverse housing types in areas that are supported by multiple transportation options; and,
- Promote conservation of natural and agricultural lands and restoration of habitats.

#### **d. Local**

##### **City of Thousand Oaks General Plan**

The Thousand Oaks General Plan is a long-range comprehensive guide for the overall development of the city’s Planning Area. The City’s General Plan was first adopted by Resolution 70-381 in December 1970 and was last revised in 1997 but is currently undergoing an update. The General Plan Update is anticipated to be adopted in Winter 2022. Due to project consistency with the existing General Plan goals and policies, as well as adherence to the requirements outlined in the City of Thousand Oaks 2018 Road Design and Construction Standards and Standard Land Development Specifications document and the Ventura County Fire Protection District, Fire Prevention Division Standard Planning Conditions, the General Plan Update is not expected to impact development, construction, or operation of the proposed project.

As a whole, the existing 1970 General Plan provides a statement of goals and policies related to the community’s development, along with various elements that provide more detailed policies and standards in specific topic areas. The goals and policies within the Thousand Oaks General Plan related to transportation include (City of Thousand Oaks 1970):

- Provide an integrated circulation and transportation system consistent with the Valley's form and needs
- Ensure the "T" shaped highway system--the Route 101 and Route 23 Freeways-- continue to provide a primary link with other regional communities and serve as major connectors within the local street and highway system;
- Improve local freeways to minimize the diversion of through traffic to City streets;
- Enhance and maintain a mass transit system to provide City and area-wide circulation and meet community needs;

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- Encourage a variety of transportation modes;
- Provide a City-wide system of pedestrian and bicycle facilities that provide safe, continuous accessibility to all residential, commercial and industrial areas, to the trail system and to the scenic bike route system;
- Move local traffic through the City on arterial streets to protect collector and neighborhood streets from traffic impacts;
- Provide access to industrial areas via major arterials to minimize impacts to residential areas;
- Focus street improvements on enhancing access to Thousand Oaks Boulevard, Moorpark Road and other major arterials;
- Balance vehicular circulation requirements with aesthetic, pedestrian, bicycle, and equestrian needs which affect the quality of life; and,
- Maintain a Level of Service C on all roads and at all intersections.

**City of Thousand Oaks Active Transportation Plan**

In December of 2019, the City of Thousand Oaks published its Active Transportation Plan (ATP) to provide the City with planning guidance for non-motorized travel infrastructure improvements to make multimodal transportation safer and more enjoyable. The ATP aims to educate the community and promote active transportation in order to increase bicycling and walking throughout the City as a way to reduce VMT and greenhouse gas (GHG) emissions. The 2019 ATP includes the following goals (City of Thousand Oaks 2019):

- Develop an active transportation friendly environment;
- Identify an integrated network of walkways and bikeways to connect neighborhoods to destinations and activity centers;
- Encourage development of local plans; and
- Provide a “roadmap” for education and promotion of active transportation.

4.14.3 Impact Analysis

**a. Methodology**

The City of Thousand Oaks utilizes a screening criteria in order to provide CEQA relief to projects that support the State’s GHG emission goals, and those projects are presumed as less than significant. The proposed project includes two components, a residential component and a retail component. The retail component is considered neighborhood-serving and is under 50,000 square feet; thus the retail component of the proposed project would meet the requirement to screen out from further CEQA analysis. However, the residential component does not meet any of the screening criteria related to residential projects (such as the Small Project Size or Affordable Housing criteria). Therefore, the project’s residential component is required to undergo a CEQA Transportation Assessment.

Iteris, Inc. utilized the Ventura County Transportation Model (VCTM) to generate the VMT statistics, discussed herein, following the City’s administrative policy on CEQA transportation analysis. The VCTM is a land-use based model and is a subarea model of the SCAG travel demand model. Although the 2020 SCAG RTP/SCS has been adopted and certified, the VCTM is consistent with the 2016 SCAG RTP/SCS travel demand model assumptions and inputs. The VCTM maintains a year 2016 base year scenario and 2040 future year scenario. The land use and travel patterns of the VCTM are generally considered the countywide standard for existing and baseline conditions analysis.

The VCTM consists of a detailed traffic analysis zone (TAZ) structure in the City of Thousand Oaks. The location of the proposed project's TAZ (60185701) in relation to the project site and the regional area is shown in Figure 9 of the Transportation Impact Analysis (TIA) (Appendix H). In order to determine the proposed project's potential level of impact, a new VCTM scenario including the proposed project land use within TAZ 60185701 was prepared, utilizing the base year of the model (2016). Residential and retail land use information for the project was added to the land use information currently included as part of the base year model scenario. From this new model scenario output, the following two metrics were calculated for determination of significant impacts:

- Project TAZ daily residential VMT per capita (project buildout conditions); and
- Citywide average daily residential VMT per capita (existing baseline conditions).

## **b. Significance Thresholds**

The criteria for determining whether the proposed project would have significant environmental impacts related to transportation and traffic were based in part on the environmental checklist in Appendix G of the CEQA Guidelines (14 CCR 15000 et seq.) and administrative policy adopted by the City of Thousand Oaks identifies the following criteria for determining whether development facilitated by the proposed project would have a significant impact on transportation and traffic:

1. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.
2. Conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b):
  - a. Generate VMT per Capita above the existing baseline citywide VMT per Capita within the project TAZ (60185701).
3. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); and/or
4. Result in inadequate emergency access.

The City's Vehicle Miles Traveled (VMT) Analysis for CEQA Compliance Administrative Policy, adopted July 1, 2020, regarding thresholds of significance is provided in Appendix E of the TIA (Appendix H).

## **c. Project Impacts and Mitigation Measures**

**Threshold 1:** Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

**Impact TRA-1 THE PROPOSED THOUSAND OAKS RANCH PROJECT IS CONSISTENT WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE SCAG 2020-2045 RTP/SCS, THOUSAND OAKS GENERAL PLAN, AND THOUSAND OAKS ACTIVE TRANSPORTATION PLAN. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.**

Several regionally- and locally-adopted land use plans, policies, and regulations apply to the proposed project. These include the SCAG 2020-2045 RTP/SCS, the City of Thousand Oaks General Plan, and the City of Thousand Oaks ATP.

The SCAG 2020-2045 RTP/SCS is a long-range land use and transportation plan for the Southern California region, including Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties. The RTP/SCS outlines 10 goals, with respective objectives and policies to meet these goals, which are expected to result in significant benefits to the region not only with respect to

**T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project**

transportation and mobility, but also the preservation of natural lands, improvement of public health, increased roadway safety, support for the region’s vital goods movement industries, and more efficient use of resources (SCAG 2020).

The Thousand Oaks General Plan is long-range planning document that is intended to guide development within City’s Planning Area. The General Plan describes a variety of goals and policies that are related to development within the community, including goals and policies specifically related to transportation and circulation. Similarly, the Thousand Oaks ATP is a planning document intended to guide the development of non-motorized travel infrastructure improvements in order to make multimodal transportation safer and more enjoyable. The ATP also describes a variety of goals related to active transportation within Thousand Oaks.

The proposed project includes a variety of realistic and achievable project objectives that are consistent with the goals and objectives of the SCAG 2020-2045 RTP/SCS, the Thousand Oaks General Plan, and the Thousand Oaks ATP. These objectives, outlined in Chapter 2, *Project Description*, would result in a high-quality community. Table 4.14-1 provides the applicable goals from each relevant plan and describes the proposed project’s consistency with each.

**Table 4.14-1 Thousand Oaks Ranch Project Consistency with Planning Documents**

SCAG 2020-2045 RTP/SCS	Project Consistency
Encourage regional economic prosperity and global competitiveness.	<b>Consistent.</b> The proposed project would help meet the existing need for neighborhood commercial uses, such as restaurants and retail, while creating new, emerging commercial opportunities geared towards experiential uses and those working from home, which would support economic prosperity.
Support healthy and equitable communities.	<b>Consistent.</b> The proposed project would help alleviate the housing crisis by providing housing to help meet the City’s Regional Housing Needs Assessment allocation, including 15 percent of the base density units reserved for Low-Income households.
Encourage development of diverse housing types in areas that are supported by multiple transportation options.	<b>Consistent.</b> The proposed project would provide new mixed-use infill development with commercial and residential uses on a vacant site with a design that would support walking and biking to nearby commercial services, open spaces, medical services, and a jobs center. Additionally, an LADOT Transit Commuter Express Route 422 bus stop is located within a half-mile of the proposed project, providing convenient and accessible public transit access to Central Los Angeles, Hollywood, San Fernando Valley, and Agoura Hills.
Promote conservation of natural and agricultural lands and restoration of habitats.	<b>Consistent.</b> The proposed project would preserve and protect oak and other landmark trees and would provide ample open space that incorporates native plant species. The site landscape would extend nearby green spaces into the project area, providing habitat for pollinators, birds, and other threatened species. This would be an improvement to the existing concrete surfaces and limited landscaping currently on the site.

Thousand Oaks General Plan	Project Consistency
Encourage a variety of transportation modes.	<b>Consistent.</b> The proposed project would cluster development to promote walking; integrate a pedestrian-friendly public realm where residents have access to commercial services and open space within biking and walking distance; and, support walking and/or biking to nearby medical services and an existing jobs center. Additionally, the proposed project would be located within a half-mile of an LADOT Transit Commuter Express Route 422 bus stop, which would promote the use of public transit to access Central Los Angeles, Hollywood, San Fernando Valley, and Agoura Hills.
Provide a City-wide system of pedestrian and bicycle facilities that provide safe, continuous accessibility to all residential, commercial, and industrial areas, to the trail system and to the scenic bike route system.	<b>Consistent.</b> The proposed project would provide direct access to the Los Robles trailhead, which connects to the Los Robles Trail and Open Space system. The Los Robles Trail and Open Space system is a ridgeline trail system that provides approximately 25 miles of contiguous trails and traverses several open space areas, encompassing close to 2,000 acres. The system can be enjoyed by hikers, bikers, and equestrians.
Thousand Oaks Active Transportation	Project Consistency
Develop an active transportation friendly environment.	<b>Consistent.</b> The proposed project would cluster development to promote walking by integrating a pedestrian-friendly public realm where residents have access to commercial services and open space within biking and walking distance. The project supports walking and/or biking to nearby medical services and existing jobs centers. Additionally, the proposed project would provide ample on-site open space and incorporate native plant species to create a unique pedestrian environment.
Identify an integrated network of walkways and bikeways to connect neighborhoods to destinations and activity centers.	<b>Consistent.</b> The proposed project would also provide direct access to the Los Robles trailhead, which connects to a complex active transportation system that provides approximately 25 miles of contiguous trails for hikers, bikers, and equestrians.
Encourage development of local plans.	<b>Consistent.</b> The proposed project would result in the adoption of a Thousand Oaks Ranch Specific Plan with goals and objectives to guide the buildout of a mixed-use, multi-family development with associated neighborhood commercial-serving restaurant and retail uses.
Source: SCAG 2020-2045 RTP/SCS (2020); Thousand Oaks General Plan (1970); Thousand Oaks Active Transportation Plan (2019); Conejo Open Space Foundation (2021).	

The proposed project would not conflict or be inconsistent with the SCAG 2020-2045 RTP/SCS Goals or the Thousand Oaks ATP. However, as discussed under Impact LUP-2 in Section 4.8, *Land Use* and Planning, and Section 2, Project Description, the proposed project is currently inconsistent with the existing General Plan land use designation of “Commercial,” as the “Commercial” designation does not allow for residential or mixed-uses. A General Plan amendment would be required to change the project site’s current “Commercial” land use designation to “Commercial/Residential.” Approval of the proposed project, along with approval of the General Plan amendment, would result in development consistent with the existing and new General Plan land use designation.

As of January 2022, the project site has a “Commercial” land use designation and is zoned C-1 (Neighborhood Shopping Center Zone). On May 25, 2021, the Thousand Oaks City Council endorsed the Preferred Land Use Map that indicates the project site to be designated Mixed-Use Low with a density between 20-30 dwelling units per acre (adoption is expected in 2023). According to the endorsed Map, this designation will enable neighborhood-serving goods and services and multifamily residential in a mixed-use format (vertical or horizontal) or as stand-alone projects at the project site. Future buildings with this designation are expected to provide wide sidewalks, active frontages, and minimal setbacks from the back of the sidewalk. Allowable land uses in the Mixed-Use Low



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designation are retail, restaurants, commercial uses (such as banks or real estate offices), residential in multi-family buildings, or attached single-family units (e.g., townhomes), and public facilities such as libraries. The density and FAR is 20 to 30.0 dwelling units per acre 0.25 FAR (non-residential) 1.0 FAR (all uses) with a maximum height of 50 feet. Therefore, impacts related to consistency with plans and policies would be less than significant.

**Mitigation Measures**

No mitigation measures are required.

**Significance After Mitigation**

Impacts would be less than significant without mitigation.

**Threshold 2:** Would the project generate VMT per Capita above the existing baseline citywide VMT per Capita within the project TAZ (60185701)?

**Impact TRA-2 THE PROPOSED THOUSAND OAKS RANCH PROJECT WOULD GENERATE AVERAGE DAILY RESIDENTIAL VMT PER CAPITA THAT IS 29 PERCENT BELOW THE EXISTING CITYWIDE AVERAGE (BASELINE CONDITION). IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

The TIA (Appendix H) prepared for the proposed Thousand Oaks Ranch project includes an analysis of the average citywide daily residential VMT per Capita (baseline conditions) as well as the project TAZ daily residential VMT per Capita (project buildout conditions).

Table 4.14-2 provides a summary of the modeled conditions.

**Table 4.14-2 VMT Results Summary**

Scenario	Daily Residential VMT per Capita
Citywide Average (baseline condition)	15.31
Project TAZ (project buildout condition)	10.87
Percent Above or Below Citywide Average Baseline	-29 percent (Below Baseline)

Source: Appendix H

As shown in Table 4.14-2, the proposed project is anticipated to generate an average daily residential VMT per Capita within the project TAZ that is 29 percent below the citywide average. Based on an administrative policy adopted by the City of Thousand Oaks the residential component of the proposed project would not result in a significant transportation impact related to VMT. This impact would be less than significant.

As discussed previously, the retail component of the proposed project met the requirements to screen out of further CEQA analysis. Therefore, impacts resulting from VMT related to retail and commercial uses would be less than significant.

**Mitigation Measures**

No mitigation measures are required.

## Significance After Mitigation

Impacts would be less than significant without mitigation.

**Threshold 3:** Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

**Impact TRA-3 THE PROPOSED THOUSAND OAKS RANCH PROJECT WOULD NOT SUBSTANTIALLY INCREASE HAZARDS DUE TO A GEOMETRIC DESIGN FEATURE OR INCOMPATIBLE USE. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.**

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The project site is currently developed with vacant commercial uses and was formerly occupied by a K-Mart department store and other, smaller retail uses. The K-Mart closed in 2004 and the other retail uses closed shortly thereafter. Intermittently, the site has been used as a temporary Christmas tree lot. The proposed project would include residential, commercial, and restaurant uses oriented around internal, public open spaces. Direct access to the project site would be provided from three driveways along Hampshire Road on the eastern side and a single driveway along Foothill Drive on the southern side via existing ingress and egress points. The proposed project would also be accessible by pedestrians and bicyclists through signaled crosswalks at the intersection of Hampshire Road and Foothill Road. Development of the project site would adhere to the requirements outlined in the City of Thousand Oaks 2018 Road Design and Construction Standards and Standard Land Development Specifications document, as well as the Ventura County Fire Protection District, Fire Prevention Division Standard Planning Conditions pertaining to street widths; length, width, and percent grade of private access roads; number and type of turnaround areas and means of ingress and egress; minimum vertical clearances; and percent grade (City of Thousand Oaks 2014). The proposed project would not alter or affect the existing street and intersection networks in its vicinity, nor increase hazards due to a new geometric design feature. Therefore, the proposed project would not substantially increase hazards due to a geometric design feature.

The project site is surrounded by existing commercial, institutional, and residential uses, including:

- A gas station and medical office immediately to the north on Hampshire Road;
- An assisted living facility immediately adjacent to the northwest on Fairview Road and Foothill Drive;
- Single-family residences, multi-family residential, and daycare center west, along Foothill Drive;
- Multi-family residential to the south, along Foothill Drive;
- An existing gas station to the southeast at the corner of Foothill Drive and Hampshire Road; and,
- Commercial, medical, and industrial uses to the east, across Hampshire Road.

As such, the proposed mixed-use and multi-family residential project would be consistent with existing commercial and residential uses in its vicinity. The proposed project would not introduce incompatible uses, including vehicles or equipment, to the project site or the surrounding area. The proposed project is currently inconsistent with the existing General Plan land use designation of "Commercial," as the "Commercial" designation does not allow for residential or mixed-uses. A General Plan amendment would be required to change the project site's current "Commercial" land use designation to "Commercial/Residential." Approval of the proposed project, along with approval

of the General Plan amendment, would result in development consistent with the existing General Plan.

### **Mitigation Measures**

No mitigation measures are required.

### **Significance After Mitigation**

Impacts would be less than significant without mitigation.

<b>Threshold 4:</b> Would the project result in inadequate emergency access?
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**Impact TRA-4 THE PROPOSED THOUSAND OAKS RANCH PROJECT WOULD NOT RESULT IN INADEQUATE EMERGENCY ACCESS. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.**

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The proposed project would adhere to the Ventura County Fire Protection District, Fire Prevention Division Standard Planning Conditions pertaining to street widths; length, width, and percent grade of private access roads; number and type of turnaround areas and means of ingress and egress; minimum vertical clearances; and percent grade (City of Thousand Oaks 2014). Staging equipment and temporary work areas utilized during construction of the proposed project would be located within the project site and would not require closure of existing roadways in the vicinity of the proposed project. As a result, the proposed project would not result in inadequate emergency access. This impact would be less than significant.

### **Mitigation Measures**

No mitigation measures are required.

### **Significance After Mitigation**

Impacts would be less than significant without mitigation.

#### 4.14.4 Cumulative Impacts

As discussed above, the residential component of the proposed project is anticipated to have less than significant impacts based on an estimated generation of daily residential VMT per Capita within the project TAZ that is 29 percent below baseline conditions. The retail component of the proposed project met the requirements to screen out of further CEQA analysis, resulting in no commercial impacts related to transportation and traffic. Additionally, the project would not substantially increase hazards due to a geometric design feature, as it would be constructed within a previously development site and would adhere to both the City of Thousand Oaks 2018 Road Design and Construction Standards and Standard Land Development Specifications document, as well as the Ventura County Fire Protection District, Fire Prevention Division Standard Planning Conditions. The project is surrounded by existing commercial, institutional, and residential uses and would not introduce incompatible uses, including vehicles or equipment, to the project site or the surrounding area. As the proposed project would not alter or affect the existing street and intersection networks in the vicinity, nor require closure of existing roadways in its vicinity during construction, the project would not result in inadequate emergency access.

Nearby projects proposed by the City in the next five years consist of a sports training facility, an auto dealership, and a limited number of single-family homes, as listed in Chapter 3, *Environmental Setting*. The closest project is a cluster of three single-family residences at Willow Lane and Skyline Drive, approximately 0.4-mile northwest of the project site. A storage facility is proposed for 2650 Willow Lane, 0.5-mile northwest of the project site. Other proposed projects include multi-family residential, commercial, two mixed-use projects on Thousand Oaks Boulevard, and an assisted living facility. These range from 0.5 mile to 1.8 miles from the project site. The proposed projects largely cohere with the general efforts to increase residential density and commercial uses in the area. Overall, the nearby cumulative projects are similar to the proposed project in that they are a mix of commercial and residential uses. Additionally, the cumulative projects fall outside of the project TAZ identified for the proposed project. All cumulative projects would be subject to the same requirements as the proposed project, including the design guidelines and regulatory compliance presented herein as well as the Ventura County Fire Protection District, Fire Prevention Division Standard Planning Conditions. Therefore, it is anticipated that the cumulative projects would generate a similar average daily residential VMT per Capita as the proposed project, would not substantially increase hazards due to a geometric design feature or incompatible use, and would not result in inadequate emergency access. Overall, cumulative impacts related to transportation and traffic would be less than cumulatively considerable.

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## 4.15 Utilities and Service Systems

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This section evaluates potential impacts to utilities and service systems from development facilitated by the proposed project.

### 4.15.1 Setting

The following section describes the existing setting with respect to water, wastewater, stormwater, solid waste, electric power, natural gas, and telecommunications facilities. While the site is currently inactive, there are existing commercial buildings on the project site that are connected to sources of water, wastewater, solid waste, electricity and gas.

#### **a. Water**

The proposed project is located within Ventura County Water Works District 6 (VCWWD6) and complies with the 2018 City of Thousand Oaks Master Plan. The city conducted a water system study in November 2021 (Preliminary Water System Capacity Study and a Preliminary Sanitary Sewer Capacity Study by Stantec Consulting Services, Inc.) The project site currently receives domestic water through an eight-inch asbestos-clay water main located on the eastern side of the project along Hampshire Road at the main project entrance; a six-inch asbestos-clay water main on the southern project entrance along Foothill Drive; and another six-inch asbestos-clay water main on the western side of the project site also along Foothill Drive. These asbestos-clay water mains would also provide water for fire services.

