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I	EDR Report
J	Noise
K	Traffic Study

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**ACRONYMS LIST**
**A**

AB	Assembly Bill
ACHP	Advisory Council on Historic Preservation
ACM	asbestos-containing materials
AGR	Agricultural Supply
Alquist-Priolo Act	Alquist-Priolo Earthquake Fault Zoning Act
APN	Accessor's Parcel Number
AQMP	Air Quality Management Plan

**B**

BMP	Best management practice
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**C**

CAAQS	California Ambient Air Quality Standards
CAFE	Corporate Average Fuel Economy
CAL FIRE	California Department of Forestry and Fire Protection
CalEEMod	California Emission
CalEPA	California Environmental Protection Agency
CalOSHA	California Occupational Safety and Health Administration
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Code
CBSC	California Building Standards Commission
CBSC	California Building Standards Code
CCR	California Code of Regulations
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response Compensation and Liability Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CGS	California Geological Survey
CH <sub>4</sub>	methane
CHBC	California State Historical Building Code
CHRIS	California Historical Resources Information System
City	City of Moorpark
CMA	Congestion Management Agency
CMP	Congestion Management Program
CMWD	Calleguas Municipal Water District
CNDBB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level



CNPS	California Native Plant Society
CNRA	California Natural Resources Agency
CO	carbon monoxide
CO <sub>2</sub>	carbon dioxide
CO <sub>2</sub> e	Carbon dioxide equivalent
COG	Council of Governments
COLD	Cold Freshwater Habitat
C-OT	Old Town Commercial
CPUC	California Public Utilities Commission
CRHR	California Register of Historical Resources
CRHR	California Register of Historical Resources
CRPR	California Rare Plant Rank
CUPA	Certified Unified Program Agencies
CWA	Clean Water Act
<b>D</b>	
dBA	Decibels
DDT	dichlorodiphenyltrichloroethane
DIF	Development Impact Fees
DOC	Department of Conservation
DSM	deep soil mixing
DTSC	Department of Toxic Substances Control
DU	dwelling units
DWR	Department of Water Resources
<b>E</b>	
E	Eligible
EDR	environmental database report
EERE	Energy Efficiency and Renewable Energy
EIR	Environmental impact report
EO	Executive Order
EOC	Emergency Operations Center
EOP	Emergency Operations Plan
EQ Zapp	Earthquake Hazards Zone Application
ESA	Environmentally sensitive areas
<b>F</b>	
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHSZ	Fire Hazard Severity Zone
FIRM	Flood Insurance Rate Map
FRSH	Freshwater Replenishment
FTA	Federal Transit Administration

**G**

GHG	Greenhouse Gas
GWP	global warming potential
GWR	Groundwater Recharge

**H**

H2SO3	aerosols of sulfurous acid
HCD	Housing and Community Development
HCP	Habitat Conservation Plan
HCS	Hazard Communication Standard
HFCs	hydrofluorocarbons
HQTA	High Quality Transit Area
HQTA	High Quality Transit Area
HRA	Historical Resource Assessment
HVAC	heating, ventilating, and air conditioning
HWCA	Hazardous Waste Control Act
Hz	Hertz

**I**

I	Institutional
IBC	International Building Code
IND	Industrial Service Supply

**L**

LACM	Natural History Museum of Los Angeles County
LBP	lead-based paints
L <sub>eq</sub>	equivalent noise level
LOS	Level of Service

**M**

M-1	Industrial Park
M-2	Limited Industrial
MBTA	Migratory Bird Treaty Act
MEI	maximally exposed individual
MM	Mitigation Measure
MMTCO <sub>2e</sub>	metric tons carbon dioxide equivalent
MND	Mitigated Negative Declaration
mpg	miles per gallon
mph	Miles per hour
MPO	Metropolitan Planning Organization
MS4	municipal separate storm sewer system
MSDS	material safety data sheets
MUN	Municipal and Domestic Supply
MUSD	Moorpark Unified School District
MWD	Municipal Water District

**N**

N <sub>2</sub> O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Plan
ND	Negative Declaration
NF <sub>3</sub>	nitrogen trifluoride
NHPA	National Historic Preservation Act
NHTSA	National Highway Traffic Safety Administration
NIMS	National Incident Management System
NO <sub>2</sub>	nitrogen dioxide
NO <sub>3</sub>	nitrate
NOI	Notice of Intent
NOP	Notice of Preparation
NO <sub>x</sub>	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places

**O**

O&M	Operations and Maintenance
O <sub>3</sub>	Ozone
OCHCA	Orange County Health Care Agency
OD	Officially Designated
OGI	Oakridge Geoscience, Inc.
OPR	Office of Planning and Research
OSHA	Occupational Safety and Health Administration

**P**

PCB	polychlorinated biphenyl
PFCs	perfluorocarbons
pH	potential of hydrogen
PM <sub>10</sub>	respirable particulate matter with a diameter of 10 microns or less
PM <sub>2.5</sub>	fine particulate matter with a diameter of 2.5 microns or less
ppm	parts per million
ppv	peak particle velocity
PRC	Public Resources Code
PRMP	Parks and Recreation Master Plan
PROC	Industrial Process Supply

**R**

RCRA	Resource Conservation and Recovery Act
RE	Rural Exclusive
RHNA	regional housing needs allocations
RPS	Renewable Portfolio Standard

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RTP	regional transportation plan
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RWQCB	Regional Water Quality Control Board
<b>S</b>	
SAFE	Safer, Affordable, Fuel-Efficient
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCAB	South Central Coastal Air Basin
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SCGC	Southern California Gas Company
SCS	Sustainable Communities Strategy
SEMS	Standardized Emergency Management System
SF <sub>6</sub>	sulfur hexafluoride
SHMA	Seismic Hazards Mapping Act
SIP	State Implementation Plan
SO <sub>2</sub>	sulfur dioxide
SO <sub>3</sub>	sulfur trioxide
SOI	Secretary of the Interior
SO <sub>x</sub>	sulfur oxides
SP	Specific Plan
SR	State Route
SSFL	Santa Susana Field Laboratory
STEM	science, technology, engineering, and math
SVLRC	Simi Valley Landfill and Recycling Center
SWPCP	Storm Water Pollution Control Plans
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resource Control Board
<b>T</b>	
TAC	toxic air contaminants
TCR	Tribal Cultural Resource
TDM	Transportation Demand Management
TMDL	Total Maximum Daily Load
<b>U</b>	
U.S.	United States
USACE	United States Army Corp of Engineers
USC	United States Code
USEPA	U.S. Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey

UWMP	Urban Water Management Plans
<b>V</b>	
VCAPCD	Ventura County Air Pollution Control District
VCFD	Ventura County Fire Department
VCSSO	Ventura County Sheriff's Office
VCTC	Ventura County Transportation Commission
VCWPD	Ventura County Watershed Protection District
VCWWD	Ventura County Waterworks District
VdB	vibration decibels
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	vehicle miles traveled
VOC	volatile organic compounds
VR	vibro-replacement
<b>W</b>	
WARM	Warm Freshwater Habitat
WDID	Waste Discharge Identification
WDR	waste discharge requirements
WILD	Wildlife Habitat
WQMP	Water Quality Management Plan
<b>Z</b>	
ZEV	Zero Emission Vehicle
ZNE	zero net energy
<b>Symbols</b>	
°F	degrees Fahrenheit

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## **SECTION 1.0 EXECUTIVE SUMMARY**

### **1.1 INTRODUCTION**

The California Environmental Quality Act (CEQA) (Section 21000 et. seq. of the California Public Resources Code) requires that lead agencies consider the potential environmental consequences of projects over which they have discretionary approval authority prior to taking approval action on such projects. An Environmental Impact Report (EIR) is a public document designed to provide the City, trustee and responsible agencies, the general public, and other interested parties with an analysis of potential environmental consequences of a project and to support informed decision making by the Lead Agency. The City of Moorpark (City) is the Lead Agency under CEQA and is responsible for preparing the EIR for the Civic Center Master Plan Project (Project). This determination is made in accordance with Sections 15051 and 15367 of the State CEQA Guidelines, which define the Lead Agency as the public agency that has the principal responsibility for carrying out or approving a project.

This EIR has been prepared to identify, analyze, and mitigate, to the extent feasible, the potential environmental effects associated with implementation of the Project. This EIR has been prepared pursuant to the requirements of CEQA and the Guidelines for the Implementation of CEQA (State CEQA Guidelines) (Title 14, Division 6, Chapter 3 of the California Code of Regulations).

This Executive Summary has been prepared in accordance with Section 15123(a)(b) of the State CEQA Guidelines, which states that an EIR should contain a brief summary of the proposed actions and its consequences and should identify (1) each significant effect with proposed mitigation measures and alternatives that would reduce or avoid that effect; (2) areas of controversy known to the Lead Agency; and (3) issues to be resolved, including the choice among alternatives and whether or how to mitigate significant effects.

### **1.2 PROJECT LOCATION AND SETTING**

The Project Site is approximately 12.5 acres and is located in the central, downtown area of the City of Moorpark in Ventura County, California. The Project Site is located at the site of the existing civic center, west of Moorpark Avenue/Walnut Canyon Road (State Route [SR] 23). Portions of the Project Site are located on the north and south sides of West High Street. Assessor Parcel Numbers (APNs) within the Project Site and their respective street addresses are detailed below in Table 1-1, Existing Project Site.

**TABLE 1-1  
EXISTING PROJECT SITE**

APN	Street Address
511-0-050-305	None
511-0-050-225	None
511-0-050-245	None
511-0-050-265	None
511-0-050-255	None
511-0-050-175	83 High St, Moorpark
511-0-050-065	675 Moorpark Av, Moorpark
511-0-050-140	661 Moorpark Av, Moorpark
511-0-050-080	47 High St, Moorpark
511-0-050-090	High St, Moorpark
512-0-090-050	High St, Moorpark
511-0-020-275	None
511-0-020-071	High St, Moorpark
511-0-020-072	None
Source: Ventura County Assessor 2023	

The Project Site is generally comprised of three areas. The eastern portion of the Project Site contains the existing Civic Center Campus which is oriented towards Moorpark Avenue. The Campus contains a variety of existing uses, including the existing city hall, City Library, Community Center/Active Adult Center, and associated parking. The southern portion of the site contains a surface parking lot associated with the off-site United States (U.S.) Post Office building and is generally located between West High Street to the north and the Union Pacific Railroad and Metrolink tracks to the south. The western portion of the Project Site is undeveloped, generally rectangular-shaped vacant land oriented in an east/west direction along the north side of West High Street. Also, a Ventura County Public Work’s flood control easement and box culvert traverse the Project Site from north to south. The Project Site is primarily surrounded by development including commercial, office, institutional, and residential uses. The Project Site is generally bordered by Walnut Canyon Road, the Walnut Canyon Elementary School, the Boys and Girls Club, and vacant land to the north and northwest; the railroad tracks to the south; Moorpark Avenue and commercial, office, and residential uses to the east; and vacant land to the west.

### **1.3 PROJECT DESCRIPTION**

The Project proposes the phased development of a new City Civic Center within the Project Site. The Project includes the following phases:

- Phase 1 includes construction of a new 18,000 square foot (sf) library with outdoor plaza on the north side of High Street. The existing city hall would be re-purposed as 5,085 sf of office space, and the existing community center would remain as an active adult center. The existing library would be demolished at the end of this phase once the library is moved to the new facility. City hall would be temporarily relocated to 323 Science Dr. until construction of the new city hall is complete, which would occur during Phase 4.



- Phase 2 includes development of the west commercial site with approximately 13,000 sf of commercial uses, which would also include the development of a public park as part of that development.
- Phase 3 involves development of the north site residential area with approximately 75 units at 25 du/acre. Phase 3 would include the demolition of the existing city hall and community center/active adult center buildings.
- Phase 4 involves construction of a new 22,000 sf city hall and a mercado/market.

A phased site plan detailing the proposed land uses is provided below as Exhibit 1-1, Phased Site Plan.

#### **1.4 AREAS OF CONTROVERSY**

There are no known areas of controversy related to the Project; however, the City acknowledges the following topics and stakeholders that were important in the development of this EIR.

##### **Tanner Corner Building**

The Tanner Corner Building is a one-story commercial building located on the northwest corner of Moorpark Avenue and High Street. The Tanner Corner Building was evaluated and formally listed in the CRHR on November 3, 2000. The Tanner Corner Building is also eligible for the NRHP and as a City of Moorpark landmark (South Environmental 2022). The significance of the Tanner Corner Building as well as an impact evaluation is included in Section 4.4, Cultural Resources of this EIR. Vibration analyses related to the Tanner Corner Building and other nearby structures is provided in Section 4.11 of this EIR.

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

A letter was received from California Department of Fish and Wildlife (CDFW) on June 8, 2022 in response to the Project's Notice of Preparation (NOP). In their letter, CDFW offered comments and recommendations to assist the City in adequately identifying, avoiding, and/or mitigating any potential impacts on fish and wildlife resources associated with the Project. Specifically, CDFW provided comments and recommendations regarding four topics: Sensitive Bird Species, Loss of Bird and Raptor Nesting Habitat, Tree Disease Management Plan, and Landscaping. Further discussion of biological resources as well as an impact evaluation of biological resources is included in Section 4.3, Biological Resources, of this EIR. The full CDFW NOP comment letter is included in Appendix B of this EIR.

#### **1.5 SUMMARY OF ENVIRONMENTAL IMPACTS**

This EIR has been prepared to assess the potentially significant effects on the environment that could result from implementation of the Project. For a detailed discussion regarding potential significant impacts, please refer to Chapter 4.0, Environmental Analysis, of this EIR.

For each environmental topic, Table 1-2, Summary of Project Impacts, Mitigation Measures and Level of Significance, includes applicable mitigation measures and conditions of approval that are identified for impacts determined to be potentially significant. As shown in Table 1-2, Summary of Project Impacts, Mitigation Measures and Level of Significance, the Project would result in less

than significant impacts with implementation of mitigation measures for the following topical areas evaluated in this EIR:

- Biological Resources;
- Cultural Resources,
- Geology and Soils, and
- Noise/Vibration.

No significant and unavoidable impacts were identified for the Project.

### 1.5.1 ALTERNATIVES TO THE PROJECT

CEQA Guidelines Section 15126.6 requires consideration and discussion of alternatives to the Project in an EIR. Three alternatives are discussed and evaluated in Chapter 5.0 of this EIR, which are each summarized below.

- **No Project Alternative:** Under the No Project Alternative, the Project Site would continue to operate as the existing City Civic Center with none of the improvements that are proposed under the Project.
- **Proposed Project:** The Project would consist of the phased development of a new Civic Center within the Project Site as described in more detail in Section 3.0.
- **No Commercial Alternative:** The No Commercial Alternative would consist of the phased development of a new City Civic Center within the Project Site, as described in Section 3.0 of this EIR, Project Description, with the exception that the Alternative Project would not include the 13,000 square feet of commercial uses and the public park that are proposed as part of the Project in Phase 2. The same conditions of approval and mitigation measures as identified for the Project would be applicable to the No Commercial Alternative.

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
<b>Aesthetics</b>			
Threshold 4.1-a: Except as provided in Public Resource Code Section 21099, would the project have a substantial adverse effect on a scenic vista?	Less Than Significant Impact	N/A	Less Than Significant Impact
Threshold 4.1-b: Except as provided in Public Resource Code Section 21099, would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.	No Impact	N/A	No Impact
Threshold 4.1-c: Except as provided in Public Resource Code Section 21099, in non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings (Public views are those that are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality.	Less Than Significant Impact	<b>COA AES-1</b> As required by Section 12.12.070 of the City's Municipal Code, Tree Removal Permits – Requirements, no native oak tree, historic tree or other mature tree, where that tree is on public or private property, except as provided for in subsection B of this section, or is associated with a proposal for urban development, shall be removed, cut down, or otherwise destroyed, unless a tree removal permit has been issued by the city. The director of community services shall establish the format and information required for a tree removal permit consistent with this chapter. In no event shall a permit be denied if to do so would cause interference with the economic use and enjoyment of the property.	Less Than Significant Impact

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
Threshold 4.1-d: Except as provided in Public Resource Code Section 21099, would the project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.	Less Than Significant Impact	N/A	Less Than Significant Impact
<b>Air Quality</b>			
Threshold 4.2-a: Would the project conflict with or obstruct implementation of the applicable air quality plan?	Less Than Significant Impact	N/A	Less Than Significant Impact
Threshold 4.2-b: Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?	Less Than Significant Impact	<b>COA AQ-1</b> During construction of the Project, the City and its' contractors shall be required to comply with Ventura County Air Pollution Control District (VCAPCD) Rule 55, Fugitive Dust, which requires, among other provisions, that "No person shall cause or allow the emissions of fugitive dust from any applicable source such that the dust remains visible beyond the midpoint (width) of a public street or road adjacent to the property line of the emission source or beyond 50 feet from the property line if there is not an adjacent public street or road" (VCAPCD 2008).	Less Than Significant Impact
		<b>COA AQ-2</b> A 15-mile per hour speed limit must be observed within all construction areas.	

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
		<p><b>COA AQ-3</b> Reactive organic compounds, nitrogen oxides (ozone/smog precursor), and particulate matter (aerosols/dust) generated during construction operations must be minimized in accordance with City of Moorpark standards and the standards of the Ventura County Air Pollution Control District. When an air pollution Health Advisory has been issued, construction equipment operations (including but not limited to grading, excavating, earthmoving, trenching, material hauling, and roadway construction) and related activities must cease in order to minimize associated air pollutant emissions.</p>	
		<p><b>COA AQ-4</b> During clearing, grading, earth moving, excavation, soil import and/or soil export operations, the applicant shall comply with the City of Moorpark standard requirements for dust control, including, but not limited to, minimization of ground disturbance, application of water/chemicals, temporary/permanent ground cover/seeding, street sweeping, and covering loads of dirt. All clearing, earth moving, excavation, soil import, and/or soil export operations must cease during periods of high winds (greater than 15 miles per hour [mph] averaged over one hour)</p>	

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
		<p><b>COA AQ-5</b> Beginning in 2030, prior to issuance of a grading permit, the Project's Construction Manager shall demonstrate to the City's Community Development Department that construction documents require the construction contractors to implement the following measures:</p> <ul style="list-style-type: none"> <li>a. All off-road diesel-powered construction equipment greater than 50 horsepower (hp) used during phases 3 and 4 shall, at a minimum, meet Tier 3 off-road emissions standards.</li> <li>b. A copy of each unit's certified offroad engine Tier specification shall be provided to the City at the time of mobilization of each applicable unit of equipment.</li> </ul>	
<p>Threshold 4.2-: 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?</p>	<p>Less Than Significant Impact</p>	<p>See above for <b>COA AQ-5</b>, which is applicable to this threshold.</p>	<p>Less Than Significant Impact</p>
<p>Threshold 4.2-d : Would the project expose sensitive receptors to substantial pollutant concentrations?</p>	<p>Less Than Significant Impact</p>	<p>See above for <b>COA AQ-1</b> through <b>COA AQ-4</b>, which are applicable to this threshold.</p>	<p>Less Than Significant Impact</p>
<p>Threshold 4.2-e: Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?</p>	<p>Less Than Significant Impact</p>	<p>N/A</p>	<p>Less Than Significant Impact</p>

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
<b>Biological Resources</b>			
<p>Threshold 4.3-a: Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</p>	<p>Potentially Significant Impact</p>	<p><b>COA BIO-1</b></p> <p>Nesting Bird Survey. If construction and/or vegetation removal must be initiated during the peak nesting season (i.e., February 1 to August 31), a pre-construction nesting bird survey shall be conducted by a qualified Biologist within 14 days prior to the beginning of Project-related activities (including but not limited to clearing, grubbing, vegetation removal, grading, and building demolition). If Project-related construction activities lapse for greater than 14 days during the peak nesting season, an additional nest survey shall be conducted before work can be reinitiated.</p> <p>If the Biologist finds an active nest within or adjacent to the construction area (within 200 feet for all birds protected under California Fish and Game Code and the Migratory Bird Treaty Act and within 500 feet for raptors), the Biologist shall identify an appropriate protective buffer zone around the nest depending on the sensitivity of the species, the nature of the construction activity, and the amount of existing disturbance in the vicinity. In general, the Biologist should designate a buffer of 10 to 200 feet for common nesting birds and 200 to 500 feet for special status nesting birds and nesting raptors. Construction activities within the buffer shall only proceed after a qualified biologist determines the nest is no longer active due to natural causes (e.g., young have fledged, predation, or other non-human causes of nest failure) to maintain compliance with California Fish and Game Code and the Migratory Bird Treaty Act.</p>	<p>Less Than Significant Impact</p>

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
		<p><b>MM BIO-1</b></p> <p>Prior to ground disturbance on the western portion of the Project Site associated with Phase 2 of the Project, the applicant shall retain a qualified Biologist (one with experience conducting botanical surveys) to conduct a focused survey for special status plant species. The survey shall be performed during the target species' peak blooming period in accordance with the most current protocols approved by the California Department of Fish and Wildlife (CDFW) and the California Native Plant Society (CNPS). If focused plant surveys determine that no special status plant species are present in the Project impact area, then no future measures are necessary.</p> <p>If any plant species listed as threatened or endangered by the Federal Endangered Species Act (FESA) or California Endangered Species Act (CESA) is determined to be present and take of individuals cannot be avoided, then the applicant shall obtain take authorization from the listing agencies before impacting the species (FESA Consultation with the United States Fish and Wildlife Service (USFWS) and CESA Section 2080 from the CDFW). Consultation with the listing agencies shall determine the appropriate conservation measure(s) to mitigate for impacts on the species. The mitigation may include collecting seed from individuals in the impact area and planting them within a mitigation site with the appropriate microhabitat for this species and/or paying a fee to a mitigation bank and/or a qualified Plant Science Program to conduct germination or other research studies on the species. The applicant shall retain a qualified Biologist to prepare a detailed Special Status</p>	



**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
		<p>Plant Species Conservation Plan for approval by the USFWS and/or the CDFW. The conservation plan shall include the following topics: (1) responsibilities and qualifications of the personnel to implement and supervise the plan; (2) mitigation site selection criteria; (3) site preparation and planting implementation; (4) implementation schedule; (5) maintenance plan/guidelines; (6) monitoring plan; (7) long-term preservation. The applicant shall implement the Plan as approved.</p> <p>If focused surveys determine that CNPS List 1 or List 2 species are present and the necessary take of individuals would be greater than ten percent of species' population within a one-mile radius of the Project Site, then compensatory mitigation shall be required. Mitigation may include collection of seed from individuals in the impact area and planting them within a mitigation site with the appropriate microhabitat for this species. If Project timing requires that ground disturbance of potentially suitable habitat be performed prior to the species' peak blooming period and focused surveys cannot be performed, then the species shall be presumed present in the impact area. The applicant shall retain a qualified Biologist to prepare a detailed Special Status Plant Species Conservation Plan for approval by CDFW. The conservation plan shall include the following topics: (1) responsibilities and qualifications of the personnel to implement and supervise the plan, (2) mitigation site selection criteria, (3) site preparation and planting implementation, (4) implementation schedule, (5) maintenance plan/guidelines, (6) monitoring plan, (7) long-</p>	

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
		<p>term preservation. The applicant shall implement the Plan as approved.</p> <p><b>MM BIO-2</b> Per the Staff Report on Burrowing Owl Mitigation (CDFG 2012), the applicant shall retain a qualified Biologist to conduct a pre-construction survey for the burrowing owl between 14 and 30 days prior to the initial ground disturbance on the western portion of the Project Site. The pre-construction survey shall include the area of proposed disturbance plus a 500-foot buffer (if access is available and habitat is present).</p> <p>If an active burrow is observed outside the breeding season (September 1 to January 31) and it cannot be avoided, the burrowing owl shall be passively excluded from the burrow following methods described in CDFG 2012. Prior to any burrowing owl exclusion efforts, an exclusion plan will be prepared and submitted to CDFW for review and approval. The plan will include all details on passive relocation including that one-way doors shall be used to exclude owls from the burrows; doors shall be left in place for at least 48 hours. Once the burrow is determined to be unoccupied, the burrow shall be closed by a qualified Biologist who shall excavate the burrow using hand tools. Prior to excluding an owl from an active burrow, a receptor burrow survey shall be conducted to confirm that at least two potentially suitable unoccupied burrows are within approximately 688 feet prior to installation of the one-way door. If two natural receptor burrows are not located, one artificial burrow shall be created for every burrow that would be closed.</p>	

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
		<p>If an active burrow is observed outside the breeding season (September 1 to January 31) and it can be avoided, the Biologist shall determine an appropriate protective buffer for the burrow based on CDFW guidelines. The buffer shall range from 160 feet to 1,640 feet depending on the level of impact and the time of year. The designated buffer will be clearly marked in the field and will be mapped as an environmentally sensitive area (ESA) on construction plans.</p> <p>If an active burrow is observed during the breeding season (February 1 to August 31), the active burrow shall be protected until nesting activity has ended (i.e., all young have fledged from the burrow). The Biologist shall determine the appropriate protective buffer for the burrow based on CDFW guidelines. The buffer shall range from 650 to 1,640 feet depending on the level of impact and the time of year. The designated buffer will be clearly marked in the field and will be mapped as an ESA on construction plans. Construction shall be allowed to proceed when the qualified Biologist has determined that all fledglings have left the nest.</p>	
Threshold 4.3-b Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	No Impact	N/A	No Impact

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
<p>Threshold 4.3-c 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?</p>	<p>Less Than Significant Impact</p>	<p><b>COA BIO-2</b></p> <p>Jurisdictional Drainage Avoidance and Regulatory Permitting. Impacts to jurisdictional waters within the Project Site will be avoided to the extent feasible. If such impacts are unavoidable, then permits/ certifications/ agreements from the United States Army Corp of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW) are required.</p> <p>A pre-application meeting with these agencies is recommended prior to submittal of permit applications to discuss existing conditions; confirm the agencies' jurisdiction over water resources on the study area; discuss impacts to these resources that would result from the Project; discuss proposed avoidance, minimization, and mitigation measures to offset these impacts; and to discuss the regulatory permitting process. Following the pre-application meeting, the Project Applicant would prepare and process the appropriate permits (e.g., a Section 404 Permit from the USACE in the form of a Nationwide Permit or Individual Permit, a Section 401 Water Quality Certification from the RWQCB, and/or a CDFW Section 1602 Notification of Lake or Streambed Alteration). Additional permit conditions may be required by the resource agencies regarding impacts to areas under their respective jurisdictions.</p> <p>Standard construction best management practices (BMPs) shall be implemented to prevent toxins, chemicals, or petroleum products from entering the culverts and degrading water quality.</p>	<p>Less Than Significant Impact</p>

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
Threshold 4.3-d Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Less Than Significant Impact	N/A	Less Than Significant Impact
Threshold 4.3-e Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Potentially Significant Impact	See above for <b>COA BIO-2</b> , <b>MM BIO-1</b> , and <b>MM BIO-2</b> , which are applicable to this threshold.	Less Than Significant Impact
Threshold 4.3-f: 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?	No Impact	N/A	No Impact

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
<b>Cultural Resources</b>			
<p>Threshold 4.4-a: Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?</p>	<p>Potentially Significant Impact</p>	<p><b>COA CUL-1</b> If any archaeological, paleontological, or historical finds are uncovered during grading or excavation operations, all grading or excavation shall immediately cease in the immediate area and the find must be left untouched. The applicant, in consultation with the Project paleontologist or archeologist, shall assure the preservation of the site and immediately contact the Community Development Director by phone, in writing by email or hand delivered correspondence informing the Director of the find. In the absence of the Director, the applicant shall so inform the City Manager and Planning Manager. The applicant shall be required to obtain the services of a qualified paleontologist or archeologist, whichever is appropriate to recommend disposition of the site. The paleontologist or archeologist selected must be approved in writing by the Community Development Director. The applicant shall pay for all costs associated with the investigation and disposition of the find.</p> <p><b>COA CUL-2</b> In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be notified within 24 hours of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are or are believed</p>	<p>Less Than Significant Impact</p>

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
		<p>to be Native American, s/he shall notify the Native American Heritage Commission (NAHC) in Sacramento within 48 hours. In accordance with Section 5097.98 of the California Public Resources Code, the NAHC must immediately notify those persons it believes to be the most likely descended from the deceased Native American. The descendants shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative shall then determine, in consultation with the property owner, the disposition of the human remains.</p>	
		<p><b>COA CUL-3</b> Prior to any ground disturbing activity, construction personnel associated with earth moving equipment, drilling, grading, and excavating, shall be provided with basic training conducted by a qualified archaeologist. Issues that shall be included in the basic training will be geared toward training the applicable construction crews in the identification of archaeological deposits, further described below. Training will include written notification of the restrictions regarding disturbance and/or removal of any portion of archaeological, paleontological, or historical deposits and the procedures to follow should a resource be identified. The construction contractor, or its designee, shall be responsible for implementation of this measure. A tribal monitor shall be provided an opportunity to attend the pre-construction briefing if requested.</p>	

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
		<p><b>MM CUL-1</b> Prior to the start of Project phases that involve work within 75 feet of the Tanner Corner Building, protection measures shall be developed in a formal plan for the adjacent Tanner Corner Building at 601 Moorpark Avenue. Protection measures shall include at a minimum: 1) clear denotation in the Project construction plans that the Project is located directly adjacent to an historical resource, marking the location of the Tanner Corner Building; 2) a protocol for informing all construction workers of the presence of the historical resource and making them aware of the protocol to avoid and protect it; 3) a list of approved construction equipment/distances in consideration of any identified groundborne vibration impacts; 4) recommendations for specific protective fencing and signage to be implemented during construction; and 5) if determined appropriate based on the results of the groundborne vibration analysis, recommendations for construction monitoring (pre-, post-, and during construction). The protection plan shall be prepared by a qualified architectural historian/historic preservation professional, clearly identify all responsible parties with their contact information, and be appended to the final set of construction plans.</p>	
<p>Threshold 4.4-b: Would the project would cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?</p>	<p>Less Than Significant Impact</p>	<p>See above for <b>COA CUL-1</b>, which is applicable to this threshold.</p>	<p>Less Than Significant Impact</p>



**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
Threshold 4.4-c: Would the project disturb any human remains, including those interred outside of formal cemeteries?	Less Than Significant Impact	See above for <b>COA CUL-2</b> , which is applicable to this threshold.	Less Than Significant Impact
<b>Energy</b>			
Threshold 4.5-a: 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?	Less Than Significant Impact	N/A	Less Than Significant Impact
Threshold 4.5b: Would the Project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?	Less Than Significant Impact	N/A	Less Than Significant Impact
<b>Geology and Soils</b>			
Threshold 4.6-a (i): 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. Refer to Division of Mines and Geology Special Publication 42.	Less Than Significant Impact	N/A	Less Than Significant Impact

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
<p>Threshold 4.6-a (ii): Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?</p> <p>and</p> <p>Threshold 4.6-a (iii): Would the project directly or indirectly cause potential substantial adverse effects including the risk of loss, injury, or death from seismic-related ground failure, including liquefaction?</p>	Potentially Significant Impact	<p><b>COA GEO-1</b> Prior to the issuance of a grading permit for each Project phase, a geotechnical report will be prepared and submitted to the City for review and approval. The geotechnical report shall be prepared by a registered Civil Engineer or certified Engineering Geologist and shall contain site-specific evaluations of the seismic and geologic hazards affecting the Project and shall identify recommendations for earthwork and construction. All recommendations from forthcoming site-specific geotechnical studies shall be included in the site preparation and building design specifications. Compliance with this requirement shall be verified by the City as part of the plan approval process.</p> <p><b>MM GEO-1</b> Prior to approval grading plans, the Applicant shall demonstrate, to the satisfaction of the City's Planning Division that the recommendations in the Project's geotechnical reports and in any future geotechnical reports have been fully and appropriately incorporated (OGI 2017a and 2017b).</p>	Less Than Significant Impact
<p>Threshold 4.6-a (iv): Would the project directly or indirectly cause potential substantial adverse effects including the risk of loss, injury, or death from seismic-related ground failure, including landslides?</p>	Less Than Significant Impact	N/A	Less Than Significant Impact
<p>Threshold 4.6-b: Would the project result in substantial soil erosion or the loss of topsoil?</p>	Less Than Significant Impact	N/A	Less Than Significant Impact

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
Threshold 4.6-c: 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?	Potentially Significant Impact	See above for <b>MM GEO-1</b> , which is applicable to this threshold.	Less Than Significant Impact
Threshold 4.6-d: Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	Less Than Significant Impact	N/A	Less Than Significant Impact
Threshold 4.6-e: Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal system where sewers are not available for the disposal of waste water?	No Impact	N/A	No Impact
Threshold 4.6-f: Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less Than Significant Impact	See above for <b>COA CUL 1</b> and <b>COA CUL-3</b> , which are applicable to this threshold.	Less Than Significant Impact
<b>Greenhouse Gas Emissions</b>			
Threshold 4.7-a: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less Than Significant Impact	N/A	Less Than Significant Impact

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
Threshold 4.7-b: Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Less Than Significant Impact	N/A	Less Than Significant Impact
<b>Hazards and Hazardous Materials</b>			
Threshold 4.8-a: Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less Than Significant Impact	<p><b>COA HAZ-1</b> Applicant/operator shall store, manifest, transport, and dispose of all on-site generated waste that meets hazardous waste criteria in accordance with California Code of Regulations Title 22 and in a manner to the satisfaction of the Manager, HCA/Hazardous Materials Program. Applicant shall keep storage, transportation, and disposal records on site and open for inspection to any government agency upon request.</p> <p><b>COA HAZ-2</b> Transport of materials deemed as hazardous must comply with the requirements of Title 22, Division 4.5 of the California Code of Regulations, the U.S. Department of Transportation regulations in the Code of Federal Regulations (specifically, Title 49, Hazardous Materials Transportation Act and Title 40, Part 263, Subtitle C of Resource Conservation and Recovery Act), California Department of Transportation (Caltrans) standards, and Occupational Safety and Health Administration (OSHA) standards.</p>	Less Than Significant Impact

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
<p>Threshold 4.8-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>	<p>Less Than Significant Impact</p>	<p>See above for <b>COA HAZ 1</b> and <b>COA HAZ-2</b>, which are applicable to this threshold.</p> <p><b>COA HAZ-3</b> Prior to issuance of a demolition permit for any buildings or facilities, building materials shall be assessed by a qualified Environmental Professional as defined in Section 312.10 of 40 CFR Part 312 for the presence of lead-based paints (LBPs), asbestos-containing materials (ACM), and other common hazardous building materials (e.g., polychlorinated biphenyl [PCB]-containing lighting ballasts and mercury-containing light tubes and switches). If determined to be present, the Applicant shall prepare an abatement plan for their removal and safe transport in compliance with State and federal regulations, including Occupational Safety and Health Administration (OSHA) regulations in the Code of Federal Regulations (specifically Title 29, Part 1926) and South Coast Air Quality Management District (SCAQMD) Rule 1403. The abatement plan shall meet the satisfaction of the Manager, Orange County Health Care Agency (OCHCA)/Hazardous Materials Program.</p>	<p>Less Than Significant Impact</p>
<p>Threshold 4.8-c: Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</p>	<p>Less Than Significant Impact</p>	<p>N/A</p>	<p>Less Than Significant Impact</p>

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
Threshold 4.8-d: Would the project 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	No Impact	N/A	No Impact
Threshold 4.8-e: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	No Impact	N/A	No Impact
Threshold 4.8-f: Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less Than Significant Impact	N/A	Less Than Significant Impact
Threshold 4.8-g: Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	Less Than Significant Impact	N/A	Less Than Significant Impact

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
<b>Hydrology and Water Quality</b>			
Threshold 4.9-a: Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Less Than Significant Impact	<b>COA HWQ-1</b> Prior to the issuance of any grading or building permit for each Project phase, the applicant shall demonstrate compliance under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing in a manner meeting the satisfaction of the Community Development Department. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the Project Site and be available for County review on request.	Less Than Significant Impact
Threshold 4.9-b: 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?	Less Than Significant Impact	<b>COA HWQ-2</b> Prior to the issuance of any grading or building permits, the applicant shall submit for review and approval by the Community Development Department, a Water Quality Management Plan (WQMP) that must include the following minimum contents: <ul style="list-style-type: none"> <li>• Address Site Design BMPs (as applicable) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, and conserving natural areas;</li> <li>• Incorporate applicable Routine Source Control BMPs; and</li> <li>• Include an Operation and Maintenance (O&amp;M) Plan that</li> </ul>	Less Than Significant Impact

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
		identifies the mechanism(s) by which long-term O&M of all structural BMPs will be provided.	
Threshold 4.9-c: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the additional of impervious surfaces, in a manner which would:			
(i) Result in a substantial erosion or siltation on- or off-site?	Less Than Significant Impact	See above for <b>COA HWQ-1</b> , which is applicable to this threshold.	Less Than Significant Impact
(ii) Substantially increase the rate or amount of surface runoff in a manner in which would result in flooding on- or off-site?  (iii) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	Less Than Significant Impact	See above for <b>COA HWQ-2</b> , which is applicable to this threshold.  <b>COA HWQ-3</b> Prior to the issuance of a certificate of use and occupancy, the applicant shall demonstrate compliance with the WQMP in a manner meeting the satisfaction of the Community Development Department, including: <ul style="list-style-type: none"> <li>• Demonstrate that all structural Best Management Practices (BMPs) described in the Project’s WQMP have been implemented, constructed and installed in conformance with approved plans and specifications;</li> <li>• Demonstrate that the applicant has complied with all non-structural BMPs described in the Project’s WQMP;</li> <li>• Submit for review and approval an Operations and Maintenance (O&amp;M) Plan for all structural BMPs for</li> </ul>	Less Than Significant Impact



**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
		attachment to the WQMP; and <ul style="list-style-type: none"> <li>Demonstrate that copies of the Project's approved WQMP (with attached O&amp;M Plan) are available for each of the incoming occupants.</li> </ul>	
(iv) Impede or redirect flood flows?	Less Than Significant Impact	N/A	Less Than Significant Impact
<b>Noise</b>			
Threshold 4.11-a: Would the project result in a substantial temporary or permanent increase in ambient noise in the vicinity of the project levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Potentially Significant Impact	<p><b>COA NOI-1</b> The Project shall comply with Section 15.26 of the City's Municipal Code, which requires contractors to not engage in or conduct any noise-generating outdoor construction work, except between the hours of 7:00 AM and 7:00 PM, Monday through Saturday, unless a permit for different hours has been issued.</p> <p><b>COA NOI -2</b> The Project shall comply with Chapters 9.28, 10.04, 12.24 and 17.53 of the Moorpark Municipal Code and any provision amendatory or supplementary thereto, as a standard requirement for construction noise reduction.</p> <p><b>COA NOI -3</b> The Project shall include the posting, in a conspicuous location, of the construction hour limitations and make each construction trade aware of the construction hour limitations.</p> <p><b>MM NOI -1</b> Prior to the start of grading of each Project phase, the Project applicant shall provide evidence acceptable to the City's Community Development Department, that:</p> <p>a. All construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.</p>	Less Than Significant Impact

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
		<ul style="list-style-type: none"> <li>b. Stationary equipment, such as generators and air compressors, would be located as far from local residences and Walnut Canyon Elementary School, as feasible.</li> <li>c. Equipment maintenance and staging areas would be located as far away from local residences and Walnut Canyon Elementary School, as feasible.</li> <li>d. Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings and Walnut Canyon Elementary School.</li> </ul>	
<p>Threshold 4.11-b: Would the project generate excessive groundborne vibration or groundborne noise levels?</p>	<p>Potentially Significant Impact</p>	<p><b>MM NOI -2</b></p> <p>During construction activities, the Project applicant will ensure that ongoing vibration monitoring is conducted for Project activities within 75 feet of the Tanner Corner Building as specified below.</p> <ul style="list-style-type: none"> <li>• Whenever vibratory replacement activities occur within 75 feet of the Tanner Corner Building.</li> <li>• Whenever Deep Soil Mixing activities occur within 50 feet of the Tanner Corner Building.</li> <li>• Whenever general construction equipment is utilized within 25 feet of the Tanner Corner Building.</li> </ul> <p>If vibration levels at the Tanner Corner Building reach or exceed 0.25 ppv, there is a potential for building damage and an immediate stop work order will be issued. Alternative construction methods or vibration reduction measures will then be determined that keep vibration exposure levels below 0.25 ppv.</p>	<p>Less Than Significant Impact</p>

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
Threshold 4.11-c: For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	No Impact	N/A	No Impact
<b>Population and Housing</b>			
Threshold 4.12-a: 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)?	Less Than Significant Impact	N/A	Less Than Significant Impact
Threshold 4.12-b: Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	No Impact	N/A	No Impact
<b>Recreation</b>			
Threshold 4.14-a: Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Less Than Significant Impact	N/A	Less Than Significant Impact

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
Threshold 4.14-b: Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Less Than Significant Impact	N/A	Less Than Significant Impact
<b>Transportation</b>			
Threshold 4.15-a: Would the project conflict with an program plan, ordinance or policy addressing the circulation system, including transit and roadways, bicycle lanes, and pedestrian facility paths?	Less Than Significant Impact	N/A	Less Than Significant Impact
Threshold 4.3-b: Would the project conflict with or be inconsistent with CEQA Guidelines Section 15064.3 subdivision (b).?	Less Than Significant Impact	N/A	Less Than Significant Impact
Threshold 4.15-c: Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less Than Significant Impact	<b>COA TRA-1</b> Prior to the issuance of a grading permit for each Project phase, the applicant shall demonstrate adequate sight distance at all street intersections, in a manner meeting the approval of the City's Public Works Department.	Less Than Significant Impact
Threshold 4.15-d: Would the project result in inadequate emergency access?	Less Than Significant Impact	<b>COA TRA-2</b> Prior to the issuance of any grading permits, the applicant shall demonstrate that applicable improvements for that phase from the Project's Traffic Study have been incorporated into Project design, in a manner meeting the approval of the City's Public Works Department.  <b>COA TRA-3</b> Prior to beginning each Project phase, the applicant shall submit a construction traffic control plan for the review and approval of the City Engineer and Public Works Director. Traffic control plan shall include construction advisory	Less Than Significant Impact

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
		speed limits, speed limit posting locations, and enforcement measures if needed.	
<b>Tribal Cultural Resources</b>			
Threshold 3.16-a: Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	No Impact	See above for <b>COA CUL 1</b> and <b>COA CUL-3</b> , which are applicable to this threshold.	No Impact
Threshold 3.16-b: Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set	Less Than Significant Impact	See above for <b>COA CUL 1</b> and <b>COA CUL-3</b> , which are applicable to this threshold.	Less Than Significant Impact

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
<p>forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?</p>			
<b>Utilities and Service Systems</b>			
<p>Threshold 4.17-a: 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?</p> <p>Threshold 4.17-c: 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?</p>	<p>Less Than Significant Impact</p>	<p>See above for <b>COA HWQ-2</b> and <b>COA HWQ-3</b>, which are applicable to this threshold.</p> <p><b>COA UTL-1</b>      Prior to issuance of a building permit for each new building within the Project Site, the applicant would be required to obtain a will-serve letter or equivalent from VCWWD No. 1 demonstrating their capacity to serve the Project for water and wastewater services. The will serve letter must be submitted to the Community Development Department for review prior to issuance of a building permit.</p> <p><b>COA UTL-2</b>      Prior to issuance of a building permit for each new building within the Project Site, the applicant would be required to obtain a will-serve letter or equivalent from dry utility providers demonstrating their capacity to serve the Project for electricity, natural gas, and telecommunications if needed. The will serve letters must be submitted to the Community Development Department for review prior to issuance of a building permit.</p>	<p>Less Than Significant Impact</p>

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
Threshold 4.17-b: Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Less Than Significant Impact	See above for <b>COA UTL-1</b> , which is applicable to this threshold.	Less Than Significant Impact
Threshold 4.17-e: Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Less Than Significant Impact	N/A	Less Than Significant Impact
<b>Wildfire</b>			
Threshold 4.18-a: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?	Less Than Significant Impact	N/A	Less Than Significant Impact
Threshold 4.18-b: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, 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?	Less Than Significant Impact	N/A	Less Than Significant Impact

**TABLE 1-2  
SUMMARY OF PROJECT IMPACTS, MITIGATION MEASURES, AND LEVEL OF SIGNIFICANCE**

Threshold of Significance	Level of Significance Before Mitigation	Mitigation Measures and Conditions of Approvals	Level of Significance After Mitigation
Threshold 4.18-c: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, 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?	Less Than Significant Impact	N/A	Less Than Significant Impact
Threshold 4.18-d: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, 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 change?	Less Than Significant Impact	N/A	Less Than Significant Impact



## 1.6 **REFERENCES**

California, State of. 2022a (September 28, access date). California Code of Regulations (CCR). Sacramento, CA. <https://oal.ca.gov/publications/ccr/>

———.2022b (September 28, access date). California Public Resources Code. Sacramento, CA. [https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=PRC&division=2.&title=&part=&chapter=9.&article=6](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=2.&title=&part=&chapter=9.&article=6).

Moorpark, City of. 2022 (May 9). Notice Of Preparation Civic Center Master Plan Project. Moorpark, CA. <https://ceqanet.opr.ca.gov/2022050175>. Provided as Appendix A.

South Environmental. 2022 (June). Historical Resource Assessment Report, Civic Center Master Plan Project, Moorpark, California. Pasadena, CA: South Environmental. Provided as Appendix D.

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## SECTION 2.0 INTRODUCTION

This Draft Environmental Impact Report (EIR) has been prepared by the City of Moorpark (City) to evaluate the potential environmental effects that could result from development of the Civic Center Master Plan Project (Project). This Draft EIR has been prepared in conformance with the California Environmental Quality Act of 1970 (CEQA) statutes (Cal. Pub. Res. Code, Section 21000 et. seq., as amended) and implementing guidelines (Cal. Code Regs., Title 14, Section 15000 et. seq.).

### 2.1.1 CEQA REQUIREMENTS

The basic purposes of CEQA are to accomplish the following:

1. Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities;
2. Identify the ways that environmental damage can be avoided or be significantly reduced;
3. Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and
4. Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved (Section 15002 of the CEQA Guidelines).

CEQA requires the preparation of an EIR for any Project that a lead agency determines may have a significant impact on the environment. According to Section 21002.1(a) of CEQA, "The purpose of an environmental impact report is to identify the significant effects on the environment of a Project, to identify alternatives to the Project, and to indicate the manner in which those significant effects can be mitigated or avoided." CEQA also establishes mechanisms whereby the public and decision makers can be informed about the nature of the Project being proposed, and the extent and types of impacts that the Project and its alternatives would have on the environment if they were to be implemented.

An EIR is the most comprehensive form of environmental documentation identified in CEQA and the State CEQA Guidelines. EIRs are intended to provide an objective, factually supported analysis of the environmental consequences associated with a project that has the potential to result in significant, adverse environmental impacts, including after implementation of mitigation measures (MMs). In accordance with Section 15121(a) of the State CEQA Guidelines, this Draft EIR is an informational document that will inform public agency, decision makers, and the general public of (1) the significant environmental effects of the Project; (2) possible ways to minimize the significant effects; and (3) reasonable alternatives to the Project. The intent of this EIR is to provide "project-level" analysis of the environmental impacts associated with the phased construction of the Project.

### 2.1.2 LEAD AGENCY

Section 15051 of the State CEQA Guidelines identifies the Lead Agency as the public entity with the greatest responsibility for carrying out or approving the Project as a whole. The City has the primary authority to approve and adopt and subsequently implement the Project. As such, the City is serving as the Lead Agency under CEQA and is responsible for preparing this EIR.

### 2.1.3 SCOPING PROCESS

As part of the EIR process, a Notice of Preparation (NOP) was released on May 9, 2022 (Appendix A), beginning the 30-day public scoping period for the EIR. The City held a scoping meeting for the Project on May 23, 2022 from 5:00 PM to 6:30 PM. The purpose of the scoping meeting was to receive input on the environmental issues that should be addressed in the EIR. During the 30-day scoping period, the City received nine comment letters and email comments in response to the NOP. Copies of these NOP comment letters are provided in Appendix B of this EIR. This EIR has taken into consideration the comments received from the public and agencies in response to the NOP. Environmental issues that have been raised are summarized below and are addressed in each relevant issue area analyzed in Section 4.1 through Section 4.18 of this Draft EIR. The primary issues identified during the NOP process include the following:

- Encouraging tribal consultation pursuant to Assembly Bill 52 (AB 52) and Senate Bill 18 (SB 18).
- Safe use and storage of hazardous materials by futures uses proposed by the Project.
- Suggesting that Vehicle Miles Traveled (VMT) be utilized as the method of transportation analysis for the Project.
- Encouraging the incorporation of complete streets, pedestrian safety measures, and Transportation Demand Management (TDM) strategies into the Project, where possible.
- Encouraging the appropriate method of air quality analysis.
- The existence of a Ventura County Public Works flood control easement within the Project Site.
- Potential biological resources of the Project Site and appropriate methods for evaluating impacts to biological resources.

## 2.2 ISSUES ADDRESSED IN THE EIR

The scope of the EIR is based on the findings of the technical studies and input received from agencies and the public as part of the scoping process. Based on the City's determination, the EIR addresses all environmental topics with potential to result in significant effects. The environmental topics and issues within the topics with no potential for impact are identified in below in Section 4.1, Effects Not Found To Be Significant, of the EIR and focused out from further analysis.

Based on the City's determination, technical studies, and the comments received by the City on the NOP, this EIR analyzes the following environmental topics with their respective section numbers:

- Aesthetics (Section 4.1)
- Air Quality (Section 4.2)
- Biological Resources (Section 4.3)
- Cultural Resources (Section 4.4)
- Energy (Section 4.5)
- Geology and Soils (Section 4.6)
- Greenhouse Gas Emissions (Section 4.7)
- Hazards and Hazardous Materials (Section 4.8)
- Hydrology and Water Quality (Section 4.9)
- Land Use and Planning (Section 4.10)
- Noise (Section 4.11)
- Population and Housing (Section 4.12)
- Public Services (Section 4.13)
- Recreation (Section 4.14)
- Transportation (Section 4.15)
- Tribal Cultural Resources (Section 4.16)
- Utilities and Services Systems (Section 4.17)
- Wildfire (Section 4.18)

## **2.3 PUBLIC REVIEW OF THE DRAFT EIR**

The Draft EIR for the Project has been distributed to responsible and trustee agencies, other affected agencies, surrounding cities, interested parties, and all parties who requested a copy of the EIR in accordance with CEQA. During the 45-day public review period, this Draft EIR, including the technical appendices, is available for review online at <https://www.moorparkca.gov/1094/Civic-Center-Master-Plan>. Hard copies are available at the City during regular business hours at:

City of Moorpark  
Development Services Building, Planning Counter  
799 Moorpark Avenue  
Moorpark, California 93021

City Library  
699 Moorpark Avenue  
Moorpark, California 93021

During the public review period, comments from the general public, organizations, and agencies regarding environmental issues analyzed in the Draft EIR and the Draft EIR's accuracy and completeness may be submitted to the lead agency at the following address:

City of Moorpark  
Community Development Department  
Attention: Shanna Farley, Principal Planner  
799 Moorpark Avenue  
Moorpark, California 93021

Comments may also be emailed during the public review period to [sfarley@moorparkca.gov](mailto:sfarley@moorparkca.gov).

Upon completion of the 45-day public review period, written responses will be prepared for all environmental issues raised in the comment letters, and the comments and responses will be included into the Final EIR. All responses to comments submitted on this Draft EIR by public agencies will also be provided to those agencies at least ten days prior to certification of the EIR, consistent with Section 15088(b) of the State CEQA Guidelines.

## **2.4 DECISION MAKING PROCESS**

An EIR is one of the various decision-making tools used by a Lead Agency to consider the merits and disadvantages of a project that is subject to its discretionary authority. For an EIR, in accordance with Section 21081 of CEQA and Section 15091 of the State CEQA Guidelines, public agencies are required to make written findings for each significant environmental impact identified in the EIR. If the Lead Agency and responsible agencies decide that the benefits of Project outweigh any identified unmitigated significant environmental effects, the Lead Agency is required to adopt a Statement of Overriding Considerations supporting their actions.

Prior to approving a Project, the Lead Agency must consider the information contained in the EIR; determine whether the EIR was properly prepared in accordance with CEQA and the State CEQA Guidelines; determine that the EIR reflects the independent judgment of the Lead Agency; adopt findings concerning the Project's significant environmental impacts and alternatives; and adopt a Statement of Overriding Considerations if the Project would result in significant impacts that cannot be reduced to a less than significant level.

## 2.5 REFERENCES

California, State of. 2022a (September 28, access date). California Code of Regulations (CCR). Sacramento, CA. <https://oal.ca.gov/publications/ccr/>

———.2022b (September 28, access date). California Public Resources Code. Sacramento, CA. . [https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=PRC&division=2.&title=&part=&chapter=9.&article=6](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=2.&title=&part=&chapter=9.&article=6).

Moorpark, City of. 2022 (May 9). Notice Of Preparation Civic Center Master Plan Project. Moorpark, CA. <https://ceqanet.opr.ca.gov/2022050175>

## **SECTION 3.0 PROJECT DESCRIPTION**

### **3.1 INTRODUCTION**

The purpose of the project description is to describe the Project in a way that allows for meaningful review by the public, reviewing agencies, and decision makers. Section 15124 of the California Environmental Quality Act (CEQA) Guidelines requires that the project description for an environmental impact report (EIR) contain the following: (1) the precise location and boundaries of a proposed project; (2) a statement of objectives sought by the proposed project including the underlying purpose of the project; (3) a general description of the project's technical, economic, and environmental characteristics; and (4) a statement briefly describing the intended uses of the EIR, including a list of the agencies that are expected to use the EIR in their decision making; (5) a list of the permits and other approvals required to implement the project; and (6) a list of related environmental review and consultation requirements required by federal, State, or local laws, regulations, or policies. An adequate project description need not be exhaustive but should supply the detail necessary for evaluation of the project.

An EIR is the most comprehensive form of environmental documentation identified in CEQA and the CEQA Guidelines. The following project description provides the information needed to assess the environmental effects associated with the development, construction, and operation of the Project.

### **3.2 PROJECT LOCATION**

The Project Site is approximately 12.5 acres in size and is located in the central, downtown area of the City of Moorpark in Ventura County, California. A portion of the Project Site contains the existing civic center, which is located west of Moorpark Avenue/Walnut Canyon Road. Portions of the Project Site are located on the north and south sides of West High Street. Exhibit 3-1, Regional Location, and Exhibit 3-2, Local Vicinity, depict the Project Site in a regional and local context, respectively.

The primary vehicular access into the existing Civic Center is provided from Moorpark Avenue with secondary access provided from a driveway on West High Street. Moorpark Avenue/Walnut Canyon Road are co-signed as State Route 23 (SR-23) adjacent to the Project Site. SR-23 is a regional transportation corridor that is classified as a local collector (two-lane roadway) on the City's General Plan Circulation Element Map. Adjacent to the Project Site, Moorpark Avenue/Walnut Canyon Road has one travel lane in each direction.

### **3.3 EXISTING SITE CONDITIONS AND LAND USES**

The Project Site contains a variety of existing land uses. The eastern portion of the Project Site contains the existing Civic Center, which is oriented toward Moorpark Avenue. The existing Civic Center consists of a city hall, a community center/active adult center, a city library, portable structures, and parking areas. The southern portion of the Project Site is currently vacant and is generally located between West High Street to the north and the Union Pacific Railroad and Metrolink tracks to the south. The western portion of the Project Site is undeveloped, generally rectangular-shaped vacant land oriented in an east/west direction along the north side of West High Street. In conjunction with previous nearby residential development, the western portion of the Project Site has been subject to grading and is relatively flat with no distinguishing topographical features. The northern portion of the Project Site is developed with the existing city hall buildings.

The Project Site contains areas that are identified as being within the 500-year floodplain. Additionally, the 100-year flows are conveyed through the Project Site within the concrete-lined Walnut Canyon drainage channel (FEMA 2022). The Walnut Canyon drainage channel traverses the Project Site within a Ventura County Public Works flood control easement. It is a concrete-lined open channel that runs along the western boundary of the existing Civic Center and becomes an underground concrete box north of West High Street. It remains underground running west beneath West High Street, until it reverts back to an open concrete-lined channel at the western end of the Project Site.

All parcels within the Project Site are owned by the City of Moorpark, with the exception of APN 511-0-020-275, which is owned by Essex Moorpark Owner LP. This portion of the Project Site would be dedicated to the City as part of the Development Agreement with Essex and would thereafter be owned by the City. This would occur at a later date.

### **3.3.1 SURROUNDING LAND USES**

The Project Site is surrounded by development including commercial, office, institutional, and residential uses. Single-family residential uses are located to the north of the Project Site (east and west of Moorpark Avenue/Walnut Canyon Road). Walnut Canyon Elementary School, the Moorpark Boys and Girls Club, and vacant land are located to the northwest of the Project Site. This vacant land northwest of the Project Site (APN 511-0-020-265) is approved for the development of 200 apartment units as part of the Essex/Vendra Garden Apartments project. The Essex Apartment project would take vehicular access from Casey Road. Also, the southeastern boundary of the Hitch Ranch Specific Plan is located approximately 0.15 mile west of the Project Site, which was approved by City Council in June 2022. The Hitch Ranch Specific Plan consists of a 270-acre, 755-unit development that would construct a primarily residential community with park facilities, private recreational facilities, open spaces, and equestrian trails that are expected to be built out by 2029.

Land uses to the east of the Project Site (east of Moorpark Avenue/Walnut Canyon Road) include a mix of commercial, office, and residential uses. A commercial building, the Tanner Corner Building, is located off site at the northwestern corner of Moorpark Avenue at High Street (southeast of the Project Site). The Tanner Corner Building is listed on the California Register of Historical Resources (CRHR). The Project Site is bordered to the south by the Union Pacific railroad, Metrolink railroad tracks, and a U.S. Post Office. Land uses located south of the railroad tracks include Chaparral Middle School, Poindexter Park, commercial and light industrial uses, and residential uses. The Project Site is 0.2-mile northwest of the Moorpark Amtrak and Metrolink station. Existing land uses are shown in Exhibit 3-3, Existing Land Uses.