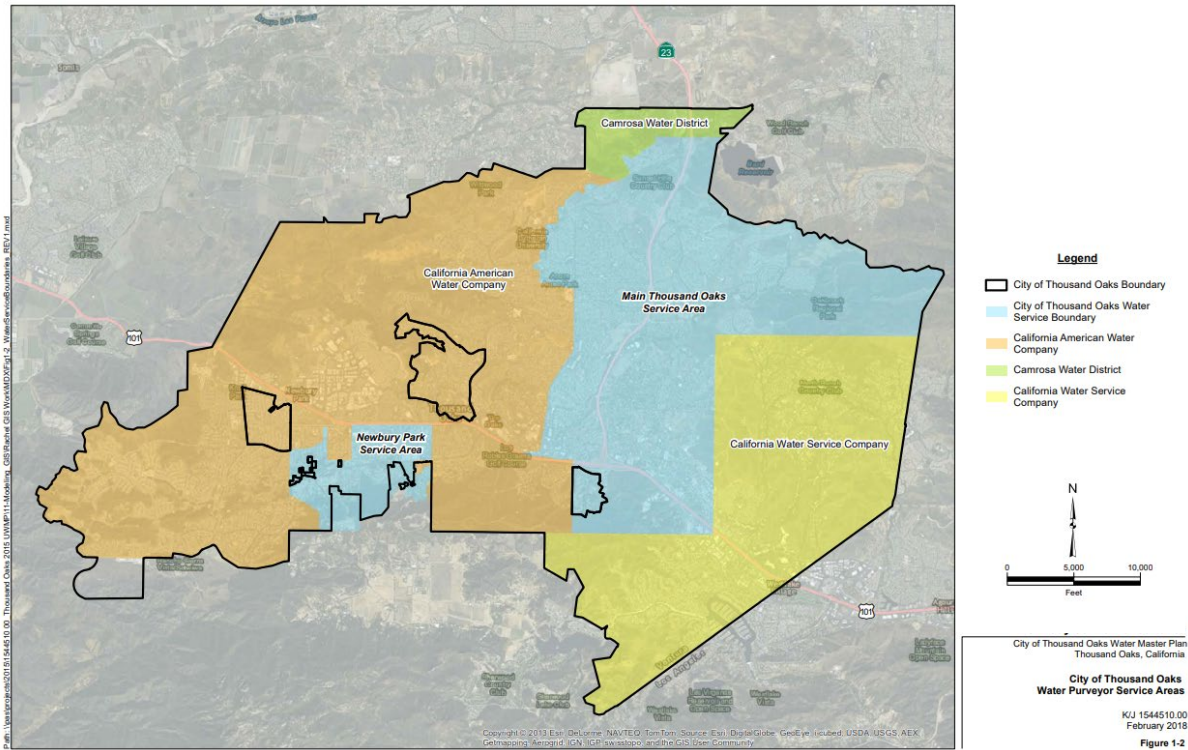
The Preliminary Sanitary Sewer Capacity Study assess the available capacity of the existing downstream public eight-inch sewer lines along Hampshire Road (Stantec 2021). The study shows that the project site currently has access to adjacent public sewers that are serviced by the City of Thousand Oaks Water Service Area.

### **Water Sources and Distribution**

#### *Potable Water*

Potable water services for the City of Thousand Oaks, where the project site is located, are supplied to the City through five purveyors. These include the City of Thousand Oaks, California American Water Company, California Water Service Company, Camrosa Water District, and Newbury Park Academy Mutual Water Company (Ventura Local Agency Formation Commission, 2018). The Thousand Oaks Water Master Plan (2018) identifies and maps out the different service areas which can be seen in Figure 4.15-1. This map shows that the project site would fall under the City of Thousand Oaks Service Area.

**Figure 4.15-1 City of Thousand Oaks Water Purveyor Service Areas**



Source: City of Thousand Oaks Water Master Plan, Kennedy/ Jenks Consultants, February 2018  
<https://www.toaks.org/home/showpublisheddocument?id=17486>

The city purchases all of its water from the Calleguas Municipal Water District (CMWD), via the Metropolitan Water District (MWD). CMWD supplies water to the City of Thousand Oaks as needed, based upon availability. This water is imported through the State Water Project (SWP), which is operated by the California Department of Water Resources (DWR). MWD is the primary wholesale water provider for the Southern California region, serving 26 member agencies, including 14 cities, 11 municipal water districts, and one county authority. MWD's member agencies in turn serve customers in more than 145 cities and 94 unincorporated communities. CMWD, which was formed to provide a reliable supply of water to an approximately 350 square mile area in southern Ventura County, purchases SWP water from MWD and sells it to local purveyors. CMWD has a contractual agreement with MWD for the purchase of as much water as demanded within the CMWD service area and available through the SWP. Table 4.15-1 below presents a breakdown of the water service providers in relation to the portion of city users.

**Table 4.15-1 Water Service Providers**

Water Service Provider	Portion of City Users
California-American Water Company	48%
City of Thousand Oaks	36%
California Water Service District	16%
Camrosa Water District	Less than 1%
Newbury Park Academy Mutual Water District	Less than 1%

Source: Ventura Local Agency Formation Commission. 2018.

### *Groundwater*

According to the City of Thousand Oaks 2020 Urban Water Management Plan (UWMP), groundwater is not a source of potable water for the City. The City of Thousand Oaks owns two groundwater production wells: the Hillcrest Drive and Los Robles Golf Course (LRGC) wells. Both wells tap into the Conejo Valley Groundwater Basin (CVGB or Basin) in different locations; however, local groundwater quality poses a major constraint on their use this is discussed further in Section 4.18, *Effects Considered Less Than Significant*, Hydrology and Water Quality (UWMP 2020). The City is assessing potential methods of independence from imported water sources such as possible implementation of the Los Robles Desalter (found within the CVGB) which could help meet a portion of its annual water demands starting in 2025 (UWMP 2020).

### *Wastewater and Recycled Water*

The 2020 UWMP owns and operates the Hill Canyon Treatment Plant (HCTP). HCTP is designed to provide wastewater treatment for the City as well as customers outside of the City service area. The HCTP was designed to treat a capacity of 14 million gallons per day (mgd) with the ability to treat an average of 8 million gallons per day of reclaimed water, and an available capacity of approximately six mgd (City of Thousand Oaks 2020). Wastewater flowing into the HCTP is treated to advanced tertiary level and treated effluent is discharged to the North Fork of the Arroyo Conejo Creek for downstream diversion (UWMP 2020).

The City of Thousand Oaks does not utilize recycled water within the City's service area, as it is not a source of potable water for the City. However, effluent from the HCTP is sold to the Camrosa Water District (Camrosa) due to an agreement between the City and Camrosa known as the Conejo Creek Diversion Project. This agreement is a 40-year contract which allows Camrosa to use the effluent from HCTP which is pumped into Camrosa's storage ponds and redistributed to Camrosa customers and Pleasant Valley County Water District for irrigation purposes (UWMP 2020).

### **Water Supply and Demand**

The 2020 UWMP projects it's total supply demand through the year 2045 with a total projection of 11,805 acre-feet per year (AFY) total under normal and single-dry year conditions with imported water through the Calleguas Municipal Water District (CMWD). The CMWD has confirmed that it anticipates having sufficient supplies to meet City imported water demands through 2045 and in fact shows surplus supplies in all water year types (UWMP 2020). Table 4.15-2 through Table 4.15-4 depict forecast water supplies under normal, single dry year, and multiple dry year conditions. The UWMP projects that, under non-drought conditions, MWD purchased water will increase to 11,004 by 2040 (see Table 4.15-2). The CMWD projects the minimum available annual water supply for a scenario involving multiple dry years for the first year is estimated at 26,568 AF in 2040, as shown in Table 4.15-4 (UWMP 2020). The CMWD planned supply accommodates the projected demand for the service area under both normal, single year, and multiple year drought conditions.



**Table 4.15-2 UWMP Normal Year Supply and Demand Comparison (AFY)**

Sources	2025	2030	2035	2040	2045
Purchased or Imported Water	10,191	10,462	10,733	11,004	11,275
<b>Total Existing Supplies</b>	<b>10,191</b>	<b>10,462</b>	<b>10,733</b>	<b>11,004</b>	<b>11,275</b>
Los Robles Desalter	500	500	500	500	500
<b>Total Supplies</b>	<b>10,691</b>	<b>10,962</b>	<b>11,233</b>	<b>11,504</b>	<b>11,775</b>

**Table 4.15-3 UWMP Single Dry Year Supply and Demand Comparison (AFY)**

Sources	2025	2030	2035	2040	2045
Purchased or Imported Water	10,191	10,462	10,733	11,004	11,275
<b>Total Existing Supplies</b>	<b>10,191</b>	<b>10,462</b>	<b>10,733</b>	<b>11,004</b>	<b>11,275</b>
Los Robles Desalter	500	500	500	500	500
<b>Total Supplies</b>	<b>10,691</b>	<b>10,962</b>	<b>11,233</b>	<b>11,504</b>	<b>11,775</b>

**Table 4.15-4 CMWD Multiple Dry Year Supply and Demand Comparison (AFY)**

Year	Sources	2025	2030	2035	2040	2045
First Year	Supply Totals	117,282	11,293	119,045	120,748	121,644
	Demand Totals	90,679	90,690	92,460	94,216	95,085
	<b>Difference</b>	<b>26,603</b>	<b>26,603</b>	<b>26,585</b>	<b>26,568</b>	<b>26,559</b>
Second Year	Supply Totals	124,402	124,414	126,305	128,182	129,111
	Demand Totals	97,871	97,883	99,793	101,688	102,626
	<b>Difference</b>	<b>26,531</b>	<b>26,531</b>	<b>26,512</b>	<b>26,494</b>	<b>26,485</b>
Third Year	Supply Totals	125,797	125,809	127,727	129,631	130,573
	Demand Totals	99,279	99,291	101,229	103,152	104,103
	<b>Difference</b>	<b>26,518</b>	<b>26,518</b>	<b>26,498</b>	<b>26,479</b>	<b>26,470</b>
Fourth Year	Supply Totals	102,480	102,489	103,952	105,404	106,123
	Demand Totals	75,729	75,739	77,216	78,683	79,408
	<b>Difference</b>	<b>26,751</b>	<b>26,750</b>	<b>26,736</b>	<b>26,721</b>	<b>26,715</b>
Fifth Year	Supply Totals	111,027	111,036	112,608	114,167	114,938
	Demand Totals	84,331	84,341	85,928	87,503	88,282
	<b>Difference</b>	<b>26,696</b>	<b>26,695</b>	<b>26,680</b>	<b>26,664</b>	<b>26,656</b>

CMWD = Calleguas Municipal Water District;

Source: Calleguas Municipal Water District, 2020 Urban Water Management Plan

## b. Stormwater System

The City of Thousand Oaks provides stormwater and control services that comply with the Ventura Countywide Municipal Stormwater NPDES permit that is authorized by the Clean Water Act in cooperation with the Ventura Countywide Stormwater Quality Management Program (VCSQMP). The NPDES Permit Program controls regulates discharge into receiving waters (VCSQMP 20108). The stormwater conveyance systems for Ventura County and its incorporated cities, including Thousand Oaks, transport stormwater directly into receiving waters. The water deposits are not treated in a wastewater treatment plant and could potentially decrease surface water quality (VCSQMP 2010). Land development in the city has increased the possibility of runoff and pollutants entering

stormwater conveyance systems, this is discussed further in Section 4.18, *Effects Found Not to be Significant*.

### **c. Solid Waste**

Solid waste collection for the project site has previously been provided through a private refuse collector, GI Rubbish. Solid waste in Thousand Oaks is transported to the Simi Valley Landfill and Recycling Center (SVLRC) located at 2801 Madera Road, north of the Simi Valley Freeway (U.S. Highway 118). The SVLRC is a fully permitted, non-hazardous municipal solid waste landfill and recycling facility serving Ventura County and the West San Fernando Valley. The daily permitted limit of accepted waste is 3,000 tons, and the landfill accepts an average of about 2,800 tons per day, or about 93 percent of its permitted daily capacity (Riley 2006). The SVLRC can accept 6,250 tons of recyclable material per day. The landfill has a total capacity of 43.5 million cubic yards, with a remaining capacity of 22.3 million cubic yards (as of March 2006). Assuming an average of 3,000 tons deposited per day, there are an estimated 19 years left in the life of the landfill (City of Thousand Oaks 2006).

### **d. Electric Power**

The Thousand Oaks area and the project site are served by Southern California Edison (SCE) for electricity. Approximately 32 percent of California's electricity supply comes from renewable energy sources, such as wind, solar photovoltaic, geothermal, and biomass (CEC 2021a). The Dry Utility Due Diligence and Conflict Report prepared by Murrow Development Consultants (2021) assumes that the project site will have a new underground system and separate points of service to feed each building of the proposed project. The report showed that there are multiple pieces of utility equipment that were feeding into the previous establishment at the project site which will need to be removed. This includes three transformers, one vault and quitclaim the easements that will need to be removed by SCE. An existing vault (502492) off Hampshire Road that will conflict with a proposed driveway and will need to be relocated (Murrow 2021).

### **e. Natural Gas**

California's net natural gas production for 2018 was 180.6 billion cubic feet, or approximately 187,282 billion British thermal units (Btu; California Department of Conservation Division of Oil, Gas, and Geothermal Resources 2019). The state relies on out-of-state natural gas imports for nearly 90 percent of its supply (CEC 2021a). The CEC estimates that approximately 45 percent of the natural gas burned across the state is used for electricity generation, and the remainder is consumed in the residential (21 percent), industrial (25 percent), and commercial (9 percent) sectors. Building and appliance energy efficiency standards account for up to 39 percent in natural gas demand savings between 1975 and 2010 (CEC 2021a).

### **Southern California Gas Company**

Natural gas is provided to Thousand Oaks and the project site by the Southern California Gas Company (SoCalGas) (SoCalGas 2021a). SoCalGas serves approximately 21.8 million customers with approximately 3,526 miles of gas transmission pipelines, 49,715 miles of gas distribution pipelines, and 48,888 miles of service lines (SoCalGas 2013). Natural gas supplied by SoCalGas is sourced primarily from several sedimentary basins in the Western United States and Canada including New Mexico, west Texas, the Rocky Mountains, western Canada, and California (California Gas and Electric Utilities 2020). The Dry Utility Due Diligence and Conflict Report states that SCG has a two-inch service

used to serve the KMART and half-inch service used to feeding the neighboring restaurant building “391 Hampshire Rd” (Morrow 2021).

#### **f. Telecommunications**

Telecommunication services in Thousand Oaks are provided by private vendors and agencies. Frontier is the primary telephone provider while Charter is the primary Cable TV provider for the project site. The project area is served by several cellular towers. Service from an individual cellular tower can range and service is not necessarily provided by the closest cellular tower; therefore, other cellular towers in Ventura County may also provide service to the project area.

### 4.15.2 Regulatory Setting

#### **a. Federal Regulations**

##### **Clean Water Act**

The primary goals of the Federal Clean Water Act (CWA), 33 USC §§ 1251, et seq. are to restore and maintain the chemical, physical, and biological integrity of the nation’s waters and to make all surface waters fishable and swimmable. The CWA forms the basic national framework for the management of water quality and the control of pollutant discharges. The CWA sets objectives to achieve the above- mentioned goals. The CWA objectives include regulating pollutant and toxic pollutant discharges; providing for water quality which protects and fosters the propagation of fish, shellfish, and wildlife; developing waste treatment management plans; and developing and implementing programs for the control of non-point sources pollution.

##### **National Pollutant Discharge Elimination System (1972)**

The NPDES permit program was established in the CWA to regulate municipal and industrial discharges to surface waters of the United States. Federal NPDES permit regulations have been established for broad categories of discharges, including point-source municipal waste discharges and nonpoint-source stormwater runoff. NPDES permits generally identify effluent and receiving water limits on allowable concentrations and/or mass emissions of pollutants contained in the discharge; prohibitions on discharges not specifically allowed under the permit; and provisions that describe required actions by the discharger, including industrial pretreatment, pollution prevention, self-monitoring, and other activities. Wastewater discharge is regulated under the NPDES permit program for direct discharges into receiving waters and by the National Pretreatment Program for indirect discharges to a sewage treatment plant.

The Municipal National Pollutant Discharge Elimination System (NPDES) program is administered by the State Water Resources Control Board (SWRCB) through the Regional Water Quality Control Boards (RWQCBs) and requires municipalities to obtain permits that outline programs and activities to control wastewater and stormwater pollution. The federal Clean Water Act prohibits discharges of stormwater from construction projects unless the discharge is in compliance with an NPDES permit. The SWRCB is the permitting authority in California and adopted an NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit) (Order 2009-0009, as amended by Orders 2010-0014-DWQ and 2012-006-DWQ). Containment and spill cleanup are also encompassed in the Storm Water Pollution Prevention Plan (SWPPP). This includes inspections for spills, a requirement that chemicals be stored in watertight containers with secondary containment to prevent spillage or leakage, procedures for addresses

hazardous and non-hazardous spills, including a spill response and implementation procedure, include on-site equipment for cleanup and spills, and spill training for construction personnel (SWRCB 2009).

### **Safe Drinking Water Act (1974)**

The Safe Drinking Water Act (SDWA), enacted in 1974, ensures the quality of drinking water. The law requires actions to protect drinking water and its sources (e.g., rivers, lakes, reservoirs, springs and groundwater wells) and applies to public water systems that have at least 15 service connections or serve at least 25 people for at least 60 days a year. It authorizes the United States Environmental Protection Agency (USEPA) to set national standards for drinking water to protect against health effects from exposure to naturally occurring and man-made contaminants. In addition, the U.S. EPA works with states, localities and water suppliers that implement the standards. U.S. EPA standards are set under the National Primary Drinking Water Regulations (NPDWR), which include legally enforceable primary standards and treatment techniques that apply to public water systems. Primary standards and treatment techniques protect public health by limiting the levels of contaminants, Maximum Contaminant Levels (MCLs), in drinking water. The MCL is the highest level of contaminant that is allowed in drinking water at a level that is not anticipated to produce adverse health effects after a lifetime of exposure, based upon toxicity data and risk assessment principles. Secondary standards are non-enforceable guidelines regulating contaminants that may cause cosmetic effects (such as skin or tooth discoloration) or aesthetic effects (such as taste, odor, or color) in drinking water. USEPA does not enforce these "secondary maximum contaminant levels" (SMCL). They are established only as guidelines to assist public water systems in managing their drinking water for aesthetic considerations, such as taste, color, and odor.

### **b. State Regulations**

#### **Assembly Bills 939 and 341**

The Integrated Waste Management Act (IWMA) enacted the California Integrated Waste Management Act of 1989, also known as AB 939, implemented a specific plan for cities to submit a Source Reduction and Recycling Element (SRRE) to their corresponding county. The SRRE includes measures of waste characterization source reduction, recycling, composting, solid waste facility capacity, education and public information, funding special waste (asbestos, sewage, sludge, etc.), and household hazardous waste (CalRecycle 2022a). AB 939 requires cities to meet the Waste Diversion Mandates which proposed a goal of reducing 25 percent of solid waste from landfills by January 1995, and a 50 percent reduction by January 2000. AB 341 was later passed with a goal of achieving a 75 percent solid waste reduction by January 2020 (CalRecycle 2015).

#### **Assembly Bill 1327**

Assembly Bill 1327, the California Solid Waste Reuse and Recycling Access Act, was signed in 1991 with the purpose of establishing a recycling model ordinance. This ordinance was set to facilitate reuse and recycling for development projects.

#### **Assembly Bill 1826**

Mandatory Commercial Organics Recycling, which falls under Assembly Bill 1826, was established in 2014. This law requires businesses to recycle organic waste produced on and after April 2016 (CalRecycle 2022b). CalRecycle defines organic waste (for AB 1826) as food waste, green waste,

landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. AB 1826 requires local jurisdictions across the state implement an organic waste recycling program to divert organic waste generated by businesses, including multifamily residential dwellings that consist of five or more units (CalRecycle 2022b).

### **Senate Bills 610 and 221, Water Supply Assessment and Verification**

Senate Bills (SB) 610 and 221 amended State law, effective January 1, 2002, to improve the link between the information on water supply availability and certain land use decisions made by cities and counties. Both statutes require detailed information regarding water availability to be provided to city and county decision-makers prior to approval of specified large (greater than 500 dwelling units or 500,000 square feet of commercial space) development projects. Both statutes also require this detailed information to be included in the administrative record that serves as the evidentiary basis for an approval action by the city or county on such projects. Under SB 610 water assessments must be furnished to local governments for inclusion in any environmental documentation for certain projects as defined in Water Code 10912 subject to the California Environmental Quality Act (CEQA). Under SB 221 approval by a city or county of certain residential subdivisions requires an affirmative written verification of sufficient water supply.

### **Senate Bill X7-7, Water Conservation Act**

The Water Conservation Act of 2009 (SB X7-7), effective November 9, 2009, requires each urban retail water supplier to develop urban water use targets and agricultural water suppliers to implement efficient water management practices. SB X7-7 aims to achieve a 20 percent reduction in urban per capita water use by December 31, 2020. Certain provisions of the law are implemented through public processes administered by the Department of Water Resources (DWR). AB 1420 (2007) requires DWR to convene an Independent Technical Panel to develop new Demand Management Measures and technologies and approaches. AB 1404 (2007) requires agricultural water suppliers to submit aggregated farm-gate delivery annual reports to DWR.

### **Senate Bill 100**

Adopted on September 10, 2018, SB 100 supports the reduction of GHG emissions from the electricity sector by accelerating the state's Renewables Portfolio Standard Program, which was last updated by SB 350 in 2015. SB 100 requires electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

### **Senate Bill 1374**

Senate Bill 1374 (SB 1374), states that the California Integrated Waste Management Board (CIWMB) must receive an annual report including progress made by jurisdictions regarding their advances on diverting construction and demolition waste material (CalRecycle). CIWMB specified that CalRecycle was required to adopt a model ordinance that would divert 50 percent to 75 percent of construction and demolition waste materials from landfills.

### **California Public Utilities Commission**

SoCalGas is one of the major gas utility providers for the Project site, the natural gas utilities are regulated by California Public Utilities Commission (CPUC)

## **Urban Water Management Planning Act**

In 1983, the California Legislature enacted the Urban Water Management Planning Act (Water Code, Section 10610 et seq.), which requires urban water suppliers to develop water management plans to actively pursue the efficient use of available supplies. Every five years, water suppliers are required to develop Urban Water Management Plans (UWMP) to identify short-term and long-term water demand management measures to meet growing water demands.

## **Porter-Cologne Water Quality Control Act**

The State of California is authorized to administer Federal or State laws regulating water pollution within the State. The Porter-Cologne Water Quality Control Act (Water Code 13000, et seq.) includes provisions to address requirements of the CWA. These provisions include National Pollutant Discharge Elimination System (NPDES) permitting, dredge and fill programs, and civil and administrative penalties. The Porter-Cologne Act is broad in scope and addresses issues relating to the conservation, control, and utilization of the water resources of the State. Additionally, the Porter-Cologne Act states that the quality of all the waters of the State (including groundwater and surface water) must be protected for the use and enjoyment by the people of the State.

Executive Order B-37-16 In May of 2016, Governor Brown signed Executive Order B-37-16 that instructed State agencies to help Californians adopt permanent changes to use water more wisely. This Executive Order laid out a framework for moving the State from temporary, emergency water conservation measures to a more durable approach customized to the unique conditions of each local water agency. This report builds upon the Executive Order and provides recommendations for how to implement long-term improvements to water supply management that support water conservation.

## **Title 20, California Code of Regulations Section 1605.1**

Title 20 mandates water conservation by establishing efficiency standards that give the maximum flow rate of all new shower heads, lavatory, sink faucets, and tub spout diverters.

## **Title 22, California Code of Regulations**

The California Code of Regulations Title 22, Division 4, Chapter 3, Sections 60301 through 60355 are used to regulate recycled wastewater and are administered jointly by the California Department of Public Health (CDPH) and the RWQCBs. Title 22 contains effluent requirements for four levels of wastewater treatment, from undisinfected secondary recycled water to disinfected tertiary recycled water. Higher levels of treatment have higher effluent standards, allowing for a greater number of uses under Title 22, including irrigation of freeway landscaping, pasture for milk animals, parks and playgrounds, and vineyards and orchards for disinfected tertiary recycled water.

## **Title 24, California Green Building Code, California Code of Regulations**

California Code of Regulations Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24), was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. Specifically, new development projects constructed within California after January 1, 2017 are subject to the mandatory planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and environmental quality measures of the California Green Building Standards (CALGreen) Code (California Code of Regulations [CCR], Title 24, Part 11). The outdoor water use standards of the

CALGreen Code, which requires a 20 percent reduction in indoor water use, are already addressed by the City's Water Conservation Ordinance.

### **Water Conservation in Landscaping Act**

In 2006, the Water Conservation in Landscaping Act was enacted by the California Legislature to resolve outdoor water waste through improvements in irrigation efficiency and selection of plants requiring less water. This Act required an update to the existing local Model Water Efficiency Landscape Ordinance.

### **California Integrated Waste Management Act**

California's Integrated Waste Management Act of 1989 (State Assembly Bill [AB] 939) requires that cities and counties divert 50 percent of all solid waste from landfills as of January 1, 2000 through source reduction, recycling, and composting. AB 939 also establishes a goal for all California counties to provide at least 15 years of ongoing landfill capacity. To help achieve this goal, the Act requires that each city and county prepare a Source Reduction and Recycling Element to be submitted to CalRecycle, a department within the California Natural Resources Agency, which administers programs formerly managed by the State's Integrated Waste Management Board and Division of Recycling. As part of California's Integrated Waste Management Board's (CIWMB) Zero Waste Campaign, regulations affect what common household items can be placed in the trash. As of February 2006, household materials including fluorescent lamps and tubes, batteries, electronic devices and thermostats that contain mercury are no longer permitted in the trash and must be disposed of separately.

In 2007, SB 1016 amended AB 939 to establish a per capita disposal measurement system. The per capita disposal measurement system is based on a jurisdiction's reported total disposal of solid waste divided by a jurisdiction's population. CIWMB sets a target per capita disposal rate for each jurisdiction. Each jurisdiction must submit an annual report to CIWMB with an update of its progress in implementing diversion programs and its current per capita disposal rate.

### **c. Local Regulations**

#### **Construction and Demolition Debris Recycling Ordinance (No. 1639-NS)**

Established in 2017, this ordinance requires that construction and/or demolition projects in the City of Thousand Oaks divert a minimum of 65 percent of construction and demolition waste from landfill disposal through recycling and reuse. The City requires that building permit applicants submit a Waste Management Plan for approval before receiving a permit and a Final Report at the time of Final Inspection of their project.

### **City of Thousand Oaks Municipal Code**

#### *Title 6. Sanitation and Health*

Title 6, Chapter 2, addresses the control, regulation and proper disposal of solid waste, organic waste, and recyclable materials. The storage, accumulation, collection, processing, and disposal of such materials is necessary to avoid environmental impacts. Sec. 6-2.701. Commercial, multi-family (MFD-C), and mixed-use dwelling enclosures, specifically address waste enclosure design, access, adequate signage (compostables and recyclables), and compactor units.

a. **Chapter 3. Construction and Demolition Waste Management**

Title 6, Chapter 3, establishes the regulations necessary to reduce landfill waste caused by construction and demolition activity. The purpose of this chapter is to emphasize diversion, recycling, and/or salvaging construction and demolition waste materials resulting from projects in compliance with the CalGreen requirements.

*Title 7: Public Works*

a. **Chapter 3 Grading**

Title 7, Chapter 3, establishes minimum requirements for regulating grading and procedures. The chapter emphasizes Sec. 7-3.03. Permissive provisions, states that such provisions are not waived by the statutes or laws of the State or City. Sec. 7-3.07. Permits required through Sec. 7-3.17. General excavating and grading requirements state rules and regulations regarding permits to grading to comply with approved plans and requirements from the City to avoid complications.

b. **Chapter 4 Separation of Water and Sewer Facilities**

Title 7, Chapter 4, discusses water, sewer lines, facilities, supply, exceptions, and violations with the purpose to minimize and/or accommodate for accidental contamination of water. Existing regulations should provide reasonable protection for public health under ordinary conditions, however under unusual circumstances, it would be required for a Health Officer, Public Works Director, or civil engineer to assess the situation and provide an adequate approach. Unusual circumstances are defined by the Thousand Oaks Municipal Code as extremely permeable soil, water lines which operate at or below atmospheric pressure, and severe exposure to forces which may rupture lines.

*Title 10: Utilities*

a. **Chapter 1 Wastewater**

Title 10, Chapter 1, notices that the Public Works Department administers and controls the wastewater properties, facilities, and services of the City.

b. **Chapter 2 Water**

Title 10, Chapter 2, notices that the Public Works Department administers and controls the water properties, facilities, and services of the City.

### 4.15.3 Impact Analysis

**a. Methodology and Significance Thresholds**

Appendix G of the State CEQA Guidelines identifies the following criteria for determining whether development facilitated by the proposed project would have a significant impact on utilities and service systems:

1. 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;
2. Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years;



**T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project**

3. 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;
4. 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; or
5. Not comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

**b. Project Impacts and Mitigation Measures**

**Threshold 1:** Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

**Impact UTIL-1 NEW DEVELOPMENT FACILITATED BY THE PROPOSED PROJECT REQUIRES PROPER ASSESSMENT OF ELECTRICITY AND GAS SERVICES BY SOUTHERN CALIFORNIA EDISON AND SOUTHERN CALIFORNIA, IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION.**

The Dry Utility Due Diligence and Conflict Report prepared by Murrow Development Consultants (2021) stated that multiple pieces of utility equipment feed the existing buildings at the project site. This utility equipment would need to be removed before initiating construction of the proposed project. All appropriate utility and service providers would be contacted to address the appropriate changes and accommodations needed for project construction. SCE would need to remove at least three transformers and one vault and quit-claim the easements associated with each. An existing electricity vault (502492) off Hampshire Road that would conflict with a proposed driveway and will need to be relocated. Frontier has two existing underground services feeding the site that would need to be pulled back to the manhole located off Hampshire Road. SoCalGas has a two-inch service line that used to serve the former K-Mart and a 0.5-inch service lines that was used to serve the neighboring restaurant building "391 Hampshire Rd" and both of these lines will need to be cut back to the mainline in the street and meters removed (Murrow|DC 2021). The proposed project would require an assessment of SCE, telecommunications services, and SoCalGas to address the site conflicts and follow through with the removal and installation of required services proposed by the Dry Utility Due Diligence and Conflict Report. The proposed project would be required by SCE and SoCalGas to comply with the California Energy Code and California Green Building Standards Code (CALGreen Code) see Section 4.5, *Energy*. Compliance with the applicable regulations and implementing the necessary changes, the project's potential to result in wasteful or inefficient energy and gas would be less than significant.

Further as discussed in Section 4.18, Effects considered Less Than Significant, *Hydrology*, water, wastewater, stormwater drainage would be addressed by several project components which would serve to increase the overall infiltration and recharge of precipitation and runoff from the site. In addition, the project design would serve to increase the amount of infiltration and recharge occurring due to stormwater on the site. Therefore, impacts to water recharge would be less than significant.

The city has a number of telecommunications through private service providers. As discussed above, telecommunication services in Thousand Oaks are provided by private vendors and agencies. Frontier is the primary telephone provider while Charter is the primary Cable TV provider for the project site. The project area is served by several cellular towers. Service from an individual cellular tower can

range and service is not necessarily provided by the closest cellular tower; therefore, other cellular towers in Ventura County may also provide service to the project area.

### **Mitigation Measures**

No mitigation measures are required.

### **Significance After Mitigation**

Impacts would be less than significant without mitigation.

**Threshold 2:** Would the project have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

**Impact UTIL-2 REGIONAL WATER SUPPLIES ARE ADEQUATE TO SERVE DEVELOPMENT POTENTIAL IMPACTS WOULD BE LESS THAN SIGNIFICANT. ADEQUATE WATER SUPPLIES ARE AVAILABLE TO MEET THE LONG-TERM DEMANDS ASSOCIATED WITH THE PROPOSED PROJECT.**

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Water demand associated with the proposed project would be required to accommodate the residential, commercial, and recreational open space land uses proposed for the site. The project site receives its water supply from the City of Thousand Oaks. As previously described, the City purchases all of its water from the CMWD, via the MWD. The City of Thousand Oaks 2020 UWMP projects future water demand and supply for the city through 2045. The UWMP has confirmed that it anticipates having sufficient supplies to meet City imported water demands through 2045 and in fact shows surplus supplies in all water year types (UWMP 2020). Table 4.15-2 through Table 4.15-4 depicts the water supply and demand established by UWMP and CMWD. Water would be required for temporary construction activities on the project site, including grading and drainage. The conceptual drainage and treatment systems for this project, analyzed by Stantec Consulting Services (Appendix J), indicates reduced water consumption have been designed in accordance with the requirements of the City of Thousand Oaks, using the methods prescribed in the County of Ventura Hydrology Manual, see Section 4.18, *Effects Considered Less Than Significant, Hydrology*, for further details. Therefore, the proposed project would not exhaust water needs for either construction or long term demands. Impacts would be less than significant.

### **Mitigation Measures**

No mitigation measures are required.

### **Significance After Mitigation**

Impacts would be less than significant without mitigation.

**Threshold 3:** Would the project 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?

**Impact UTIL-3 REGIONAL WASTEWATER IS ADEQUATE TO SERVE DEVELOPMENT POTENTIAL IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

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The Preliminary Sanitary Sewer Capacity Study prepared by Stantec in November 2021 (Appendix J) calculated wastewater generation quantities using generation rates defined in Section 2.1 of the 1979 City of Thousand Oaks Wastewater Design and Construction Standards. The generation rates are based on an assumed value of 80% of the projects water demand, as calculated per the 2018 City of Thousand Oaks Water Master Plan prepared by Stantec in November 2021 (Appendix J). The total average water demand for the project was calculated to be 87,541 gallons-per-day, which results in a sewer discharge of 70,033 gallons-per-day (Appendix J). The analysis presented in Sewer Capacity Study confirms the existing sanitary sewer infrastructure surrounding the subject property will be adequate to serve the proposed project. Using the calculation methods described herein, the existing sewer mainline in Hampshire Road will be approximately 50% utilized by the proposed project thereby, satisfying the requirements found in the 1979 Wastewater Design and Construction Standards (Stantec). Therefore, the proposed project would not exhaust wastewater needs for either construction or long-term demands. Impacts would be less than significant.

**Mitigation Measures**

No mitigation measures are required.

**Significance After Mitigation**

Impacts would be less than significant without mitigation.

**Threshold 4:** Would the project 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?

**Impact UTIL-4 THE AMOUNT OF SOLID WASTE THAT WOULD BE GENERATED DURING CONSTRUCTION AND OPERATION OF THE PROPOSED PROJECT IS NOT EXPECTED TO EXCEED THE SURPLUS OF THE LANDFILL SERVING THE SITE. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

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The proposed project does not have a current projected solid waste estimation, at this design stage. However, as previously mentioned, the daily permitted limit of accepted waste is 3,000 tons, and the landfill currently accepts an average of about 2,800 tons per day, or about 93 percent of its permitted daily capacity (Riley, June 2006). The SVLRC can accept 6,250 tons of recyclable material per day. The landfill has a total capacity of 43.5 million cubic yards, with a remaining capacity of 22.3 million cubic yards (as of March 2006). The applicant would have to confirm that the projected solid waste estimate would meet the capacity of 2,800 tons per day for impacts to be less than significant.

**Mitigation Measures**

No mitigation measures are required.

## Significance After Mitigation

Impacts would be less than significant without mitigation.

**Threshold 5:** Would the project not comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

**Impact UTIL-5 THE PROPOSED PROJECT WOULD COMPLY WITH FEDERAL, STATE, AND LOCAL MANAGEMENT AND REDUCTION STATUTES AND REGULATIONS RELATED TO SOLID WASTE. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

The proposed project does not at this time have a projected solid waste estimation. However, the proposed project would comply with federal and state local regulations related to solid waste regarding mixed use and commercial spaces. If when the applicant receives a projected estimate that exceeds local standards or regulations then mitigation would be required. Assuming the generated solid waste estimate falls below capacity, no mitigation would be required and impacts would be less than significant.

## Mitigation Measures

No mitigation measures are required.

## Significance After Mitigation

Impacts would be less than significant without mitigation.

### 4.15.4 Cumulative Impacts

The proposed project would require alterations to dry utility lines and underground services which would include, electricity and gas.

CWMD possesses sufficient water supplies to serve the project and reasonably foreseeable future development during normal, single-dry, and multiple-dry years. Project-generated wastewater would be adequately served by available capacity at the HCTP. Finally, the project would not generate solid waste in excess of state or local standards, the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals, and the project comply with federal, state, and local solid waste management and reduction statutes.

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## 4.16 Wildfire

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This section of the EIR analyzes potential impacts related to wildfires and fire hazards that may result from the implementation of the proposed project. The analysis considers fire severity zones and nearby State Responsibility Areas (SRA) and lands classified as Very High Fire Hazard Severity Zones (FHSZ) near the project site, and the potential for the proposed project to exacerbate impacts in these locations. The analysis of wildfire impacts relied on the T.O. Ranch Specific Plan Wildfire Technical Study prepared by Envicom Corporation on December 2, 2021 and revised April 5, 2022 (Appendix I).

### 4.16.1 Setting

#### **Wildfire Fundamentals**

A wildfire is an uncontrolled fire in an area of extensive combustible fuel, including vegetation and structures. Wildfires differ from other fires in that they take place outdoors in areas of grassland, woodlands, brushland, scrubland, peatland, and other wooded areas that act as a source of fuel, or combustible material. Buildings may become involved if a wildfire spreads to adjacent communities. The primary factors that increase an area's susceptibility to wildfire include slope and topography, vegetation type and condition, and weather and atmospheric conditions. The primary factors that increase an area's susceptibility to wildfire include slope and topography, vegetation type and condition, and weather and atmospheric conditions. The California Climate Change Center reported a projected increase in wildfire frequency statewide between 11 percent under a lower-range warming scenario and 55 percent under a medium-range warming scenario. Please see Section 4.6, *Greenhouse Gas Emissions*, for impact analysis and information related to the proposed project greenhouse gas emissions.

The landscape in Ventura County (county) varies, with some developed areas being surrounded by undeveloped and rugged topography with highly flammable vegetation. Hillside terrain has substantial risk, particularly in August through December, when dry vegetation and hot dry winds coincide (Ventura County 2022). The wildfire "season" in coastal southern California historically peaks in the fall, after the long, dry summer and when the dry, gusty downslope Santa Ana winds occur. Based on more recent wildfire events, Ventura County and city of Thousand Oaks (Thousand Oaks; city) both have a high chance of wildfire any time of the year, from both the natural environmental events described above and human causes including equipment use or malfunction and arson.

The indirect effects of wildland fires can be catastrophic. In addition to stripping the land of vegetation and destroying forest resources, large, intense fires can harm the soil, waterways, and the land itself. Soil exposed to intense heat may lose its capacity to absorb moisture and support life. Regions of dense dry vegetation, particularly in canyon areas and on hillsides, pose the greatest potential for wildfire risks. Urban/wildland interface fires occur when a fire burning in wildland vegetation gets close enough to threaten urban structures. The Governor's Office of Planning and Research (OPR) has recognized that although high-density structure-to-structure loss can occur, structures in areas with low- to intermediate- housing density were most likely to burn, potentially due to intermingling with wildland vegetation or difficulty of firefighter access. Fire frequency also tends to be highest at low to intermediate housing density, at least in regions where humans are the primary cause of ignitions (California Natural Resources Agency 2018).

## **Wildfire-Conducive Conditions**

Because of substantial open space areas and associated vegetation and wildlife habitats throughout the state, California is subject to fire hazards. Grassland or other vegetation in California is easily ignited, particularly in dry seasons. Wildfire is a serious hazard in high dry fuel load areas, particularly near areas of natural vegetation and steep slopes, because fires tend to burn more rapidly on steeper terrain. Wildfire is also a serious hazard in areas of high wind, given that fires will travel faster and farther geographically when winds are higher. Furthermore, wildfire is more likely in areas where electric power lines are located above-ground and could ignite vegetation where the lines come into contact.

### *Vegetation*

Vegetation is fuel to a wildfire, and it changes over time with seasonal growth and die-back. The relationship between vegetation and wildfire is complex, but generally some vegetation is naturally fire-resistant, while other vegetation is extremely flammable. For example, cured grass is much more flammable than standing trees (California Department of Forestry and Fire Protection [CALFIRE] 2018). Grass is considered an open fuel accelerant, in which oxygen has free access to promote the spread of fire. Additionally, weather and climate conditions, such as drought, can lead to increasingly dry vegetation with low-moisture content and, thus, higher flammability. It is worth noting that some plant types in California landscapes are fire-resistant, while others are fire-dependent for their seed germination cycles. Wildfire behavior depends on the type of fuel present, such as ladder, surface, and aerial fuels. Ladder fuels provide a path for a surface fire to climb upward, into the crowns of trees. Surface fuels include grasses, logs, and stumps low to the ground. Aerial fuels include limbs, foliage, and branches not in contact with the ground (CALFIRE 2020a). Weather and climate conditions, including drought cycles and high winds, can lead to dry vegetation whose low moisture content increases its flammability.

### *Hillside Slope and Aspect*

According to CALFIRE, sloping land increases susceptibility to wildfire because fire typically burns faster up steep slopes, and steep slopes may hinder firefighting efforts (CALFIRE 2007a). Following severe wildfires, sloping land is more susceptible to landslide or flooding from increased runoff during substantial precipitation events. Landslides and surficial slope failure are most likely to occur in areas with more than 25 percent (14 degrees) slope (hillside areas) and along steep bluffs. Aspect is the direction that a slope faces, which determines how much radiated heat the slope will receive from the sun. Thus, slopes facing south to southwest will receive the most solar radiation; they tend to be warmer and the vegetation drier than on slopes facing a northerly to northeasterly direction, increasing the potential for wildfire ignition and spread (University of California 2018).

### *Weather and Atmosphere*

Wind, temperature, and relative humidity are the most influential weather elements in fire behavior and susceptibility (National Park Service 2017). Fire moves faster under hot, dry, and windy conditions. Wind may also blow embers ahead of a fire, causing its spread. Drought conditions also lead to extended periods of excessively dry vegetation, increasing the fuel load and ignition potential.

### *Power Lines*

Above-ground power lines have the potential to contribute to wildfire risk, especially when they are near or traverse wilderness areas. In some instances, high winds can blow nearby trees and branches

into powerlines, sparking fires. Wind can also snap wooden poles, causing live wires to fall onto nearby grass or other fuel, igniting it. While the California Public Utilities Commission (CPUC) estimates only about 10 percent of California's wildfires are triggered by power lines, the frequency and severity of these wildfires has spurred the agency to make new requirements for power line safety practices (Atkinson 2018).

## **Wildfire Hazard Designations**

In California, federal, State, and local agencies share responsibility for wildfire prevention and suppression. Federal agencies are responsible for federal lands in Federal Responsibility Areas (FRA). The State of California has determined that some non-federal lands in unincorporated areas with watershed value are of statewide interest and have classified those lands as State Responsibility Areas (SRA), which are managed by CALFIRE. All incorporated areas and unincorporated lands not in FRAs or SRAs are classified as Local Responsibility Areas (LRA).

While nearly all of California is subject to some degree of wildfire hazard, there are specific features that make certain areas more hazardous. CALFIRE is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors (Public Resources Code 4201-4204, California Government Code 51175-89). As described above, the primary factors that increase an area's susceptibility to fire hazards include slope, vegetation type and condition, and atmospheric conditions. CALFIRE maps fire hazards based on zones, referred to as

### *Fire Hazard Severity Zones (FHSZ)*

There are three levels of severity: 1) Moderate FHSZs; 2) High FHSZs; and 3) Very High FHSZs. Only the Very High FHSZs are mapped for LRAs. AB 63 (2021) effective January 1, 2022, requires the State Fire Marshal to map and add the High and Moderate FHSZ to the LRA FHSZ Maps. This process is underway and expected to be completed early 2023.

Each of the FHSZs influence how people construct buildings and protect property to reduce risk associated with wildland fires in a particular location. Under State regulations, areas in Very High FHSZs must comply with specific building and vegetation management requirements intended to reduce property damage and loss of life in those areas. The proposed project site is located in a Very High FHSZ, adjacent to the Conejo Ridge Open Space, as illustrated in Figure 4.16-1. The proposed project site is also located in a Hazardous Fire Area as defined by the Ventura County Fire Department, Ordinance 31 adopting the Ventura County Fire Code.