### **3.3.2 EXISTING GENERAL PLAN LAND USE AND ZONING DESIGNATIONS**

#### **General Plan Land Use Designations**

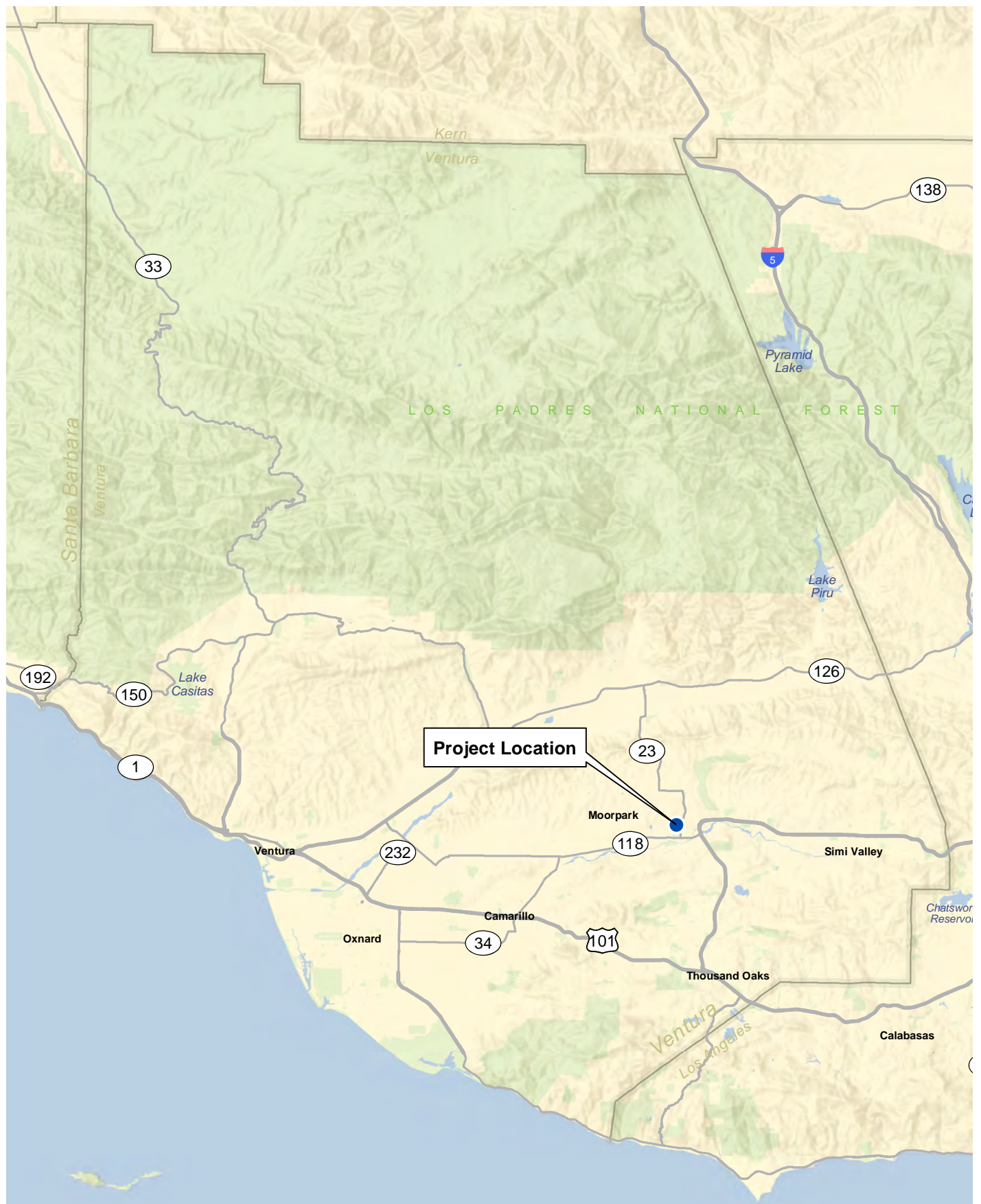
As depicted on Exhibit 3-4, General Plan Land Use Designations, the current General Plan land use designation for the entire Project Site is Downtown Specific Plan (SP-D).

#### **Zoning Designations**

As depicted on Exhibit 3-5, Existing Zoning, the existing zoning for the Project Site includes Commercial Old Town (C-OT), Rural Exclusive (RE), and Institutional (I).



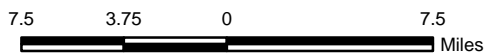
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## Regional Location

*Civic Center Master Plan Project*

## Exhibit 3-1







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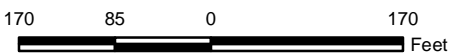
 Project Boundary

Aerial Source: ESRI, Maxar 2018

## Local Vicinity

## Exhibit 3-2

Civic Center Master Plan Project







**Project Boundary**

**Land Use**

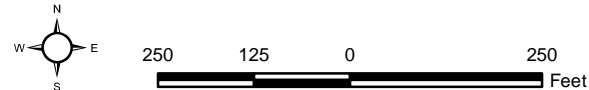
- 1 Library
- 2 Active adult/community center
- 3 City Hall
- 4 Annex building
- 5 Development Services Building
- 6 Annex Building
- 7 Playground
- 8 U.S. Post Office
- 9 Vacant Land

Aerial Source: Esri, Maxar 2021

### Existing Land Uses

### Exhibit 3-3

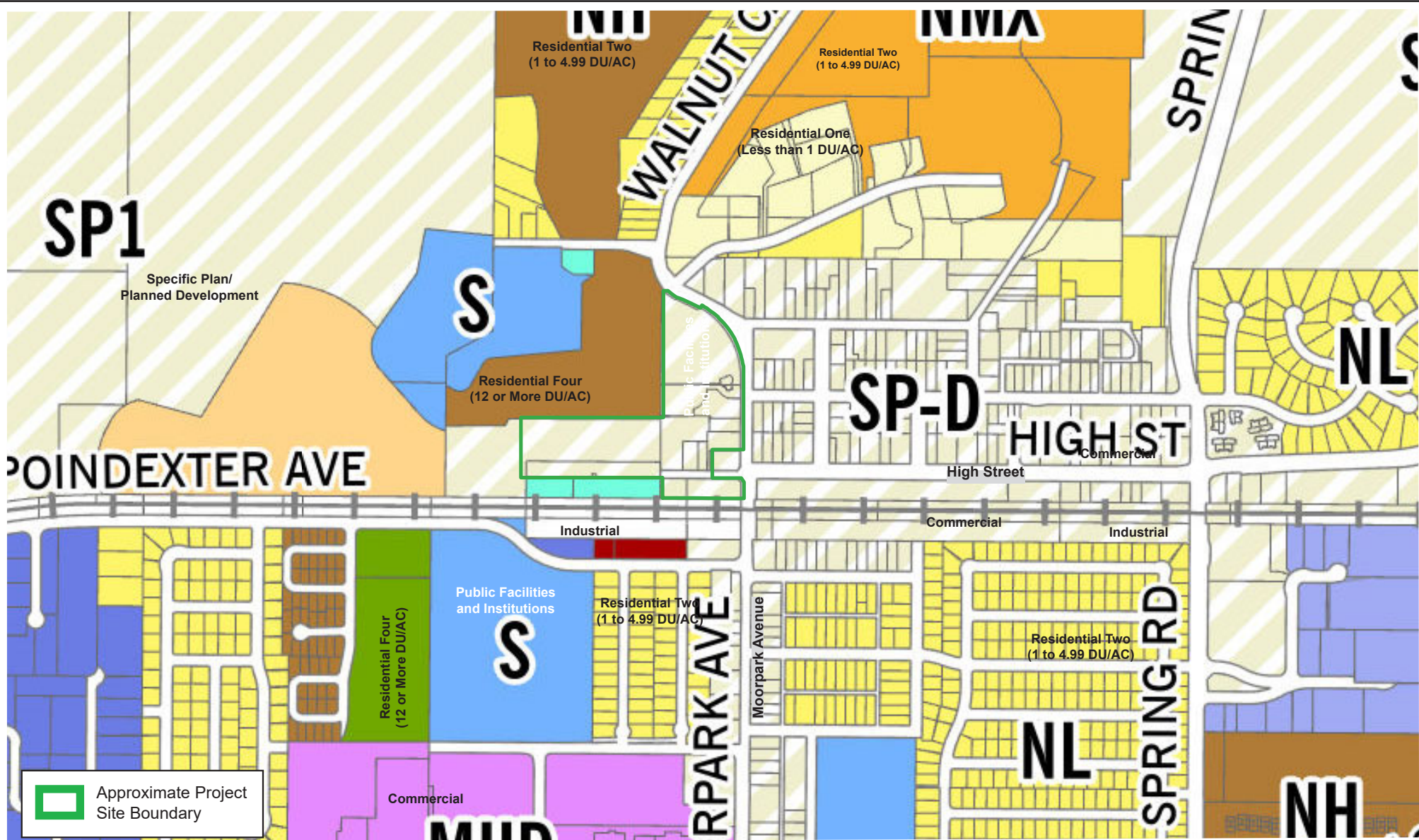
Civic Center Master Plan Project



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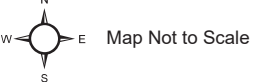


Source: City of Moorpark 2023

### Existing General Plan Land Use Designations

Exhibit 3-4

*Moorpark Civic Center Campus Project*







The proposed zoning for the entire Project Site is Mixed-Use Medium (MUM). MUM allows for a mix of commercial, office, and housing development.

### **3.4 PROJECT OBJECTIVES**

Section 15124(b) of the State CEQA Guidelines requires an EIR to include a statement of the project's objectives. The City has identified the following objectives for the Project:

1. To redevelop the Project Site to create a vibrant master-planned Civic Center Campus to serve current and future Moorpark residents;
2. To promote the revitalization of the downtown area of Moorpark with new civic buildings and a mix of other uses within the Project Site that would complement current uses and future planned development in the area; and
3. To develop the Project Site in a manner that avoids significant impacts to cultural and historic resources, including the Tanner Corner Building.

### **3.5 PROJECT DESCRIPTION**

The Project consists of the phased development of a new Civic Center within the Project Site.

#### **3.5.1 PROJECT PHASING AND LAND USES**

The Project includes the following phases:

- Phase 1 includes construction of a new 18,000 square foot (sf) library with outdoor plaza on the north side of High Street. The existing city hall would be re-purposed as 5,085 sf of office space, and the existing community center would remain as an active adult center. The existing library would be demolished at the end of this phase once the library is moved to the new facility. City hall would be temporarily relocated to 323 Science Dr. until construction of the new city hall is complete, which would occur during Phase 4. A map showing land uses for Phase 1 are provided in Exhibit 3-6.
- Phase 2 includes development of the west commercial site with approximately 13,000 sf of commercial uses, which would also include the development of a public park as part of that development. A map showing land uses for Phase 2 are provided in Exhibit 3-7.
- Phase 3 includes development of the north site residential area with approximately 75 units at 25 du/acre. Phase 3 would include the demolition of the existing city hall and community center/active adult center buildings. A map showing land uses for Phase 3 are provided in Exhibit 3-8.
- Phase 4 includes construction of a new 22,000 sf city hall and a mercado/market. A map showing land uses for Phase 4 are provided in Exhibit 3-9.

The land uses for Phases 2, 3, and 4 of the Project are based on preliminary site planning that has been developed by the City based on current information, and they may change. There is a potential that in the future, the City may identify alternative land uses or alternative configurations for those land uses within the Project Site that are different from what has been analyzed in this Draft EIR. In such an event, the City would evaluate the changes pursuant to CEQA, and would have the option of preparing either an Addendum to this EIR or a Supplemental EIR consistent with State CEQA Guidelines Sections 15162-15164, as amended. Alternatively, projects involving minor deviations from the land uses and configuration described in this EIR could instead be

processed by the City as Categorically Exempt from CEQA consistent with State CEQA Guidelines Sections 15300 through 15332, as amended.

### **3.5.2 ARCHITECTURAL DESIGN**

The architecture of the Project's buildings would be designed consistent with the Design Guidelines set forth in the Downtown Specific Plan. A rendering showing the conceptual appearance of the proposed library is included as Exhibit 3-10.

### **3.5.3 LANDSCAPING/HARDSCAPE**

Landscaping would be provided consistent with the Landscape Guidelines set forth in the Downtown Specific Plan. The use of California native trees is encouraged. Landscaping would be provided along West High Street and Moorpark Avenue, as well as internal to the Project Site. On the eastern portion of the Project Site, landscaping would primarily be located around the parking lots and buildings. In addition, shade trees would be located within the parking lots. The new city hall buildings would be sited around a central courtyard, which could include a water feature. The Landscape Guidelines also encourage the use of colorful annual or seasonal accent planting (via pots, planter boxes and hanging pots) to accent entries and add color and interest to buildings, or special locations as well as decorative vines along fences, property boundaries and perimeter walls, and on blank building elevations. Evergreen trees and shrubs would be used whenever a landscape screen or buffer is required.

The Project would require the removal of existing trees and other ornamental vegetation within the Project Site, as described in more detail in Section 4.3, Biological Resources.

### **3.5.4 LIGHTING**

Lighting would be provided consistent with the Lighting Guidelines set forth in the Downtown Specific Plan for Institutional uses. Lighting would be provided throughout the Project Site for pedestrian and vehicular safety. Lighting fixtures would complement the architectural design of the buildings. In addition, security lighting would be located in the parking lots and around the perimeter of the buildings. Fixtures would be designed to minimize lighting and glare from spilling off site, as feasible.

### **3.5.5 CIRCULATION AND TRANSPORTATION**

The Project would maintain the primary existing vehicular access into the Project Site from Moorpark Avenue/Walnut Canyon Road, as well as the existing secondary vehicular access provided from a driveway on the north side of West High Street.

The two existing driveways from West High Street that provide access to the southern portion of the Project Site would also be maintained as part of the Project.

The parking lot in the southern portion of the Project Site would be reconfigured and restriped with 96 spaces to accommodate the mercado. The off-site U.S. Post Office building and mercado would share parking; however, it is anticipated that the timing of events at the mercado would not overlap with the operating hours of the Post Office.

Sidewalks and street trees would be added along the north side of West High Street as part of the Project. During Phase 1, sidewalks and parking stalls along High Street would be added adjacent to the library's frontage with West High Street. During Phase 2, sidewalks would be













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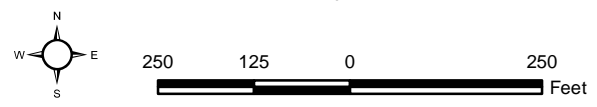
Aerial Source: Esri, Maxar 2018

	Project Boundary
<b>Project Buildings</b>	
	Demolished Library
	Existing AAC and CC
	Existing City Hall
	Library
	Plaza

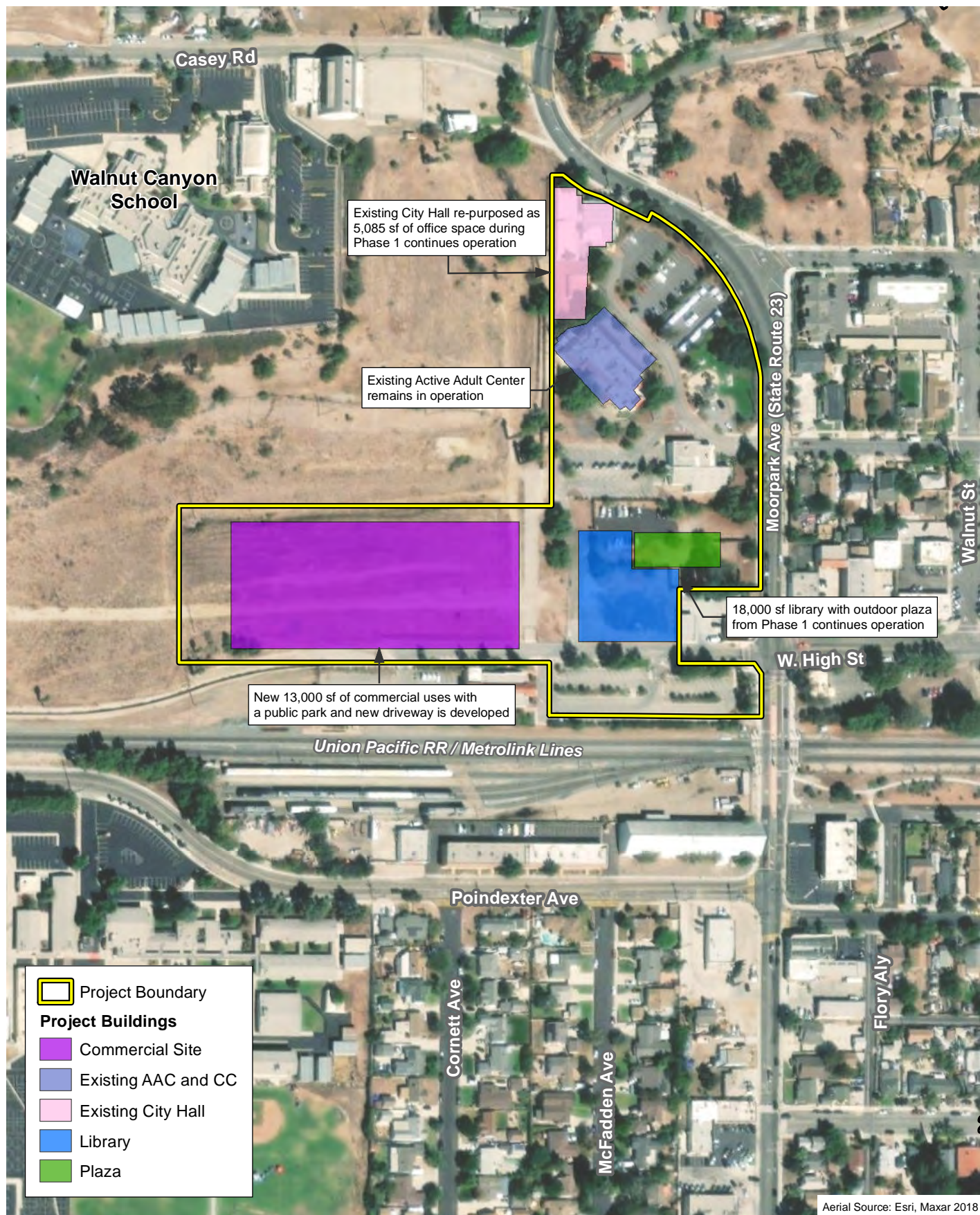
## Proposed Phase 1 Map

Civic Center Master Plan Project

## Exhibit 3-6





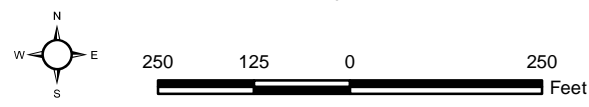


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Aerial Source: Esri, Maxar 2018

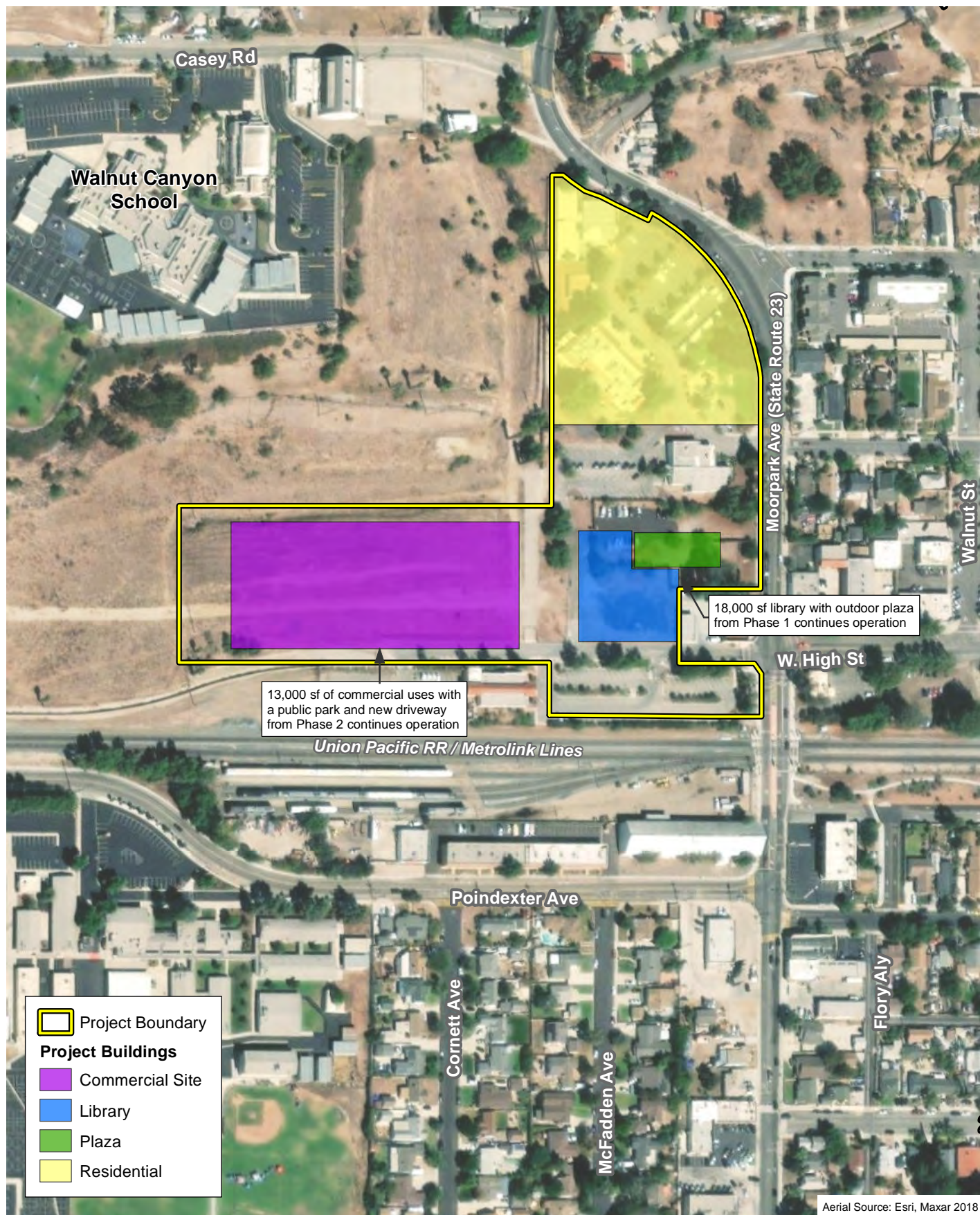
**Proposed Phase 2 Map**  
*Civic Center Master Plan Project*

**Exhibit 3-7**












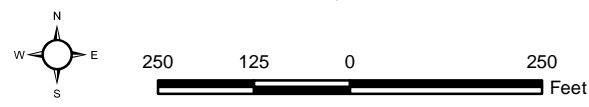


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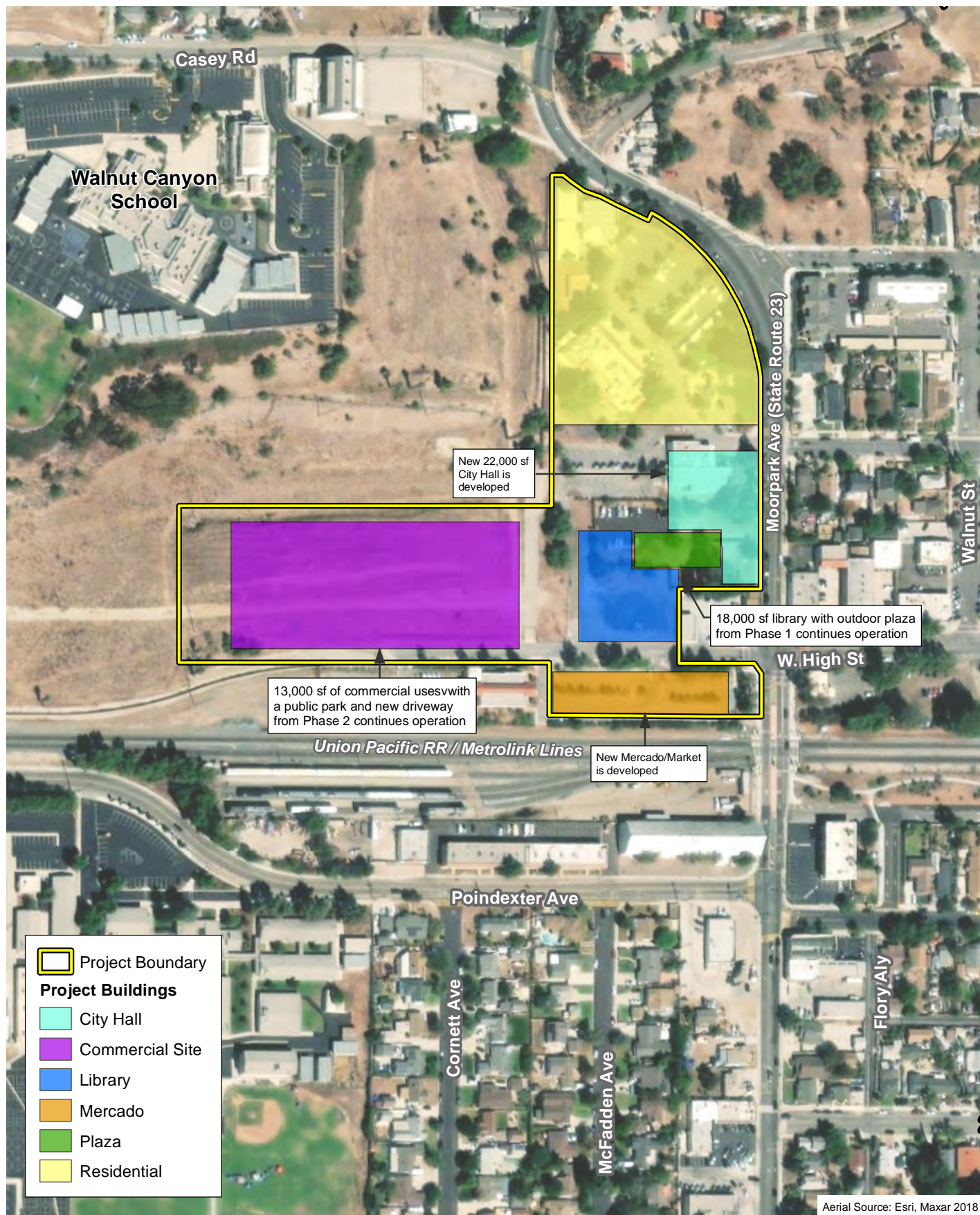
	Project Boundary
<b>Project Buildings</b>	
	Commercial Site
	Library
	Plaza
	Residential

**Proposed Phase 3 Map**  
*Civic Center Master Plan Project*

**Exhibit 3-8**







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Aerial Source: Esri, Maxar 2018

**Project Boundary**

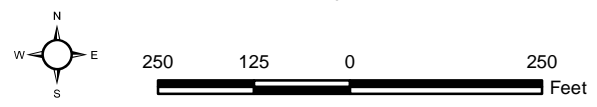
**Project Buildings**

- City Hall
- Commercial Site
- Library
- Mercado
- Plaza
- Residential

## Proposed Phase 4 Map

*Civic Center Master Plan Project*

## Exhibit 3-9





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Source: City of Moorpark, 2022

# Conceptual Rendering of Proposed City Library

## Exhibit 3-11

*Civic Center Master Plan Project*





extended along the north side of West High Street along the frontage of the west commercial site and park that would be developed at that time.

### **3.5.6 INFRASTRUCTURE AND UTILITIES**

The Project includes the installation and upgrade of infrastructure and utilities within the Project Site. Infrastructure improvements would include upgrades to storm drains and wastewater (sewer), water, and dry utilities that would connect to existing facilities within or adjacent to the Project Site. As noted below, the infrastructure improvements required for the Project would involve the installation of off-site utility lines within existing streets. Proposed infrastructure improvements include those described below.

#### **Water**

The Project Site is located within the service area of Ventura County Waterworks District (VCWWD) No. 1. The Project would connect to the existing water system, which consists of a 14-inch water distribution main located east of the Project Site in Moorpark Avenue between Charles Street and High Street; a 16-inch water distribution main east of the Project Site in Moorpark Avenue, between High Street and Wicks Road; and a 6-inch water distribution main south of the Project Site in High Street. A 4-inch water line also exists within the Project Site that serves the Library, city hall, and the modular buildings. The Project would connect to existing water distribution facilities within adjacent streets and would install water lines within the Project Site to accommodate the proposed uses.

#### **Sewer**

VCWWD No. 1 also provides wastewater treatment services to the City including the Project Site. The Project would be served by existing sewer lines, which consist of an 18-inch sewer main located south of the Project Site from Poindexter Avenue to High Street; an 8-inch sewer main east of the Project Site in Moorpark Avenue between High Street and Charles Street; and a 10-inch sewer main that is located within the existing Moorpark Civic Center Campus located near the intersection of Moorpark Avenue at Wicks Road. These facilities convey wastewater to the Moorpark Wastewater Treatment Plant. Wastewater from the Project Site would not require any special treatment requirements. The Project would connect to existing wastewater distribution facilities within adjacent streets and would install sewer lines within the Project Site to accommodate the proposed uses.

#### **Storm Water Drainage**

The Walnut Canyon drainage channel is an open concrete-lined channel that is located along the western boundary of the existing city hall and becomes an underground concrete box as it crosses the Project Site north of West High Street. It remains underground beneath West High Street but reverts back to an open concrete-lined channel at the western end of the Project Site. Surface water runoff from the parking areas at the eastern section of the Project Site drains toward Moorpark Avenue into existing storm water drain inlets and catch basins. Runoff then flows into a drainage pipe in a southerly direction toward West High Street and then in a westerly direction to the Walnut Canyon drainage channel. Runoff from the building areas and the undeveloped portions of the Project Site drain into the Walnut Canyon drainage channel. The Project would include stormwater capture, conveyance, and detention best practices, which would be specified in subsequent Water Quality Management Plans (WQMPs) to be developed for each phase of the Project, as described in more detail in Section 4.9, Hydrology and Water Quality.

## **Dry Utilities**

There are existing electric, natural gas, telephone, and cable facilities within and adjacent to the Project Site that serve the existing on-site land uses. Connections to these facilities would be made to serve the Project. Also, off-site improvements within West High Street and SR-23 would be required to connect the Project Site to mainline utilities within these right-of-way areas.

### **3.5.7 CONSTRUCTION**

Construction of the Project is anticipated to occur over four phases. The first phase of the Project would be completed by February 2025. The final phase of the Project would be completed by June 2037.

## **Ground Improvement**

Due to the subsurface geologic conditions within the Project Site, including the very loose granular soil from the ground surface to a depth of about 40 feet, ground improvements would be required for proposed structures within the Project Site to minimize risks of liquefaction-related settlement, dry seismic settlement, and lateral spreading. Methods of ground improvement for future structures within the Project Site could include vibro replacement (VR), deep soil mixing (DSM), or another technique.

The VR procedure consists of advancing a 30-inch diameter steel mandrel to approximately 40 feet using a combination of the weight of the mandrel and vibration. Once the mandrel reaches the selected depth,  $\frac{3}{4}$ -inch crushed rock is used to backfill the hole. The gravel is vibrated and “rammed” into the soft, loose granular soils. The stone columns are placed on a grid pattern with a spacing typically in the range of six to nine feet on-center. The soil displaced by the mandrel is “pushed” laterally into the adjacent soil, densifying the soil mass at the Project Site to the point where it will resist liquefying and settlement in response to earthquake ground shaking.

DSM uses a large-diameter auger (three- to eight-feet in diameter) mounted to a large drill rig or crane to advance the auger to a depth of approximately 50 feet. Cement is mixed into the soil at a regulated rate of around 10 percent and mixed by the auger using several up and down passes of the auger. The amount of cement added to the soil is determined by laboratory testing to optimize the soil strength versus amount of cement utilized. Once the cement and soil are uniformly mixed, the auger is withdrawn and moved to the next location.

Regardless of the method for ground improvement, a supplemental support system such as a grade beam-type foundation will likely be required. A grade beam foundation system consists of a grid of deepened steel-reinforced concrete beams typically on a spacing of 8 to 10 feet.

### **3.6 INTENDED USE OF THE EIR**

A summary of public agency approvals that are expected to be required for the Project is provided below.

**Certification of the Environmental Impact Report.** The City Council must certify that the information contained in the EIR was considered in the final decisions on the Project.

- **Lot Merger, Lot Line Adjustments, and/or Tentative Tract or Parcel Maps.** Approval would be required to merge or alter existing parcel lines and to create new parcels within the Project Site.



- **Conditional Use Permit (CUP).** Approval would be required to allow for the library and related uses, and may be required in the future for the proposed city hall building.
- **Planned Development Permits.** Approval of Planned Development Permits for future developments within the Project Site.
- **Building Permits.** City approval of building permits would be required for this Project.
- **Ventura County Watershed Protection District Approval.** Approval of improvements within their easement and of any modifications to Watershed Protection District facilities, as needed, to implement the Project.
- **Other.** If needed, encroachments into easements within the Project Site may require authorization by VC Watershed, VC Water and Sanitation, and Fire.

### 3.7 **REFERENCES**

- California, State of. 2022a (September 28, access date). California Code of Regulations (CCR). Sacramento, CA. <https://oal.ca.gov/publications/ccr/>
- . 2022b (September 28, access date). California Public Resources Code. Sacramento, CA. [https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=PRC&division=2.&title=&part=&chapter=9.&article=6](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=2.&title=&part=&chapter=9.&article=6).
- Federal Emergency Management Agency. 2022 (October 6, access date). Flood Insurance Rate Map (FIRM) Panel 06111C0817E. Washington DC: FEMA. <https://msc.fema.gov/portal/search>
- Moorpark, City of. 2023a (April 25, access date). General Plan 2050. Moorpark, CA: Moorpark. <https://moorparkgeneralplan.com/resources/>
- . 1998 (as amended through July 2020). Downtown Specific Plan. Moorpark, CA: Moorpark. <https://www.moorparkca.gov/DocumentCenter/View/10902/Downtown-Specific-Plan>

## SECTION 4.0 ENVIRONMENTAL ANALYSIS

In accordance with Sections 15125 and 15126(a) to (c) of the California Environmental Quality Act (CEQA) Guidelines, this section of the Draft Environmental Impact Report (EIR) analyzes those environmental topics where the Project could result in “potentially significant impacts”, as identified in the Notice of Preparation (NOP) and Initial Study checklist included in Appendix A, and based on comments received during the scoping period. The City identified the following topics as requiring detailed EIR analysis:

- Aesthetics (Section 4.1)
- Air Quality (Section 4.2),
- Biological Resources (Section 4.3),
- Cultural Resources including Archaeology and Historic (Section 4.4),
- Energy (Section 4.5),
- Geology and Soils including Paleontology (Section 4.6),
- Greenhouse Gas Emissions (Section 4.7),
- Hazards and Hazardous Materials (Section 4.8),
- Hydrology and Water Quality (Section 4.9),
- Land Use and Planning (Section 4.10),
- Noise (Section 4.11),
- Population and Housing (Section 4.12),
- Public Services (Section 4.13),
- Recreation (Section 4.14),
- Transportation (Section 4.15),
- Tribal Cultural Resources (Section 4.16),
- Utilities and Service Systems (Section 4.17), and
- Wildfire (Section 4.18).

Each topical section includes the information presented in the format described in Section 4.0.2, Environmental Analysis Format, below.

### 4.0.1 EFFECTS NOT FOUND TO BE SIGNIFICANT

Consistent with Section 15128 of the State CEQA Guidelines, an EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant, and which were therefore not discussed in detail in the EIR. As discussed below, the Project would have no impacts related to the topics of agricultural and forestry resources and mineral resources. Therefore, these topics are not discussed further in Section 4 of this EIR.

#### **Agricultural and Forestry Resources**

- a) ***Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?***
- b) ***Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?***
- c) ***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])?***

***d) Would the Project result in the loss of forest land or conversion of forest land to non-forest use?***

**No Impact.** The Project Site is located in a urban setting, surrounded by commercial, office, institutional (educational), residential uses, and open space land uses (City of Moorpark 2023a). According to a review of aerial imagery as well as of City land use and zoning mapping, the Project Site and adjacent parcels are not utilized or zoned for agricultural or forestry purposes (NETRonline 2022, City of Moorpark 2023a).

According to California Department of Conservation's (DOC) California Important Farmland Mapper, the Project Site and adjacent properties are designated as Urban and Built-Up Land (DOC 2022a). In addition, the Project Site and adjacent parcels are not subject to any existing Williamson Act contracts at this time (City of Moorpark 2023b, 2022a).

The Project Site does not contain forest land as defined in Public Resources Code Section 12220(g) since it does not naturally support a minimum of 10-percent native tree cover, as evidenced by vegetative cover within nearby undeveloped parcels (NETRonline 2022).

Therefore, the Project would result in no impacts related to agriculture and forestry resources, and no mitigation is required related to these thresholds. No further analysis in this EIR is required.

**Mineral Resources**

- a) 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?***
- b) 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?***

**No Impact.** The Project Site is not located within an area designated by the City, County, or State as underlain by any significant mineral resource zones (City of Moorpark 1986, Ventura County 2020, DOC 2022b). Also, per a review of the California Department of Conservation, Division of Mine Reclamation's online mapper "Mines Online", it was confirmed that there are no active aggregate mining operations within the Project Site or in the nearby vicinity that would be impacted by the Project (DOC 2022c). Furthermore, the Project Site is not designated as a mineral resource recovery site in the Ventura County General Plan, nor are there any active oil wells within the Project vicinity pursuant to a review of the DOC's "WellFinder" web mapper (Ventura County 2020, DOC 2022d).

Therefore, the Project would result in no impacts related to mineral resources, and no mitigation is required related to these thresholds. No further analysis of this topic in this EIR is required.

**4.0.2 ENVIRONMENTAL ANALYSIS FORMAT**

To facilitate the analysis of each topic presented in Section 4.0, a standard format was developed. This format is presented below, with a brief discussion of the information included within each heading.

## **Existing Conditions**

This section describes the existing environmental conditions related to each topic analyzed. In accordance with Section 15125 of the State CEQA Guidelines, the existing local and regional setting is discussed as they existed when the NOP was circulated on May 9, 2022, unless otherwise noted. This section provides the baseline conditions with which environmental changes associated with the Project would be compared and analyzed.

## **Regulatory Setting**

This section includes a summary of the existing federal, state, regional, county, and/or local laws, regulations, and ordinances that relate to the environmental topic being analyzed. These are summarized to provide background information and to establish the regulatory setting under which the construction and operation of the Project would occur.

## **Thresholds of Significance**

Section 15126.2 of the State CEQA Guidelines requires an EIR to “identify and focus on the significant environmental effects of the proposed project.” “Effects” and “impacts” mean the same under CEQA and are used interchangeably in this EIR. A “significant effect” or “significant impact” on the environment is “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project” (Section 15382 of the State CEQA Guidelines).

In determining whether an impact is “significant,” Section 15064.7 of the State CEQA Guidelines encourages each public agency to develop and publish thresholds of significance to use in determining the significance of an environmental impact. These thresholds may consist of identifiable quantitative, qualitative, or performance-level criteria used to determine non-compliance or compliance. Non-compliance means the effect would be significant, and compliance with the thresholds means the effect normally would be less than significant.

Like most municipalities, the City of Moorpark has not adopted thresholds of significance for every resource area but has adopted local thresholds for areas such as traffic. Nonetheless, a majority of the significance criteria used in the analysis in Section 4.0 of this EIR are derived from Appendix G of the State CEQA Guidelines. In addition, City policies and standards (such as the City’s noise ordinance), as well as thresholds adopted by other public agencies with jurisdiction over select issues, are used as thresholds of significance, where applicable. For example, the South Coast Air Quality Management District publishes numerical thresholds for criteria pollutant emissions. Also, accepted technical and scientific data are used in some instances to determine if an impact would be considered significant. These thresholds are identified under each environmental topic and have been used in analyzing the potential impacts of the Project.

## **Impact Analysis**

The analysis of environmental impacts presented in this Draft EIR identifies direct and indirect, as well as short-term and long-term, environmental impacts of the Project. The thresholds of significance (discussed above) provide the basis for distinguishing between impacts that are determined to be significant (i.e., impact exceeds the threshold of significance) and those that are considered less than significant. The analysis is structured to address each threshold, while considering any residual impact after compliance with any applicable regulations pertinent to that topic. If there would be a significant environmental impact after regulatory compliance, feasible mitigation measure(s) are developed to reduce or avoid the identified impact.

Where the impact analysis demonstrates that a potential environmental effect is too speculative or subjective for evaluation, or that the effect is beneficial, that conclusion is noted. Where the impact analysis demonstrates that a potential environmental effect could have a substantial or potentially substantial and adverse impact on existing physical conditions within the City, that conclusion is noted and followed by a discussion of how the proposed mitigation would address the potential impact.

### ***Cumulative Impacts***

While the extent of environmental changes that would occur with individual projects that are proposed, planned, or under construction in the City or region may not be significant, the sum of the impacts of these cumulative projects and the Project may be cumulatively considerable, as defined in Section 15065(c) of the State CEQA Guidelines. Section 2.6, Approach to Cumulative Impact Analysis, of this EIR contains a discussion of the overall methodology to determine the scope of projects and/or regional growth considered in the cumulative impact analysis. A discussion of the anticipated environmental changes resulting from the cumulative projects and the proposed development on a cumulative level, are addressed in each topical analysis presented in Section 4.0 of this Draft EIR, which contains a more detailed discussion of the cumulative impact analysis methodology for each environmental topic.

### ***Mitigation Program***

#### Conditions of Approval

The City's conditions of approval have been listed for each topic, when necessary, of relevant City regulations the Project must adhere to during implementation of the Project.

#### Mitigation Measures

The mitigation measures (MMs) for each topic have been developed, when necessary, to reduce or avoid significant adverse environmental impacts after incorporation of relevant regulations.

### ***Level of Significance After Mitigation***

This section identifies the level of significance of the identified impacts after implementation of the required mitigation measures, where applicable. Significant and unavoidable impacts are those adverse effects that either cannot be mitigated or that remain significant even after mitigation.

### ***References***

Documents and other sources that have been used in the preparation of each topical analysis are identified in this section.

## **4.0.3 CUMULATIVE IMPACTS**

Approved and pending projects within approximately two miles of the Project Site are listed in Table 4-1, Cumulative Projects List. It should be noted that, while the projects listed in Table 4-1, Cumulative Projects List, have been considered in the analysis, not all related projects would contribute to significant cumulative impacts for each topical area. The cumulative impact analyses in each topical area provides an evaluation of the cumulative projects that would contribute to that particular environmental topic's cumulative impacts. Some impacts are site-specific and would not compound the impacts associated with the Project. Additionally, in certain cases, short-term

impacts would not contribute to cumulative impacts because the construction of the cumulative projects and the development of the Project would not occur within the same period of time or in proximity to each other.

**TABLE 4-1  
CUMULATIVE PROJECTS LIST**

Project Name	Land Use	Size	ADT	A.M. Peak Hour	P.M. Peak Hour	Note
Triliad Development	Movie Studio	37 Acres	3,108	174	168	Approved
Pacific Communities	Single Family Residential	157 Single Units/300 Condo Units	3,245	250	315	Approved
Essex Moorpark, LLC	Multi-Family Residential	200 Units	1,330	102	124	Approved
Spring Road, LLC	Condominiums	95 Units	552	42	49	Approved
City Ventures	Single Family Residential	110 Units	1,047	83	110	Approved
Oakmont Senior Living	Senior Residential	84 units/beds	219	16	22	Construction Complete
Birdsall Group, LLC	Single Family Residential	21 Units	200	16	12	Approved
Aldersgate Senior Housing	Senior Residential	390 Units	1,468	90	125	Approved
High Street Depot/Daly Group	Downtown Mixed-Use	13,656 sf retail and 95 apartments	1,703	79	144	Approved
Grand Moorpark/Kozar	Condominiums	69 Units	505	32	39	Approved
John C. Chiu, FLP-N	Condominiums	60 Units	292	21	25	Approved
Beltramo Ranch	Single Family Res	47 units	378	31	43	Approved
AHA Scattered Sites	Multi-family	107,196 sf	410	26	31	Proposed
Hitch Ranch	Single and Multi-Family	755 units	6,436	467	608	Approved
Moorpark 67/Rasmussen	Single Family Residential	139 Units	1,359	107	143	Proposed
Distribution Center	Industrial	Reuse of 189,364 sf industrial	994	-17	12	Construction Complete
National Ready Mix	Batch Plant	10 acres	600	20	20	Unknown
CEMEX	Quarry	N/A	980	276	148	Unknown
Wayne J. Sand & Gravel	Quarry	N/A	504	92	34	Unknown
Grimes Rock	Quarry	N/A	480	35	14	Unknown
<b>Total Trips</b>						
Source: Psomas 2022.						

#### 4.0.4 REFERENCES

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## **4.1 AESTHETICS**

### **4.1.1 EXISTING CONDITIONS**

#### **On-Site Land Uses**

The Project Site contains a variety of existing land uses. The eastern portion of the Project Site contains the existing Civic Center, which is oriented toward Moorpark Avenue. The existing Civic Center consists of a city hall, a community center/active adult center, a city library, portable structures, and parking areas. The southern portion of the Project Site contains a surface parking lot associated with the off-site United States (U.S) Post Office and is generally located between West High Street to the north and the Union Pacific Railroad and Metrolink tracks to the south. The western portion of the Project Site is undeveloped, generally rectangular-shaped vacant land oriented in an east/west direction along the north side of West High Street. In conjunction with the Essex/Vendra Gardens Apartments, a previous nearby residential development, the western portion of the Project Site has been subject to grading and is relatively flat with no distinguishing topographical features. The northern portion of the Project Site is developed with the existing City Hall buildings.

The Walnut Canyon drainage channel traverses the Project Site within a Ventura County Public Works flood control easement. It is a concrete-lined open channel that runs along the western boundary of the existing Civic Center and becomes an underground concrete box north of West High Street. It remains underground running west beneath West High Street, until it reverts back to an open concrete-lined channel at the western end of the Project Site. All parcels within the Project Site are owned by the City of Moorpark, with the exception of Accessor's Parcel Number (APN) 511-0-020-275, which is owned by Essex Moorpark Owner LP and would be transferred to the City per a Development Agreement.

#### **Surrounding Land Uses**

As shown in Exhibit 3-3, Existing Land Uses, the Project Site is surrounded by development including commercial, office, institutional, and residential uses (City of Moorpark 2023a). Single-family residential uses are located to the north of the Project Site (east and west of Moorpark Avenue/Walnut Canyon Road). Walnut Canyon Elementary School, the Moorpark Boys and Girls Club, and vacant land are located to the northwest of the Project Site. This vacant land northwest of the Project Site (APN 511-0-020-265) is approved for 200 apartment units, with 100 percent of the units affordable to very low and low-income large families. The Essex/Vendra Gardens Apartments project would take primary vehicular access from Casey Road and secondary access to the south from High Street. Also, the southeastern boundary of the Hitch Ranch Specific Plan, which was approved by City Council in June 2022, is located approximately 0.15 mile west of the Project Site. The Hitch Ranch Specific Plan consists of a planned 270-acre, 755-unit development that would construct a primarily residential community with park facilities, private recreational facilities, open spaces, and equestrian trails that are expected to be built out by 2029 (City of Moorpark 2022b).

Land uses to the east of the Project Site (east of Moorpark Avenue/Walnut Canyon Road) include a mix of commercial, office, and residential uses. A commercial building, the Tanner Corner Building, is located off site at the northwestern corner of Moorpark Avenue at High Street (southeast of the Project Site). The Tanner Corner Building is listed on the California Register of Historical Resources (CRHR) (South Environmental 2022). The Project Site is bordered to the south by the Union Pacific railroad, Metrolink railroad tracks, and a U.S. Post Office. Land uses located south of the railroad tracks include Chaparral Middle School; Poindexter Park; commercial

and light industrial uses; and residential uses. The Project Site is 0.2-mile northwest of the Moorpark Amtrak and Metrolink station.

The Project Site is visible from adjacent uses at higher elevations (i.e., Walnut Canyon Elementary School, Boys and Girls Club, and residences) to the north and northeast. Looking south from the Project Site across the railroad tracks, visible land uses along Poindexter Avenue include commercial uses, railroad storage, recreational facilities, and residential uses. Chaparral Middle School is not visible due to the presence of mature trees on the northern and southern sides of Poindexter Avenue adjacent to the school. Views to the west are of vacant land.

### **Existing Light Sources**

The Project Site is mostly developed and is located in downtown Moorpark. There are existing street lights, parking lot lights, and exterior building lights that define lighting levels on and near the Project Site. Specifically, the Library and City Hall buildings have exterior wall lights; the City Hall modular buildings have exterior walkway lights; and decorative lamp posts line the sidewalk fronting the Active Adult Center/Community Center. All on-site parking areas are lit.

Additional light sources in the surrounding area include light standards along Moorpark Avenue and adjacent streets, decorative lamp posts on East High Street, traffic lights, railroad crossing lights, and exterior building lights, including exterior wall lights at the U.S. Post Office building adjacent to the Project Site.

## **4.1.2 REGULATORY SETTING**

### **State**

#### ***California Department of Transportation State Scenic Highway Program***

The California Scenic Highway Program, created in 1963 by the California legislature, is managed by the California Department of Transportation (Caltrans). The goal of the program is to preserve and protect scenic highway corridors from changes that would negatively impact the aesthetic quality of lands that are adjacent to highways. The California Department of Transportation (Caltrans) defines a scenic highway as any freeway, highway, road, or other public right-of-way that traverses an area of exceptional scenic quality. Suitability for designation as a State Scenic Highway is based on vividness, intactness, and unity. There are no designated or eligible scenic highways in the City of Moorpark (City) (Caltrans 2021).

### **Local**

#### ***City of Moorpark General Plan Open Space, Parks and Recreation Element***

The Open Space, Parks and Recreation Element in the Moorpark General Plan provides goals and policies for the conservation, preservation and management of Moorpark's open space resources (including scenic views and vistas). The segments of Moorpark Avenue and High Street near the site are identified as scenic routes and bike paths. The Project Site is not located in an area identified as a scenic viewshed by the Open Space, Parks and Recreation Element (City of Moorpark 2023).

## **City of Moorpark Municipal Code**

The Moorpark Zoning Code includes development standards and regulations for all developments in the City. While no specific design guidelines are provided, the Zoning Code includes lighting regulations (Chapter 17.30) and sign regulations (Chapter 17.40) that address the visual characteristics of development (City of Moorpark 2022a). The lighting regulations seek to prevent impacts on astronomical resources within the City and avoid conflicts and nuisance impacts on abutting properties. The sign regulations are intended to protect the community aesthetic and to minimize visual clutter and visual blight.

Chapter 17.50 of the City's Municipal Code establishes an art in public places program to promote its cultural and artistic resources. New developments contribute to the program's fund or provide on-site art pieces subject to approval of the Moorpark Arts Commission.

### **Downtown Specific Plan**

The eastern and southern portions of the Project Site are located within the boundaries of the Downtown Specific Plan area (City of Moorpark 1998). The Downtown Specific Plan contains design standards, landscape standards, and public improvement criteria to create a downtown area with rural country charm and economic stability at the same time.

#### **4.1.3 THRESHOLDS OF SIGNIFICANCE**

The following significance criteria, included for analysis in this environmental impact report (EIR), are based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines, and will be used to determine the significance of potential aesthetics impacts. Except as provided in Public Resource Code Section 21099, impacts to aesthetics would be significant if the Project would:

- Threshold 4.1-a**      ***Have a substantial adverse effect on a scenic vista.***
- Threshold 4.1-b**      ***Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.***
- Threshold 4.1-c**      ***In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (Public views are those that are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality.***
- Threshold 4.1-d**      ***Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.***

#### **4.1.4 IMPACT ANALYSIS**

- Threshold 4.1-a**      ***Except as provided in Public Resource Code Section 21099, would the project have a substantial adverse effect on a scenic vista?***

**Less Than Significant Impact.** A scenic vista is generally defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. A substantial adverse effect to a scenic vista is one that degrades the view from a designated viewing location. The City's General Plan does identify scenic vistas within the City as including views of the

valley floor from the Santa Susana Mountains and views of the mountains from the City. Given the existing developed context of the Project Site and its gradual topography, the Project would not substantially alter views of the mountains. The Open Space, Parks and Recreation element of the General Plan states that scenic areas of the City include open space corridors and viewsheds that provide visual enhancement and pleasure and are worthy of preservation for aesthetic, historical, topographic, cultural, or biological concerns (City of Moorpark 2023). While the City does not have designated scenic corridors, the Open Space, Parks and Recreation element of the General Plan identifies Walnut Canyon Road as a local scenic route, which ends adjacent and to the north of the Project Site (City of Moorpark 2023). Views of the Project Site from Walnut Canyon Road consist of views of the backsides of existing portable buildings, intermittent ornamental trees, and a surface parking lot. The Project would result in minor changes to views from Walnut Canyon Road, including the removal of existing vegetation and buildings and the redevelopment of the Project Site; however, these changes would not be substantially adverse. As noted below in response to Threshold 4.1-c, the Project would be developed consistent with zoning, the Downtown Specific Plan, and other requirements regarding scenic quality, which would ensure the Project is visually compatible with the existing setting and the City's vision for this area. Impacts would be less than significant related to this threshold, and no mitigation is required.

**Threshold 4.1-b**      ***Except as provided in Public Resource Code Section 21099, would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.***

**No Impact.** Based on a review of the California Department of Transportation, California Scenic Highway Mapping System, the Project Site is not near a designated or eligible State scenic highway (Caltrans 2021). The nearest designated State scenic highway is State Route 118 (SR-118), located approximately 1.08 miles east of the Project Site. Due to intervening topography and development, the Project Site is not visible from SR-118. Furthermore, the Project would not remove or substantially damage any rock outcroppings or historic buildings. Existing trees and other vegetation within the Project Site would be removed; however, these trees are not within or visible from a state scenic highway and the Project Site would be re-landscaped as it is redeveloped. Therefore, the Project would have no impact related to scenic resources within a state scenic highway, no significant impacts would occur, and no mitigation is required for this threshold.

**Threshold 4.1-c**      ***Except as provided in Public Resource Code Section 21099, in non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings (Public views are those that are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality.***

**Less Than Significant Impact.** The Project Site is located in an urbanized area of the City, as defined by Section 21071 of the CEQA Guidelines. Therefore, the analysis for this threshold focuses on evaluating whether the Project would conflict with applicable zoning and other regulations governing scenic quality. As discussed in more detail in Section 4.10, Land Use and Planning, in response to threshold 4.10-b, as final design for each phase of the Project is completed, the City's design review process will ensure that all Project improvements are consistent with applicable plans, policies, and ordinances. Also, **COA AES-1** would be implemented as part of the Project, which requires tree removal and replacement to occur

consistent with the requirements in the City's Municipal Code. Therefore, the Project would have less than significant impacts related to this threshold and no mitigation is required.

***Threshold 4.1-d***      ***Except as provided in Public Resource Code Section 21099, would the project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.***

**Less Than Significant Impact.** Project lighting would be limited to exterior lighting associated with each unit and street lighting required for safety. Low level way-finding lighting for pedestrians would be provided in the common areas. Street and parking lot lighting would be provided as-needed, and as required by the City regulations and standards. This would be consistent with the urbanized character of the area. All exterior lighting would be designed to minimize glare and light spillage onto adjacent properties (i.e., shielding of street lights). A lighting plan would be submitted to the City and lighting requirements would be implemented consistent with Section 17.30, Lighting Regulations, of the City's Municipal Code (City of Moorpark 2022a).

The Project would be constructed consistent with Section 17.53.070, Prohibited Acts, of the City's Municipal Code, which requires that all construction activities would occur between 7 a.m. and 8 p.m. Therefore, it is not likely that construction lighting would be needed except for limited evening construction. Any construction lighting needed for evening work would be hooded and oriented towards active work areas within the Project Site and would only occur for a limited time. Therefore, construction lighting would result in less than significant impacts.

Some operational glare may result from the Project, such as from sun reflecting off of windows of the proposed buildings. However, the Project design is not anticipated to include any highly-reflective building materials or paints that would result in significant glare that would be atypical of other land uses in the Project vicinity.

As discussed above, lighting and glare resulting from Project construction and operation would not substantially adversely affect day or nighttime views in the area. Impacts would be less than significant related to this threshold, and no mitigation is required.

#### **4.1.5 CUMULATIVE IMPACTS**

Future growth and development in Moorpark and the Project Site would change the visual quality of the City through the introduction of new structures and infrastructure. Developments proposed near the site include a 200-unit apartment use to the northwest of the site on Casey Road; a 60-unit apartment use to the north on Everett Street; and multi-family and single-family residential uses within the Hitch Ranch Specific Plan area to the west. These projects represent changes to the visual environment that would reflect continued urbanization in the City as vacant and underutilized lands are developed and redeveloped to accommodate demands for residential, commercial, industrial, institutional, and public uses.

Views of the Project Site and the adjacent areas would change through the introduction of new buildings, parking lots, landscaped areas, signs, and other site improvements, creating an overall increase in development intensity and an urbanized setting for Moorpark when combined with visual changes caused by other cumulative projects.

The City's development and design review of individual development projects is intended to prevent adverse view impacts or negative aesthetic impacts. Compliance with applicable development standards and design guidelines by individual development projects would avoid or mitigate visual impacts so that aesthetic impacts are not cumulatively significant.