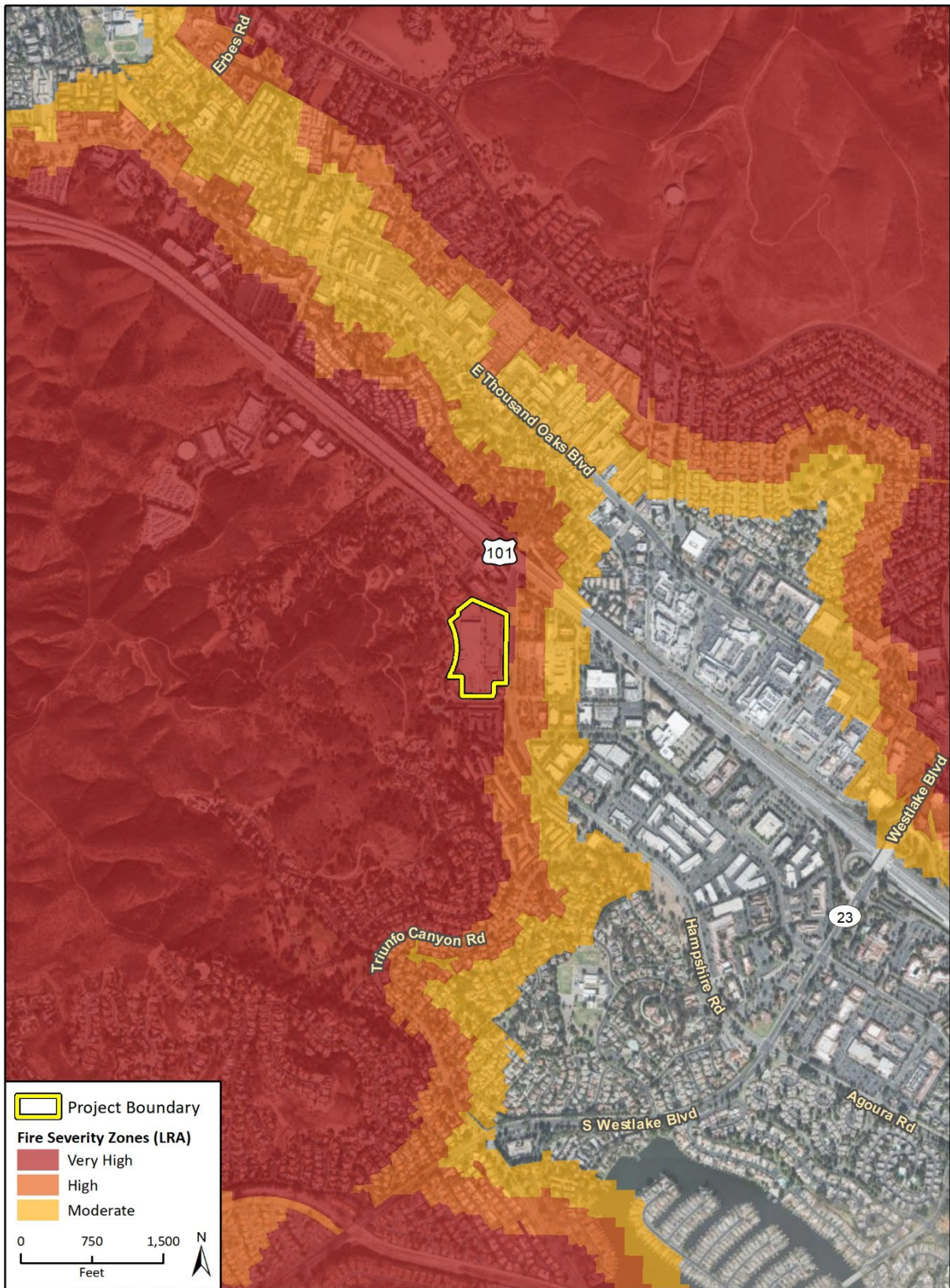
## **Project Site and Regional Fire Conditions**

According to the CALFIRE, wildfires have been increasing in size and damage, with the August Complex in northern California burning over 1,000,000 acres in 2020 and the Thomas Fire in Ventura and Santa Barbara counties burning 281,893 acres and 1,063 structures in 2017 (CALFIRE 2022). In 2018, the Woolsey Fire burned 96,949 acres, destroyed 1,643 structures, and resulted in the deaths of three people. It also prompted the evacuation of nearly 300,000 people, including residents of Thousand Oaks (National Park Service 2020).

According to the Ventura County General Plan Safety Element, population exposure to wildfire across the county is highest in Moorpark (44 percent), Thousand Oaks (43.1 percent), and Simi Valley (27.7 percent) (City of Thousand Oaks 2014a). Proximity to high fire areas may expose people to indirect impacts of wildfires such as poor air quality, lack of access to public services and emergency response



Figure 4.16-1 Fire Hazard Severity Zones near the Project Site



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Fire Severity Zones data from Cal Fire, 2008

Fig 1.7 Fire Hazard Severity Zones

in the event of a wildfire threat. The project site is flat with urban development to the north, east, and south, and some residential development adjacent to the Conejo Hills Open Space.

Thousand Oaks is subject to fires from several sources including wildland, structural, vehicle, refuse, and human generated incidents. The city is characterized a Mediterranean climate characterized by hot dry summers and hot dry winds in the fall that can exacerbate fire hazards as well as extensive development in the Wildland Urban Interface (WUI) in combination with the presence of wildland fuels, compounds the hazard of wildfire throughout the city and county (City of Thousand Oaks 2014a). Historically, wildfires have occurred in or near Thousand Oaks, including the 2007 Foothill Fire, which reached the project site’s southern boundary and damaged portions of the multi-family residential developments to the south and adjacent single-family subdivisions (CALFIRE 2007b).

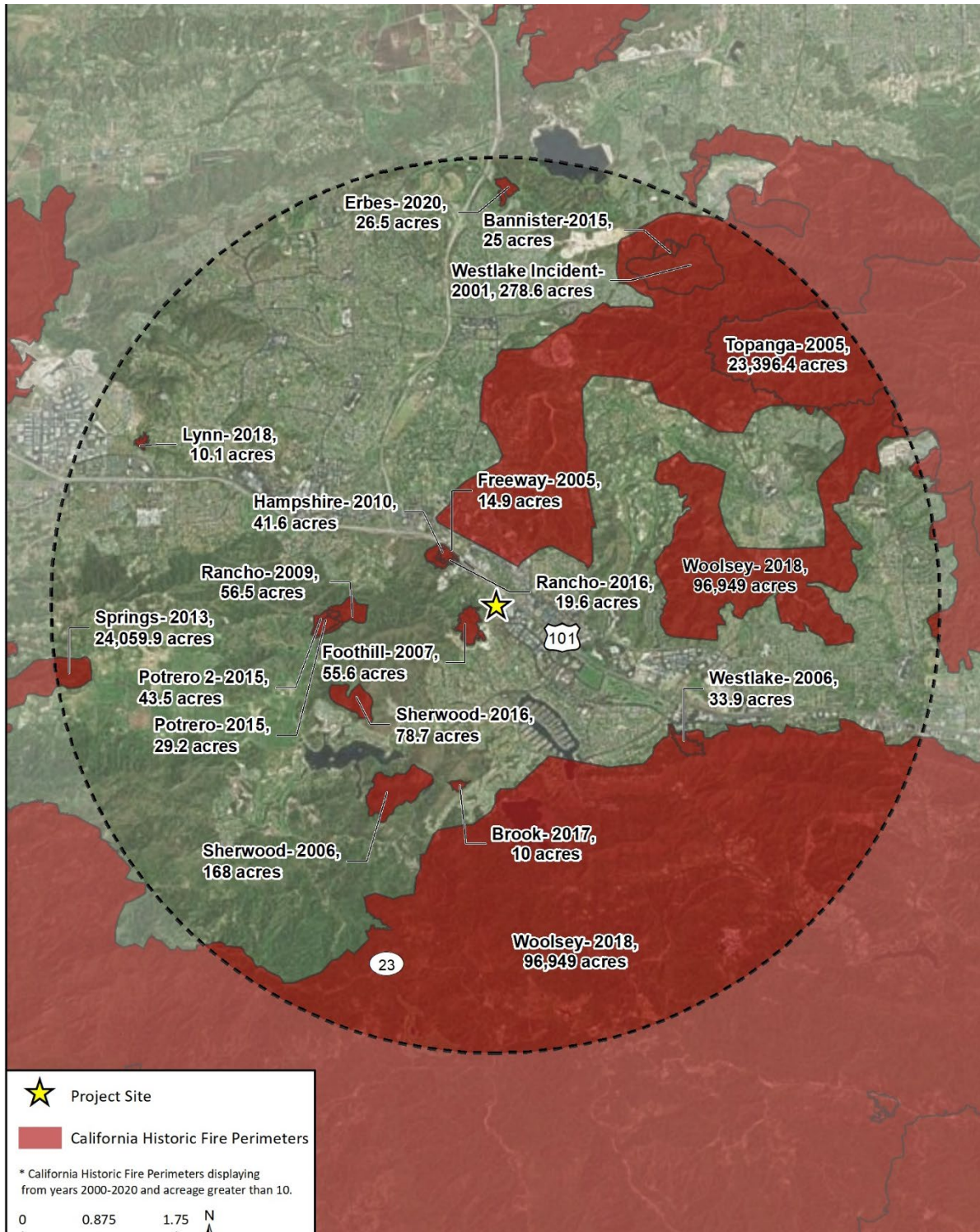
Table 4.16-1 lists the wildfires that have burned in the last 20 years within five miles of the proposed project site and indicates the number of acres burned. Figure 4.16-2 illustrates their location in relation to the proposed project site. While the proposed project site has not been directly impacted by wildfire historically, the area in the immediate vicinity is prone to fires and could burn in the event of a wildfire.

**Table 4.16-1 Fires Within 5 Miles of the Project Site**

Number	Year	Name	Acres Burned
1	2001	Westlake Incident	278.6
2	2005	Topanga	11,667
3	2005	Freeway	14.9
4	2006	Westlake	33.9
5	2006	Sherwood	168.0
6	2007	Foothill	55.6
7	2009	Rancho	56.4
8	2010	Hampshire	41.6
9	2013	Springs	4,083
10	2015	Bannister	25
11	2015	Potrero	29.2
12	2016	Rancho	19.6
13	2016	Sherwood	78.7
14	2017	Mulholland	7.4
15	2017	Brook	10
16	2018	Lynn	10.1
17	2018	Woolsey	58,791

Source: Appendix I

**Figure 4.16-2 Wildfire within Five Miles of Project Site**



Source: Envicom 2022, Appendix I

Wildfire smoke produced from combustion of natural biomass contains thousands of individual compounds, including particulate matter, carbon dioxide, water vapor, carbon monoxide, hydrocarbons and other organic chemicals, nitrogen oxides, and trace minerals. Wildfires can move into the WUI, burning homes and structures and thereby consuming man-made materials in addition to natural fuels. Wildfire behavior will vary depending on natural fuel type; fires in open space fuels can range from mild to severe and can spread very slowly or extremely rapidly depending on weather and fuel conditions. Wildfires in open space areas can last for weeks and can have air quality impacts. Smoke levels in proximate and downwind populated areas can be difficult to predict (US Environmental Protection Agency 2019).

## 4.16.2 Regulatory Setting

### a. Federal Regulations

#### **Federal Emergency Management Act**

The Federal Emergency Management Act (FEMA) enacts the ongoing mission to lead the effort to prepare the nation for all hazards and effectively manage federal response and recovery efforts following any national incident. FEMA also initiates proactive mitigation activities, trains first responders, and manages the National Flood Insurance Program (NFIP) and the U.S. Fire Administration.

#### **Disaster Mitigation Act of 2000**

The Disaster Mitigation Act (42 United States Code [U.S.C.] Section 5121) was signed into law to amend the Robert T. Stafford Disaster Relief Act of 1988 (42 U.S.C. Section 5121-5207). Among other things, this legislation reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide and is aimed primarily at the control and streamlining of the administration of federal disaster relief and programs to promote mitigation activities. Some of the major provisions of this Act include:

- Funding pre-disaster mitigation activities
- Developing experimental multi-hazard maps to better understand risk
- Establishing state and local government infrastructure mitigation planning requirement
- Defining how states can assume more responsibility in managing the hazard mitigation grant program
- Adjusting ways in which management costs for projects are funded

The mitigation planning provisions outlined in Section 322 of this Act establish performance-based standards for mitigation plans and require states to have a public assistance program (Advance Infrastructure Mitigation) to develop county government plans. The consequence for counties that fail to develop an infrastructure mitigation plan is the possibility of a reduced federal share of damage assistance from 75 percent to 25 percent if the damaged facility has been damaged on more than one occasion in the preceding 10-year period by the same type of event.

#### **National Fire Plan**

The National Fire Plan was developed under Executive Order 11246 in August 2000, following an historic wildland fire season. It establishes plans for active response to severe wildland fires and their

impacts to communities while ensuring sufficient firefighting capacity. The plan addresses firefighting, rehabilitation, hazardous fuels reduction, community assistance, and accountability. The program promotes close coordination among local, State, tribal, and federal firefighting resources by conducting training, purchasing equipment, and providing prevention activities on a cost-share basis. To help protect people and their property from potential catastrophic wildfire, the National Fire Plan directs funding for projects designed to reduce the fire risks to communities (United States Department of Agriculture [USDA]; Department of the Interior [DOI] 2000). High-risk communities identified within the wildland-urban interface, the area where homes and wildlands intermix, were published in the Federal Register in 2001. CALFIRE incorporates concepts from this plan into State fire planning efforts.

### **Healthy Forest Restoration Act**

The Healthy Forest Restoration Act (HFRA), enacted by the U.S. Congress on January 7, 2003, established a protocol for the creation of a Community Wildfire Protection Plan (CWPP) that articulated a wildfire safety plan for communities at risk from wildland fires. The Ventura County Fire Department (VCFD) has prepared a CWPP for all of Ventura County. As specified by the HFRA, a Ventura County CWPP was developed in collaboration with local, county, state, and federal agencies as well as various community organizations within the county. The CWPP was adopted in 2010 and identifies wildfire risks and clarifies priorities for funding and programs to reduce the impacts of wildfire on the communities at risk in Ventura County (Ojai Valley Fire Safe Council 2010).

### **b. State Regulations**

#### **State Fire Safe Regulations**

The project is located within a Local Responsibility Area (LRA) Very High Fire Severity Zone (VHFHSZ) and shall comply with the minimum standards of the California Code of Regulations, Title 14, Division 1.5, Chapter 7, Article 6, Subchapter 2, "SRA/VHFHSZ Fire Safe Regulations" (CCR T-14 FSR), unless modified by more restrictive local ordinances and requirements.

#### **California Fire and Building Codes (2019)**

The California Fire Code is Part 9 of California Code of Regulations (CCR) Title 24. It establishes the minimum requirements consistent with nationally recognized good practices to safeguard public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structure, and premises, and to provide safety 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 Fire Code 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.

#### **Executive Order N-05-19**

On January 9, 2019, Governor Gavin Newsom issued Executive Order N-05-19 to address the recent damaging wildfires happening in California. Executive Order N-05-19 directs CALFIRE, in consultation with other State agencies and departments, to recommend immediate, medium and long-term

actions to help prevent destructive wildfires. In response, CALFIRE (with the contribution of several other State agencies) created the Community Wildfire Prevention & Mitigation Report (February 22, 2019) which contains recommendations to reduce the damage from wildfires across the State. Specifically, they focus on reducing wildfire fuel (such as vegetation clearing), long-term community protection (creating defensible space in communities), wildfire prevention, and forest health (CALFIRE 2019).

### **Strategic Fire Plan for California**

The Strategic Fire Plan for California (California Fire Plan) is the State's roadmap for reducing the risk of wildfire. The most recent version of the California Fire Plan finalized in August 2018 and directed each CALFIRE Unit to prepare a locally specific fire management plan (CALFIRE 2019). In compliance with the California Fire Plan, individual CALFIRE units are required to develop fire management plans for their areas of responsibility. These documents assess the fire situation within each of the 21 CALFIRE units and six contract counties. The plans include stakeholder contributions and priorities and identify strategic areas for pre-fire planning and fuel treatment as defined by the people who live and work with the local fire problem. The plans are required to be updated annually. With California's extensive wildland-urban interface situation, the list of high-risk communities extends beyond those adjacent to federal lands, discussed above. The California State Forester (CALFIRE Director) has the responsibility of managing the high-risk communities list.

### **California Disaster Mitigation Act**

The California Office of Emergency Services prepares the State of California Multi-Hazard Mitigation Plan (SHMP). The SHMP identifies hazard risks and includes a vulnerability analysis and a hazard mitigation strategy. The SHMP is federally required under the Disaster Mitigation Act of 2000 for the State to receive federal funding. The Disaster Mitigation Act of 2000 requires a state mitigation plan as a condition of disaster assistance.

### **California Emergency Response Plan**

California developed an emergency response plan to coordinate emergency services provided by federal, state, and local governments, and private agencies. The plan is administered by the California Governor's Office of Emergency Services, which coordinates the responses of other agencies. When the city experiences an emergency, an Emergency Operations Center may be opened. In the event an Emergency Operations Center is opened, emergency response team members coordinate efforts and work with local fire and police agencies, emergency medical providers, the California Highway Patrol, CALFIRE, California Department of Fish and Wildlife, and California Department of Transportation.

### **State Emergency Plan**

The foundation of California's emergency planning and response is a statewide mutual aid system designed to ensure adequate resources, facilities, and other support is provided to jurisdictions whenever jurisdictional resources prove to be inadequate to cope with a given situation.

The California Disaster and Civil Defense Master Mutual Aid Agreement (California Government Code Sections 8555–8561) requires signatories to prepare operational plans to use within their jurisdiction and outside their area. These plans include fire and non-fire emergencies related to natural, technological, and war contingencies. The State of California, all State agencies, all political subdivisions, and all fire districts signed this agreement in 1950.

Section 8568 of the California Government Code, the “California Emergency Services Act,” states that “the State Emergency Plan shall be in effect in each political subdivision of the state, and the governing body of each political subdivision shall take such action as may be necessary to carry out the provisions thereof.” The Act provides the basic authorities for conducting emergency operations following the proclamations of emergencies by the Governor or appropriate local authority, such as a City Manager. The provisions of the act are further reflected and expanded on by appropriate local emergency ordinances. The Act further describes the function and operations of government at all levels during extraordinary emergencies.

All local emergency plans are extensions of the State of California Emergency Plan. The State Emergency Plan conforms to the requirements of California’s Standardized Emergency Management System (SEMS), the system required by Government Code 8607(a) for managing emergencies that involve multiple jurisdictions and agencies. The SEMS incorporates the functions and principles of the Incident Command System, the Master Mutual Aid Agreement, existing mutual aid systems, the operational area concept, and multi-agency or inter-agency coordination. Local governments must use SEMS to be eligible for funding of their response-related personnel costs under State disaster assistance programs. The SEMS consists of five organizational levels that are activated as necessary, including field response, local government, operational area, regional, and State. The Governor’s Office of Emergency Services divides the state into several mutual aid regions.

### **Senate Bill 1241 (Kehoe) of 2012**

Senate Bill 1241 requires cities and counties in SRAs and Very High FHSZs to address fire risk in the safety element of their general plans. The bill also resulted in amendments to the CEQA Guidelines to include questions related to fire hazard impacts for projects located in or near lands classified as SRAs and Very High FHSZs.

### **Government Code Section 51182**

According to Government Code Section 51182 (amended by AB 3074 and AB 63 which create new 0-5 foot ember resistant zone, and new definitions and requirements for defensible space, respectively), a person who owns, leases, controls, operates, or maintains an occupied dwelling or occupied structure in, upon, or adjoining a mountainous area, forest-covered land, brush-covered land, grass-covered land, or land that is covered with flammable material, which area or land is in a Very High FHSZ shall at all times do all of the following:

1. Maintain defensible space of 100 feet from each side and from the front and rear of the structure
1. Remove that portion of a tree that extends within 10 feet of the outlet of a chimney or stovepipe
2. Maintain a tree, shrub, or other plant adjacent to or overhanging a building free of dead or dying wood
3. Maintain the roof of a structure free of leaves, needles, or other vegetative materials
4. Prior to constructing a new dwelling or structure that will be occupied or rebuilding an occupied dwelling or occupied structure damaged by a fire in that zone, the construction or rebuilding of which requires a building permit, obtain a certification from the local building official that the dwelling or structure, as proposed to be built, complies with all applicable State and local building standards

## **Senate Bill 1028**

Senate Bill 1028 (2016) requires each electrical corporation to construct, maintain, and operate its electrical lines and equipment in a manner that will minimize the risk of catastrophic wildfire posed by those components, and makes a violation of these provisions by an electrical corporation a crime under State law. The bill also requires each electrical corporation to annually prepare a wildfire mitigation plan and submit to CPUC for review. The plan must include a statement of objectives, a description of preventive strategies and programs that are focused on minimizing risk associated with electric facilities, and a description of the metrics that the electric corporation uses to evaluate the overall wildfire mitigation plan performance and assumptions that underlie the use of the metrics.

## **California Public Utilities Commission General Orders**

### *General Order 95*

The CPUC General Order 95 applies to construction and reconstruction of overhead electric lines in California. The replacement of poles, towers, or other structures is considered reconstruction and requires adherence to all strength and clearance requirements of this order. The CPUC has promulgated various Rules to implement the fire safety requirements of General Order 95, including:

- Rule 18A requires utility companies take appropriate corrective action to remedy Safety Hazards.
- General Order 95 nonconformances requires that each utility company establish an auditable maintenance program.
- Rules 31.2 requires that lines be inspected frequently and thoroughly.
- Rule 35 requires that vegetation management activities be performed in order to establish necessary and reasonable clearances. These requirements apply to all overhead electrical supply and communication facilities that are covered by General Order 95, including facilities on lands owned and maintained by California State and local agencies.
- Rule 38 establishes minimum vertical, horizontal, and radial clearances of wires from other wires.
- Rule 43.2.A.2 requires that for lines located within Tier 2 or Tier 3 zones, the wind loads required in Rule 43.2.A.1 be multiplied by a wind load factor of 1.1. (CPUC 2018)

### *General Order 165*

General Order 165 establishes requirements for the inspection of electric distribution and transmission facilities that are not contained within a substation. Utilities must perform “Patrol” inspections, defined as a simple visual inspection of utility equipment and structures that is designed to identify obvious structural problems and hazards, at least once per year for each piece of equipment and structure. “Detailed” inspections, where individual pieces of equipment and structures are carefully examined, are required every five years for all overhead conductor and cables, transformers, switching/protective devices, and regulators/capacitors. By July 1 of each year, each utility subject to this General Order must submit an annual report of its inspections for the previous year under penalty of perjury (CPUC 2017a).

### *General Order 166*

General Order 166 Standard 1.E requires that investor-owned utilities (IOUs) develop a fire prevention plan which describes measures that the electric utility will implement to mitigate the threat of power-line fires generally. Additionally, this standard requires that IOUs outline a plan to mitigate power line fires when wind conditions exceed the structural design standards of the line during a Red Flag



Warning in a high fire threat area. Fire prevention plans created by IOUs are required to identify specific parts of the utility's service territory where the conditions described above may occur simultaneously. Standard 11 requires that utilities report annually to the CPUC regarding compliance with General Order 166 (CPUC 2017b). The City's Local Hazard Mitigation Plan notes that above-ground power lines are susceptible to high winds that pass through the city, including the area around UCR. Arcing lines can cause sparks to drop onto buildings or brush and the utility department continues to address this risk (City of Riverside 2018b).