New sources of light would also be created as new cumulative projects occur in the City. These sources would include exterior building lighting; street and parking lot light standards; and interior lighting at buildings that are in use during the nighttime hours. An overall increase in lighting levels throughout the City would occur. The City's lighting standards and conditions of approval are intended to prevent light spillover and impacts on adjacent light-sensitive uses. Setbacks, landscaping, and development standards related to light are expected to prevent substantial light intrusion and spillover. Therefore, the Project and other cumulative projects would not result in a cumulatively considerable impact related to aesthetics.

#### **4.1.6 MITIGATION PROGRAM**

##### **Condition of Approval**

**COA AES-1** As required by Section 12.12.070 of the City's Municipal Code, Tree Removal Permits – Requirements, no native oak tree, historic tree or other mature tree, where that tree is on public or private property, except as provided for in subsection B of this section, or is associated with a proposal for urban development, shall be removed, cut down, or otherwise destroyed, unless a tree removal permit has been issued by the city. The Director of Community Services shall establish the format and information required for a tree removal permit consistent with this chapter. In no event shall a permit be denied if to do so would cause interference with the economic use and enjoyment of the property.

##### **Mitigation Measures**

No significant impacts pertaining to aesthetics were identified; therefore, no mitigation measures are required.

#### **4.1.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Less than significant impact.

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#### 4.1.8 REFERENCES

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## 4.2 AIR QUALITY

### 4.2.1 EXISTING CONDITIONS

#### Air Pollutants

##### **Criteria Pollutants**

Air quality is defined by ambient air concentrations of seven “criteria air pollutants”, which are a group of common air pollutants identified by the U.S. Environmental Protection Agency (USEPA) to be of concern with respect to the health and welfare of the general public. Federal and State governments regulate criteria air pollutants by using ambient standards based on criteria regarding the health and/or environmental effects of each pollutant. These pollutants include nitrogen dioxide (NO<sub>2</sub>), ozone (O<sub>3</sub>), particulate matter (including both respirable particulate matter with a diameter of 10 microns or less [PM<sub>10</sub>] and fine particulate matter with a diameter of 2.5 microns or less [PM<sub>2.5</sub>]), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), and lead. A description of each criteria air pollutant, including source types and health effects, is provided below.

##### **Nitrogen Dioxide**

Nitrogen gas, normally relatively inert (nonreactive), comprises about 80 percent of the air. At high temperatures (e.g., in a combustion process) and under certain other conditions, nitrogen can combine with oxygen to form several different gaseous compounds collectively called nitrogen oxides (NO<sub>x</sub>). Nitric oxide (NO), NO<sub>2</sub>, and nitrous oxide (N<sub>2</sub>O) are important constituents of NO<sub>x</sub>. NO is converted to NO<sub>2</sub> in the atmosphere. Motor vehicle emissions are the main source of NO<sub>x</sub> in urban areas.

NO<sub>2</sub> is a red-brown pungent gas and is toxic to various animals and humans because of its ability to form nitric acid with water in the eyes, lungs, mucus membranes, and skin. In animals, long-term exposure to NO<sub>x</sub> increases susceptibility to respiratory infections, lowering resistance to such diseases as pneumonia and influenza. Laboratory studies show that susceptible humans, such as asthmatics, who are exposed to high concentrations of NO<sub>2</sub> can suffer lung irritation and, potentially, lung damage. Epidemiological studies have also shown associations between NO<sub>2</sub> concentrations and daily mortality from respiratory and cardiovascular causes, and with hospital admissions for respiratory conditions.

While the National Ambient Air Quality Standards (NAAQS) only address NO<sub>2</sub>, NO and NO<sub>2</sub> are both precursors in the formation of O<sub>3</sub> and PM<sub>2.5</sub>, as discussed below. Because of this and the fact that NO emissions largely convert to NO<sub>2</sub>, NO<sub>x</sub> emissions are typically examined when assessing potential air quality impacts.

##### **Ozone**

Ozone is a secondary pollutant, meaning that it is not directly emitted. It is a gas that is formed when volatile organic compounds (VOCs) (also referred to as reactive organic gases or reactive organic compounds) and NO<sub>x</sub> undergo photochemical reactions that occur only in the presence of sunlight. The primary source of VOC emissions is unburned hydrocarbons in motor vehicle and other internal combustion engine exhaust. NO<sub>x</sub> forms as a result of the combustion process, most notably due to the operation of motor vehicles. Sunlight and hot weather cause ground-level O<sub>3</sub> to form; as a result, ozone is known as a summertime air pollutant. Ground-level O<sub>3</sub> is not to be confused with atmospheric O<sub>3</sub> or the “ozone layer”, which occurs very high in the atmosphere and shields the planet from some ultraviolet rays. Ground-level O<sub>3</sub> is the primary constituent of smog.

Because O<sub>3</sub> formation occurs over extended periods of time, both O<sub>3</sub> and its precursors are transported by wind, and high O<sub>3</sub> concentrations can occur in areas well away from sources of its constituent pollutants.

People with lung disease, children, older adults, and people who are active can be affected when ozone levels exceed ambient air quality standards. Numerous scientific studies have linked ground-level ozone exposure to a variety of problems, including:

- Lung irritation that can cause inflammation much like a sunburn;
- Wheezing, coughing, pain when taking a deep breath, and breathing difficulties during exercise or outdoor activities;
- Permanent lung damage to those with repeated exposure to ozone pollution; and
- Aggravated asthma, reduced lung capacity, and increased susceptibility to respiratory illnesses like pneumonia and bronchitis.

### **Particulate Matter**

Particulate matter includes both aerosols and solid particles of a wide range of size and composition. Of particular concern are those particles smaller than 10 microns in size (PM<sub>10</sub>) and smaller than or equal to 2.5 microns (PM<sub>2.5</sub>). Particulate matter size refers to the aerodynamic diameter of the particle. Smaller particles are of greater concern because they can penetrate deeper into the lungs than large particles.

PM<sub>10</sub> is generally emitted directly as a result of mechanical processes that crush or grind larger particles or from the re-suspension of dusts, most typically through construction activities and vehicular travels. PM<sub>10</sub> generally settles out of the atmosphere rapidly and is not readily transported over large distances.

PM<sub>2.5</sub> is directly emitted in combustion exhaust and is formed in atmospheric reactions between various gaseous pollutants including NO<sub>x</sub>, sulfur oxides (SO<sub>x</sub>), and VOCs. PM<sub>2.5</sub> can remain suspended in the atmosphere for days and/or weeks and can be transported long distances.

The principal health effects of airborne particulate matter are on the respiratory system. Short-term exposures to high PM<sub>2.5</sub> and PM<sub>10</sub> levels are associated with premature mortality and increased hospital admissions and emergency room visits; increased respiratory symptoms are also associated with short-term exposures to high PM<sub>10</sub> levels. Long-term exposures to high PM<sub>2.5</sub> levels are associated with premature mortality and development of chronic respiratory disease. According to the USEPA, some people are much more sensitive than others to breathing PM<sub>10</sub> and PM<sub>2.5</sub>. People with influenza, chronic respiratory and cardiovascular diseases, and the elderly may suffer worse illnesses; people with bronchitis can expect aggravated symptoms; and children may experience decline in lung function due to breathing in PM<sub>10</sub> and PM<sub>2.5</sub>. Other groups considered sensitive include smokers and people who cannot breathe well through their noses. Exercising athletes are also considered sensitive because many breathe through their mouths.

Particulate matter tends to occur primarily in the form of fugitive dust. This dust appears to be generated by both local sources and by region-wide dust during moderate to high wind episodes. These regional episodes tend to be multi-district and sometimes interstate in scope. The principal sources of dust in urban areas are from grading, construction, disturbed areas of soil, and dust entrained by vehicles on roadways.

## **Carbon Monoxide**

Carbon monoxide is a colorless and odorless gas which, in the urban environment, is associated primarily with the incomplete combustion of fossil fuels in motor vehicles. CO combines with hemoglobin in the bloodstream and reduces the amount of oxygen that can be circulated through the body. High CO concentrations can cause headaches, aggravate cardiovascular disease, and impair central nervous system functions. CO concentrations can vary greatly over comparatively short distances. Relatively high concentrations are typically found near crowded intersections; along heavily used roadways carrying slow-moving traffic; and at or near ground level. Even under the most severe meteorological and traffic conditions, high concentrations of CO are limited to locations within a relatively short distance (i.e., up to 600 feet or 185 meters) of heavily traveled roadways. Overall CO emissions are decreasing as a result of the Federal Motor Vehicle Control Program, which has mandated increasingly lower emission levels for vehicles manufactured since 1973. CO levels in the South Central Coastal Air Basin (SCCAB or Basin) are in compliance with the State and federal one-hour and eight-hour standards.

## **Sulfur Dioxide**

Sulfur oxides (SOx) constitute a class of compounds of which SO<sub>2</sub> and sulfur trioxide (SO<sub>3</sub>) are of greatest importance. Ninety-five percent of pollution-related SOx emissions are in the form of SO<sub>2</sub>. SOx emissions are typically examined when assessing potential air quality impacts of SO<sub>2</sub>. The primary contributor of SOx emissions is fossil fuel combustion for generating electric power. Industrial processes, such as nonferrous metal smelting, also contribute to SOx emissions. SOx is also formed during combustion of motor fuels; however, most of the sulfur has been removed from fuels, greatly reducing SOx emissions from vehicles.

SO<sub>2</sub> combines easily with water vapor, forming aerosols of sulfurous acid (H<sub>2</sub>SO<sub>3</sub>), a colorless, mildly corrosive liquid. This liquid may then combine with oxygen in the air, forming the even more irritating and corrosive sulfuric acid (H<sub>2</sub>SO<sub>4</sub>). Peak levels of SO<sub>2</sub> in the air can cause temporary breathing difficulty for people with asthma who are active outdoors. Longer-term exposures to high levels of SO<sub>2</sub> gas and particles cause respiratory illness and aggravate existing heart disease. SO<sub>2</sub> reacts with other chemicals in the air to form tiny sulfate particles which are measured as PM<sub>2.5</sub>.

## **Lead**

Lead is a stable compound, which persists and accumulates both in the environment and in animals. In humans, it affects the body's blood-forming (or hematopoietic), nervous, and renal systems. In addition, lead has been shown to affect the normal functions of the reproductive, endocrine, hepatic, cardiovascular, immunological, and gastrointestinal systems, although there is significant individual variability in response to lead exposure. Since 1975, lead emissions have been in decline due in part to the introduction of catalyst-equipped vehicles, and also due to the decline in the production of leaded gasoline. In general, an analysis of lead is limited to projects that emit significant quantities of the pollutant (i.e., lead smelters) and are not applied to transportation projects.

## **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 in serious illness or that may pose a present or potential hazard to

human health.<sup>1</sup> TACs may be emitted from a variety of common sources, including motor vehicles, gasoline stations, dry cleaners, industrial operations, painting operations, and research and teaching facilities. TACs are different than the “criteria” pollutants previously discussed in that ambient air quality standards have not been established for them. 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 chronic (i.e., of long duration) and acute (i.e., severe but of short duration) adverse effects on human health. The California Air Resources Board (CARB) identified particulate matter (diesel PM) as a TAC in 1998. Diesel PM is responsible for the majority of California’s known cancer risk from outdoor air pollutants.

### **San Joaquin Valley Fever**

San Joaquin Valley Fever is not a pollutant, but an infectious disease caused by the fungus *Coccidioides immitis*. San Joaquin Valley Fever is also known as Valley Fever, Desert Fever, or Cocci. 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. The Valley Fever fungus tends to be found at the base of hillsides, in virgin, undisturbed soil. It usually grows in the top few inches of soil, but can grow down to 12 inches (VCAPCD 2003).

In Ventura County, the Valley Fever fungus is most prevalent in the County’s dry, inland regions. Individuals most vulnerable to Valley Fever are agricultural workers, construction and road workers, and archeologists and paleontologists, because they are exposed to the soil where the fungus might be just below the surface. In 2020, the number of reported cases in Ventura County was 265; the number of statewide was 7,217 (CDPH 2022). However, the actual number of cases may be higher because Valley Fever is often misdiagnosed as the flu and not reported by physicians (VCAPCD 2003).

### **Climate and Meteorology**

The Project Site is located in the SCCAB, which includes Ventura, Santa Barbara, and San Luis Obispo Counties. Ventura County is located along the southern portion of the central California coast between Santa Barbara and Los Angeles Counties. Its diverse topography is characterized by mountain ranges to the north, two major river valleys (the Santa Clara, which trends east-west, and the Ventura, which trends roughly north-south), and the Oxnard Plain to the south and west. As pollutants are carried into the inland valleys by prevailing winds, they are frequently trapped against the mountain slopes by a temperature inversion layer, generally occurring between 1,500 and 2,500 feet above mean sea level (msl). Above the temperature inversion layer, pollutants are allowed to disperse freely (VCAPCD 2016).

The Project Site is located in the Simi Valley area of the Basin, an inland area, which includes the Cities of Simi Valley and Moorpark. The area is surrounded by foothills and low-lying mountains. The area is impacted primarily by mobile sources.

The Mediterranean-type climate of Ventura County, as with all of Southern California, is governed by the strength and location of the semi-permanent high pressure center over the Pacific Ocean and the moderating effect of the nearby oceanic heat reservoir. Local climate conditions are characterized by dry, warm summers; mild, wet winters; infrequent rainfall; moderate daytime onshore breezes; and relatively low humidity.

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<sup>1</sup> The USEPA uses the terminology “hazardous air pollutant” (HAP), which has a similar definition.

The air above Ventura County often exhibits weak vertical and horizontal dispersion characteristics, which limit the dispersion of emissions and cause increased ambient air pollutant levels. Persistent temperature inversions prevent vertical dispersion. The inversions act as a “ceiling” that prevents pollutants from rising and dispersing. Mountain ranges act as “walls” that inhibit horizontal dispersion of air pollutants.

The diurnal land/sea breeze pattern common in Ventura County recirculates air contaminants. Air pollutants are pushed toward the Pacific Ocean during the early morning by the land breeze, and toward the east during the afternoon, by the sea breeze. This creates a “sloshing” effect, causing pollutants to remain in the area for several days. Residual emissions from previous days accumulate and chemically react with new emissions in the presence of sunlight, thereby increasing ambient air pollutant levels. This pollutant “sloshing” effect happens most predominantly from May through October (“smog” season). Air temperatures are usually higher and sunlight is more intense during the “smog” season. This explains why Ventura County experiences the most exceedances of the State and federal ozone standards during this six-month period.

**Criteria Pollutants**

***Attainment Designations***

Based on monitored air pollutant concentrations, the USEPA and CARB designate an area’s status in attaining the NAAQS and CAAQS, respectively, for criteria pollutants. When a region is designated as a nonattainment area, the State is required to prepare a State Implementation Plan (SIP) and the air district is required to prepare a regional attainment plan. When an area has been reclassified from nonattainment to attainment status for a federal standard, the status is identified as “maintenance”, and there must be a plan and measures that will keep the region in attainment for the following ten years. Table 4.2-1 summarizes the attainment status in the SCCAB for the criteria pollutants.

**TABLE 4.2-1  
ATTAINMENT STATUS OF CRITERIA POLLUTANTS IN  
VENTURA COUNTY**

<b>Pollutant</b>	<b>State</b>	<b>Federal</b>
O <sub>3</sub> (1 hour)	Nonattainment	No standard
O <sub>3</sub> (8 hour)	Nonattainment	Serious Nonattainment <sup>a</sup>
PM10	Nonattainment	Attainment
PM2.5	Attainment	Attainment
CO	Attainment	Attainment
NO <sub>2</sub>	Attainment	Attainment
SO <sub>2</sub>	Attainment	Attainment
Lead	Attainment	Attainment
All others	Attainment/Unclassified	No standards

O<sub>3</sub>: ozone; PM10: respirable particulate matter 10 microns or less in diameter; PM2.5: fine particulate matter 2.5 microns or less in diameter; CO: carbon monoxide; NO<sub>2</sub>: nitrogen dioxide; SO<sub>2</sub>: sulfur dioxide.  
Source: USEPA 2022, CARB 2022, VCAPCD 2022.

### Monitored Criteria Pollutants

Criteria air pollutant concentrations are measured at several monitoring stations in the SCCAB. The area of the SCCAB where the Project Site area is located is served by the VCAPCD's Monitoring Station at Simi Valley High School on Cochran Street in the City of Simi Valley, approximately 11 miles east of the Project Site. Equipment at the station measures O<sub>3</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and NO<sub>2</sub> levels. Data from 2019 to 2021 from the Simi Valley High School station, on Cochran Street is summarized in Table 4.2-2.

**TABLE 4.2-2  
AMBIENT AIR QUALITY AT SIMI VALLEY-COCHRAN STREET  
MONITORING STATION**

Pollutant	Averaging Time	Federal Primary Standards	California Standards	Maximum Concentrations <sup>a</sup>			Number of Days Exceeding Federal Standard <sup>b</sup>			Number of Days Exceeding State Standard <sup>b</sup>		
				2019	2020	2022	2019	2020	2021	2019	2020	2021
O <sub>3</sub>	1 hour	none	0.09 ppm	0.08	0.1.0	0.09	0	0	0	0	5	0
	8 hour <sup>c</sup>	0.075 ppm	0.07 ppm	0.078	0.095	0.075	7	22	8	9	25	8
NO <sub>2</sub>	1 hour	none	0.18 ppm	0.045	0.042	0.035	0	0	0	0	0	0
	Annual	0.053 ppm	0.030 ppm	.007	.007	.007	0	0	0	0	0	0
PM <sub>10</sub> <sup>c</sup>	24 hours	150 µg/m <sup>3</sup>	50 µg/m <sup>3</sup>	127.9	90.5	103.7	0.0	0.0	0.0	4	6	3
	Annual	None	20 µg/m <sup>3</sup>	20.1	20.8	22.7	N/A	N/A	N/A	N/A	N/A	N/A
PM <sub>2.5</sub> <sup>c</sup>	24 hours	35 µg/m <sup>3</sup>	none	20.0	34.9	32.9	0	0	0	0	0	0
	Annual	15 µg/m <sup>3</sup>	12 µg/m <sup>3</sup>	7.6	7.5	8.7	0	0	0	0	0	0

O<sub>3</sub>: ozone; ppm: parts per million; N/A: not applicable; NO<sub>2</sub>: nitrogen dioxide; PM<sub>10</sub>: respirable particulate matter; µg/m<sup>3</sup>: micrograms per cubic meter; \*: there was insufficient data to determine the value; PM<sub>2.5</sub>: fine particulate matter; —: data not available.

<sup>a</sup> Concentration units for O<sub>3</sub> and NO<sub>2</sub> are in ppm. Concentration units for PM<sub>10</sub> and PM<sub>2.5</sub> are in µg/m<sup>3</sup>.

<sup>b</sup> For annual standards, a value of 1 for the number of days indicates that the standard has been exceeded.

<sup>c</sup> Data are recorded separately for federal and State purposes because the USEPA and California methods are slightly different. Federal values are shown. PM<sub>10</sub> and PM<sub>2.5</sub> are measured every 6 days. The number of days exceeding standards shown is measured days/estimated days; the latter are projected to a 365-day base from the measurements.

Source: CARB 2022.

## 4.2.2 REGULATORY SETTING

### Federal

The USEPA is responsible for setting and enforcing the NAAQS for criteria pollutants. The standards are shown below in Table 4.2-3. The USEPA regulates emission sources that are under the exclusive authority of the federal government, such as aircraft, ships, and certain locomotives. The USEPA's air quality mandates are drawn primarily from the Federal Clean Air Act (CAA), which was enacted in 1970, and most recently amended by Congress in 1990. As part of its enforcement responsibilities, the USEPA requires each State with federal nonattainment areas to prepare and submit a SIP that demonstrates the means to attain and maintain the federal standards. The SIP must integrate federal, State, and local plan components and regulations to identify specific measures to reduce pollution by using a combination of performance standards and market-based programs within the SIP-identified timeframe.

**TABLE 4.2-3  
CALIFORNIA AND NATIONAL AMBIENT AIR QUALITY STANDARDS**

Pollutant	Averaging Time	California Standards	Federal Standards	
			Primary <sup>a</sup>	Secondary <sup>b</sup>
O <sub>3</sub>	1 Hour	0.09 ppm (180 µg/m <sup>3</sup> )	–	–
	8 Hour	0.070 ppm (137 µg/m <sup>3</sup> )	0.075 ppm (147 µg/m <sup>3</sup> )	Same as Primary
PM <sub>10</sub>	24 Hour	50 µg/m <sup>3</sup>	150 µg/m <sup>3</sup>	Same as Primary
	AAM	20 µg/m <sup>3</sup>	–	Same as Primary
PM <sub>2.5</sub>	24 Hour	–	35 µg/m <sup>3</sup>	Same as Primary
	AAM	12 µg/m <sup>3</sup>	12.0 µg/m <sup>3</sup>	Same as Primary
CO	1 Hour	20 ppm (23 mg/m <sup>3</sup> )	35 ppm (40 mg/m <sup>3</sup> )	–
	8 Hour	9.0 ppm (10 mg/m <sup>3</sup> )	9 ppm (10 mg/m <sup>3</sup> )	–
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m <sup>3</sup> )	–	–
NO <sub>2</sub>	AAM	0.030 ppm (57 µg/m <sup>3</sup> )	0.053 ppm (100 µg/m <sup>3</sup> )	Same as Primary
	1 Hour	0.18 ppm (339 µg/m <sup>3</sup> )	0.100 ppm (188 µg/m <sup>3</sup> )	–
SO <sub>2</sub>	24 Hour	0.04 ppm (105 µg/m <sup>3</sup> )	–	–
	3 Hour	–	–	0.5 ppm (1,300 µg/m <sup>3</sup> )
	1 Hour	0.25 ppm (655 µg/m <sup>3</sup> )	0.075 ppm (196 µg/m <sup>3</sup> )	–
Lead	30-day Avg.	1.5 µg/m <sup>3</sup>	–	–
	Calendar Quarter	–	1.5 µg/m <sup>3</sup>	Same as Primary
	Rolling 3-month Avg.	–	0.15 µg/m <sup>3</sup>	
Visibility Reducing Particles	8 hour	Extinction coefficient of 0.23 per km – visibility ≥ 10 miles (0.07 per km – ≥30 miles for Lake Tahoe)	<b>No Federal Standards</b>	
Sulfates	24 Hour	25 µg/m <sup>3</sup>		
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m <sup>3</sup> )		
Vinyl Chloride	24 Hour	0.01 ppm (26 µg/m <sup>3</sup> )		
<p>O<sub>3</sub>: ozone; ppm: parts per million; µg/m<sup>3</sup>: micrograms per cubic meter; PM<sub>10</sub>: large particulate matter; AAM: Annual Arithmetic Mean; PM<sub>2.5</sub>: fine particulate matter; CO: carbon monoxide; mg/m<sup>3</sup>: milligrams per cubic meter; NO<sub>2</sub>: nitrogen dioxide; SO<sub>2</sub>: sulfur dioxide; km: kilometer; –: No Standard.</p> <p><sup>a</sup> National Primary Standards: The levels of air quality necessary, within an adequate margin of safety, to protect the public health.</p> <p><sup>b</sup> National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.</p> <p>Note: More detailed information in the data presented in this table can be found at the CARB website (<a href="http://www.arb.ca.gov">www.arb.ca.gov</a>).</p> <p>Source: CARB 2022.</p>				

**State**

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 in California. In this capacity, CARB conducts research, sets the California Ambient Air Quality Standards (CAAQS) shown in Table 4.2-3, compiles emission inventories, develops suggested

control measures, provides oversight of local programs, and prepares the SIP. For regions that do not attain the CAAQS, CARB requires the air districts to prepare plans for attaining the standards. These plans are then integrated into the State SIP. CARB establishes emissions standards for motor vehicles sold in California, consumer products (e.g., hair spray, aerosol paints, and barbecue lighter fluid), and various types of commercial equipment. It also sets fuel specifications to further reduce vehicular emissions.

## **County**

The Ventura County Air Pollution Control District (VCAPCD) is the agency responsible for comprehensive air pollution control in Ventura County. As a regional agency, the VCAPCD develops rules and regulations; establishes permitting requirements; inspects emissions sources; and enforces such measures through educational programs or fines, when necessary. The VCAPCD is directly responsible for reducing emissions from stationary, mobile, and indirect sources. The 2022 Ventura County Air Quality Management Plan (2022 AQMP), adopted by the Ventura County Air Pollution Control Board on December 13, 2022, presents 1) strategy to attain the 2015 federal 8-hour ozone standard; 2) attainment demonstration for the federal 8-hour ozone standard; and, 3) reasonable further progress demonstration for the federal 8-hour ozone standard (VCAPCD 2022). The 2022 AQMP contains an attainment demonstration showing that Ventura County must attain the 2015 federal 8-hour ozone standard by 2026, the attainment date for serious ozone nonattainment areas (VCAPCD 2022).

The Ventura County Air Quality Assessment Guidelines (Guidelines) is an advisory document prepared by the District that provides lead agencies, consultants, and project applicants with a framework and uniform methods for preparing air quality impact assessments and the air quality section of environmental documents for projects that require discretionary entitlements. The Guidelines recommend specific criteria and threshold levels for determining whether a proposed project may have a significant adverse air quality impact. The Guidelines also provide mitigation measures that may be useful for mitigating the air quality impacts of proposed projects (VCAPCD 2003).

## **Local**

### ***City of Moorpark General Plan***

The City of Moorpark General Plan 2050 includes several goals and policies that would result in reduced air pollutant emissions for the Project. For example, Goal LU 8 from the Land Use Element relates to sustainable land use development practices to protect environmental resources, reduce greenhouse gas emissions, remove carbon from the atmosphere, etc. There are also goals and policies related to the circulation system and transportation demand management in the Circulation Element of the General Plan.

### ***City of Moorpark Municipal Code***

Chapter 17.48 of the Moorpark Municipal Code is titled Transportation Demand Management (TDM) and establishes TDM requirement for entitlement permits for all employers, with increasing requirements for employers of 50, 100, and 150 persons. The Traffic System Management (TSM) Fund is the City's designated TDM program fund. The TSM fund collects fees from projects that exceed federal, State, and local air quality regulations. The funds are then used for Citywide offset mitigation programs that improve air quality.



### 4.2.3 THRESHOLDS OF SIGNIFICANCE

The following significance criteria, included for analysis in this EIR, are based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines, and will be used to determine the significances of potential air quality impacts. The Project would result in a significant impact related to air quality if it would:

**Threshold 4.2-a**      ***Conflict with or obstruct implementation of the applicable air quality plan.***

**Threshold 4.2-b**      ***Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.***

**Threshold 4.2-c**      ***Expose sensitive receptors to substantial pollutant concentrations.***

**Threshold 4.2-e**      ***Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.***

Appendix G of the State CEQA Guidelines states that the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the above determinations. The VCAPCD has established significance thresholds to assess the impacts of project-related air pollutant emissions in its Ventura County Air Quality Assessment Guidelines (VCAPCD 2003) which are used in this EIR.

#### ***Consistency with the AQMP***

For general land use development projects, the VCAPCD specifies that consistency with the AQMP be determined (1) by determining if the project conforms to the applicable General Plan and (2) for the specific Ventura County growth area, by comparing the current population with the population projection for the subsequent year. Alternatively, the VCAPCD states “any General Plan Amendment that will result in population growth above that forecasted in the most recently adopted AQMP is inconsistent with the AQMP” (VCAPCD 2003).

#### ***Operational Emissions***

For evaluating long-term operational emission increases during the operation of a project, the VCAPCD recommends that lead agencies use a threshold of significance of 25 pounds per day for project operational emissions of VOC/ROG or NOx.

For other criteria pollutants (including CO, PM10, and PM2.5), a project that may cause an exceedance of any ambient air quality standard (State or federal) or that may make a substantial contribution to an existing exceedance of an air quality standard will have a significant adverse air quality impact. “Substantial” is defined as making measurably worse an existing exceedance of a State or federal ambient air quality standard.

#### ***Construction Emissions***

The VCAPCD does not recommend any thresholds of significance for temporary construction emissions. However, based on guidance established in the VCAPD’s Air Quality Guidelines, construction-related emissions should be mitigated if estimates of VOC/ROG or NOx emissions

from the heavy-duty construction equipment anticipated to be used for a particular project exceed the 25 pounds per day threshold.

### **Cumulative Impacts**

A project with emissions of two pounds per day or greater of VOC/ROG or two pounds per day or greater of NO<sub>x</sub> that is found to be inconsistent with the AQMP will have a significant cumulative adverse air quality impact (VCAPCD 2003).

Any operational emissions from individual projects that may exceed the project-specific thresholds presented above would be considered cumulatively considerable.

#### **4.2.4 IMPACT ANALYSIS**

##### ***Threshold 4.2-a Would the project conflict with or obstruct implementation of the applicable air quality plan?***

**Less Than Significant Impact.** The VCAPCD specifies that consistency with the AQMP be determined (1) by determining if the project conforms to the applicable General Plan and (2) for the specific Ventura County growth area, by comparing the current population with the population projection for the subsequent year. Alternatively, the VCAPCD states that any General Plan Amendment that will result in population growth above that forecasted in the most recently adopted AQMP is inconsistent with the AQMP (VCAPCD 2003).

With respect to the first criterion, the Project would be consistent with the zoning that was assumed in the City's General Plan.

With respect to the second criterion, the Project Site is in the Moorpark Growth Area. Using an estimate of 3.09 persons per dwelling unit for residential development in the City of Moorpark, the 75 dwelling units proposed for Phase 3 of the Project would generate approximately 232 new residents (U.S. Census Bureau 2021). When compared to the 2022 population of Moorpark, which is 35,399 people and SCAG's projected population of 42,200 in 2045, 232 new residents is not a substantial increase in the number of people (DOF 2022b, SCAG 2020).

##### ***Threshold 4.2-b Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?***

**Less Than Significant Impact.**

### **Construction Emissions**

During the construction period, air pollutants would be emitted by off-road construction equipment, on-road trucks, and workers' vehicles. Fugitive dust would be generated during earth moving, grading, and vehicle travel on paved and unpaved surfaces. Construction emissions for the expected activities in Phase 1, Phase 2, Phase 3, and Phase 4 were calculated with CalEEMod.

Phase 1 construction activities would begin with site preparation and grading for the new Moorpark City Library and outdoor plaza, followed by the construction of the Library building and outdoor plaza. Following construction of the new City Library and outdoor plaza, the former City Library would be demolished. Phase 1 would also involve the reconfiguration and maintenance of the existing parking areas adjacent to the civic center and former library. Additionally, Phase 1

would include the addition of sidewalks and parking stalls adjacent to the new City Library’s frontage on West High Street.

Phase 2 of the Project would begin with grading for and construction of the west commercial site. Building activities would include installation of utilities, paving of parking areas, and painting of the buildings.

Phase 3 of the Project would begin with the removal of the existing city hall, community center/active adult center buildings, northernmost parking area, and the existing park. Following this would be site preparation and grading of the north portion of the Project Site for construction of the Project’s residential area. Building activities would include installation of utilities, paving of parking areas, and painting of the buildings. Additionally, Phase 3 would involve the realignment of the driveway from Moorpark Avenue/Walnut Canyon Road to eliminate existing curves.

Phase 4 of the Project would begin with site preparation and grading for the new city hall and mercado. Building activities would include installation of utilities, paving of parking areas, and painting of the buildings.

The building activities include installation of utilities, paving of parking areas, and painting of buildings. The details of phasing, selection of construction equipment, areas to be paved, and other input parameters are included in Appendix C. The calculations include estimated fugitive dust emissions reductions that would result from compliance with **COA AQ-1** through **COA AQ-4**. **COA AQ-1** requires that fugitive dust best practices be implemented during construction. **COA AQ-2** requires that a speed limit be implemented within construction zones. **COA AQ-3** requires that best practices promulgated by the VCAPCD be implemented during construction related to reactive organic compounds, nitrogen oxides, and particulate matter. **COA AQ-4** requires standard City dust control requirements be implemented during construction.

The results of the CalEEMod calculations for Project construction for each phase are shown in Tables 4.2-4, 4.2-5, 4.2-6, and 4.2-7. As noted above, the VCAPCD does not recommend any thresholds of significance for temporary construction emissions. However, construction-related emissions should be mitigated if estimates of VOC/ROG or NO<sub>x</sub> emissions from the heavy-duty construction equipment anticipated to be used for a particular project exceed the 25 pounds per day threshold. With implementation of **COA AQ-5** estimated NO<sub>x</sub> and VOC/ROG emissions would not exceed 25 pounds per day for all project related construction phases. **COA AQ-5** requires that, by 2030, all off-road diesel construction equipment greater than 50 horsepower (hp) be certified to Tier 3 emissions standards or better.

**TABLE 4.2-4  
PHASE 1 ESTIMATED MAXIMUM DAILY CONSTRUCTION EMISSIONS-  
UNMITIGATED (POUNDS/DAY)**

Year	Pollutant and Emissions <sup>a</sup>					
	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM10 <sup>b</sup>	PM2.5 <sup>b</sup>
2023	2	18	18	<1	8	4
2024	9	10	11	<1	<1	<1
<b>Maximum Daily Emissions</b>	<b>9</b>	<b>18</b>	<b>18</b>	<b>&lt;1</b>	<b>8</b>	<b>4</b>
VOC: volatile organic compounds; NO <sub>x</sub> : nitrogen oxides; CO: carbon monoxide; SO <sub>x</sub> : sulfur oxides; PM10: respirable particulate matter; PM2.5: fine particulate matter. <sup>a</sup> Data shown are for winter emissions; summer emissions are generally slightly less and the differences are negligible. <sup>b</sup> PM10 and PM2.5 data include <b>COA AQ-1</b> , which is a mitigation in the CalEEMod data. See Appendix C for CalEEMod data sheets						

**TABLE 4.2-5  
PHASE 2 ESTIMATED MAXIMUM DAILY CONSTRUCTION EMISSIONS-  
UNMITIGATED (POUNDS/DAY)**

Year	Pollutant and Emissions <sup>a</sup>					
	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM10 <sup>b</sup>	PM2.5 <sup>b</sup>
2027	<1	<1	1	<1	7	3
2028	8	<1	1	<1	<1	<1
<b>Maximum Daily Emissions</b>	<b>8</b>	<b>&lt;1</b>	<b>1</b>	<b>&lt;1</b>	<b>7</b>	<b>3</b>

VOC: volatile organic compounds; NO<sub>x</sub>: nitrogen oxides; CO: carbon monoxide; SO<sub>x</sub>: sulfur oxides; PM10: respirable particulate matter; PM2.5: fine particulate matter.

<sup>a</sup> Data shown are for winter emissions; summer emissions are generally slightly less and the differences are negligible.

<sup>b</sup> PM10 and PM2.5 data include **COA AQ-1**, which is a mitigation in the CalEEMod data.

See Appendix C for CalEEMod data sheets

**TABLE 4.2-6  
PHASE 3 ESTIMATED MAXIMUM DAILY CONSTRUCTION EMISSIONS-  
UNMITIGATED (POUNDS/DAY)**

Year	Pollutant and Emissions <sup>a</sup>					
	VOC*	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM10 <sup>b</sup>	PM2.5 <sup>b</sup>
2030	2	24	29	<1	9	5
2031	22	9	15	<1	1	<1
<b>Maximum Daily Emissions</b>	<b>22</b>	<b>24</b>	<b>29</b>	<b>&lt;1</b>	<b>9</b>	<b>5</b>

VOC: volatile organic compounds; NO<sub>x</sub>: nitrogen oxides; CO: carbon monoxide; SO<sub>x</sub>: sulfur oxides; PM10: respirable particulate matter; PM2.5: fine particulate matter.

<sup>a</sup> Data shown are for winter emissions; summer emissions are generally slightly less and the differences are negligible.

<sup>b</sup> PM10 and PM2.5 data include **COA AQ-1**, which is a mitigation in the CalEEMod data.

See Appendix C for CalEEMod data sheets

\*Assumes architectural coating will occur over a minimum of 25 days.

**TABLE 4.2-7  
PHASE 4 ESTIMATED MAXIMUM DAILY CONSTRUCTION EMISSIONS-  
UNMITIGATED (POUNDS/DAY)**

Year	Pollutant and Emissions <sup>a</sup>					
	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM10 <sup>b</sup>	PM2.5 <sup>b</sup>
2035	1	9	13	<1	3	2
2036	15	5	9	<1	<1	<1
<b>Maximum Daily Emissions</b>	<b>15</b>	<b>9</b>	<b>13</b>	<b>&lt;1</b>	<b>3</b>	<b>2</b>

VOC: volatile organic compounds; NO<sub>x</sub>: nitrogen oxides; CO: carbon monoxide; SO<sub>x</sub>: sulfur oxides; PM10: respirable particulate matter; PM2.5: fine particulate matter.

<sup>a</sup> Data shown are for winter emissions; summer emissions are generally slightly less and the differences are negligible.

<sup>b</sup> PM10 and PM2.5 data include **COA AQ-1**, which is a mitigation in the CalEEMod data.

See Appendix C for CalEEMod data sheets

**Operational Emissions**

Area, energy, and mobile source emissions for the Project were calculated for complete buildout of the Project in 2037. The results of the calculations from this scenario are shown in Table 4.2-8. As shown in Table 4.2-8, maximum daily VOC/ROG and NO<sub>x</sub> operational emissions from the

Project would be less than the VCAPCD's CEQA thresholds. The impact would be less than significant and no mitigation is required.

**TABLE 4.2-8  
ESTIMATED MAXIMUM DAILY OPERATIONAL EMISSIONS AT PROJECT  
BUILDOUT (2037) (POUNDS/DAY)**

Source	Pollutant and Emissions <sup>a</sup>					
	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM10	PM2.5
Area	4	<1	7	<1	<1	<1
Energy	<1	<1	<1	<1	<1	<1
Mobile	9	7	82	<1	11	2
<i>Subtotal</i>	13	7	89	<1	11	2
<b>VCAPCD Thresholds</b>	25	25	None	None	None	None
<b>Exceed Threshold?</b>	<b>No</b>	<b>No</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
VOC: volatile organic compounds; NO <sub>x</sub> : nitrogen oxides; CO: carbon monoxide; SO <sub>x</sub> : sulfur oxides; PM10: respirable particulate matter; PM2.5: fine particulate matter; N/A: not applicable. Note: Totals may not add due to rounding. <sup>a</sup> . Data shown are winter emissions; estimated summer emissions are less. See Appendix C for CalEEMod data.						

**Threshold 4.2-c** *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?*

**Less Than Significant Impact.** While the Project would have VOC/ROG and NO<sub>x</sub> operational emissions greater than two pounds per day, it would not be inconsistent with the AQMP with the implementation of **COA AQ-5** as discussed previously under the response to Threshold 4.2-a. The operational VOC/ROG and NO<sub>x</sub> emissions would not exceed the Project-specific thresholds as shown in response to threshold 4.2-b. Therefore, cumulative impacts would be less than significant.

**Threshold 4.2-d** *Would the project expose sensitive receptors to substantial pollutant concentrations?*

**Less Than Significant Impact.** Project construction and operational activities can result in several air pollutants whose effects are often localized near the area of their origin. These effects include carbon monoxide hotpots, fugitive dust during construction, TACs, and entrained fungal spores that cause San Joaquin Valley Fever.

### **Carbon Monoxide Hotspot**

In an urban setting, vehicle exhaust is the primary source of CO. Consequently, the highest CO concentrations generally are found close to congested intersections. Under typical meteorological conditions, CO concentrations tend to decrease as the distance from the emissions source (e.g., congested intersection) increases. CO concentrations typically are analyzed at congested intersection locations. Ventura County is in attainment for CO. Because of the low levels recorded, CO monitoring in the County was discontinued in March and July 2004 (VCAPCD 2016). Therefore, it is concluded that existing background CO concentrations are currently very low.

Per the Traffic Analysis prepared for the Project, full buildout of the Project would generate a net total of 1,329 new external daily trips, including 42 trips in the AM peak hour and 120 trips in the PM peak hour (Psomas 2022). This magnitude of vehicle trips would be distributed along local roadways and would not be sufficient to create a CO hotspot. As such, the Project would result in less than significant impacts related to CO hotspots, and no mitigation measures are either required or recommended.

### **Toxic Air Contaminants**

The Project would not include any sources of long-term operational TAC emissions. Construction activities would result in short-term emissions of diesel PM from the exhaust of heavy-duty diesel equipment used for grading; paving; building construction; and other miscellaneous activities. The dose to which receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance or substances in the environment and the duration of exposure to the substance. Therefore, the risks estimated for a maximally exposed individual (MEI) are higher if a fixed exposure occurs over a longer period of time. According to the Office of Environmental Health Hazard Assessment, health risk assessments (which determine the exposure of sensitive receptors to TAC emissions) should be based on a 40-year exposure period for cancer causing diesel exhaust. However, such assessments should be limited to the period/duration of activities associated with a Project. Because the use of heavy-duty diesel equipment for the Project would be short in duration when compared to 40 years, and combined with the highly dispersive properties of diesel PM and further reductions in exhaust emissions from improved equipment, Project-generated construction emissions of TACs would not expose sensitive receptors to substantial emissions of TACs. The impact would be less than significant. Operations of the Project would not be a source of substantial TACs.

### **San Joaquin Valley Fever**

There is no recommended significance threshold for San Joaquin Valley Fever. The control of fugitive dust is the key to preventing exposure to Valley Fever spores during ground-disturbing construction activities. Even if Valley Fever spores are present on site and are disturbed during grading, if they do not become airborne they do not have the potential to be inhaled and result in illness. **COA AQ-1** through **COA AQ-4** require the implementation of dust-control measures. Based on the implementation of these conditions of approval, the potential for exposure to Valley Fever is considered less than significant.

**Threshold 4.2-e**      ***Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?***

**Less than Significant Impact.** Project construction would involve use of equipment and activities that could result in other emissions (such as those leading to odors). However, these odors would be typical during construction and not extraordinarily objectionable. Potential construction odors include onsite construction equipment's diesel exhaust emissions as well as roofing, painting, and paving operations. There may be situations where construction activity odors could be noticed. However, these odors would be temporary and would dissipate rapidly from the source with an increase in distance. These odors would not be of such magnitude to cause a public nuisance. This is due to the relatively small number of equipment operating in proximity to each other for each construction phase, the short distance and area for which diesel exhaust occurs before it dissipates, and the transient nature of exposure at any one location due to most equipment being mobile. The VCAPCD has also not identified construction areas to be a significant source of odors in the list of sources that generate significant sources of odors. Therefore, the impacts would be short-term; would not affect a substantial number of people; and would be less than significant.

According to the VCAPCD Assessment Guidelines, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding (VCAPCD 2003). The Project does not include any uses identified by the VCAPCD as being associated with odors, and therefore, would not likely produce objectionable odors.

In addition, the Project uses are regulated from nuisance odors or other objectionable emissions by VCAPCD Rule 51, Nuisance (VCAPCD 2004). Rule 51 prohibits discharge from any source of air contaminants or other material which would cause injury, detriment, nuisance, or annoyance to people or the public. Overall, there would be a less than significant impact, and no mitigation measures are either required or recommended.

#### **4.2.5 CUMULATIVE IMPACTS**

As described above, in Threshold 4.2-c, cumulative impacts would be less than significant.

#### **4.2.6 MITIGATION PROGRAM**

##### **Conditions of Approval**

- COA AQ-1** During construction of the Project, the City and its' contractors shall be required to comply with Ventura County Air Pollution Control District (VCAPCD) Rule 55, Fugitive Dust, which requires, among other provisions, that "No person shall cause or allow the emissions of fugitive dust from any applicable source such that the dust remains visible beyond the midpoint (width) of a public street or road adjacent to the property line of the emission source or beyond 50 feet from the property line if there is not an adjacent public street or road" (VCAPCD 2008).
- COA AQ-2** A 15-mile per hour speed limit must be observed within all construction areas
- COA AQ-3** Reactive organic compounds, nitrogen oxides (ozone/smog precursor), and particulate matter (aerosols/dust) generated during construction operations must be minimized in accordance with City of Moorpark standards and the standards of the Ventura County Air Pollution Control District. When an air pollution Health Advisory has been issued, construction equipment operations (including but not limited to grading, excavating, earthmoving, trenching, material hauling, and roadway construction) and related activities must cease in order to minimize associated air pollutant emissions.
- COA AQ-4** During clearing, grading, earth moving, excavation, soil import and/or soil export operations, the applicant shall comply with the City of Moorpark standard requirements for dust control, including, but not limited to, minimization of ground disturbance, application of water/chemicals, temporary/permanent ground cover/seeding, street sweeping, and covering loads of dirt. All clearing, earth moving, excavation, soil import, and/or soil export operations must cease during periods of high winds (greater than 15 miles per hour [mph] averaged over one hour)
- COA AQ-5** Beginning in 2030, prior to issuance of a grading permit, the Project's Construction Manager shall demonstrate to the City's Community Development Department that

construction documents require the construction contractors to implement the following measures:

- a. All off-road diesel-powered construction equipment greater than 50 horsepower (hp) used during phases 3 and 4 shall, at a minimum, meet Tier 3 off-road emissions standards.
- b. A copy of each unit's certified offroad engine Tier specification shall be provided to the City at the time of mobilization of each applicable unit of equipment.

### **Mitigation Measures**

No significant impacts pertaining to air quality were identified; therefore, no mitigation measures are required.

#### **4.2.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Less than significant impact.



## 4.2.8 REFERENCES

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VCAPCD. 2022 (adopted December 13). Final 2022 Air Quality Management Plan. [www.vcapcd.org/pubs/Planning/AQMP/2022/Final-2022-AQMP-with-appendices-20221130.pdf](http://www.vcapcd.org/pubs/Planning/AQMP/2022/Final-2022-AQMP-with-appendices-20221130.pdf)

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———. 2003 (October). Ventura County Air Quality Assessment Guidelines. Ventura, CA: VCAPCD. <http://vcapcd.org/pubs/Planning/VCAQGuidelines.pdf>

## 4.3 BIOLOGICAL RESOURCES

### 4.3.1 EXISTING CONDITIONS

The analysis in this section is informed by a literature review and a reconnaissance-level field survey of the Project Site. The following biological resource databases were reviewed to identify special status plants, wildlife, and habitats known to occur in the vicinity of the Project Site: California Native Plant Society's (CNPS') Inventory of Rare and Endangered Plants of California (CNPS 2022) and California Department of Fish and Wildlife's (CDFW's) California Natural Diversity Database (CNDDDB) (CDFW 2022). Database searches included the United States Geological Survey's (USGS) Moorpark, Newbury Park, Thousand Oaks, Simi, Santa Paula, Camarillo, Santa Paula Peak, Fillmore, and Piru 7.5-minute quadrangles. The literature search also included a detailed review of previous survey findings from the focused plant survey conducted by Senior Botanist Robert Allen on April 17 and June 4, 2012. A general walkover survey of the Project Site was conducted by Psomas Biologist Trevor Bristle on August 8, 2022, to document the current vegetation types, wildlife present, and changes in existing conditions and habitat since the previous survey that was conducted in 2012.

The Project Site contains a variety of existing land uses. The eastern portion of the Project Site contains the existing Civic Center, which is oriented toward Moorpark Avenue. The existing Civic Center consists of a city hall, a community center/active adult center, a city library, portable structures, and parking areas. The southern portion contains a surface parking lot associated with the off-site United States Post Office and is generally located between West High Street to the north and the Union Pacific Railroad and Metrolink tracks to the south. The western portion of the Project Site is undeveloped, generally rectangular-shaped vacant land oriented in an east/west direction along the north side of West High Street. In conjunction with previous nearby residential development, the western portion of the Project Site has been subject to grading and is relatively flat with no distinguishing topographical features. The northern portion of the Project Site is developed with the existing City Hall buildings.

The Walnut Canyon drainage channel traverses the Project Site within a Ventura County Public Works flood control easement. It is a concrete-lined open channel that runs along the western boundary of the existing Civic Center and becomes an underground concrete box north of West High Street. It remains underground running west beneath West High Street, until it reverts back to an open concrete-lined channel at the western end of the Project Site. All parcels within the Project Site are owned by the City of Moorpark, with the exception of Assessor's parcel number (APN) 511-0-020-275, which is owned by Essex Moorpark Owner LP.

#### Vegetation Types

The eastern portion of the Project Site is developed with buildings, parking lots, and associated facilities, such as paved walkways and playground equipment. Planted, ornamental vegetation occurs throughout the development adjacent to the walkways and buildings and in medians, planters, and park-areas. All the vegetation present is subject to regular landscaping activities, including mowing and trimming. The plant species in these areas include gum tree (*Eucalyptus sideroxylon*), oak trees (*Quercus ilex* and *Q. agrifolia*), sycamore (*Platanus x hispanica*), pine (*Pinus halepensis*), Peruvian pepper (*Schinus mole*), honey locust (*Gleditsia triacanthos*), carrotwood (*Cupaniopsis anacardioides*), Mexican fan palm (*Washingtonia robusta*), acacia (*Acacia* sp.), bougainvillea (*Bougainvillea* sp.), and turf grass.

The western portion of the Project Site does not contain any developed structures beyond a concrete box culvert that crosses the Project Site from north-to-south. The remainder of this area

is comprised of a heavily disturbed, Mediterranean grass grassland (*Schismus* sp. herbaceous semi-natural alliance). The vegetation appears to have been recently mowed and the dominant plant species are short-podded mustard (*Hirschfeldia incana*), Mediterranean grass (*Schismus* sp.), and red brome (*Bromus madritensis*). Other plant species present included deervetch (*Acmispon americanus*) and stephanomeria (*Stephanomeria* sp.), which are sparsely scattered across this area.

Neither the developed area nor the Mediterranean grass grassland are native and neither are considered special status vegetation types.

### **Wildlife**

Wildlife species or evidence of these species observed on the Project Site consist of Cassin's kingbird (*Tyrannus vociferans*), Anna's hummingbird (*Calypte anna*), common raven (*Corvus corax*), American crow (*Corvus brachyrhynchos*), California towhee (*Melospiza crissalis*), mourning dove (*Zenaidura macroura*), lesser goldfinch (*Spinus psaltria*), black phoebe (*Sayornis nigricans*), Cooper's hawk (*Accipiter cooperii*), red-tailed hawk (*Buteo jamaicensis*), northern mockingbird (*Mimus polyglottos*), house finch (*Haemorhous mexicanus*), oak titmouse (*Baeolophus inornatus*), and European rabbit (*Oryctolagus cuniculus*). No reptiles or amphibians were observed during the survey and no fish habitat (i.e., perennial surface water) occurs onsite.

### **4.3.2 REGULATORY SETTING**

Special status biological resources include plant and wildlife species that have been afforded special status and/or recognition by federal and State resource agencies, as well as private conservation organizations. In general, the principal reason an individual taxon (i.e., species, subspecies, or variety) is given such recognition is the documented or perceived decline or limitations of its population size or geographical extent and/or distribution resulting in most cases from habitat loss.

### **Federal and State Definitions for Special Status Biological Resources**

A federally listed Endangered species is one facing extinction throughout all or a significant portion of its geographic range. A federally listed Threatened species is one likely to become Endangered in the foreseeable future throughout all or a significant portion of its range. Proposed species or Candidate species are those officially proposed by the United States Fish and Wildlife Service (USFWS) for addition to the federal Threatened and Endangered species list. Because proposed species may soon be listed as Threatened or Endangered, these species could become listed prior to or during implementation of a proposed project.

The State of California considers an Endangered species as one whose prospects of survival and reproduction are in immediate jeopardy; a Threatened species is one present in such small numbers throughout its range that it is likely to become an Endangered species in the near future in the absence of special protection or management; and a Rare species is one present in such small numbers throughout its range that it may become Endangered if its present environment worsens. Rare species applies only to California native plants.

California Species of Special Concern is an informal designation used by the CDFW for some declining wildlife species that are not State Candidates. This designation does not provide legal protection, but signifies that these species are recognized as special status by the CDFW.

The California Rare Plant Rank (CRPR), formerly known as CNPS List, is a ranking system by the Rare Plant Status Review group<sup>1</sup> and managed by the CNPS and the CDFW. A ranking is given based on information regarding the distribution, rarity, and endangerment of California's vascular plants. The CRPR lists California's rare plants into four lists: Rank 1A (plant species extinct in California); Rank 1B (Rare, Threatened, or Endangered throughout their range); Rank 2 (considered Rare, Threatened, or Endangered in California but more common in other states); Rank 3 (more information is needed); and Rank 4 (plants that have limited distribution). The CRPR also assigns a threat code extension: .1 ("seriously endangered" in California); .2 ("fairly endangered" in California); and .3 ("not very endangered" in California). The absence of a threat code extension indicates plants lacking any threat information.

### 4.3.3 THRESHOLDS OF SIGNIFICANCE

The following significance criteria, included for analysis in this environmental impact report (EIR), are based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines, and will be used to determine the significance of potential biological impacts. The Project would result in a significant impact related to biological resources if it would:

- Threshold 4.3-a**      *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.*
- Threshold 4.3-b**      *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.*
- Threshold 4.3-c**      *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.*
- Threshold 4.3-d**      *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.*
- Threshold 4.3-e**      *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.*
- Threshold 4.3-f**      *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.*

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<sup>1</sup> This group consists of over 300 botanical experts from the government, academia, non-governmental organizations, and the private sector.

### 4.3.4 IMPACT ANALYSIS

**Threshold 4.3-a** *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

**Less Than Significant With Mitigation Incorporated.** Although heavily disturbed from previous grading and stockpiling activities, the western portion of the Project Site remains undeveloped and supports a Mediterranean grass grassland vegetation type. Various special status plant species have been recorded off-site in the greater vicinity of the Project Site, including Plummer’s mariposa lily (*Calochortus plummerae*), southern tarplant (*Centromadia parryi* ssp. *australis*), California Orcutt grass (*Orcuttia californica*), and Lyon’s pentachaeta (*Pentachaeta lyonii*). A focused plant survey for these species was conducted by Psomas in 2012 and all were determined to be absent at that time. Table 4.3-1 provides a summary of the special status plant species (State or Federally listed or proposed for listing as Threatened or Endangered, or CRPR List 1 or 2 species) initially determined to have potential occurring onsite and includes information on the species’ status, the previous survey results, and determinations of the presence or absence of onsite suitable habitat following the survey. The habitat conditions present onsite have not changed since the 2012 survey. Subsequently, only southern tarplant has any potential (albeit a low potential) to occur onsite, and specifically only the western portion of the Project Site. If present, impacts to southern tarplant would be considered significant. Implementation of Mitigation Measure (MM) **MM BIO-1**, which requires that a focused plant survey be conducted within the western portion of the Project Site and consultation with resource agencies if impacts cannot be avoided, would reduce potential impacts to the species to less than significant levels.

**TABLE 4.3-1  
SPECIAL STATUS PLANT SPECIES KNOWN TO OCCUR  
IN THE PROJECT VICINITY**

Species	Status			Potential to Occur
	USFWS	CDFW	CRPR	
<i>Orcuttia californica</i> California Orcutt grass	FE	SE	1B.1	No potential to occur on the Project Site; lack of suitable habitat; not observed during focused surveys.
<i>Pentachaeta lyonii</i> Lyon’s pentachaeta	FE	SE	1B.1	No potential to occur on the Project Site; lack of suitable habitat; not observed during focused surveys.
<i>Centromadia parryi</i> ssp. <i>australis</i> southern tarplant	–	–	1B.1	Low potential to occur on the Project Site; marginal suitable habitat; not observed during previous focused surveys.
<b>LEGEND:</b>				
<b>Federal (USFWS)</b>		<b>State (CDFW)</b>		
FE	Endangered	SE	Endangered	
<b>California Rare Plant Rank (CRPR) List Categories</b>				
List 1B	Plants Rare, Threatened, or Endangered in California and Elsewhere			
<b>California Rare Plant Rank (CRPR) Threat Code Extensions</b>				
None	Plants lacking any threat information			
.1	Seriously Endangered in California (over 80% of occurrences threatened; high degree and immediacy of threat)			

Burrowing owl (*Athene cunicularia*) is a special status wildlife species that may occur on the western portion of the Project Site. Burrowing owl is a California Species of Special Concern and can occupy burrows or similar structures in open, disturbed habitats such as the Mediterranean grass grassland that occurs on the western portion of the Project Site. If present, Project impacts have potential to be significant. Implementation of **MM BIO-2**, which requires that a preconstruction burrowing owl survey be conducted and passive relocation be implemented in consultation with the resource agencies if burrowing owl are encountered, would reduce potential impacts to less than significant levels.

White tailed kite (*Elanus leucurus*) is a California Fully Protected species and has potential to nest in the trees adjacent to the western portion of the Project Site. Indirect impacts associated with construction activities, such as noise and vibration, have potential to impact nesting activities of this species, if nesting is occurring in the immediate vicinity. Implementation of **COA BIO-1**, which requires that a preconstruction nesting bird survey be conducted and avoidance of active nests, would ensure that Project impacts are less than significant related to this species.

The eastern portion of the Project Site is fully developed and no native vegetation types or associated habitats for any special status plant or wildlife species is present. Therefore, development of the eastern portion of the Project Site is not anticipated to directly impact any special status plant or wildlife species. Indirect impacts, such as impacts resulting from noise and vibration, may occur during construction or demolition activities, if special status species are present on the western portion of the Project Site. Impacts would be reduced to less than significant levels with the implementation of **COA BIO-1**, which requires that a preconstruction nesting bird survey be conducted.

Although not considered special status, nesting activities of most bird species are protected by State and federal regulations. Migratory birds are protected under the federal Migratory Bird Treaty Act (MBTA) and are identified by the List of Migratory Birds (50 CFR 10.13). State regulations prohibit activities that “take, possess, or destroy” any migratory bird or raptor nest or egg (California Fish and Game Code §3503, §3503.5, and §3513). Vegetation on both the eastern and western portions of the Project Site have potential to support bird nesting activity. The Project would likely remove vegetation as part of Project construction which has potential to impact nesting birds. The loss of any active nest would be considered significant. Therefore, if vegetation or tree removal occurs during the peak avian nesting season (February 1 to August 31), the Project may impact nesting activities of birds or raptors covered under the regulations noted above. Potential project effects on bird nesting would be reduced to less than significant levels with the implementation of **COA BIO-1** which requires that a preconstruction nesting bird survey be conducted.