### **California Public Utilities Commission Undergrounding Rule 20 Programs**

Tariff Rule 20 is the vehicle for the implementation of the underground conversion programs. Rule 20 provides three levels, A, B, and C, of progressively diminishing ratepayer funding for the projects, and a sub-program D which is specific to undergrounding in San Diego Gas & Electric's Fire Threat District. For the Rule 20 Program, Cities identify overhead lines that they wish to convert to underground and in consultation with their investor-owned utility (IOU) determine if the conversion project qualifies for any of the Rule 20 A, B, C or D programs. If qualified utility ratepayer funds will cover between 0 and 100 percent of the costs of the conversion project as detailed below. Approximately 35 to 40 miles of overhead lines are converted each year to underground through Rule 20 Sections A, B, and C. There have not been any Rule 20D projects to date.

#### *Rule 20a*

Rule 20A projects are constructed in areas of a community that are used most often by the general public. Rule 20A projects are nominated by the city or county and are paid for by the electric utility ratepayers. Under Rule 20A, the CPUC requires the utility to allocate a certain amount of work credits each year to the cities and unincorporated counties for conversion projects. Because ratepayers contribute the bulk of the costs of Rule 20A programs through utility rates, the projects must be in the public interest by meeting one or more of the following public interest criteria:

- Eliminate an unusually heavy concentration of overhead lines
- Involve a street or road with a high volume of public traffic
- Benefit a civic or public recreation area or area of unusual scenic interest
- Be listed as an arterial street or major collector as defined in the Governor's Office of Planning and Research Guidelines

The determination of "general public interest" under these criteria is made by the local government, after holding public hearings, in consultation with the utility.

In addition, the community must also have accumulated enough Rule 20A work credit allocations to fund a project. Such allocations are given out annually by the utility and communities can accumulate them over several years until they have sufficient funding to complete a project. Communities may borrow forward five years to obtain additional credits. Once enough work credits are available, the community forms a utility underground district by municipal resolution to initiate a project.

The program is voluntary, and the communities identify the overhead conversion projects in consultation with the utilities. Each year Rule 20A results in converting approximately 20 miles of overhead distribution lines to underground.

### *Rule 20B*

Projects in larger developments or areas that do not meet any of the above criteria can be performed as Rule 20B projects. At a minimum, the proposed project must involve both sides of a street for a minimum of 600 feet. The applicant (residents, local government, or developer) is responsible for the installation of the conduit, substructures, and boxes as well as paying for the cost to complete the installation of the underground (electric, telephone, and cable) system. Unlike Rule 20A, there are no work credits involved with Rule 20B and the applicant expends funds and receives reimbursement. After the project is complete, the electric utility credits the applicant in the amount of an equivalent overhead system, plus the taxes, if applicable. This reimbursement typically ranges from 20 to 40 percent of the project cost.

### *Rule 20C*

Projects that do not qualify under 20A or 20B are performed under Rule 20C. Rule 20C projects are less than 600 feet in length and typically involve one or more property owners. The applicant(s) bear the cost of the entire undergrounding project and receive a small credit for the salvage cost of the facilities, less depreciation, that do not go underground.

## **c. Local Regulations**

### **Thousand Oaks General Plan**

The current General Plan was adopted in 2014. The Thousand Oaks General Plan provides a long-range comprehensive guide for the physical development of the City's Planning Area. The current General Plan Safety Element contains citywide goals and policies to prevent the loss of life and property, and to minimize injuries and property damage in the event of hazards such as floods, earthquakes, landslides, fires, and other hazards. The following goals and policies relate to wildfire hazards (City of Thousand Oaks 2014a):

- Policy D-1** Continue to enforce the following:
- California Health and Safety Code
  - Ventura County Fire Protection District Ordinance
  - California Building Code (CBC), which is the International Building Code with California amendments
- Policy D-2** Continue to provide adequate fire protection and prevention services to meet the needs of the community and continue to support inter-jurisdictional fire protection agreements.
- Policy D-3** Inspect buildings susceptible to fire damage and abate hazardous conditions as necessary.
- Policy D-4** Conduct and encourage fire safety and fire prevention programs for school and other critical facilities.
- Goal S-5** Provide minimum standards to protect life, limb, property, safety, and welfare of the citizens of the City by regulating and controlling the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials, and devices.
- Policy D-5** If it is determined that older fire stations do not meet seismic structural codes, upgrade, or replace these facilities as necessary.

**T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project**

- Goal S-6** Prevent the loss of life and property due to controlled wildfire in the urban/wildland interface through the cooperation of the Ventura County Fire Protection District and property owners living in these areas.
- Policy D-6** Continue to strive for 5-minute response time to all fire and life safety emergency responses.
- Policy D-7** Provide adequate fire flow for all new developments in accordance with the CBC and adopted Amendments (or the most current edition of CBC as adopted).
- Policy D-8** Equip new buildings with an automatic fire sprinkler system in accordance with the CBC and Ventura County Fire District Ordinance.
- Policy D-10** Provide minimum road widths and clearances for new development projects in accordance with:
- Municipal Code requirements (Sections 9-3.1015 and 9-3.1016);
  - Standards specified in the City of Thousand Oaks Road Standards and construction specifications in effect at the time of construction.
- Policy D-14** Encourage public participation in arson prevention programs.
- Policy D-13** Discourage the location of public facilities and above-ground utilities in extreme fire hazard areas. When unavoidable, special precautions should be taken to minimize potential impacts.
- Policy D-15** Implement appropriate fuel management and prescribed burning programs on a selective basis in order to reduce the potential for devastating wildfires and the resulting damage they cause to both natural ecosystems and urban environments.
- Policy D-16** Coordinate with Ventura County Fire Protection District as determined to be necessary in order to identify suitable fuel management and prescribed burning areas.
- Policy D-17** Work with the Ventura County Fire Protection District, the Conejo Open Space Conservation Agency and other agencies, as appropriate, to implement fuel management and post fire recovery plans that conserve wildlife habitat while protecting public safety.
- Policy D-18** Review the very high fire hazard severity zone map with the Ventura County Fire Protection District in order to update City information.

**Ventura County Multi-District Hazard Mitigation Plan**

The City’s Local Hazard Mitigation Plan was last updated in 2011, but in 2015 the City partnered with a multi-jurisdictional effort lead by the County of Ventura to implement the Ventura County Multi-District Hazard Mitigation Plan (MDHMP) (Ventura County 2015). This is currently under public review for a 2022 update that brings the plan into compliance with the latest in federal and State hazard mitigation regulations. The intent of the MDHMP is to reduce or alleviate the loss of life, personal injury, and property damage that could result from a disaster and includes planning efforts, policy changes, programs, studies, improvement projects and other steps to reduce the impacts of hazards (Ventura County 2022).

**Thousand Oaks Emergency Operations Plan**

The Emergency Operations Plan, last updated in 2020, addresses the city’s planned response to extraordinary emergency situations associated with natural disasters, technological incidents, and national security emergencies. The plan Emergency Operations Plan helps maintain the city’s ability

to prepare, respond and recover from a variety of emergency incidents, and satisfies the standardized emergency management system (SEMS) requirements of Title 19 of the California Code of Regulations and the National Incident Management System, overseen by the California Office of Emergency Services (Cal OES). The Emergency Operations Plan updates the 2014 version and includes field response, staff organization, multi-agency coordination for resources, and programs for raising public awareness.

### **Thousand Oaks Municipal Code**

Section 8-1.02 of the Municipal Code adopts the CBC by reference with certain amendments. Adoption of the CBC includes Chapters 7, 7A, and 9 (the California Fire Code), as described above. The City's building code provisions regarding fire safety are either identical to or more stringent than those found in the CBC.

### **Ventura County Fire Department**

Ventura County Fire Protection District Ordinance 29 – Fire Apparatus Code governs access roads and driveways within the areas served by the Ventura County Fire Department.

The Ventura County Fire Code (VCFC) was created by the Ventura County Fire Protection District's Board of Directors through the adoption of Ordinance 31, the 2019 California Fire Code, portions of the 2018 International Fire Code, and portions of Title 19 of the California Code of Regulations by reference with amendments. The VCFC establishes the minimum requirements in Wildland-Urban Interface Areas to increase the ability of a building to resist the intrusion of flame or embers projected by a vegetation fire. The VCFC also identifies the need for fuel clearance, particularly in areas in or near the WUI, to satisfy defensible space between buildings and wildland open space.

## 4.16.3 Impact Analysis

### **a. Significance Thresholds and Methodology**

Wildfire impacts of a project are considered significant if they cause wildfire standards to be violated where they are currently met, or if they substantially contribute to an existing violation of standards. Various environmental factors and substantial infrastructure modifications could exacerbate the effects of a wildfire pollutant concentrations from point-source and non-point-sources.

As set forth in Appendix G, Environmental Checklist, of the State CEQA Guidelines, a project could have a potentially significant impact if it would:

1. Substantially impair an adopted emergency response plan or emergency evacuation plan (if located in or near state responsibility areas or lands classified as very high fire hazard severity zones)
2. 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 (if located in or near state responsibility areas or lands classified as very high fire hazard severity zones)
3. 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 (if located in or near state responsibility areas or lands classified as very high fire hazard severity zones)

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4. 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 (if located in or near state responsibility areas or lands classified as very high fire hazard severity zones)

Impacts related to wildfire hazards and risks were evaluated using Fire Hazard Safety Zone (FHSZ) mapping for Ventura County, aerial imagery, and topographic mapping. Additionally, impacts were informed by the Wildfire Technical Study conducted by Envicom Corporation (Appendix I).

CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project's future users or residents. Consequently, impacts under the thresholds identified above would only be considered significant if the proposed project risks exacerbating those existing environmental conditions.

**b. Project Impacts and Mitigation Measures**

**Threshold 1:** Would the project substantially impair an adopted emergency response plan or emergency evacuation plan (if located in or near state responsibility areas or lands classified as very high fire hazard severity zones)?

**Impact W-1 THE PROJECT IS LOCATED IN A VERY HIGH FIRE HAZARD SEVERITY ZONE. PROJECT DEVELOPMENT WOULD BE SUBJECT TO LOCAL, STATE, AND FEDERAL REGULATIONS THAT ENSURE THE PROJECT WOULD NOT SUBSTANTIALLY IMPAIR AN ADOPTED EMERGENCY RESPONSE PLAN OR EMERGENCY EVACUATION PLAN. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

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The proposed project site is located within a Local Responsibility Area Very High FHSZ with ingress and egress to and from the site provided by Hampshire Road and Foothill Drive. The ramp to US-101 is 600 feet from the existing northern project boundary. Impairment of emergency response or emergency evacuation plans could occur if the project introduces conditions that “place a burden on emergency responders during an emergency response situation or impair the implementation of emergency response planning” (Appendix I), including creating steep grades or undersized roadways that make emergency vehicle access difficult, or generating bottlenecks by means of project design that would impair access to or egress from the site. These conditions could occur during construction or during operation of the proposed project.

During construction of the proposed project, all equipment staging would occur within the property boundary, and worker vehicles would be parked either on the property or in a designated parking lane on Foothill Road adjacent to the southern boundary of the project. Construction material delivery and soil export hauling vehicles would require limited travel on city streets due to the proximity of the site to the US-101 freeway on- and off-ramps. Any construction activities within existing roadways (such as the construction of deceleration lanes on Hampshire Road or the installation of utility connections) would be temporary and would require coordination with the City to so that adequate notification is given and a construction-phase traffic control plan is developed, including warning signs, traffic cones, and/or flagmen, as necessary. Construction management plans are prepared in accordance with the latest version of the California Manual on Uniform Traffic Control Devices and include measures such as the following:

- Identify proposed truck routes to be used
- Include a public information and signage plan to inform student, faculty and staff of the planned construction activities, roadway changes/closures, and parking changes
- Store construction materials only in designated areas that minimize impacts to nearby roadways

- Limit the number of lane closures during peak hours to the extent possible. Inform the Campus before any partial road closure.
- Use Caltrans certified flag persons for any temporary lane closures to minimize impacts to traffic flow, and to ensure safe access into and out of the project sites
- Install traffic control devices as specified in the California Department of Transportation Manual of Traffic Controls for Construction and Maintenance Work Zones
- To minimize disruption of emergency vehicle access, affected jurisdictions (Campus Police, City Police, and City Fire Department) [are] consulted to identify detours for emergency vehicles, which will then be posted by the construction contractor
- Coordinate with local transit agencies for temporary relocation of routes or bus stops in works zones, as necessary
- Coordinate with other projects under construction near the project site, so an integrated approach to construction-related traffic is developed and implemented

With adherence to these guidelines and the precepts of the Ventura County MDHMP, and the latest version of the City of Thousand Oaks General Plan Safety Element, construction activities would not substantially impede emergency vehicle access or impair an emergency response plan or evacuation plan. Construction impacts would be less than significant.

Proposed project construction would develop a cluster of 15 buildings with up to 420 dwelling units on the site with a 30-foot-wide fire access lane around all buildings. The VCFD enforces design and access standards (determined by the VCFC or other regulatory agencies, described earlier) to ensure a development does not impact emergency access or evacuation plans. Such requirements include that all exteriors of buildings are not located more than 150 feet from a fire access lane and that fire access lanes allow for a 50-foot inside turning radius at all turns in the road (VCFC, CCR T-14 FSR)). Adherence with such standards would ensure that operation of the proposed project would not impact an adopted emergency response plan or emergency evacuation plan.

During operation of the proposed project, up to 1,121 residents and an unknown number of others accessing commercial, restaurant, and office uses could be on the site at any time. If evacuation orders were issued for the site during operation, residents would exit the proposed project site onto Foothill Drive and/or Hampshire Road where vehicles could either travel north to enter nearby US-101 using onramps to either the northbound and southbound directions or travel south and turn north on Westlake Boulevard and enter US-101 freeway. This is the second nearest freeway access point and provides onramps to either the northbound and southbound directions. Travel distance to either freeway entry is short (approximately 600 feet and approximately 1.25 miles, respectively). Both roads have at least two travel lanes available to reach the freeway, each designed to accommodate 1,600 vehicles per hour (Appendix I).

Given the immediate access to evacuation routes, close access to the freeway, and placement within an urbanized locale (i.e., a lack of wildland areas susceptible to wildfire between the proposed project and the freeway), residents of the proposed project would not encounter or create significant impediments to evacuation. As discussed in the Wildfire Technical Study (Appendix I), the VCFD and Ventura County Sheriff's Office of Emergency Services indicate that the proposed project would not create an impediment to potential evacuations. The Ventura County Sheriff's Office of Emergency Services would have primary responsibility for coordinating evacuations, as indicated in the City's Safety Element and the VCFD may direct evacuations during a wildfire. Evacuation warnings or evacuation orders are issued according to conditions as wildfires are inherently dynamic and

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unpredictable. Evacuation warnings and orders may be made in a phased manner according to vulnerability, location, or other factors, which would enable traffic surges on roadways to be minimized over time allowing for more an orderly flow of vehicles exiting an evacuation area. Once a warning or order is issued, it is important to note that the timely evacuation of residential properties depends upon timely cooperation from the individual residents under evacuation orders. The City’s Safety Element and Appendix I provide more information about evacuation measures and how they are communicated to the public.

Although the proposed project site is located in a Very High FHSZ, the site itself is urban infill development in an already urbanized area. Urban infill projects utilize existing facilities and do not require a substantial reorganization, expansion, or extension of services as they do not expand development into the WUI and therefore do not exacerbate wildfire risk. According to CALFIRE, structures in the WUI are at greater risk of being burned simply because the WUI is where fuel (wildlands) and people meet, and an increase in WUI is therefore an increase in fire hazard (CALFIRE 2018). Infill urban development and redevelopment are considered by planning professionals to be the best means of increasing the housing stock without increasing wildfire risks ( Appendix I). Urban landscapes are far less susceptible to the hazards of wildfire and fire in general, compared to exurban or suburban WUI development (CALFIRE 2018).

The proposed project constitutes urban infill development and would be required to adhere to all adopted federal, State, and local development guidelines that govern wildfire, emergency services, and emergency access, and evacuation routes (see Section 4.7.2, *Regulatory Setting*). Therefore, project implementation would not substantially impair an adopted emergency response plan or evacuation plan and impact would be less than significant.

**Mitigation Measure**

No mitigation is required.

**Significance After Mitigation**

Impacts would be less than significant.

**Threshold 2:** Would the project, 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 (if located in or near state responsibility areas or lands classified as very high fire hazard severity zones)?

**Impact W-2 IMPLEMENTATION OF THE PROPOSED PROJECT WOULD INCREASE RESIDENTIAL DENSITY ON THE SITE WITH NEW BUILDINGS AND INFRASTRUCTURE CONSTRUCTED ACCORDING TO THE LATEST STATE AND LOCAL FIRE CODE AND SAFETY STANDARDS. NEW CONSTRUCTION WOULD BE LOCATED IN AN AREA WITHIN 0.5 MILE OF A VERY HIGH FHSZ. PEOPLE LIVING, WORKING, AND SHOPPING ON THE PROJECT SITE COULD BE EXPOSED TO POLLUTANT CONCENTRATIONS FROM A WILDFIRE OR THE UNCONTROLLED SPREAD OF A WILDFIRE BUT THE PROJECT WOULD FOLLOW ALL FIRE AND BUILDING CODES THAT WOULD PREVENT THE PROJECT ITSELF FROM EXACERBATING WILDFIRE RISK. IMPACTS WOULD BE LESS THAN SIGNIFICANT.**

*Construction*

Construction of the proposed project would involve the use of hazardous materials such as petroleum products (See Section 4.9, *Hazards and Hazardous Materials*). All project construction is subject to applicable federal and State laws and regulations related to the proper use, storage, and transport of

hazardous materials. Ventura County Environmental Health Division provides Certified Unified Program Administration oversight for Ventura County and is responsible for implementing the federal and State laws and regulations pertaining to the handling of hazardous wastes and hazardous materials during construction activities. Construction equipment would be subject to standard operating procedures that would limit sources of ignition that could generate a wildfire. All construction activities on the proposed project site require that equipment and workers conform to fire safety protocols, including, but not limited to, on-site fire extinguishing equipment, as part of the VCFC, as outlined in the Regulatory Setting above. As such, impacts would be less than significant.

### *Operation*

As shown in Figure 4.16-1, the Conejo Ridge Open Space is west of Foothill Drive, across from the northwestern project site boundary. Thousand Oaks is an area prone to wildland fires due to its climate and topography, and the city has a significant history of wildfire events. Development facilitated by the proposed project would increase the population up to 1,121 people by increasing residential development and commercial and restaurant uses. Development under the proposed project would primarily be infill, in areas where single-family and multi-family residential, medical, and other commercial uses currently exist.

Factors for assessing existing wildfire risk include drought, slope steepness, wind speeds, flammability of vegetation, and burn history and severity (length of time from last fire and location of last proximate fire). Since fires burn faster uphill, slope steepness is a crucial factor in fire spread. Vegetation provides fuel for fires, and low relative humidity and strong winds are critical weather conditions that could lead to rapid or dramatic increases in wildfire activity (CALFIRE 2020b).

The proposed project site is relatively flat and surrounded by urban development, with exception of Foothill Drive, which is 25 feet above the project site to the northwest. The site is subject to Santa Ana winds, which are strong dry offshore winds that affect southern California in autumn and winter. They can range from hot to cold, depending on the prevailing temperatures in the source regions, the Great Basin, and upper Mojave Desert (Tufts University 2018). According to the Wildfire Technical Study (Appendix I), prevailing winds in the area tend to blow to the southeast from May to September and southwest from September to February, with more variable patterns between March and May. The Santa Ana winds generally blow to the southwest, which would be away from the proposed project site, but historically this has not prevented fires from impacting the area near where the site is located.

All components associated with the proposed project would be subject to the CBC regulations governing fire protection and activities on the site would be subject to local and regional restrictions on use or operation during high fire-risk conditions (e.g., open fires or barbecues, use of landscaping equipment that could cause sparks). For example, the project components would conform to Chapters 7, 7A, and 9 of the CBC, which regulate building materials, structural design as it relates to fire containment, safety features, and fire sprinkler systems. Chapter 7A requirements harden the structure against wildfires, but also serve to further reduce the likelihood of the development burning out of control. Chapter 7A compliant features would include a class A roof assembly with no eaves or soffit venting, which would allow combustible embers to enter. The flat non-combustible roof and vertical non-combustible cladding on the exterior walls, constructed of a combination of cement plaster and fiber cement panels, present a fireproof shell to the exterior with no system venting to allow embers inside. These proposed project features, in combination with all the buildings being equipped with fire-sprinklers would assure risks associated with development catching fire and spreading fire that exposes project occupants to the pollutant concentrations of a wildfire would be



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reduced. Additionally, all landscape for the proposed project would be required to be reviewed by the VCFD. Furthermore, project landscaping would be required to meet VCFD and State fire safety requirements for defensible space and be routinely maintained and not allowed to become dry or overgrown such that it would create a fire hazard, based on project design plans (Appendix I). Therefore, the project would not exacerbate wildfire risk.

In the event of catastrophic wildfire, such as the 2019 Woolsey Fire, occupants of the proposed project could be exposed to concentrated pollutants or the uncontrolled spread of wildfire. However, it is speculative to determine the degree to which they could be affected. Implementation of fire protection features standardized in the CBC and implemented by the Thousand Oaks Municipal Code would limit the potential for the proposed project to exacerbate wildfire and compliance with local and regional orders designed to limit exposure toke would protect residents and visitors from pollutants to the degree possible. Therefore, this impact would be less than significant.

**Mitigation Measure**

No mitigation is required.

**Significance After Mitigation**

Impacts would be less than significant.

**Threshold 3:** Would the project 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 (if located in or near state responsibility areas or lands classified as very high fire hazard severity zones)?

**Impact W-3 THE PROJECT SITE IS LOCATED IN THE VERY HIGH FHSZ, HOWEVER THE DEVELOPMENT WOULD NOT REQUIRE INSTALLATION OR MAINTENANCE OF INFRASTRUCTURE IN THE OPEN SPACE. ALL SUCH COMPONENTS WOULD OCCUR WITHIN THE DEVELOPED PROJECT SITE. FURTHERMORE, THE SITE IS BORDERED ON BOTH SIDES BY EXISTING CITY ROADWAYS AND WOULD INVOLVE AN INTERNAL CIRCULATION SYSTEM TO SERVE PROJECT COMPONENTS. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.**

The project site is developed with a commercial center and large, surface parking area; associated infrastructure includes powerlines and emergency water sources. The site is surround by existing public roads to the east, south, and west, all of which provide fuel breaks and fire access. Given the urban setting of the project site, the proposed project would not require the installation or maintenance of infrastructure beyond normal construction activity such as roads, fuel breaks, emergency water sources, power lines, or other utilities that may exacerbate fire risk or result in temporary or ongoing impacts to the environment. In addition, the proposed project would not result in an extension into the WUI. The project would be required to install fire hydrants; however, fire hydrants would only be placed in currently developed areas. Furthermore, above-ground electrical transmission like and associated components along Foothill Drive, on the western edge of the project site and between the Conejo Ridge Open Space, would be undergrounded during project implementation. The undergrounding of new electrical power connections would minimize potential ignition and related fire risk.