With implementation of **MM BIO-1** and **BIO-2**, and compliance with **COA BIO-1**, the Project would have a less than significant impact related to this threshold.

**Threshold 4.3-b**      ***Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?***

**No Impact.** No riparian habitat or other vegetation type considered sensitive is present within or adjacent to the Project Site; therefore, the Project would have no impact related to this threshold and no mitigation is required.

**Threshold 4.3-c** *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?*

**Less Than Significant Impact.** The Walnut Canyon drainage channel traverses the Project Site within a Ventura County Public Works flood control easement. It is a concrete-lined open channel that runs along the western boundary of the existing Civic Center and becomes an underground concrete box north of West High Street. It remains underground running west beneath West High Street, until it reverts back to an open concrete-lined channel at the western end of the Project Site. This drainage is likely subject to the jurisdiction of the Regional Water Quality Board, CDFW, and United States (U.S.) Army Corps of Engineers. Any impact to this drainage feature would likely require a permit from one or more of these agencies. Therefore, with implementation of **COA BIO-2**, which recommends avoidance of the drainage feature and requires regulatory permitting with resource agencies if avoidance is not possible, impacts would be reduced to less than significant levels related to this threshold, and no mitigation is required.

**Threshold 4.3-d** *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

**Less Than Significant Impact.** While portions of the Project Site are adjacent to undeveloped, naturally vegetated areas to the west and north, it is also bordered by extensive development to the south, east, and north, including roadways and structures that impede wildlife movement. Furthermore, the eastern portion of the Project Site is already developed. The Project Site does not contain any open space or habitat areas that connect two or more other habitat areas. The concrete box culverts along the southwestern and northwestern boundaries have potential to support movement of urban-tolerant wildlife, such as coyotes, but the Project would not restrict the use of these culverts by wildlife. Therefore, any potential impact wildlife movement resulting from the Project would be less than significant and no mitigation is necessary related to this threshold.

**Threshold 4.3-e** *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

**Less Than Significant Impact With Mitigation Incorporated.**

#### **City of Moorpark Municipal Code Tree Ordinances**

The City of Moorpark Municipal Code Chapter 12.08, Trees, Shrubs and Plants and Chapter 12.12, Historic Trees, Native Oak Trees and Mature Trees address the City's procedures for the evaluation and preservation or replacement of trees and native vegetation. In accordance with Chapter 12.12 of the City's Municipal Code, the City has determined that, to the extent possible, mature trees, native oak trees, and historic trees should be protected and preserved. Particularly with respect to urban developments, such trees are considered to be a "significant, historical, aesthetic and valuable ecological resource" (City of Moorpark 2022).



The City's Municipal Code defines a historic tree as: A living tree designated by resolution of the city council as an historic tree because of an association with some event or person of historical significance to the community or because of special recognition due to size, condition or aesthetic qualities.

The City's Municipal Code defines a mature tree is defined as: A living tree with a cross-sectional area of all major stems, as measured four and one-half (4 1/2) feet above the root crown, of seventy-two (72) or more square inches.

A native oak tree is defined in the City's Municipal Code as: A living tree of the genus *Quercus* and species *lobata*, *agrifolia*, *dumosa* or hybrids thereof.

When one or more native oak trees, historic trees, or mature trees are to be removed for urban development, the City requires that a report be prepared by an arborist, horticulturist, or registered landscape architect that includes the following information: (1) tree type by common name and genus and species; (2) diameter of trunks or main stems as measured 4.5 feet above the root crown; (3) average spread of each tree; (4) letter grade for the health of each tree; (5) letter grade for the aesthetic quality of each tree; (6) any significant disease or insect infestations, heart rot, fire, mechanical, or wind damage; (7) recommended tree surgery, chemical treatment, or other remedial measures intended to improve the health, safety, or life expectancy of the tree; and (8) appraisal value of each tree. This report is required as a part of the tree removal permit request to the City.

With respect to the preservation of trees, as noted in Chapter 12.08 of the City's Municipal Code, it is the City's policy to "utilize whatever techniques, methods and procedures are required to preserve, whenever feasible, all trees in the city including, but not limited to, trees which are creating damage to surface improvements or underground facilities or which are diseased, or located where construction is being considered or will occur".

According to a tree survey conducted by the City of Moorpark in 2013, the Project Site contains approximately 80 trees including trees within the Moorpark Avenue right-of-way. As defined in Municipal Code Section 12.12.030, "Mature tree" means a living tree with a cross-sectional area of all major stems, as measured 4½ feet above the root crown of 72 or more square inches (City of Moorpark 2022). The Project would likely remove multiple mature trees. To the degree feasible, the majority of healthy Mature trees would be retained as long as there would be no hindrance to Project access, public safety, and Project construction. Consistent with the provisions of the Municipal Code and the City's standard conditions, a tree survey will be prepared to determine the valuation of the mature trees to be removed and enhanced replacement landscaping of equal or greater value would be provided as a part of the Project. With implementation of **COA BIO-2**, which requires that a tree survey be conducted and that a landscape plan be developed including replacement trees consistent with the City's Municipal Code requirements, the Project would result in less than significant impacts related to the City's Tree Ordinance.

### ***City of Moorpark General Plan Conservation Element and Land Use Element***

The Conservation Element of the City's General Plan describes Moorpark's natural resources and the benefits that these resources provide to the community. The conservation element establishes goals and policies for their retention, enhancement, and development. This element works in coordination with General Plan's Land Use Element.

The Land Use Element reflects Moorpark’s vision; promotes thoughtful, equitable, and accessible distribution of different land uses, including residential, commercial, industrial, agricultural, and open space; and aligns well with other general plan elements. The Land Use Element is also used as a tool to improve public health, reduce infrastructure costs, enhance local economies, and address long-term environmental issues such as climate change and water resources.

Table 4.3-2 addresses the consistency of the Project with the relevant biological resources goals and policies of the City’s General Plan. As identified in Table 4.3-2, the Project would be consistent goals and policies intended to protect biological resources with implementation of **MM BIO-1** and **MM BIO-2**. In summary, the Project would result in less than significant impacts related to this threshold with mitigation.

**TABLE 4.3-2  
CITY OF MOORPARK GENERAL PLAN CONSISTENCY ANALYSIS  
RELATED TO BIOLOGICAL RESOURCES**

Goals and Policies <sup>a</sup>	Consistency Analysis
<b>Conservation Element</b>	
COS 1.16 Maintain, restore, and enhance ecologically significant resource areas in their natural state to the greatest extent possible. Limit development in these areas to compatible low- intensity uses with adequate provisions to protect sensitive resources, including setbacks around resource areas.	<b>Consistent.</b> No ecologically significant resource areas have been identified on the Project Site.
COS 1.17 Native habitat protection: Require that native vegetation and habitat are retained where feasible to support the health of local wildlife populations.	<b>Consistent.</b> No native vegetation types, including riparian and oak woodlands would be impacted by the Project. Furthermore, the Project would protect on-site trees and/or provide for the replacement of trees.
COS 1.18 Wildlife corridors: Adopt land use regulations that consider, complement and support state, regional, and county-adopted wildlife corridors, including the Ventura County Wildlife Corridor Overlay Zone and evaluate the appropriateness of designating additional corridors.	<b>Consistent.</b> Project impacts to potential wildlife corridors would be less than significant.
COS 7.1 Tree plantings: Protect and expand the urban forest through new tree plantings and effective and timely care of existing trees, emphasizing consistent tree canopies along corridors in areas such as along Moorpark Avenue and Los Angeles Avenue and within the Downtown area.	<b>Consistent.</b> The City would require landscaping for each phase of the Project’s development that would include trees, consistent with this policy.
COS 7.2 Consider removal and replacement of invasive and prohibited plants located on public lands, as identified in the city’s Landscape Design Standards and Guidelines.	<b>Consistent.</b> The Project would result in the removal of non-native invasive herbaceous species within the western portion of the Project Site.
<b>Land Use Element</b>	
GOAL LU 7 Compatibility with the natural environment: land uses and development intensities that are compatible with scenic and natural resources and that encourage environmental preservation.	<b>Consistent.</b> The Project consists of the redevelopment of a previously developed Project Site. The Project would be consistent with the development intensities identified for the Project Site within the City’s General Plan 2050.

**TABLE 4.3-2  
CITY OF MOORPARK GENERAL PLAN CONSISTENCY ANALYSIS  
RELATED TO BIOLOGICAL RESOURCES**

Goals and Policies <sup>a</sup>	Consistency Analysis
<b>Conservation Element</b>	
<b>LU 7.2</b> Design development to respect natural setting: Require that new development respect, integrate with, and complement the natural features of the land including conforming building massing to topographic forms, restricting grading of steep slopes and encouraging the preservation of visual horizon lines and significant hillsides as prominent visual features.	<b>Consistent.</b> The Project consists of the redevelopment of a previously developed Project Site. Consistency with existing visual characteristics of the Project Site and vicinity are further evaluated in Section 4.1, Aesthetics.
<b>LU 8.7</b> Habitat protection: Encourage public & private projects to be located and designed to preserve significant habitats, vegetation, and other significant educational, scientific, scenic, resources of social value, protect air quality, and reduce greenhouse gas emissions as specified by the Conservation, Open Space and Recreation Element.	<b>Consistent.</b> The Project consists of the redevelopment of a previously developed Project Site. The Project would be consistent with the development intensities
<b>LU 19.5</b> Tree canopy: Maintain and expand the tree canopy in the downtown area to provide shade, improve air and water quality, reduce the heat island effect, and create habitat for birds and pollinators.	<b>Consistent.</b> The City would require landscaping for each phase of the Project's development that would include trees, consistent with this policy.

**Threshold 4.3-f**      ***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?***

**No Impact.** The Project Site is not located within a designated or proposed Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP) area. Additionally, development of the Project would not conflict with the provisions of any local, regional, or State habitat conservation plan. The Project would have no impacts related to this threshold and no mitigation is required.

**4.3.5 MITIGATION PROGRAM**

**Conditions of Approval**

**COA BIO-1**      Nesting Bird Survey. If construction and/or vegetation removal must be initiated during the peak nesting season (i.e., February 1 to August 31), a pre-construction nesting bird survey shall be conducted by a qualified Biologist within 14 days prior to the beginning of Project-related activities (including but not limited to clearing, grubbing, vegetation removal, grading, and building demolition). If project-related construction activities lapse for greater than 14 days during the peak nesting season, an additional nest survey shall be conducted before work can be reinitiated.

If the Biologist finds an active nest within or adjacent to the construction area (within 200 feet for all birds protected under California Fish and Game Code and the Migratory Bird Treaty Act and within 500 feet for raptors), the Biologist shall identify an appropriate protective buffer zone around the nest depending on the

sensitivity of the species, the nature of the construction activity, and the amount of existing disturbance in the vicinity. In general, the Biologist should designate a buffer of 10 to 200 feet for common nesting birds and 200 to 500 feet for special status nesting birds and nesting raptors. Construction activities within the buffer shall only proceed after a qualified biologist determines the nest is no longer active due to natural causes (e.g., young have fledged, predation, or other non-human causes of nest failure) to maintain compliance with California Fish and Game Code and the Migratory Bird Treaty Act.

**COA BIO-2** Jurisdictional Drainage Avoidance and Regulatory Permitting. Impacts to jurisdictional waters within the Project Site will be avoided to the extent feasible. If such impacts are unavoidable, then permits/ certifications/ agreements from the United States Army Corp of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW) are required.

A pre-application meeting with these agencies is recommended prior to submittal of permit applications to discuss existing conditions; confirm the agencies' jurisdiction over water resources on the study area; discuss impacts to these resources that would result from the Project; discuss proposed avoidance, minimization, and mitigation measures to offset these impacts; and to discuss the regulatory permitting process. Following the pre-application meeting, the Project Applicant would prepare and process the appropriate permits (e.g., a Section 404 Permit from the USACE in the form of a Nationwide Permit or Individual Permit, a Section 401 Water Quality Certification from the RWQCB, and/or a CDFW Section 1602 Notification of Lake or Streambed Alteration). Additional permit conditions may be required by the resource agencies regarding impacts to areas under their respective jurisdictions.

Standard construction best management practices (BMPs) shall be implemented to prevent toxins, chemicals, or petroleum products from entering the culverts and degrading water quality.

**COA BIO-3** Tree Survey and Landscaping Plan. Prior to the issuance of a grading permit for each Project phase, a tree survey must be prepared to determine the valuation of the mature trees to be removed. Thereafter, a landscaping plan shall be prepared which incorporates replacement tree plantings consistent with the City's Tree Ordinance, which would be submitted to the City's Community Development Director for review and approval.

### **Mitigation Measures**

**MM BIO-1** Prior to ground disturbance on the western portion of the Project Site associated with Phase 2 of the Project, the applicant shall retain a qualified Biologist (one with experience conducting botanical surveys) to conduct a focused survey for special status plant species. The survey shall be performed during the target species' peak blooming period in accordance with the most current protocols approved by the California Department of Fish and Wildlife (CDFW) and the California Native Plant Society (CNPS). If focused plant surveys determine that no special status plant species are present in the project impact area, then no future measures are necessary.

If any plant species listed as threatened or endangered by the Federal Endangered Species Act (FESA) or California Endangered Species Act (CESA) is determined to be present and take of individuals cannot be avoided, then the applicant shall obtain take authorization from the listing agencies before impacting the species (FESA Consultation with the United States Fish and Wildlife Service (USFWS) and CESA Section 2080 from the CDFW). Consultation with the listing agencies shall determine the appropriate conservation measure(s) to mitigate for impacts on the species. The mitigation may include collecting seed from individuals in the impact area and planting them within a mitigation site with the appropriate microhabitat for this species and/or paying a fee to a mitigation bank and/or a qualified Plant Science Program to conduct germination or other research studies on the species. The applicant shall retain a qualified Biologist to prepare a detailed Special Status Plant Species Conservation Plan for approval by the USFWS and/or the CDFW. The conservation plan shall include the following topics: (1) responsibilities and qualifications of the personnel to implement and supervise the plan; (2) mitigation site selection criteria; (3) site preparation and planting implementation; (4) implementation schedule; (5) maintenance plan/guidelines; (6) monitoring plan; (7) long-term preservation. The applicant shall implement the Plan as approved.

If focused surveys determine that CNPS List 1 or List 2 species are present and the necessary take of individuals would be greater than ten percent of species' population within a one-mile radius of the Project Site, then compensatory mitigation shall be required. Mitigation may include collection of seed from individuals in the impact area and planting them within a mitigation site with the appropriate microhabitat for this species. If project timing requires that ground disturbance of potentially suitable habitat be performed prior to the species' peak blooming period and focused surveys cannot be performed, then the species shall be presumed present in the impact area. The applicant shall retain a qualified Biologist to prepare a detailed Special Status Plant Species Conservation Plan for approval by CDFW. The conservation plan shall include the following topics: (1) responsibilities and qualifications of the personnel to implement and supervise the plan, (2) mitigation site selection criteria, (3) site preparation and planting implementation, (4) implementation schedule, (5) maintenance plan/guidelines, (6) monitoring plan, (7) long-term preservation. The applicant shall implement the Plan as approved.

**MM BIO-2** Per the Staff Report on Burrowing Owl Mitigation (CDFW 2012), the applicant shall retain a qualified Biologist to conduct a pre-construction survey for the burrowing owl between 14 and 30 days prior to the initial ground disturbance on the western portion of the Project Site. The pre-construction survey shall include the area of proposed disturbance plus a 500-foot buffer (if access is available and habitat is present).

If an active burrow is observed outside the breeding season (September 1 to January 31) and it cannot be avoided, the burrowing owl shall be passively excluded from the burrow following methods described in California Department of Fish and Wildlife (CDFW) 2012. Prior to any burrowing owl exclusion efforts, an exclusion plan will be prepared and submitted to CDFW for review and approval. The plan will include all details on passive relocation including that one-way doors shall be used to exclude owls from the burrows; doors shall be left in place for at least 48 hours. Once the burrow is determined to be unoccupied, the burrow shall

be closed by a qualified Biologist who shall excavate the burrow using hand tools. Prior to excluding an owl from an active burrow, a receptor burrow survey shall be conducted to confirm that at least two potentially suitable unoccupied burrows are within approximately 688 feet prior to installation of the one-way door. If two natural receptor burrows are not located, one artificial burrow shall be created for every burrow that would be closed.

If an active burrow is observed outside the breeding season (September 1 to January 31) and it can be avoided, the Biologist shall determine an appropriate protective buffer for the burrow based on CDFW guidelines. The buffer shall range from 160 feet to 1,640 feet depending on the level of impact and the time of year. The designated buffer will be clearly marked in the field and will be mapped as an environmentally sensitive area (ESA) on construction plans.

If an active burrow is observed during the breeding season (February 1 to August 31), the active burrow shall be protected until nesting activity has ended (i.e., all young have fledged from the burrow). The Biologist shall determine the appropriate protective buffer for the burrow based on CDFW guidelines. The buffer shall range from 650 to 1,640 feet depending on the level of impact and the time of year. The designated buffer will be clearly marked in the field and will be mapped as an ESA on construction plans. Construction shall be allowed to proceed when the qualified Biologist has determined that all fledglings have left the nest.

#### **4.3.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Less than significant impact.

#### 4.3.7 REFERENCES

- California, State of. 2022a (September 28, access date). California Code of Regulations (CCR). Sacramento, CA. <https://oal.ca.gov/publications/ccr/>
- . 2022b (September 28, access date). California Public Resources Code. Sacramento, CA. [https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=PRC&division=2.&title=&part=&chapter=9.&article=6](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=2.&title=&part=&chapter=9.&article=6).
- California Department of Fish and Wildlife (CDFW). 2022. California Natural Diversity Database. Records of Occurrence for the USGS Moorpark, Newbury Park, Thousand Oaks, Simi, Santa Paula, Camarillo, Santa Paula Peak, Fillmore, and Piru 7.5-minute quadrangle map. Sacramento, CA: CDFW, Natural Heritage Division.
- California Native Plant Society (CNPS). 2022. Electronic Inventory of Rare and Endangered Vascular Plants (online edition, v9-01 1.5. Records of Occurrence for the USGS Moorpark, Newbury Park, Thousand Oaks, Simi, Santa Paula, Camarillo, Santa Paula Peak, Fillmore, and Piru 7.5-minute quadrangle maps. Sacramento, CA: CNPS. <http://www.rareplants.cnps.org/>.
- Moorpark, City of. 2022 (March, current through). Moorpark Municipal Code, Moorpark, California (Title 17: Zoning). Seattle, WA: Quality Code Publishing for the City. <http://qcode.us/codes/moorpark/>.

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## **4.4 CULTURAL RESOURCES**

### **4.4.1 EXISTING CONDITIONS**

#### **Background Information**

This section addresses the potential impacts to cultural resources that could result from implementation of the Project. Information in this section is derived from a Historical Resource Assessment Report (Historical Resource Assessment) prepared for the Project Site by South Environmental, which is provided as Appendix D to this environmental impact report (EIR) (South Environmental 2022); an archaeological records search conducted by the South Central Coastal Information Center (SCCIC) on May 11, 2022; and the Sacred Lands File search conducted by the Native American Heritage Commission (NAHC) received on May 16, 2022. Section 4.16 of this environmental impact report (EIR), Tribal Cultural Resources, provides further information regarding the Native American consultation conducted pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18.

#### ***Historical Overview of Moorpark***

During the 1860s, many of the California ranchos were subdivided following the collapse of the cattle industry due to prolonged drought. Rancho land was therefore cheap to purchase, and settlers throughout the country headed west to acquire land. Thomas A. Scott, of the Pennsylvania Railroad, purchased large portions of Ventura County in the 1870s for oil exploration. Scott placed Thomas R. Bard in charge of his holdings, who in turn rented the land to local residents for sheep grazing. One of these early residents was Charles Hoar, who rented the eastern half of Simi Valley. Hoar later went into business with A. W. (Pete) Brown and Mr. Bates (first name unknown), retaining the eastern half of the valley. Hoar and his partners sublet portions of their land to local ranchers and farmers to raise barley and paid Bard one-fifth of their earnings. In turn, they collected one-fifth of the earnings from their renters. Scott died in 1888, and Bard was responsible for closing his estate. In the process of liquidating Scott's holdings, Bard formed the Simi Land and Water Company and subsequently made Charles B. McCoy manager of all 96,000 acres held by the company.

In 1887, Robert W. Poindexter, secretary of the Simi Land and Water Company, was granted the title to what is now the City of Moorpark. It is believed that the town of Moorpark got its name from the Moorpark apricot, which was grown throughout the area. Robert's wife, Madeline Poindexter, plotted and laid out the town. In 1900, one of the first civic improvements was beautification of the town, which included the planting of numerous pepper trees in the downtown area. In the early 1900s, a railroad depot was built on High Street after completion of the Southern Pacific Railroad track between Los Angeles and Santa Barbara in 1904, bringing the railroad through Moorpark for the first time. The original depot was destroyed by a fire in 1909 and rebuilt the following year. The railroad played a significant role in the growth and development of the town. That same year, the community built a telephone office/public library on High Street. Shortly after completion of the railroad, Poindexter sold the townsite to M. L. Wicks, Sr. Wicks continued Poindexter's beautification initiative by planting 1,300 spineless cactus plants in 1914. The railroad depot was demolished in 1964. In 1979, S&K Ranch constructed a grain storage facility near the former depot. To help the structure blend in with the surrounding commercial properties, the façade was constructed to mimic the former depot.

Jake Smith purchased a parcel of land on the northwest corner of High Street and Moorpark Avenue in 1900. The parcel was in a prime location, with the railroad located just south of it in 1904. The original building was a wood-framed, gabled building that measured approximately

60 feet by 40 feet. It is believed that Robert J. Batty, the following owner of the property, added the exterior brick walls and additional buildings in 1913. Ira Gilpin Tanner and his wife Lucy were the next owners of the property and they worked out of that location until his retirement in 1953. Upon arrival from Kentucky in 1913, Tanner organized and supervised a volunteer corps of firemen, joined the school board, and helped found the first church. Tanner also served as the head of the county water works.

In 1905, Mrs. John E. Smith and her daughter Hope formed the Women's Fortnightly Club, a social club for women in and around the Moorpark area. Mr. Wicks sold the group a lot for 75 dollars for construction of a formal clubhouse. When the club opened in 1912, the women became the first club in Ventura County to own their own house. The club made many important contributions to the community, including establishment of the Moorpark branch library, renting out the clubhouse as a school for disabled children, naming streets and having street signs installed throughout the town, and even assisting the U.S.O. during both World Wars.

By the 1910s, High Street became the main central commercial center of Moorpark with the construction of the Southern Pacific Milling Company and the Moorpark Hotel. In 1927, the El Rancho was constructed to replace the former silent movie theater. El Rancho was the only "talking movie" theater in the east end of Ventura County. The name later changed to the Moorpark Theater and later ceased operations in the 1950s. It was reincarnated as the Moorpark Melodrama & Vaudeville Company, but eventually closed in 1999. It currently operates as the High Street Arts Center.

Apricots were the first crops to be raised in the Moorpark area, with approximately 1,000 acres of land devoted to their cultivation in 1915. Apricot cultivation reached its prime in the 1920s and 1930s. Moorpark's warm, dry inland climate with limited coastal fog made for an ideal apricot growing climate. Moorpark would eventually become known as the apricot center of Ventura County. While the City's name is thought to have come from the Moorpark variety of apricot, the Royal variety of apricot actually fared much better and was more common throughout ranches in the area.

Early industrialization in Moorpark is reflected by the establishment of agricultural support businesses like fruit packing plants. After World War II, agricultural industrialization came in the form of large-scale poultry farms. One such example was Julius Goldman's Egg City in 1961, which contained millions of chickens spread out across 36 houses.

Like much of California, Moorpark experienced a boost in industrialization following World War II. One of the most notable industrial presences in the area was the Santa Susana Field Laboratory (SSFL). The large site, which today totals 2,850 acres, was used largely for rocket engine testing for many decades during the twentieth century under a variety of corporations starting with Rocketdyne, who later became part of Rockwell International Corporation. Sections of the property were also used as a Liquid Oxygen plant and by the United States Air Force. Today the property is owned by Boeing. According to the California Energy Commission, the laboratory was also used as the location of the first commercial nuclear power plant, and it provided electricity to the area from 1957 to 1964.

Although there were some significant examples of industrialization with Egg City and the SSFL following World War II, Moorpark did not see large scale commercial, residential, and industrial development until the 1970s and 1980s. This period of growth and development eventually led to a population increase, which resulted in the city moving forward with the incorporation process in the 1980s.

Unknown to many, Moorpark has been the site of many “firsts,” including being one of the first towns in California to be openly planned by a woman; hosting the first event in the 1932 Los Angeles Olympic games with the cross-country bicycle run, which started at Blacom Canyon on Highway 118 and ended in Santa Monica; and being the first community in the United States to be lighted by nuclear electricity in 1957.

In March of 1983, Moorpark residents voted to become a city, and on July 7, 1983, Moorpark became the tenth city to be incorporated in Ventura County. A celebration was held at the Moorpark Community Center.

News was announced on March 29, 2005, when an earthmover operator working in the Meridian Hills, approximately one mile north of the subject property, uncovered a one-million-year-old mammoth skeleton. Approximately 3,000 pounds of dirt surrounding the bones was removed. The Santa Barbara Museum and the City worked together on preservation of the skeleton.

### ***History of the Project Site***

The first available historic aerial photograph of the Project Site and vicinity is from 1938. At this time, the Project Site was farmland with buildings present on the west side of Moorpark Avenue and south of Charles Street. The City blocks bound by Charles Street to the north, Magnolia Street to the east, High Street to the south and Moorpark Avenue to the west were developed with several buildings. The area remained largely unchanged until 1961 when the farmland was razed, leaving behind an empty field. More buildings were constructed north of Charles Street east of Moorpark Avenue.

An open field is located west of the Tanner Corner Building, north of the railroad tracks, and south of Walnut Canyon School. Between 1938 and 1947 this land was used as farmland and later cleared. The field became part of Moorpark Union High School, presently Walnut Canyon School. Between 1969 and 1994 the field featured a running track and two baseball fields but were removed by 2002. The land remains vacant and undeveloped to the present day.

Aerial photographs confirm that construction within the Project Site began in 1980 with grading for the present Community Center evident in the photograph. By 1985, the Community Center and the Library were constructed. The Administration Building is first visible in 1994. The Development and Community Services trailer was placed north of the Administration Building by 2009. Available information indicates that the library opened in the early 1980s and expanded in 1995; City Hall opened in 1988; and the Active Adult Center opened in 1989.

## **Historic and Prehistoric Archaeological Resources**

### ***Historical Resources Assessment Report***

On May 27, 2022, a pedestrian survey of the Project Site was conducted as part of the Historical Resource Assessment prepared by South Environmental. The survey entailed walking the Project Site and documenting existing buildings, structures, and viewsheds with detailed notes and digital photographs, specifically along Moorpark Avenue and High Street.

No historic built environment resources over 45 years old were identified within the Project Site as a result of the background research and pedestrian field survey. One historical resource was identified directly adjacent to the Project Site: the California Register of Historical Resources (CRHR)-listed Tanner Corner Building located at 601 Moorpark Avenue, as depicted in Exhibit 4.4-1, Location of Tanner Corner Building. The Historical Resource Assessment from South Environmental is provided as Appendix D of this EIR.

### **South Central Coastal Information Center Records Search**

A cultural resources records search and literature review for the Project was conducted at the SCCIC in May 2022. The records search included a ½-mile radius around each of the Project Site and was conducted by SCCIC staff. The purpose of the search was to identify prehistoric or historic archaeological sites or historic buildings and structures previously recorded within and around the Project Site. The results revealed that 40 cultural resource studies have been conducted and 8 cultural resources have been identified within the ½-mile radius of the Project Site. Table 4.4-1 provides further details for each of these eight cultural resources. Of the eight cultural resources, two historic-period cultural resources (P-56-152817, P-56-153133) were identified within the boundaries of the Project Site. Of the eight resources, three resources are prehistoric in origin, and the remaining five resources have been identified as historic period resources.

The cultural resources identified within the search radii offer a glimpse into the past lifeways of California. A variety of resources were identified, including prehistoric habitation sites and lithic scatters, historic structures, wells/cisterns, foundation/structure pads, water conveyance systems, and historic roads.

None of the identified prehistoric cultural resources are within the boundaries of the Project Site; therefore, none would be disturbed or impacted by Project-related activities. There were 3 prehistoric resources that were identified within proximity of the Project Site and are briefly discussed below.

- P-56-000791 (CA-VEN-000791) is a prehistoric site recorded in 1984 and updated in 2014. The site attributes consist of a lithic scatter with habitation debris. Resources were collected.
- P-56-001503 (CA-VEN-001503) is a prehistoric lithic scatter recorded in 2014. No resources were collected.
- P-56-001574 (CA-VEN-001574) is a prehistoric lithic scatter recorded in 1998 and updated in 2014. Resources were collected.