Because all proposed project activities would be confined to the project site and would not encroach on the nearby open space, which is classified as Very High FHSZ, the installation and maintenance of all infrastructure associated with the project construction and operation would not affect the Very

High FHSZ. Proposed project implementation would not increase risk for fire or result in temporary or ongoing impacts to the environment in the Very High FHSZ. Impacts would be less than significant.

### **Mitigation Measures**

No mitigation measures are required.

### **Significance After Mitigation**

Impacts would be less than significant without mitigation.

**Threshold 4:** Would the project 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 (if located in or near state responsibility areas or lands classified as very high fire hazard severity zones)?

**Impact W-4 THE PROJECT WOULD NOT EXPOSE PEOPLE OR STRUCTURES TO SIGNIFICANT RISKS, INCLUDING DOWNSLOPES OR DOWNSTREAM FLOODING OR LANDSLIDES, AS A RESULT OF RUNOFF, POST-FIRE SLOPE INSTABILITY, OR DRAINAGE CHANGES. THIS IMPACT WOULD BE LESS THAN SIGNIFICANT.**

Given that the proposed project site is currently developed with a commercial center and parking lot, changes to the site would not impact downslope or downstream flooding or landslides because of runoff, post-fire instability, or drainage changes. Neither the proposed project nor the surrounding area is within a flood plain or flood area (FEMA 2020). The site is flat and was previously engineered with appropriate grading and foundations, in accordance with local building codes. The geology of the project site has been proven as stable through decades of previous occupancy by the former commercial uses. Because of the surrounding urban development, firefighting capabilities, and access to infrastructure, a catastrophic fire on the project site would be unlikely. However, if a fire were to occur on site, no landslide, downslope, or downstream flooding condition would be created because the site is topographically flat and has been previously graded. Furthermore, historic wildfires that affected the Conejo Ridge Open Space, a Very High FHSZ, did not produce post-fire landslides during ensuing rain events.

As discussed in Section 2, *Project Description*, the proposed project would decrease the amount of impervious surface on the site, increase the capacity for natural water infiltration and potentially reduce the extent of downslope flooding. Furthermore, a retaining wall at the western edge of the project site would be designed to comply with the City Building Code and the specifications of the proposed project's geotechnical report, which would assure stability to current standards and avoid landslide impacts.

Adherence to all building codes and all applicable State and local regulations, would ensure the project development would not exacerbate the risk of wildfire or expose people or structures to significant risks, including downslopes or downstream flooding or landslides, because of runoff, post-fire slope instability, or drainage changes. Therefore, this impact would be less than significant.

### **Mitigation Measures**

No mitigation measures are required.

### **Significance After Mitigation**

Impacts would be less than significant without mitigation.

#### 4.16.4 Cumulative Impacts

A project's environmental impacts are "cumulatively considerable" if the "incremental effects of an individual project are significant when viewed in connection with the effects of approved projects, the effects of other current projects, and the effects of probable future projects" (*CEQA Guidelines* Section 15065[a][3]). As defined in the State CEQA Guidelines, cumulative impacts are the incremental effects of an individual project when viewed in connection with the effects of past, current, and reasonably foreseeable projects within the cumulative study area for wildfire. To analyze cumulative wildfire impacts, this Draft EIR considered anticipated development in the City of Thousand Oaks, and a potential population increases of approximately 15,200 in the city by 2040. This cumulative wildfire impact analysis particularly considered development on the southwest side of Thousand Oaks which may expose some site to potential risk to wildfire. However, since the proposed project as well as all future projects are required to adhere to city, State, and federal regulations designed to reduce and/or avoid impacts related to wildfire, implementation of the proposed project in itself would not result in a significant cumulative impact related to wildfire. With compliance with these regulations, cumulative impacts related to wildfire would be less than significant. Potential impacts of the proposed project with regard to wildfire, when combined with the impacts of past, present, and reasonably foreseeable projects in the city, could contribute to a cumulatively significant impact due to the increased risk of wildfire and impacts to resources and human life as a result of wildfire. However, each development application received by the city is required to undergo environmental review pursuant to CEQA. If there were any potential for significant impacts with regard to wildfire and related risks, an investigation would be required to determine the nature and extent of the resources and identify the appropriate mitigation measures. The proposed project would therefore have less than cumulatively considerable impacts in relation to wildfire.

## 4.17 Effects Considered Less Than Significant

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Section 15128 of the California Environmental Quality Act (CEQA) Guidelines requires an EIR briefly describe any possible effects that were determined not to be significant. The environmental factors discussed below are in response to the checklist questions listed in Appendix G of the CEQA Guidelines that were not discussed in Sections 4.1 through 4.17 of the DEIR.

### 4.17.1 Agriculture

*Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

*Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?*

*Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*

*Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

*Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?*

Based on the California Department of Conservation (DOC)'s Farmland Mapping and Monitoring Program (FMMP) and Williamson Act maps, the proposed project site is not a State-designated Farmland, enrolled in Williamson Act contracts, nor does it support forest land or resources (California DOC, 2017 and 2018). According to the DOC the site is designated as "Urban and Built-Up Land" and does not contain any agricultural, forest or timberland resources or uses. Furthermore, the proposed project site has previously been developed as a shopping center and parking lot and therefore the proposed project would not result in conversion of farmland or forest land to non-agricultural or non-forest use.

Based on the above, the proposed project would have no impact with respect to conversion of Farmland to non-agricultural use; conflict with existing agricultural zoning or Williamson Act contract; result in the loss of forest land or conversion of forest land to non-forest use; or other conversion of farmland to non-agricultural use.

### 4.17.2 Hydrology and Water Quality

*Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

The proposed project would be situated on approximately 10.97 acres of land that was previously developed as a shopping center and has existing, if outdated, stormwater and sewage infrastructure.

Prior to beginning major construction activities, including the necessary demolition of existing structures which must occur prior to grading and site preparation, the project would be required to obtain National Pollutant Discharge Elimination System (NPDES) coverage under the General Permit

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for Storm Water Discharges Associated with Construction Activity (known as the Construction General Permit or CGP) from the State Water Resource Control Board (SWRCB). If grading for the proposed project encounters the water table below the site, coverage under the Los Angeles RWQCB Groundwater from Construction and General Dewatering Permit (NPDES No. CAG994004, Order R4-2013-0095) would be required prior to any discharge to stormwater infrastructure or nearby receiving waters. To obtain coverage under the CGP, the proposed project will be required to prepare and submit a Stormwater Pollution Prevention Plan (SWPPP) which will include a list of best management practices (BMPs) designed to reduce or eliminate any discharges of sediment or pollutants associated with the construction of the project during the entirety of construction activities. The proposed project would be required to comply with the terms of the CGP throughout development activities. Runoff from the proposed project may be required to be treated on-site or will discharge to either existing stormwater and drainage infrastructure or into newly created infrastructure will be of upgraded quality from the existing site infrastructure.

All runoff into existing or new city stormwater infrastructure would be required to comply with the components of the Regional Phase I MS4 Permit (NPDES No. CAS004001, Order R4-2021-0105, the 'Regional Permit'), which covers Thousand Oaks. One of the components of the Regional Permit is the Countywide Storm Water Quality Management Program which includes design features that would be required to be implemented for project operation to continue to reduce and treat stormwater runoff from the proposed project post-construction. The Regional Permit is written in order to enforce the water quality standards and waste discharge requirements of the Los Angeles Region Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan). As coverage under the CGP and post-construction compliance with the terms of the Regional Permit and the Storm Water Quality Management Program would be required of the proposed project, the project will correspondingly be required to comply with the waste discharge requirements of the Basin Plan and impacts would be less than significant.

Currently the stormwater infrastructure on the proposed project location is outdated. The proposed project includes several design aspects, including use of permeable park space and updated infrastructure, which would serve to reduce the impacts of runoff and pollution from the project area. In addition, there are no surface waters nearby the project site which are listed as 303(d) impaired in the Basin Plan. Thus, impacts to surface and groundwater quality would be less than significant.

*Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

The proposed project is located at the edge of the Thousand Oaks Area groundwater basin (DWR Basin and Subbasin 4-019). Basin levels remained stable from 1979 through 1999 (DWR 2003) and the quality is considered poor. As discussed in Section 4.16 *Utilities and Service Systems* water service to the project location is provided by the City of Thousand Oaks Municipal Service Center Water Division. The City's 2020 Urban Water Management Plan (UWMP) states that groundwater is not a water supply within the city, and the two groundwater wells the City does operate both are located in the adjacent Conejo Valley Groundwater Basin (DWR Basin 4-10). One of these wells is not utilized due to poor groundwater quality. The City does not utilize the Thousand Oaks Area basin (City of Thousand Oaks 2020). The basin has been assigned a priority of Very Low under the Sustainable Groundwater Management Act (SGMA) and has thus not formed a Groundwater Sustainability Agency or adopted a Groundwater Sustainability Plan under SGMA, and groundwater

storage was estimated at almost 90% of capacity in 1999 (DWR 2003). Thus, impacts to groundwater supplies and sustainable groundwater management would be less than significant.

Currently the proposed project site is almost entirely covered in impervious surfaces and all runoff is directed to stormwater drainage and eventual discharge. The proposed project features several components which would serve to increase the overall infiltration and recharge of precipitation and runoff from the site, including dog parks and open pervious areas. In addition, post-construction Low Impact Development (LID) features to reduce impacts to recharge and runoff would be required under the Regional Permit, and any implementation of pervious features into the proposed project site from project design would only serve to increase the amount of infiltration and recharge occurring due to stormwater on the site. Therefore, impacts to groundwater recharge would be less than significant.

*Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation, substantially increase the rate or amount of surface runoff in a manner which would result in flooding, 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 impede or redirect flood flows on- or off-site?*

The current development of the proposed project site consists almost entirely of impervious surfaces and large commercial structures. The proposed project would serve to alter the existing drainage by improving and upgrading existing infrastructure, as well as reducing the amount of impervious surface through incorporation of open pervious spaces and required use of post-construction runoff control and LID features, which would also serve to control and reduce erosion and siltation and pollutant runoff from proposed project operation, especially reducing the current trash runoff from unregulated dumping on the site. In addition, all polluted runoff from the proposed project site would be required to comply with the Regional Permit which includes provisions for trash (a primary pollutant from residential development). Therefore, impacts from increased runoff related to flooding, erosion, and polluted runoff would be less than significant.

Part VII.F.2 of the Regional Permit sets out the basic hydromodification requirements for compliance with the Regional Permit. These requirements include restrictions on alteration of stormwater runoff volumes or redirection of flood flows in ways which would impact capacity of existing stormwater systems or impede flood flows and include requirements for LID development and project design which ensure existing infrastructure will not be overwhelmed by increased runoff from projects. The proposed project would be required to comply with all provision of Part VII.F.2 of the Regional Permit throughout its lifespan and to demonstrate the methods for compliance in design documents. Therefore, impacts to stormwater infrastructure and flood flows would be less than significant.

*In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?*

The proposed project location is not located in a 100- or 500-year FEMA floodplain, is not located near a coast or in an area threatened by potential tsunami behavior, nor is it located near any lakes, reservoirs, or dams which would be at risk from seiche behavior. There would be no impact.

*Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

As discussed at the beginning of this section, the proposed project would be required to comply with the Regional Permit, which is written specifically to ensure compliance with the Basin Plan. As coverage under the primary regulatory structure of the Basin Plan would be a project component, the proposed project would not conflict with or obstruct implementation of the Basin Plan, and there would be no impact.

As discussed at the beginning of this section, there are no Groundwater Sustainability Agencies or Groundwater Sustainability Plans in place for the Thousand Oaks Area Basin. There are no urban water agencies reliant upon the Basin's water and there are no local sustainable groundwater management plans in effect. In addition, the proposed project would be supplied by a water purveyor who does not utilize groundwater as a component of the water mix and the proposed project does not involve the use of groundwater. There would be no impact.

### 4.17.3 Mineral Resources

*Would the project 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?*

*Would the project 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?*

The proposed project site is located in an area classified by the California Geological Survey (CGS) as Mineral Resource Zone-1 (MRZ-1). This designation indicates that there is little likelihood that significant mineral resources are present in the area (California DOC 1981). The surrounding area does not contain any known significant mineral resources and the site is already developed with a vacant commercial facility; therefore, the proposed project would not result in the loss of known mineral resources that would be of value to the region or the residents of the state. Furthermore, the existing Thousand Oaks General Plan does not designate the site a locally important mineral resource recovery site and thus development of the proposed project would not result in the loss of availability of mineral resources. Based on this information, the proposed project would have no impact on mineral resources.

## 5 Alternatives

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### 5.1 Introduction

In accordance with CEQA Guidelines Section 15126.6, this EIR examines a range of reasonable alternatives to the proposed project. The primary purpose of an alternatives analysis under CEQA is to provide decision-makers and the public with a reasonable range of feasible alternatives to a proposed project that could attain most of the basic project objectives, while avoiding or reducing any of the project's significant adverse environmental effects.

Specifically, CEQA requires an EIR to describe a reasonable range of alternatives to a project, or to the location of a project that feasibly attains most of the project's basic objectives but avoids or substantially lessens any of the project's significant environmental impacts. CEQA also requires an EIR to evaluate the comparative merits of the alternatives. CEQA Guidelines Section 15126.6(a) requires EIRs to describe:

“...a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather, it must consider a range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives that are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.”

This section of the CEQA Guidelines also provides guidance regarding what the alternatives analysis should consider. CEQA Guidelines Section 15126.6(b) further states the purpose of the alternatives analysis is as follows:

“Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly.”

The CEQA Guidelines require that the EIR include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative must be discussed, but in less detail than the significant effects of the project as proposed (CEQA Guidelines Section 15126.6(d)). The CEQA Guidelines further require that the “no project” alternative be considered (CEQA Guidelines Section 15126.6(e)). The purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving a proposed project with the impacts of not approving the proposed project. If the no project alternative is the environmentally superior alternative, CEQA requires that the EIR “shall also identify an environmentally superior alternative among the other alternatives” (CEQA Guidelines Section 15126.6(e)(2)).



In defining “feasibility” (e.g., feasibly attain most of the basic objectives of the project), CEQA Guidelines Section 15126.6(f)(1) states, in part: Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives. In determining what alternatives should be considered in the EIR, it is important to consider the objectives of the project, the project’s significant effects, and unique project considerations. These factors are crucial to the development of alternatives that meet the criteria specified in CEQA Guidelines Section 15126.6(a).

Analysis of three alternatives to the proposed project is provided to allow decision-makers to consider the proposed T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project in light of hypothetical alternative development scenarios, thereby promoting CEQA’s purpose as an information disclosure statute. This analysis is guided by the following overarching considerations set forth under CEQA Guidelines:

- An EIR need not consider every conceivable alternative to a project
- An EIR should identify alternatives that were considered by the lead agency, but rejected as infeasible during the scoping process
- Reasons for rejecting an alternative include:
  - Failure to meet most of the basic project objectives
  - Infeasibility
  - Inability to avoid significant environmental effects

## 5.2 Summary of Significant Impacts

As required under CEQA, the intent of this alternatives analysis is to consider options that could reduce the proposed project’s significant impacts. Please see the Executive Summary for a summary of the impact determination for all the environmental resource areas. As stated therein, implementation of the proposed monastery retreat center was determined to result in the following significant impacts.

- **Noise**
  - **Impact NOI-1:** Construction activities associated with implementation of the project would intermittently generate noise on and near the project site beyond established standards. Mitigation Measure NOI-1 would be required and would reduce impacts, but they would remain significant and unavoidable during construction.

All other impacts addressed in the Draft EIR would either be less than significant or reduced to a less than significant level with mitigation, except for agriculture and forestry resources, hydrology and water quality and mineral resources, which were found to have no impacts.

## 5.3 Attainment of Project Objectives

In determining what alternatives should be considered in the EIR, the objectives of a project must be considered, as attainment of most of the basic objectives forms one of the tests of whether an alternative is feasible (see discussion above).

The City and project applicant identified the following objectives, as previously described in Section 2, *Project Description*:

- Ensure the scale of the development respects its surroundings and existing development pattern by reducing the mass and scale further away from Hampshire Road.
- Alleviate the housing crisis by providing housing to help meet the City's Regional Housing Needs Assessment (RHNA) allocation, including 50 dwelling units reserved for Low-Income households, consistent with the State Density Bonus Law.
- Provide redevelopment of an underutilized site with a variety of new commercial and residential uses.
- Cluster development to promote walking and establish a strong sense of neighborhood.
- Reinforce sense of place through project-specific identity signage, including way-finding and blade signs for pedestrian and vehicular traffic.
- Integrate a memorable and pedestrian-friendly public realm, where residents have close access to commercial services and open space. Create a smooth transition between the public and semi-public realm along Hampshire Road and Foothill drive.
- Create new, emerging commercial opportunities on the site with emphasis on establishing a cohesive relationship between public commercial and those working privately from home.
- Provide ample open space and incorporate native plant species to reduce water usage, provide a landscape demonstration area to visitors, and create a comfortable pedestrian environment.
- Add connectivity to existing pedestrian network and open space trail to the southwest.
- Preserve and protect existing oak and landmark trees.
- Locate housing close to job centers along Townsgate Road and Thousand Oaks Boulevard, and medical service providers along Hampshire and Agoura Roads.
- Meet need for neighborhood commercial uses in the area (restaurants and retail).
- Be consistent with the *Thousand Oaks Economic Development Strategic Plan* (November 2017), which identifies the Plan area as an opportunity site.

## 5.4 Alternatives Considered but Rejected

As described above, CEQA Guidelines Section 15126.6(c) provides that the range of potential alternatives for the project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. Alternatives that fail to meet the fundamental project purpose need not be addressed in detail in an EIR.

An EIR is also required to identify any alternatives that were considered by the lead agency but were rejected during the planning or scoping process, and briefly explain the reasons underlying the lead agency's determination. The following alternatives were considered by the City and project applicant but are not evaluated further in this EIR, for the reasons discussed:

**T.O. Ranch Mixed-Use and Multi-Family Residential Redevelopment Project**

- **Reduced Mixed-Use Project.** An alternative that was considered would provide a mix of residential and commercial uses but that would have a reduced footprint to avoid the construction noise impact. However, due to the reduced amount of developable area, development would need to be of a size that would be so small that it would not meet project objectives for additional housing within the City, increased public and private open space, increased commercial uses, and others as listed above. Therefore, this alternative was rejected since it would not meet the project objectives.
- **Reuse Existing Commercial Space.** An alternative that would renovate the existing commercial development and parking area was considered. However, this alternative was rejected as it would not meet any of the project objectives, including providing increased open space, housing, or commercial uses.

## 5.5 Alternatives Selected for Analysis

Alternatives have been developed to provide a reasonable range of options to consider that would help decision makers and the public understand the general implications of revising or eliminating certain components of the proposed project. The following provides descriptions of the three alternatives evaluated in this EIR:

The following alternatives are evaluated in this EIR:

- Alternative 1: No Project: Existing Buildings, Parking Lot, and Landscaping Remain
- Alternative 2: No Project/By-Right Development
- Alternative 3: Mixed-Use Project with Reduced Density

Table 5-1 provides a summary comparison of the development characteristics of the proposed project and each of the alternatives considered. Detailed descriptions of each alternative are included in the respective impact analysis, and the potential environmental impacts of each alternative follow.

**Table 5-1 Comparison of Project Alternative Buildout Characteristics**

<b>Feature</b>	<b>Proposed Project</b>	<b>Alternative 1: No Project</b>	<b>Alternative 2: No Project with By-Right Development</b>	<b>Alternative 3: Mixed-Use Project with Reduced Residential Density (No Density Bonus), 91 less units)</b>
Lot Area	477,853 sf (net) 10.97 ac	477,853 sf (net) 10.97 ac	477,853 sf (net) 10.97 ac	477,853 sf (net) 10.97 ac
Height	50 ft/3-4 stories	One story (12-feet)	Up to 35 feet (3 stories)	3 stories, 35 feet
Parking Area	47,447 sf (3 sub grade levels plus surface)	Existing surface lot	Area equivalent to existing surface lot or 358,499 sf/8.23 acres	43,046 sf (3sub grade levels)
Commercial Required/Provided Parking	105 Required 119 Provided	Existing	Similar to existing	105 Required 119 Provided
Residential Required/Provided Parking	628 Required 683 Provided	None	None	526
Public, Private, & Shared Open Space	196,518 sf	None	None	

<sup>1</sup>The total floor area is calculated pursuant to Thousand Oaks Municipal Building code and does not include parking areas, elevator shafts, stair shafts, rooms that house building operating equipment or machinery rooms, rooftop open space, or areas outside the surrounding walls of a building or structure. Therefore, the total floor area for the Proposed Project and Alternative 3 the ground, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floors.

## 5.6 Alternative 1: No Project

### 5.6.1 Description

The No Project Alternative assumes that the proposed commercial and residential buildings, subterranean parking, and other accessories, along with landscaping and sustainability features associated with the proposed project are not constructed. Current uses on the project site consist of a one-story retail complex with a large surface parking lot would remain in place under this alternative. The No Project Alternative would not fulfill any project objectives, described above, because the existing conditions on the project site would not support the City’s RHNA obligation by providing residential units in a range of income categories; nor would it help develop a sense of place through high-quality commercial and residential development with gathering places and opportunities to allow emerging commercial and work-from-home jobs. The No Project Alternative would also fail to create a unique pedestrian environment with connectivity to nearby and adjacent open spaces and other commercial centers.

### 5.6.2 Impact Analysis

#### a. Aesthetics and Visual Resources

Under the No Project Alternative, the visual quality on the site would remain the same as the unused retail center and parking lot would be left in place. The current conditions are considered blighted as the retail center is not occupied, the parking lot landscaping is not well-maintained, and the parking lot is cracked at its surface with ruderal vegetation growing in the cracks.

Scenic views of the local hillsides from US-101 would remain the same as under current conditions, where mature trees and shrubbery along the highway and block walls obscure views of the project site and hillsides to the west and south from US-101 would remain accessible to travelers on the highway. Impacts would be the same as the proposed project. State-designated scenic highways are too distant to be impacted by the project and no impact would occur. Under the No Project alternative, no rezoning of the project site would occur and therefore no conflicts would occur and impacts would be the same as the proposed project. The current visual quality on the site is low due to the abandoned nature of the existing development and continued non-use would result in ongoing deterioration on the site, that would conflict with the current General Plan goals that seek to “provide a high-quality environment, healthful and pleasing to the senses, which values the relationship between maintenance of ecological systems and the people’s general welfare.” Therefore, visual quality would continue to degrade and impacts would be greater than the proposed project. Finally, current light and glare conditions on the site are low because the retail uses and the parking lot are non-operational and under the No Project alternative light and glare impacts would be less than the proposed project.

### **b. Air Quality**

Under the No Project Alternative, the site would remain as-is and would not conflict with the 2016 Ventura County AQMP as no new residential population would be introduced on the site. Population growth would remain within the County’s growth forecast and impacts would be the same as the proposed project. Under the No Project Alternative, there would be no construction on the site and thus no construction-generated emissions, with impacts being less than the proposed project. The current development would remain unused and there would be no operational increases in criteria pollutants, although decay of the development components might generate some fugitive dust as buildings and pavement deteriorate and breakdown. Impacts would be less than the proposed project. The existing project site is developed with buildings, a surface lot, and remnant landscaping. Under the No Project Alternative, no topsoil would be disturbed either during construction or operation and no risk of Valley Fever would occur. Toxic Air Contaminants (TACs) would not increase during construction, as no construction would occur and as the site is currently non-operational, no TACs would be associated with ongoing non-operation. Furthermore, localized CO hotspots that may occur at intersections or at the on-ramps to US-101 would remain the same. No new odors would be introduced as the site is currently non-operational and would remain so under the No Project Alternative. Impacts would be reduced from the proposed project.

### **c. Biological Resources**

The project site is a paved, developed set of parcels with ruderal vegetation and some mature trees. Under the No Project alternative, this vegetation would remain in place and continue to be viable habitat for nesting birds. The vegetation and vacant structures would also continue to provide potential habitat for special-status bat species (discussed in Section 4.3, *Biological Resources*). There would, therefore, be no direct impacts to special-status species. However, as vegetation ages or receives limited maintenance attention and as buildings deteriorate, the plants and trees could die, and the habitat would be reduced for nesting birds and bat species. Without mitigation that mandates maintenance of the trees and potential bat roosts, continued deterioration of the existing site components could increased indirect impacts to special-status or sensitive species over those generated by the proposed project.

The project site contains no riparian habitat or wetlands and does not feature habitat for sensitive species. The No Project Alternative would leave existing development in place. There would be no impact to riparian habitat, wetlands, or to federally or State-protected wetlands or to habitat for sensitive species. Wildlife movement corridors would remain the same under the No Project Alternative as the current landscaping and developed nature of the site does not supply suitable habitat, dense foliage cover, and vegetation communities that would provide nursery sites or contribute to wildlife movement and impacts would be more than the proposed project, which would introduce numerous trees, shrubs, and other habitat within 196,518 sf of open space. The arborist survey discovered 10 protected and landmark trees on the project site (see Appendix C). These trees would remain on the site. However, aside from four coast live oaks (tree numbers 3, 4, 8, and 9), the trees on the site are in poor condition and in a state of decline. However, The No Project Alternative would not replace the eight out of 12 City-protected trees that would die from continual decline, nor would it be subject to mitigation to replace or move the healthy trees; therefore, impacts to protected trees would be greater than that of the proposed project. Finally, the project site is not within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other local or state conservation plan and the impact would be the same as the proposed project.

#### **d. Cultural Resources**

As described in Section 4.3, *Cultural Resources*, the existing development on the project site is not considered an historic resource and the archaeological records search indicated no prehistoric resources have been recorded within the project site. Under the No Project Alternative, construction would not occur, which would eliminate potential impacts to previously unidentified archaeological resources, human remains, and tribal cultural resources. Therefore, impacts to cultural, historic, or tribal resources under the No Project Alternative would be less than the proposed project.

#### **e. Energy**

The current development on the project site is unoccupied and energy consumption is limited to exterior lighting for safety. Under the No Project Alternative the current conditions would remain in place and no new, energy-saving components would be built. There would be no construction and no increased operational energy consumption. Under the No Project Alternative, the project components would remain inoperable and would therefore not consume energy or obstruct State or local energy reduction plans; however, the site would not facilitate renewable energy generation because solar or other energy-generating components would not be installed. These impacts would be less under the No Project alternative than under the proposed project. Therefore, No Project Alternative would ultimately conflict with the State and local plans for renewable energy and impacts would be greater than the proposed project.

#### **f. Geology and Soils**

Under the No Project Alternative, conditions would remain the same as they currently exist at the project site. No active faults exist on the project site and ground rupture would be unlikely. Impacts would be less than significant. The site is, however, subject to ground shaking in the event of a major earthquake. Under the No Project Alternative, the site would remain unoccupied and therefore if severe ground shaking were to occur, the risk of loss, injury, or death would be limited. Impacts would be less than significant. The project site is not within a liquefaction zone, and therefore the risk of related loss, injury, or death would not occur; the associated risk of lateral spreading would be low, and impacts would be less than significant. The project site is not located within an earthquake-

induced landslide hazard zone (DOC 2022). Therefore, potential impacts under the No Project Alternative associated with landslides would be less than significant. Under the No Project Alternative, no construction would occur and there would be no associated loss of topsoil or erosion. No impact would occur. The project site is not located on an unstable geologic unit and the soil would not become unstable under the No Project Alternative, and there would be no impact. Existing development occurs on a project site that contains expansive soil with medium potential to expand, according to the soil expansion tests performed in 2021 for the proposed project. Expansion could occur and cause significant and unavoidable impacts to existing construction under the No Project Alternative. No construction or excavation would occur under the No Project Alternative that could destroy unique paleontological resources on the site. There are no unique geologic features on the site, which is currently developed with a strip mall and large, surface parking area. These would remain and no impacts would occur. Overall, under the No Project Alternative, impacts would be the same as the proposed project.

### **g. Greenhouse Gas Emissions**

The current development on the project site generates minimal GHG emissions, as the site is inoperable. Limited GHG emissions would be associated with occasional maintenance equipment operation and related transportation to the site. Although the site is non-operational, the current development was not developed in accordance with SCAG's 2016-2040 RTP/SCS or the latest CARB Scoping Plan designed to reduce GHG emissions throughout the region and state, respectively. Thus, the No Project Alternative has the potential to conflict with GHG reduction measures through passive emissions. The proposed project would reduce overall GHG emissions by creating a centralized, transit-oriented location within the city and implement Title 24 Building Energy Efficiency Standards and a local Climate Action Plan that would meet and surmount the current CEQA criteria of the blighted site. Though emissions under the No Project Alternative would be less than the proposed project, impacts would be greater than the proposed project.

### **h. Hazards and Hazardous Materials**

As discussed in Section 2, *Project Description*, the project site is within a 0.25 mile of a school (at 3277 Foothill Drive), but it is not within the vicinity of an airport or private airstrip. The pre-demolition survey conducted for the proposed project indicated that numerous hazardous materials were present throughout the site, including ACM and LBP, as well as potential sources of PCBs, mercury, radiation, and numerous other potentially hazardous materials normally associated with commercial buildings of this size and former use (Stantec 2021). Although no demolition would occur related to the No Project Alternative, continued decay of existing buildings and the existing site conditions with hazardous materials could continue to release the hazardous materials into the environment and impacts would be greater than the proposed project. Unlike the project that would propose mitigation and agency oversight, conditions would continue to perpetuate and impacts would be greater than the project.

### **i. Land Use and Planning**

Under the No Project Alternative, the existing buildings would not be demolished, and the project site would remain consistent with the current commercial zoning and current General Plan land use designations. No population growth would occur. No established communities would be divided under the No Project Alternative as no new development would occur. Though the proposed project is inconsistent with some General Plan policies, once the General Plan amendment is adopted, the

zoning designation for the Specific Plan can be adopted and considered consistent. After the proposed project rezone, the proposed project would not conflict with any land use plan, policy, or regulation and impacts would be less than significant. Therefore, land use and planning impacts under the No Project Alternative would be the same as those for the proposed project.

#### **j. Noise**

The current development on the site is inoperative. Under the No Project Alternative, no new uses would be developed and the site would remain vacant. Since the No project Alternative would not require any construction, there would be no changes to existing noise levels at the proposed project site. Impacts would be less than those under the proposed project. In comparison, the proposed project would increase existing noise over the levels under existing conditions due to temporary construction and operation (permanent)activities. . Similarly, the No Project Alternative would not expose people to excessive noise levels from an airport and impacts would be less than those under the proposed project.

#### **k. Population and Housing**

The No Project Alternative would not induce any growth as no new residential units would be built or new jobs generated. Population growth under the proposed project was estimated to be within SCAG forecasts; therefore, impacts would be the same as the proposed project. As no residential units exist on the site currently, the No Project Alternative would not displace people or existing housing and impacts would be the same as the proposed project.

#### **l. Public Services**

As previously mentioned, the current project site is a dilapidated, inoperative commercial structure that does not provide value to the community. Under the No Project alternative, no new residential units would be built and no population growth would be induced. As such, there would be no new demand for increased services from police protection services, fire protection services, or schools that would result in the provision of new or physically altered buildings which could result in significant environmental impacts. Therefore, impacts would be less than the proposed project.

#### **m. Recreation**

The current project site is developed with a non-operational shopping center and is fenced to discourage trespass. The proposed project would provide 4.7 acres of private and common open space for the residents of the city. Compared to the proposed project. The No Project Alternative would not develop new public or private open space and would continue to restrict access to pedestrians and other people seeking recreation. This could contribute to the increased use and deterioration of existing parks as residential development occurs elsewhere in the. The No Project Alternative would keep the existing site conditions in a state of continual disrepair and would not generate new recreational facilities.. Therefore, the No Project Alternative impacts would be greater than the proposed project.

#### **n. Transportation and Traffic**

Under the No Project alternative, transportation and traffic would remain at current conditions. The proposed project is anticipated to generate an average daily residential VMP per capita within the project TAZ that is 29 percent below the citywide average. Therefore, overall traffic impacts under the No Project Alternative would be less significant, and less than the proposed project.



**o. Tribal Cultural Resources**

Under the No Project Alternative, the existing development would remain in place and no new excavation would occur. Furthermore, the entire site is paved or developed with an existing shopping center and undeveloped areas do not exist on the site. Therefore, the discovery of tribal cultural resources is unlikely and no impacts would occur under the No Project Alternative. Relative to the proposed project, the No Project Alternative would have equivalent impacts.

**p. Utilities and Service Systems**

Under the No Project Alternative, no new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities would be built as the project site would remain the same as existing conditions. There would be no new residential or commercial development under the No Project Alternative and the existing commercial center would remain inoperative. Therefore, there would be no increased demand for water or wastewater treatment, and solid waste would not be generated. Under the No Project Alternative impacts would be less than the proposed project.

**q. Wildfire**

Under the No Project Alternative, the project site would remain developed with the existing, non-operational shopping center and new residential uses would not be constructed. Therefore, the No Project Alternative would not interfere with the implementation of an emergency response or evacuation plan and no impact would occur. The adjacent open space to the west of the project site is categorized as a Very High FHSZ by CALFIRE. However, the No Project Alternative would not exacerbate wildfire risks over the existing conditions and impacts would be less than significant. Likewise, the No Project Alternative would not 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 and impacts would be less than significant. If a wildfire were to occur in adjacent open space, there is potential for landslide to occur, but based on slope and historic trends, this is unlikely. Impacts would be less than significant. The proposed project and subsequent project are required to comply with city, State, and federal regulations designed to reduce and avoid wildfire impacts. The proposed project would have less impacts than leaving the site as is under the current codes. Therefore, the No Project Alternative would currently have an equivalent level of impact in relation to the proposed project and potentially greater impact than the proposed project in the future if the site is not updated and maintained to code.

## 5.7 Alternative 2: No Project with By-Right Development

### 5.7.1 Description

Under Alternative 2, the project site would not be rezoned, and the land uses would remain the same; the General Plan land use designation would remain “Commercial,” and the zoning would remain “Neighborhood Shopping Center (C-1). The proposed project would not be built as residential uses would not be permitted. However, the site could be developed “by-right,” which means that any project that complies with local zoning and land use regulations would be permitted and would be exempt from CEQA. No public hearing or public comment on the project would be required. C-1 zoning is intended for planned neighborhood shopping centers where the retail stores and associated facilities are designed and developed as an integrated unit with a primary tenant (supermarket or

drug store) and other retail serving uses for residential area (TOMC Section 9-4.1200). Some conditions of this type of development are as follows (TOMC Section 9-4.1203):

- Buildings and other structures are to occupy no more than 25 percent of the project site with the remainder reserved for parking and circulation.
- Structures are to be 100 feet or more from the center line of public roads and less than 10 feet of any boundary line unless the building heights exceed 25 feet, at which point the structures are to be at least 20 feet from the boundary line.
- Building heights are not to exceed 35 feet (three stories).
- Trees are required only in the parkway area between curbs and sidewalks.

Alternative 2 would not fulfill the project objectives to support meeting the City's RHNA obligation as no residential units would be included in the project. Furthermore, the project would not meet other project objectives that seek to implement mixed-use infill, cluster development that promotes walking, integrate pedestrian-friendly residential access to commercial services and open space, provide open space on the project site, or situate residential uses close to jobs on Townsgate Road and Thousand Oaks Boulevard.

## 5.7.2 Impact Analysis

### a. Aesthetics and Visual Resources

Under the Alternative 2, the visual quality would improve from existing conditions, but as the development design would likely be similar to the adjacent commercial uses, and a large surface parking lot, the design would not include public open spaces, community gathering places, and the generous landscaping plan required of the mixed-use development the proposed project would implement. Impacts would be beneficial compared to existing conditions but not as beneficial as the proposed project.

Scenic views of the local hillsides from US-101 would remain the same as under current conditions, where mature trees and shrubbery along the highway and block walls obscure views of the project site and hillsides to the west and south from US-101 would remain accessible to travelers on the highway. Impacts would be less than significant. State-designated scenic highways are too distant to be impacted by the project and no impact would occur. Under Alternative 2, no rezoning of the project site would occur and therefore no conflicts would occur. However, the implementation of another commercial center with a large, surface parking lot and no landscaping or placemaking opportunities, as provided in the proposed project would conflict with the current General Plan goals that seek to "provide a high-quality environment, healthful and pleasing to the senses, which values the relationship between maintenance of ecological systems and the people's general welfare." Alternative 2 visual quality impacts would be significant and unavoidable. Nonetheless, impacts would be beneficial compared to existing conditions but not as beneficial as the proposed project.

### b. Air Quality

Temporary construction-related air quality impacts associated with this alternative would be less than as those of the proposed project since the overall amount and duration of construction would be less due to less excavation associated with subterranean parking and taller buildings.

A commercial center such as that allowed by C-1 zoning necessarily involves vehicle trips as it is designed for automobile travel and would involve shoppers driving from their homes or other

locations to the shopping center and back. Under Alternative 2, there would be no emphasis on pedestrian and non-motorized modes of travel as most consumers would live too far from the shopping center to walk, particularly when carrying purchases. Therefore, during operation, this alternative can be reasonably expected generate more daily vehicle trips than the proposed project, on a scale of up to approximately 120 percent, as a direct effect of the single commercial use and the exclusion of residential and other mixed uses. The proposed project's operational air quality emissions would be well below Ventura County APCD's thresholds (see Table 4.2-7 of Section 4.2, Air Quality). In fact, the alternative would increase the associated vehicle trips to the extent that they could exceed Ventura County APCD threshold for operational emissions. Additionally, the commercial uses would generate an estimated 281 employees.<sup>1</sup> Such employment growth is anticipated in SCAG forecasts for Thousand Oaks (SCAG 2020). However, because of increased vehicle trips generated by Alternative 2, impacts would be more substantial than the proposed project.

### **c. Biological Resources**

Under Alternative 2, existing structures and paving would be removed and replaced with new structures and landscaping. The vegetation and vacant structures would no longer be available as potential habitat for special-status bat species (discussed in Section 4.3, *Biological Resources*). Projects under Alternative 2 would not undergo further CEQA evaluation and thus the presence of special-status species would not be evaluated as part of the permitting process. Therefore, impacts would be greater than those under the proposed project.

It can be reasonably assumed that Alternative 2 would remove existing, on-site vegetation, including heritage or landmark trees. These could be replaced with new landscaping, but to a lesser degree of density than the proposed project. Tree removal would continue to be subject to the City's permitting process, but replacement would not necessarily occur on the project site and thus, impacts would be greater than those under the proposed project.

### **d. Cultural Resources**

As described in Section 4.3, *Cultural Resources*, the existing development on the project site is not considered a historic resource and the archaeological records search indicated no prehistoric resources have been recorded within the project site. Under the Alternative 2, demolition of the existing structures and paved parking area would occur and the construction of new buildings and parking area would involve excavation to existing depths, making discovery of unknown archaeological resources unlikely. However, as a by-right project, Alternative 2 would not be subject to monitoring or other mitigation measures that would apply to the proposed project and therefore, if such cultural resources discoveries were to occur, impacts could be substantially more than those under the proposed project.

### **e. Energy**

The project site is currently unoccupied and energy consumption is limited to exterior lighting for safety. Under Alternative 2, energy consumption would increase over existing conditions but would likely be less than the proposed project. Furthermore, all projects are subject to the California Green Building Code, which, among other mandates, requires net-zero energy consumption by means on

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<sup>1</sup> This estimate assumes 412 square feet per employee, at the currently allowed square footage density on C-1, based on the average for Ventura County reported in the 2001 Employment Density Study (Natelson Company 2001). This analysis assumes that replacement commercial square footage would be roughly the same as existing development (116,182 total square feet).

on-site renewable energy generation. Therefore, impacts would be the similar to the proposed project.

#### **f. Geology and Soils**

No active faults exist on the project site and ground rupture would be unlikely. Impacts would be less than significant under the Alternative 2 and proposed project. The site is, however, subject to ground shaking in the event of a major earthquake. Under Alternative 2, the on-site uses would be occupied only during business hours, reducing the amount of time people spend on the site. This would reduce the factor for possible risk to life in the event of severe ground shaking and make impacts less than the project site. The project site is not within a liquefaction zone, and therefore the risk of related loss, injury, or death would not occur; the associated risk of lateral spreading would be low, and impacts would be the same as the proposed project. Alternative 2 would involve grading, including removal of soil and fill, but adherence to construction best practices would ensure that there would be no associated loss of topsoil or erosion and impacts would be the same as the proposed project. Existing development occurs on a project site that contains expansive soil with medium potential to expand, according to the soil expansion tests performed in 2021 for the proposed project. Expansion could occur and cause significant and unavoidable impacts that would be the same as for the proposed project.

#### **g. Greenhouse Gas Emissions**

Temporary construction-related GHG impacts associated with Alternative 2 would be slightly less than those of the proposed project as the amount and duration of construction would be less due to the reduction in building size. The removal of residential uses under this alternative would generate more daily vehicle trips due to the nature of the commercial complex designed for motorists and not to encourage a range of transportation modalities. The proposed project's GHG emissions would be within the CEQA threshold (see Table 4.6-1 of Section 4.6, *Greenhouse Gas Emissions*). Similarly, Alternative 2 would likely generate the same or less GHG emissions and overall impacts related to GHGs would be the same or less than those of the proposed project. Alternative 2 would not conflict with applicable plans or policies related to GHG emissions since it would entail infill development that would comply with applicable energy conservation requirements and implement proposed sustainability features, although vehicle miles could be increased.

#### **h. Hazards and Hazardous Materials**

As discussed in Section 2, *Project Description*, the project site is within a 0.25 mile of a school (at 3277 Foothill drive), but it is not within the vicinity of an airport or private airstrip. The pre-demolition survey conducted for the proposed project indicated that numerous hazardous materials were present within the buildings and development on the site, including ACM and LBP, as well as potential sources of PCBs, mercury, radiation, and numerous other potentially hazardous materials normally associated with commercial buildings of this size and former use (Stantec 2021). Thus, demolition associated with Alternative 2 would have the same potential impacts as the proposed project.

The commercial shopping center developed under this alternative would be required to comply with all applicable codes and regulations pertaining to the handling of hazardous materials, emergency response, and fire protection. Based on the type of commercial uses that are permitted in the C-1 zone, development under this alternative could not involve the routine transport, use, storage, or disposal of hazardous materials if the center included dry cleaners, service stations, and other businesses that require hazardous materials as part of their operations. Impacts would be greater

than the proposed project, which includes offices, restaurants, and retail uses along with residential uses.

### **i. Land Use and Planning**

Under Alternative 2, the existing buildings would be demolished, and new development would be consistent with the current commercial zoning and current General Plan land use designations such that impacts would be less than under the proposed project, which requires a General Plan land use amendment and a zoning change. No established communities would be divided under the Alternative 2 as new development would occur within the same project footprint as existing development.

### **j. Noise**

Maximum daily noise levels associated with construction of Alternative 2 would be similar to those of the proposed project; however, the overall duration of construction would be less. Nonetheless, construction activity for either this alternative or the proposed project would be limited to daytime hours, avoiding generation of high noise or vibration levels when residents are most sensitive to them. Therefore, construction and vibration impacts would also be less than significant.

In the long term, exposure of future on-site residents to noise would be eliminated as Alternative 2 would have no residents. However, redevelopment of the commercial use would increase noise over existing conditions from stationary sources on the site and from increased traffic that would incrementally increase mobile noise sources on local streets. This would include early morning and weekend deliveries to the commercial uses. Overall noise increases would, however, remain below the City's thresholds. Therefore, impacts associated with noise would be roughly the same as under the proposed project.

### **k. Population and Housing**

Alternative 2 would not induce growth related to on-site residential units as it would be only a commercial use. However, up to 281 new jobs could be generated by new commercial uses associated with Alternative 2. These would likely be met by existing population in nearby communities but could require that some people relocate to Thousand Oaks. Impacts would, nonetheless, be less than the proposed project.

### **l. Public Services**

Alternative 2 would not result in any residential development and land use designation would remain Commercial. As such, there would be no new demand for increased services from police protection services, fire protection services, or schools that would result in the provision of new or physically altered buildings which could result in significant environmental impacts. Therefore, impacts would be less than the proposed project.

### **m. Recreation**

Alternative 2 would not introduce new residents to the extent that new park facilities would be required. However, it would also not be required to implement public open spaces, such as the proposed project would provide. Therefore, while existing recreational facilities would not deteriorate from implementation of Alternative 2, neither would the beneficial impacts of the

proposed project be gained. Since the current site does not have park facilities, the impact of Alternative 2 would be greater than the proposed project.

#### **n. Transportation and Traffic**

Alternative 2 would build a new, similar commercial center to what is currently on the project site. The plan would encourage more vehicle trips by the nature of the shopping center design, with retail and service uses on 25 percent of the project site and parking on 75 percent of the site. Alternative 2 would not be designed to encourage non-motorized modes of transportation and would not facilitate pedestrian uses. Impacts would be greater than under the proposed project.

#### **o. Tribal Cultural Resources**

As described in Section 4.15, *Tribal Cultural Resources*, grading and other ground-disturbing activities on the site under Alternative 2 could result in impacts to previously unidentified tribal cultural resources. Under by-right development provisions, Alternative 2 would not have to undergo AB 52 consultation and mitigation related to tribal consultation would not be required. Impacts would be greater than under the proposed project.

#### **p. Utilities and Service Systems**

Under the Alternative 2, no new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities would be built as new development would be roughly the same as existing development in terms of capacity and demand. There would be no new residential development with associated infrastructure needs. Therefore, impacts would be less than under the proposed project.

#### **q. Wildfire**

Under Alternative 2, the project site would be redeveloped with commercial uses that would include a large, surface parking lot and limited vegetation. It would also include no residential uses. The adjacent open space to the west of the project site is categorized as a Very High FHSZ by CALFIRE. However, the Alternative 2 would not exacerbate wildfire risks over the existing conditions and impacts would be less than those for the proposed project. If a wildfire were to occur in adjacent open space, there is potential for landslide to occur on the project site, but based on slope and historic trends, impacts would be the same or less than those for the proposed project.

## **5.8 Alternative 3: Mixed-Use Project with Reduced Residential Density**

### **5.8.1 Description**

Like the proposed project, this alternative would also involve demolition of the existing commercial center, paved parking area, and on-site vegetation. It would redevelop the site with a mixed-use plan like that of the proposed project but with only 329 residential units, 91 fewer than the proposed project. This would mean that Alternative 3 would not include any density bonus units or 50 low-income housing units to meet RHNA requirements, and thus would not contribute as fully to meeting the City's RHNA requirement as would the proposed project. Alternative 3 would meet most of the project objectives but would not be consistent with the State density bonus law (California Government Code Section 65915).

## 5.8.2 Impact Analysis

### **a. Aesthetics and Visual Resources**

Under the Alternative 3, the visual quality would improve from existing conditions, as development design would be similar to that presented for the proposed project, with clustered development in a pedestrian-friendly, open space memorable environment, with a strong sense of neighborhood.

Scenic views of the local hillsides from US-101 would remain the same under Alternative 3 as for the proposed project, where mature trees and shrubbery along the highway and block walls obscure views of the project site and hillsides to the west and south. Impacts would be less than significant. State-designated scenic highways are too distant to be impacted by the project as well as by Alternative 3 and no impact would occur. Under Alternative 3, rezoning would occur but development would be subject to the design guidelines and the Thousand Oaks Specific Plan provisions that govern visual quality and architectural design. Light and glare sources would increase compared to existing conditions but would be subject to the City's ordinances that govern light and glare in new development. Impacts would be similar to the proposed project.

### **b. Air Quality**

Temporary construction-related air quality impacts associated with this alternative would be the same as those of the proposed project since the overall amount and duration of construction would be roughly the same, with or without the increased residential density (91 Measure E units).

Operational impacts would also be roughly the same as the proposed project, as estimated maximum daily operational emissions would be the same or less than those estimated for the proposed project (see Table 4.2-6 in Section 4.2, *Air Quality*). Employment growth would remain the same and the number of potential residents would decrease by up to 280 persons.<sup>2</sup> However, like the proposed project, Alternative 3 would be designed to promote alternative modes of transportation and access to services and shopping within walking distance, reducing vehicle trips and related emissions. Furthermore, as for all development within the City, Alternative 3 would be required to conform to the provisions of CALGreen and the release of criterion pollutants would be reduced. Impacts would be the same or less than the proposed project.

### **c. Biological Resources**

Under Alternative 3, existing structures and paving would be removed and replaced with new structures and landscaping that would include ample open space with trees and other native plant species. As with the proposed project, these could provide ongoing habitat for nesting birds and federally and/or State-listed bat species. Furthermore, Alternative 3 would be subject to the same pre-construction surveys and mitigation as the proposed project and impacts would be the same as the proposed project.

### **d. Cultural Resources**

As described in Section 4.3, *Cultural Resources*, the existing development on the project site is not considered a historic resource and the archaeological records search indicated no prehistoric resources have been recorded within the project site.

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<sup>2</sup> 91 units x 3.08 persons per unit = 280.28 persons

Under Alternative 3, demolition of the existing structures and paved parking area would occur, and the construction of new buildings and parking area would involve excavation to depths that could exceed those previously obtained, making discovery of unknown archaeological resources possible. Alternative 3 would be subject to the same monitoring and mitigation as the proposed project and impacts would be the same.

#### **e. Energy**

The current development on the project site is unoccupied and energy consumption is limited to exterior lighting for safety. Under Alternative 3, energy consumption would likely be slightly less than the proposed project. However, all projects are subject to the California Green Building Code, which, among other mandates, requires net-zero energy consumption by means on on-site renewable energy generation. Therefore, impacts would be the same as under the proposed project.

#### **f. Geology and Soils**

No active faults exist on the project site and ground rupture would be unlikely. Impacts would be less than significant currently and in both Alternative 3 and the proposed project. The site is, however, subject to ground shaking in the event of a major earthquake. The project site is not within a liquefaction zone, and therefore the risk of related loss, injury, or death would not occur; the associated risk of lateral spreading would be low, and impacts would be the same as the proposed project. Alternative 3 would involve grading, including removal of soil and fill, but construction best practices are to equal the cut and fill so there would be no associated loss of topsoil or erosion and impacts would be the same as the proposed project. Existing development would occur on a site that contains expansive soil with medium potential to expand, according to the soil expansion tests performed in 2021 for the proposed project. Expansion could occur and cause significant and unavoidable impacts that would be the same as for the proposed project.

#### **g. Greenhouse Gas Emissions**

Temporary construction related GHG impacts associated with Alternative 3 would be approximately the same as those of the proposed project as the amount and duration of construction would be about the same even with 91 fewer residential units. The proposed project's GHG emissions would be within the CEQA threshold (see Table 4.6-1 of Section 4.6, *Greenhouse Gas Emissions*) and Alternative 3 would likely generate the same or slightly less GHG emissions due to a design that encourages pedestrian travel and alternative forms of transportation. Alternative 3 would not conflict with applicable plans or policies related to GHG emissions since it would entail infill development that would comply with applicable energy conservation requirements and implement proposed sustainability features. Overall impacts related to GHGs would be the same or less than those of the proposed project.

#### **h. Hazards and Hazardous Materials**

As discussed in Section 2, *Project Description*, the project site is within a 0.25 mile of a school (3277 Foothill drive), but it is not within the vicinity of an airport or private airstrip. The pre-demolition survey conducted for the proposed project indicated that numerous hazardous materials were present throughout the buildings on the site, including ACM and LBP, as well as potential sources of PCBs, mercury, radiation, and numerous other potentially hazardous materials normally associated with commercial buildings of this size and former use (Stantec 2021). Thus demolition associated with Alternative 3 would have the same potential impacts as the proposed project.



The commercial shopping center developed under this alternative would be required to comply with all applicable codes and regulations pertaining to the handling of hazardous materials, emergency response, and fire protection. Based on the type of commercial uses that are permitted in the C-1 zone, development under this alternative could not involve the routine transport, use, storage, or disposal of hazardous materials if the center included dry cleaners, service stations, and other businesses that require hazardous materials as part of their operations. Impacts would be greater than the proposed project, which includes offices, restaurants, and retail uses along with residential uses.

### **i. Land Use and Planning**

Under Alternative 3, the project site would be developed with mixed-use infill that would place residences proximate to commercial and restaurant uses. As with the proposed project, rezoning and General Plan land use designation amendments would be required. No established communities would be divided under the Alternative 3 as new development would occur within the same project footprint as existing development. And the site is currently vacant. The overall impact would be the same as the proposed project with same rezoning.

### **j. Noise**

Maximum daily noise levels associated with construction of Alternative 3 would be similar to those of the proposed project; however, the overall duration of construction would be less. Nonetheless, construction activity for either this alternative or the proposed project would be limited to daytime hours, avoiding generation of high noise or vibration levels when residents are most sensitive to them. Therefore, construction and vibration impacts would also be less than significant under Alternative 3 as under the proposed project.

In the long term, exposure of future on-site residents to noise would be the same as that of the proposed project, with reductions in mobile sources of noise due to the encouragement of alternative modes of transportation. Overall noise increases would, however, remain below the City's thresholds. Therefore, impacts associated with noise would be roughly the same as under the proposed project.

### **k. Population and Housing**

Alternative 3 would introduce 329 new residential units to Thousand Oaks, with an associated potential of 1,013 new residents. This is approximately 281 fewer residents than the proposed project. Section 4.11, *Population and Housing*, determined that population growth under the proposed project was within SCAG estimates and this would also be the case for Alternative 3. Impacts would, nonetheless, be less than the proposed project.

### **l. Public Services**

Alternative 3 would introduce a potential of 1,294 new residents which is 218 fewer residents than the proposed project. Under the proposed project, no modified or new public services facilities were determined to be needed as a result of induced growth. As such, Alternative 3 would induce growth, but not so much as to necessitate new public services facilities, the construction of which could cause significant environmental impacts. Therefore, impacts would be the same as the proposed project.

### **m. Recreation**

Alternative 3 would introduce up to 1,013 new residents who could use parks within the city. However, like the proposed project, Alternative 3 would provide ample open space that could accommodate much of the new residents' need. Furthermore, like the proposed project, Alternative 3 would provide connectivity to adjacent open space, increasing access. Existing recreation facilities would not deteriorate under Alternative 3 and impacts would be the same as the proposed project.

### **n. Transportation and Traffic**

Alternative 3 would build residential development similar to the proposed project, but with only 329 residential units, 91 fewer than the proposed project. As such, Alternative 3 would generate average daily residential VMT per capita less than that of the proposed project, which is already 29 percent below the existing citywide average. Therefore, Alternative 3 would generate less traffic congestion than under the proposed project. Impacts would be less than under the proposed project.

### **o. Tribal Cultural Resources**

As described in Section 4.15, *Tribal Cultural Resources*, grading and other ground-disturbing activities on the site under Alternative 3 could result in impacts to previously unidentified tribal cultural resources. As with the proposed project, mitigation measures recommended through the tribal consultation process would also apply to Alternative 3 and impacts would be the same.

### **p. Utilities and Service Systems**

Under the Alternative 3, utility service systems related to SCE and SoCalGas would need to be relocated or removed. These would be handled in accord with best management practices that would prevent environmental impacts and their removal would not create the need for new infrastructure, as with the proposed project. Increased telecommunications needs of the new businesses and residences associated with Alternative 3 would be the same as for the proposed project. As such, impacts under Alternative 3 would be the same as those for the proposed project.

### **q. Wildfire**

Under Alternative 3, the project site would be redeveloped with residential and commercial uses along with ample open space and maintained landscaping. The project itself would not create additional risk of wildfire as it is located in an urbanized area. However, adjacent open space to the west of the project site is categorized as a Very High FHSZ by CALFIRE. If a wildfire were to occur in adjacent open space, there is potential for landslide to occur on the project site, but based on slope and historic trends, impacts would be the same as those for the proposed project.

## **5.9 Environmentally Superior Alternative**

Table 5-2 indicates whether each alternative's environmental impact is greater than, less than, or similar to that of the proposed project for each of the issue areas studied. Based on the alternatives analysis provided above, Alternative 3 would be the environmentally superior alternative.

Alternative 1 (*No Project*) assumes that the proposed mixed-use development would not be constructed and the current vacant uses on the project site would remain. The No Project Alternative would not fulfill the project objectives because the No Project Alternative would not help the City fulfill its RHNA obligation, promote pedestrian and other modes of transportation, or provide a sense

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of place with ample open space and connection to adjacent open spaces. Furthermore, the existing, inoperative commercial center would continue to deteriorate and detract from General Plan goals that support enhancement and preservation of the attractiveness of the Conejo Valley and the provision of a high-quality environment, healthful, and pleasing to the senses (City of Thousand Oaks 1997).

Alternative 2 (*No Project with By-Right Development*) would allow development under existing zoning and General Plan land uses to occur without further environmental review. Zoned C-1, Neighborhood Shopping Center Zone, redevelopment would be limited to a new strip-style shopping mall with an anchor store and smaller retail and service uses on 25 percent of the project site with a surface parking lot on the remainder (75 percent). This would not fulfill the project objectives because Alternative 2 would not help the City fulfill its RHNA obligation, promote pedestrian and other modes of transportation, or provide a sense of place with ample open space and connection to adjacent open spaces. Furthermore, it would have the potential to increase vehicle trips and contribute to additional GHGs in the area.

Alternative 3 (*Mixed-Use Project with Reduced Residential Density*) would involve demolition of the existing commercial center and parking lot and the construction of a mixed-use residential and commercial center with ample open space and connectivity to adjacent open space. With fewer potential residents, Alternative 3 would likely reduce air quality, energy GHG, noise, population and housing, recreation, transportation and utilities impacts, slightly compared to the proposed project. Therefore, Alternative 3 would be the environmentally superior alternative, but it would not meet key project objectives by failing to provide any low income housing units and would not construct 91 residential units would therefore reduce the potential for the City to meet its RHNA obligations.

**Table 5-2 Impact Comparison of Alternatives**

<b>Feature</b>	<b>Proposed Project</b>	<b>Alternative 1: No Project</b>	<b>Alternative 2: No Project with By- Right Development</b>	<b>Alternative 3: Mixed-Use Project with Reduced Residential Density</b>
Aesthetics & Visual Resources	Less than significant	=/-	-	=
Air Quality	Less than significant	+	-	=/+
Biological Resources	Less than significant with mitigation incorporated	-	-	=
Cultural Resources	Less than significant with mitigation incorporated	+	-	=
Energy	Less than significant	-	=	=
Geology & Soils	Less than significant with mitigation incorporated	=/+	=	=
Greenhouse Gas Emissions	Less than significant	-	=/+	=/+
Hazards & Hazardous Materials	Less than significant with mitigation	-	=/-	=/-
Land Use and Planning	Less than significant	=	=	=
Noise	Less than significant with mitigation incorporated	+	=	=

<b>Feature</b>	<b>Proposed Project</b>	<b>Alternative 1: No Project</b>	<b>Alternative 2: No Project with By- Right Development</b>	<b>Alternative 3: Mixed-Use Project with Reduced Residential Density</b>
Population & Housing	Less than significant	=	+	+
Public Services	Less than significant with mitigation incorporated	+	+	=
Recreation	Less than significant	-	-	=
Transportation and Traffic	Less than significant	+	-	+
Tribal Cultural Resources	Less than significant with mitigation incorporated	=	-	=
Utilities & Service Systems	Less than significant with mitigation incorporated	+	+	=
Wildfire	Less than significant	=/-	=/+	=
+ Superior to the proposed project (reduced level of impact) - Inferior to the proposed project (increased level of impact) = Similar level of impact to the proposed project				

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## 6 Other CEQA Required Discussions

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This section evaluates growth-inducing impacts, irreversible environmental impacts, and energy impacts that would be result from development facilitated by the proposed project.

### 6.1 Growth Inducement

Section 15126(d) of the CEQA Guidelines requires a discussion of a proposed project's potential to foster economic or population growth, including ways in which a project could remove an obstacle to growth. Growth inducing impacts, such as those associated with increases in employment, has the potential to impact housing and related demand in surrounding jurisdictions over an extended time period. Such future demands are difficult to ascertain with any certainty since future economic and population trends may be influenced by unforeseeable events, such as natural disasters and business development cycles. Long-term changes in economic and population growth are often regional, or even global in nature and growth, by itself, does not necessarily create significant physical changes to the environment. However, depending upon the type, magnitude, and location of growth, it can result in significant adverse environmental effects. The proposed project's growth inducing potential is therefore considered significant if project-induced growth could result in significant physical effects in one or more environmental issue areas.

#### 6.1.1 Population Growth

As discussed in Section 4.11, *Population and Housing* of this EIR, the proposed project would generate population growth due to its addition of new residential uses in the city. The office and commercial development under the proposed project may also increase the population if new employees relocated to the City of Thousand Oaks. According to employee generation assumptions in Section 4.11 *Population and Housing*, the proposed project would generate approximately 36 new employees in the retail/service industry. Retail jobs in themselves typically do not induce relocation since these are mostly filled by local labor. Therefore, population growth related to jobs from the commercial uses on the site may be minimal and within current Southern California Association of Governments (SCAG) projections (SCAG 2020). However, if all projected employees and their families were to relocate to Thousand Oaks, there would be a population growth of 96 persons based on the average household of 2.67 persons for Thousand Oaks (California DOF, 2021). As determined by the California Department of Finance and SCAG, the current population of Thousand Oaks is 125,426 and the population growth forecast is 144,700 in 2045 (California DOF, 2021; SCAG, 2020). Therefore, a population growth of 96 could be accommodated within the City's growth projections.

#### 6.1.2 Economic Growth

The proposed project would generate temporary employment opportunities during construction. Since construction workers are expected to be drawn from the existing regional work force, construction of the proposed project would not be growth-inducing from a temporary employment standpoint. However, the proposed project would also add long-term employment opportunities associated with operation of retail and commercial development.

Table 6-1 shows the potential increase in job opportunities as a result of the proposed project.

**Table 6-1 Employment Increase Resulting from Proposed Project**

Land Use Category	Average Employment Density	Project Area	Estimated Employee Generation
Other Retail/Service	412 sf per employee	15,000 sf	36.4
<b>Net Increase in Employees</b>	-	-	<b>36</b>

Source: Natelson Company 2001

SCAG forecasts that 26,000 jobs will be added in Thousand Oaks between 2020 and 2045 (SCAG, 2020). The 36 jobs anticipated by the proposed office development would be approximately 0.1% percent of job growth between 2020 and 2045 and, therefore, would be well within employment forecasts for the city.

### 6.1.3 Removal of Obstacles to Growth

The proposed project is located in a fully urbanized area that is well served by existing infrastructure. As discussed in Section 4.16, *Utilities and Service Systems*, of this EIR and Section 4.14, *Transportation and Traffic* of this EIR, existing infrastructure in Thousand Oaks would be adequate to serve the proposed project. Minor improvements to water, sewer, and drainage infrastructure could be needed, but would be sized to specifically serve the proposed project. As discussed in Section 2. *Project Description*, main driveway access to the proposed project site would be provided from Hampshire Road and would extend to the west along a main internal street. Foothill Drive could also provide access along the southern portion of the site. Access from Foothill Drive would extend internally to the north, providing access to live/work units along the east side of the Foothill Drive internal road. Vehicles would enter the site centrally via Hampshire Road. The new driveways would not present a significant change to existing area circulation and would be intended to accommodate expected traffic volumes and site access needs; no new roads would be required. Since the proposed project constitutes redevelopment of a parcel with existing though vacant buildings and is within an urbanized area of the city, and does not require the extension of new infrastructure, proposed project implementation would not remove an obstacle to growth.

## 6.2 Irreversible Environmental Effects

The CEQA Guidelines Section 15127 require that EIRs contain a discussion of significant irreversible environmental changes. This section addresses non-renewable resources, the commitment of future generations to the proposed uses, and irreversible impacts associated with the proposed project.

The proposed project involves infill development on a currently developed lot in the City of Thousand Oaks. Construction and operation of the proposed project would involve an irreversible commitment of construction materials and non-renewable energy resources. The proposed project would involve the use of building materials and energy, some of which are non-renewable resources, to construct the overall building floor area of 841,153 gross square feet. Consumption of these resources would occur with any development in the region and are not unique to the proposed project.

The proposed project would also irreversibly increase local demand for non-renewable energy resources such as petroleum products and natural gas. However, efficient building design would offset this demand to some degree by reducing energy demands of the proposed project. As discussed in Section 2.0, *Project Description*, would be required to meet the California Building Energy Efficiency Standards and California Green Building Standards (CALGreen; California Code of Regulations Title 24,

Parts 6 and 11) to reduce environmental impacts, decrease energy costs, and create healthier living. The California Energy Code provides energy conservation standards for all new and renovated commercial and residential buildings constructed in California, and the Green Building Standards Code requires solar access, natural ventilation, and stormwater capture. Additionally, where feasible, passive sustainable design strategies to minimize overall energy consumption needed to heat and cool the building would be utilized. These strategies include daylighting, natural sources of heating and cooling, operable windows, shading on south facing windows, ceiling fans, well designed building envelopes with high-U values (insulation rating). The project applicant would also be required to coordinate with SoCal Edison (SCE) to identify opportunities to optimize energy infrastructure while minimizing cost and avoid barriers that may prevent future entry or expansion of energy efficient systems.

Consequently, the proposed project would not use unusual amounts of energy or construction materials and impacts related to consumption of non-renewable and slowly renewable resources would be less than significant. Again, consumption of these resources would occur with any development in the region and is not unique to the proposed project.

Additional vehicle trips associated with the proposed project would incrementally increase local traffic and regional air pollutant and GHG emissions. However, as discussed in Section 4.2 *Air Quality* and Section 4.7, *Greenhouse Gas Emissions*, of this EIR, development and operation of the proposed project would not generate air quality or GHG emissions that would result in a significant impact. Additionally, Section 4.14, *Transportation and Traffic*, of this EIR concludes that long-term impacts associated with the proposed project would be less than significant based on City and regional thresholds for roadway segment level or services and vehicle miles travel (VMT).

The proposed project would also require a commitment of law enforcement, fire protection, water supply, wastewater treatment, and solid waste disposal services. However, as discussed in Section 4.12, *Public Services*, and Section 4.16, *Utilities and Service Systems*, of this EIR, impacts to these service systems would not be significant.

CEQA requires decision makers to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve a project. The analysis contained in this EIR concluded that there are no previously recorded prehistoric or historic-period cultural resources identified within the site. However, development of the proposed project has the potential to unearth or adversely impact previously unidentified archaeological Resources or unknown human remains that could be considered a potentially significant impact. The project would implement mitigation measures, as discussed in Section 4.4 *Cultural Resources*, which reduce impacts to a less than significant level.



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