The archaeological field survey conducted by Psomas in May 2022 did not identify archaeological resources within the Project Site.

D:\Projects\3MOO\010100\MOXD\EIR\ex\_TannerCorner\_Location\_20220919.mxd



**Legend**

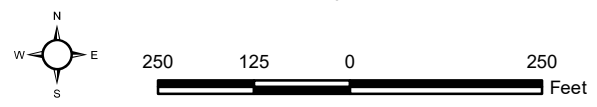
- Project Boundary
- Project Buildings**
- Contributing Structure
- Tanner Corner Building Historic Property

Aerial Source: Esri, Maxar 2018

## Location of Tanner Corner Building

Civic Center Master Plan Project

### Exhibit 4.4-1





**TABLE 4.4-1  
CULTURAL RESOURCES WITHIN 1/2-MILE  
OF THE PROJECT SITE**

Primary No.	Trinomial No.	Resource Description	Year Recorded/ Updated	Recorded by Author/Affiliation	Type/Age
P-56-000791	CA-VEN-000791	Moorpark1	1984 2014	M. W. Kuhn Ken Victorino, Dudek	Site/Prehistoric
P-56-001268	CA-VEN-001268H	MP-S5H	1995	Edward J. Knell, RMW Paleo Associates	Site/Historic
P-56-001269	CA-VEN-001269H	MP-S6H	1995 2004	Edward J. Knell, RMW Paleo Associates D. Whitley, W&S Consultants	Site/Historic
P-56-001270	CA-VEN-001270H	MP-S7H	1995	Edward J. Knell, RMW Paleo Associates	Site/Historic
P-56-001503	CA-VEN-001503	VAM-1	2014	Brian Holguin and Lucas Nichols, Dudek	Site/Prehistoric
P-56-001574	CA-VEN-001574	SunCal 1	1998 2014	P. Maxon, RMW Paleo Associates Ken Victorino, Dudek	Site/Prehistoric
P-56-152817		Tanner Corner	2000	Colin and Victoria Velazquez	Building/Historic
P-56-153133		Fire Station No. 42	2015	Shannon Carmack, Rincon	Building/Historic
Source: SCCIC 2022.					

### ***Native American Heritage Commission***

Psomas submitted a request to the NAHC for a Sacred Lands File search on April 14, 2022. Results were received on May 16, 2022. The result of the Sacred Lands File check conducted through the NAHC was negative. The Sacred Lands File results summary from the NAHC is presented in Appendix E. The results of Native American consultation pursuant to AB 52 and SB 18 is presented in Section 4.16, Tribal Cultural Resources.

## **4.4.2 REGULATORY SETTING**

### **Federal**

#### ***National Historic Preservation Act***

The National Historic Preservation Act (NHPA) of 1966, as amended, promotes the preservation, enhancement, and productive use of historic resources. The NHPA established the Advisory Council on Historic Preservation (ACHP) and provided procedures for the ACHP and federal agencies in promoting historic preservation. Properties of traditional religious and cultural importance to Native Americans are protected under Section 101(d)(6)(A) of the NHPA.

Section 106 of the NHPA requires that federal actions and the use of federal funds take into account their potential effects on historic properties or those listed in or eligible for listing in the National Register of Historic Places (NRHP). Under Section 106, the significance of any adversely

affected cultural resource is assessed and mitigation measures are proposed to reduce the impacts to an acceptable level.

### ***National Register of Historic Places***

Authorized by the NHPA, the United States (U.S.) Department of the Interior National Park Service's NRHP is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archaeological resources. The NRHP is the official list of the nation's historic places worthy of preservation. Listing on the NRHP places no obligations on private property owners. It places no restrictions on the use, treatment, transfer, or disposition of private property. Listing on the NRHP does, however, incentivize preservation. Property owners can become eligible to receive federal preservation grants and federal tax credits; they may utilize alternative methods of preservation in compliance with building code provisions. For a resource to qualify for listing on the NRHP, the quality of significance in American history, architecture, archaeology, engineering, and culture must be present in districts, sites, buildings, structures, and objects that possess integrity and:

- A. are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. are associated with the lives of persons significant in our past; or
- C. embody distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. have yielded or may be likely to yield information important in prehistory or history.

### **Integrity**

To be eligible for listing in the NRHP, a property must retain sufficient integrity to convey its significance. The NRHP publication *How to Apply the National Register Criteria for Evaluation* (National Register Bulletin 15) establishes how to evaluate the integrity of a property: "Integrity is the ability of a property to convey its significance". The evaluation of integrity must be grounded in an understanding of a property's physical features and how they relate to the concept of integrity. Determining which of these aspects are most important to a property requires knowing why, where, and when a property is significant. To retain historic integrity, a property must possess several, and usually most, aspects of integrity:

1. **Location** is the place where the historic property was constructed or the place where the historic event occurred.
2. **Design** is the combination of elements that create the form, plan, space, structure, and style of a property.
3. **Setting** is the physical environment of a historic property and refers to the character of the site and the relationship to surrounding features and open space. Setting often refers to the basic physical conditions under which a property was built and the functions it was intended to serve. These features can be either natural or man-made, including vegetation, paths, fences, and relationships between other features or open space.



4. **Materials** are the physical elements that were combined or deposited during a particular period or time and in a particular pattern or configuration to form a historic property.
5. **Workmanship** is the physical evidence of crafts of a particular culture or people during any given period of history or prehistory and can be applied to the property as a whole or to individual components.
6. **Feeling** is a property's expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, when taken together, convey the property's historic character.
7. **Association** is the direct link between the important historic event or person and a historic property.

### ***Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation***

The Secretary of the Interior's (SOI's) Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Weeks and Grimmer 1995) (SOI's Standards) The Secretary of the Interior's Standards were codified in 1995 (36 Code of Federal Regulations [CFR] Part 68) to establish professional standards that apply to all proposed development grant-in-aid projects assisted through the National Historic Preservation Fund and to serve as general guidance for work on any other historic building. The SOI Standards apply to historic properties of all periods, styles, types, materials, and sizes. The ten Standards for Rehabilitation are:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

8. Archaeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

## **State**

### **California Environmental Quality Act**

The Project is subject to compliance with the California Environmental Quality Act (CEQA), as amended. Compliance with CEQA statutes and guidelines requires both public and private projects with financing or approval from a public agency to assess the project's impact on cultural resources (Public Resources Code Section 21082, 21083.2 and 21084 and California Code of Regulations 10564.5). Specifically, under Public Resources Code Section 21084.1, a "project that may cause a substantial adverse change in the significance of an historical resources is a project that may have a significant effect on the environment." The first step in the CEQA compliance process in terms of historical resources is to identify any that may be impacted by the project.

"Historical resource" is a term with a defined statutory meaning (Public Resources Code Section 21084.1). The determination of significant impacts on historical and archaeological resources is described in Sections 15064.5(a) and 15064.5(b) of the State CEQA Guidelines. Section 15064.5(a) states that historical resources include the following:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the [CRHR] (Public Resources Code Section 5024.1).
2. A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, will be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource will be considered by the lead agency to be historically significant if the resource meets the criteria for listing in the [CRHR] (Public Resources Code Section 5024.1).
4. The fact that a resource is not listed in or determined to be eligible for listing in the CRHR, not included in a local register of historical resources (pursuant to Section 5020.1[k] of the Public Resources Code), or identified in a historical resources survey (meeting the criteria in Section 5024.1[g] of the Public Resources Code) does not preclude a lead agency from

determining that the resource may be an historical resource as defined in Public Resources Code Section 5020.1(j) or 5024.1.

Cultural resources are buildings, sites, humanly modified landscapes, traditional cultural properties, structures, or objects that may have historical, architectural, cultural, or scientific importance based on established criteria. CEQA states that if a project will have a significant impact on important cultural resources, deemed “historically significant,” then project alternatives and mitigation measures must be considered. Additionally, any proposed project that may affect historically significant cultural resources must be submitted to the State Historic Preservation Officer (SHPO) for review and comment prior to project approval by the lead agency and prior to construction.

### **California Register of Historical Resources**

The CRHR established a list of properties that are to be protected from substantial adverse change (Public Resources Code Section 5024.1). A historical resource may be listed in the CRHR if it exhibits significance under one or more of the following criteria:

1. It is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
2. It is associated with the lives of persons important in California’s past.
3. It 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 value.
4. It has yielded or is likely to yield information important in prehistory or history.

In addition to exhibiting significance under one or more of the above criteria, a resource must also retain sufficient historical integrity to convey its significance. Historical integrity is the physical aspects of a resource related to its historic character. Integrity is evaluated through seven aspects: location, design, setting, materials, workmanship, feeling, and association.

The CRHR includes properties that are listed or have been formally determined to be eligible for listing in the NRHP, State Historical Landmarks, and eligible Points of Historical Interest. Other resources require nomination for inclusion in the CRHR. These may include:

- resources contributing to the significance of a local historic district,
- individual historical resources,
- historical resources identified in historic resource surveys conducted in accordance with State Historic Preservation Office procedures,
- historic resources or districts designated under a local ordinance consistent with Commission procedures, and
- local landmarks or historic properties designated under local ordinance.

### **California Historical Building Code**

The California State Historical Building Code (CHBC) (California Code of Regulations, Title 24, Part 8) is intended to save California’s architectural heritage by recognizing the unique construction issues inherent in maintaining and adaptively reusing historic buildings. The CHBC’s standards and regulations facilitate the rehabilitation or change of occupancy so as to preserve

their original or restored elements and features; to encourage energy conservation and a cost-effective approach to preservation; and to provide for reasonable safety from fire, seismic forces, or other hazards for occupants and users of such buildings, structures, and properties and to provide reasonable availability and usability by the physically disabled. The 2019 triennial edition of the CHBC, effective January 1, 2020, is the currently adopted code. The City has adopted the CHBC by reference.

### ***California Health and Safety Code (Sections 7050.5, 7051, and 7054)***

Sections 7050.5, 7051, and 7054 of the California Health and Safety Code collectively address the illegality of interference with human burial remains (except as allowed under applicable sections of the California Public Resources Code [PRC]). These sections also address the disposition of Native American burials in archaeological sites and protect such remains from disturbance, vandalism, or inadvertent destruction. Procedures to be implemented are established for (1) the discovery of Native American skeletal remains during construction of a project; (2) the treatment of the remains prior to, during, and after evaluation; and (3) reburial.

Section 7050.5 of the California Health and Safety Code specifically provides for the disposition of accidentally discovered human remains. Section 7050.5 states that if human remains are found, no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined the appropriate treatment and disposition of the human remains.

### ***California Public Resources Code (Section 5097.98)***

Section 5097.98 of the PRC states that, if remains are determined by the Coroner to be of Native American origin, the Coroner must notify the NAHC within 24 hours. When the NAHC receives this notification from a County Coroner, it shall immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land or his or her authorized representative, inspect the site of the remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. This regulation also requires that, upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations and all reasonable options regarding their preferences for treatment. This section of the PRC has been incorporated into Section 15064.5(e) of the State CEQA Guidelines.

### ***Historical Resources***

CEQA requires a lead agency to determine whether a project may have a significant effect on one or more historical resources. A “historical resource” is defined as a resource listed in or determined to be eligible for listing in the CRHR (PRC §21084.1); a resource included in a local register of historical resources (14 CCR 15064.5[a][2]); or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant (14 CCR §15064.5[a][3]).

Section 5024.1 of the California Public Resources Code, Section 15064.5 of the State CEQA Guidelines, and Sections 21083.2 and 21084.1 of the CEQA Statutes were used as the basic guidelines for the analysis. Section 5024.1 of the California Public Resources Code requires evaluation of historical resources to determine their eligibility for listing in the CRHR. The purposes of the CRHR are to maintain listings of the State's historical resources and to indicate which properties are to be protected from substantial adverse change. The criteria for listing resources in the CRHR were expressly developed to be in accordance with previously established criteria developed for listing on the NRHP.

Section 15064.5(a)(3) of the State CEQA Guidelines states that “[g]enerally, a resource shall be considered by the Lead Agency to be ‘historically significant’ if the resource meets the criteria for listing on the California Register of Historical Resources” (PRC §5024.1; 14 CCR §4852), including if the resource:

- A. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage (Criterion 1);
- B. Is associated with lives of persons important in our past (Criterion 2);
- C. 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 3); or
- D. Has yielded, or may be likely to yield, information important in prehistory or history (Criterion 4).

The Lead Agency shall concurrently determine whether a project will cause damage to a unique archaeological resource (as defined in PRC §21083.2[b]) and, if so, must make reasonable efforts to permit the resources to be preserved in place or left undisturbed. Section 21083.2(g) of CEQA defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be demonstrated that without merely adding to the existing body of archaeological knowledge, there is a high probability that it meets any of the following criteria:

1. 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.
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

To the extent that unique archaeological resources are not preserved in place, mitigation measures shall be required (PRC §21083.2[c]).

Using the information outlined above, a determination is made whether a resource on a site is a historical resource and/or a unique archaeological resource that would be considered eligible for the CRHR and, therefore, significant.

Impacts to significant cultural resources that affect those characteristics of the resource that qualify it for the CRHR or adversely alter the significance of a resource listed in or eligible for listing in the CRHR are considered a significant effect on the environment. Impacts to cultural resources are considered significant if a project (1) physically destroys or damages all or part of a resource; (2) changes the character of the use of the resource or physical feature within the

setting of the resource that contributes to its significance; and/or (3) introduces visual, atmospheric, or audible elements that diminish the integrity of significant features of the resource.

“Historical Resources” are defined in CEQA (Section 21084.1) and the State CEQA Guidelines (14 CCR 15064.5). Section 21084.1 of CEQA states:

A project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. For purposes of this section, an historical resource is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources. Historical resources included in a local register of historical resources, as defined in subdivision (k) of Section 5020.1, or deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1, are presumed to be historically or culturally significant for purposes of this section, unless the preponderance of the evidence demonstrates that the resource is not historically or culturally significant. The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources, not included in a local register of historical resources, or not deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1 shall not preclude a lead agency from determining whether the resource may be an historical resource for purposes of this section.

The State CEQA Guidelines (14 CCR 15064.5[b]) state:

A project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.

- (1) Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.
- (2) The significance of an historical resource is materially impaired when a project:
  - (A) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or
  - (B) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources...unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
  - (C) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

An archaeological resource must be determined to be “unique” or “historic” for an impact to the resource to be considered significant. A “unique archaeological resource” is defined in Section 21083.2(g) of CEQA.

### **Senate Bill 18**

SB 18 (California Government Code §65352.3) incorporates the protection of or mitigation of impacts to California traditional tribal cultural places into land use planning for cities, counties, and agencies. It establishes responsibilities for local governments to contact, refer plans to, and consult with California Native American tribes as part of the adoption or amendment of any general or specific plan proposed on or after March 1, 2005. SB 18 requires public notice to be sent to tribes listed on the NAHC’s SB 18 Tribal Consultation List within the geographical areas affected by the proposed changes. Tribes must respond to a local government notice within 90 days (unless a shorter time frame has been agreed upon by the tribe), indicating whether or not they want to consult with the local government. Consultations are for the purpose of preserving or mitigating impacts to places, features, and objects described in Sections 5097.9 and 5097.993 of the California Public Resources Code that may be affected by the proposed adoption of or amendment to a general or specific plan. The Project requires consultation under SB 18. The City notified tribes and individuals listed on the NAHC contacts list, as described in Section 4.16 of this EIR, Tribal Cultural Resources.

### **Assembly Bill 52**

AB 52, which was approved in September 2014 and became effective on July 1, 2015, requires that CEQA lead agencies consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of a project, if so requested by the tribe. A provision of the bill, chaptered in CEQA Section 21084.2, also specifies that a project with an effect that may cause a substantial adverse change in the significance of a Tribal Cultural Resource (TCR) is a project that may have a significant effect on the environment.

Defined in Section 21074(a) of the Public Resources Code, TCRs are:

1. Sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe that are either of the following:
  - a. Included or determined to be eligible for inclusion in the CRHR; or,
  - b. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
  - c. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.
2. TCRs are further defined under Section 21074 as follows:
  - a. A cultural landscape that meets the criteria of subdivision (a) is a TCR to the extent that the landscape is geographically defined in terms of the size and scope of the landscape; and,
  - b. A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique

archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a TCR if it conforms with the criteria of subdivision (a).

Mitigation measures for TCRs must be developed in consultation with the affected California Native American tribe(s) pursuant to newly chaptered Section 21080.3.2, or according to Section 21084.3. Section 21084.3 identifies mitigation measures that include avoidance and preservation of TCRs and treating TRCs with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource. The City’s consultation with tribes pursuant to AB 52 is described in Section 4.16 of this EIR, Tribal Cultural Resources.

## **Local**

### ***City of Moorpark Downtown Specific Plan***

The Moorpark Downtown Specific Plan promotes the revitalization of the City’s downtown area (City of Moorpark 1998). This Specific Plan encompasses the areas along Moorpark Avenue, High Street, Charles Street, Everett Street, and a portion of Spring Road, within the City’s historic core. This area is developed with older commercial, industrial, public, and residential land uses. The Specific Plan promotes commercial development, economic development and employment through commercial retail, service, and civic uses that would create a business core in the City; be compatible with adjacent civic center, industrial, and residential uses; and create jobs for local residents. In addition, design guidelines, landscape guidelines, and site development standards for each land use category, maintenance and renovation guidelines, circulation and roadway improvements, and other infrastructure and service improvements are provided to guide development within the downtown area and to help create a unified and revitalized downtown.

### ***City of Moorpark Municipal Code***

Chapter 15.36 of the Moorpark Municipal Code addresses historic preservation (City of Moorpark 2022). As set forth in Chapter 15.36, its purpose is to

...provide for the identification, protection, enhancement, perpetuation and use of historic landmarks within the city that reflect special elements of the city’s historical heritage and to promote the general welfare by:

- A. Encouraging public knowledge, understanding, and appreciation of the city’s past;
- B. Fostering civic pride in the beauty and personality of the city and in the accomplishments of the city’s past;
- C. Safeguarding the heritage of the city by protecting landmarks which reflect the city’s history;
- D. Protecting and enhancing property values within the city and increasing economic and financial benefits to the city and its inhabitants;
- E. Identifying as early as possible and resolving conflicts between the preservation of historical landmarks and alternative land uses;
- F. Preserving historic building materials through maintenance and restoration of existing historical landmarks;



- G. Taking whatever steps are reasonable and necessary to safeguard the property rights of the owners whose building or structure is declared to be a landmark;
- H. Promoting the use of landmarks for the education and enjoyment of the people of the city; and
- I. Promoting awareness of the economic benefits of historic preservation.

As also described in Chapter 15.36 Municipal Code, the City can designate as a landmark, a building, site, tree, or structure which has significant historical significance which meets one or more of the following criteria:

1. It is associated with persons or events significant in local, State, or national history.
2. It reflects or exemplifies a particular period of national, State, or local history.
3. It embodies the distinctive characteristics of a type, style, or period of architecture or of a method of construction.
4. It is strongly identified with a person or persons who significantly contributed to the culture, history, or development of the area.
5. It is one of the few remaining examples in the area possessing distinguishing characteristics of an architectural type or specimen.
6. It is a notable work of an architect or master builder whose individual work has significantly influenced the development of the area.
7. It embodies elements of architectural design, detail, materials, or craftsmanship that represents a significant architectural innovation.
8. It has a unique location or singular physical characteristics representing an established and familiar visual feature of a neighborhood, community, or the area.
9. It has unique design or detailing.
10. It is a particularly good example of a period of style.
11. It contributes to the historical or scenic heritage or historical or scenic properties of the area (to include, but not limited to landscaping, light standards, trees, curbing, and signs).

#### 4.4.3 THRESHOLDS OF SIGNIFICANCE

The following significance criteria, included for analysis in this EIR, are based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines, and will be used to determine the significance of potential cultural resources impacts. The Project would result in a significant impact related to cultural resources if it would:

**Threshold 4.4-a**      ***Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5.***

**Threshold 4.4-b**      ***Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.***

**Threshold 4.4-c**      ***Disturb any human remains, including those interred outside of dedicated cemeteries.***

#### 4.4.4 IMPACT ANALYSIS

**Threshold 4.4-a** *Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?*

**Less Than Significant With Mitigation Incorporated.** As stated previously, no historic built environment resources over 45 years old were identified within the Project Site as a result of the background research and pedestrian field survey. The existing buildings and structures within the Project Site were all constructed in the 1980s by unknown architects. Buildings near the Project Site include a U.S Post Office located at 100 West High Street (built circa 2009) and the CRHR-listed Tanner Corner Building located at 601 Moorpark Avenue, which is an historical resource under CEQA (South Environmental 2022).

The Tanner Corner Building is a one-story commercial building located on the northwest corner of Moorpark Avenue and High Street with an irregular floor plan. It is comprised of a wood framed structural building with a cross-gabled roof. In the 1913, a buff-colored brick façade was added to the south, east, and north elevations featuring a flat parapet wall at the roof. Entrances into each storefront are located on the primary south and east elevations; there is a storefront entrance on the southeast corner of the building that is oriented at an angle. Storefront entrances feature fabric awnings. Metal fixed windows are located on the primary elevations.

The Tanner Corner Building (P-56-152817) was evaluated and formally listed in the CRHR on November 3, 2000. The Tanner Corner Building is also eligible for the NRHP and as a City of Moorpark landmark. The building is listed in the CRHR under criteria 1, 2, and 3, with a period of significance of 1913-1953. The Tanner Corner Building is significant under criterion 1 for its association with the events and patterns of development of Moorpark, and for it being one of the only surviving commercial building from the early days of Moorpark. The building is significant under criteria 2 for its association with Ira G. Tanner, a resident of Moorpark who contributed greatly to the community's development. Finally, the building is also eligible under criterion 3 as a significant example of commercial architecture with a distinctive design that has made it an established visual landmark in downtown. The Tanner Corner Building also retains a high degree of architectural integrity from its period of significance.

The Project would ultimately demolish the existing city hall, community center/active adult center, city library, portable structures, and parking areas located north and west of the Tanner Corner Building. Also, the Project would construct new city hall and library buildings directly adjacent to the north and west elevations of the Tanner Corner Building. Across High Street to the south, new construction is also proposed as part of the Project that would consist of a proposed farmer's market/mercado use. All of these activities have the potential to impact the Tanner Corner Building's physical integrity through groundborne vibration and inadvertent construction damage. These pre-construction measures include (1) completion of a groundborne vibration analysis in consideration of the building's type and all proposed construction equipment that would be used in the vicinity, and (2) development of a protection plan for the building during demolition and construction activities.

The Project would implement **COA CUL-1** through **COA CUL-3**. **COA CUL-1** consists of required procedures to be implemented in case of unanticipated archaeological or historical finds. **COA CUL-2** consists of the procedures to be implemented in case human remains are found during project construction. **COA CUL-3** consists of required archaeological training for Project construction personnel. To mitigate impacts to historical resources, the Project would implement **MM CUL-1**, which includes the development of a vibration protection plan for the building during demolition and construction activities. Compliance with **COA CUL-1** through **COA CUL-3**, as well

as implementation of **MM CUL-1** would reduce impacts to historical resources to a less than significant level.

**Threshold 4.4-b** *Would the project cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?*

**Less than Significant Impact.** The results of the records search conducted by the NAHC revealed that 40 cultural resource studies have been conducted and 8 cultural resources have been identified within the ½-mile radius of the Project Site. Of the 8 cultural resources, 2 historic-period cultural resources (P-56-152817, P-56-153133) were identified within the boundaries of the Project Site. Of the 8 resources, 3 resources are prehistoric in origin, and the remaining 5 resources have been identified as historic period resources. As stated previously, none of the identified prehistoric cultural resources are within the boundaries of the Project Site; therefore, none would be disturbed or impacted by Project-related activities. There were 3 prehistoric resources that were identified within proximity of the Project Site and are briefly discussed below. Additionally, the archaeological field survey conducted by Psomas in May 2022 did not identify archaeological resources within the Project Site.

- P-56-000791 (CA-VEN-000791) is a prehistoric site recorded in 1984 and updated in 2014. The site attributes consist of a lithic scatter with habitation debris. Resources were collected.
- P-56-001503 (CA-VEN-001503) is a prehistoric lithic scatter recorded in 2014. No resources were collected.
- P-56-001574 (CA-VEN-001574) is a prehistoric lithic scatter recorded in 1998 and updated in 2014. Resources were collected.

The Project would not impact any known archaeological resources; much of the surface (to an unknown depth) of the Project Site has been graded and/or developed. Because prehistoric sites are recorded within ½-mile of the Project Site, grading and excavation for the Project could impact unknown archaeological resources related to the prehistoric and historic use of the property. The Project would be required to comply with **COA CUL-1**, which requires that any uncovered archeological or historical finds be appropriately preserved or removed by a qualified Archaeologist. As such, the Project would not impact any known archaeological resources. While grading and excavation could impact unknown archaeological resources, the Project would be required to comply with **COA CUL-1**, which would ensure that no significant impacts would occur.

**Threshold 4.4-c** *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

**Less Than Significant Impact.** There is no indication that there are burials present on the Project Site. Native American tribes have not noted the potential presence of any ancestral burials. In the event that human remains are discovered during grading activities, **COA CUL-2**, which addresses procedures to follow in the event of a discovery of suspected human remains, would reduce Project impacts to human remains to a less than significant level.

#### **4.4.5 CUMULATIVE IMPACTS**

Although the Project, in conjunction with the effects of past projects, other current projects, and probable future projects, has the potential to result in the disturbance of prehistoric archaeological resources in the local area, the standard conditions, regulatory requirements, and mitigation measures that are reasonably anticipated to be required for each cumulative project would reduce

cumulative cultural resource impacts to less than significant levels. Despite the site-specific nature of the resources, SCs and MMs required for the identification and protection of unknown or undocumented resources would reduce the potential for cumulative impacts. On a cumulative basis, data recovered from a site, combined with data from other sites in the region, would allow for the examination and evaluation of the diversity of human activities in the region. As a result, development of the Project would not contribute to a significant cumulative impact on prehistoric cultural resources.

Implementation of the Project, in combination with past, present, and potential future cumulative development in the downtown area, could continue to alter the historic character of the area. This would more specifically apply to potential future development on East High Street and on streets east of Moorpark Avenue, including Walnut Street. Except for the Tanner Corner Building, implementation of the current Project would not significantly impact any additional known historic resources evaluated under federal, State, and local criteria. In addition, continued compliance with State and federal historic preservation guidelines would address the potential for impacts associated with future individual projects on a case-by-case basis. Implementation of the Mitigation Program set forth in this EIR would preclude significant impacts to prehistoric archaeological resources associated with the Project. The Project would not cumulatively impact historic resources.

#### **4.4.6 MITIGATION PROGRAM**

##### **Conditions of Approval**

**COA CUL-1** If any archaeological, paleontological, or historical finds are uncovered during grading or excavation operations, all grading or excavation shall immediately cease in the immediate area and the find must be left untouched. The applicant, in consultation with the project paleontologist or archeologist, shall assure the preservation of the site and immediately contact the Community Development Director by phone, in writing by email or hand delivered correspondence informing the Director of the find. In the absence of the Director, the applicant shall so inform the City Manager and Planning Manager. The applicant shall be required to obtain the services of a qualified paleontologist or archeologist, whichever is appropriate to recommend disposition of the site. The paleontologist or archeologist selected must be approved in writing by the Community Development Director. The applicant shall pay for all costs associated with the investigation and disposition of the find.

**COA CUL-2** In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be notified within 24 hours of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are or are believed to be Native American, s/he shall notify the Native American Heritage Commission (NAHC) in Sacramento within 48 hours. In accordance with Section 5097.98 of the California Public Resources Code, the NAHC must immediately notify those persons it believes to be the most likely descended from the deceased Native American. The descendants shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative shall then

determine, in consultation with the property owner, the disposition of the human remains.

- COA CUL-3** Prior to any ground disturbing activity, construction personnel associated with earth moving equipment, drilling, grading, and excavating, shall be provided with basic training conducted by a qualified archaeologist. Issues that shall be included in the basic training will be geared toward training the applicable construction crews in the identification of archaeological deposits, further described below. Training will include written notification of the restrictions regarding disturbance and/or removal of any portion of archaeological, paleontological, or historical deposits and the procedures to follow should a resource be identified. The construction contractor, or its designee, shall be responsible for implementation of this measure. A tribal monitor shall be provided an opportunity to attend the pre-construction briefing if requested.

### **Mitigation Measure**

- MM CUL-1** Prior to the start of Project phases that involve work within 75 feet of the Tanner Building, protection measures shall be developed in a formal plan for the adjacent Tanner Corner Building at 601 Moorpark Avenue. Protection measures shall include at a minimum: (1) clear denotation in the project construction plans that the project is located directly adjacent to an historical resource, marking the location of the Tanner Corner Building; (2) a protocol for informing all construction workers of the presence of the historical resource and making them aware of the protocol to avoid and protect it; (3) a list of approved construction equipment/distances in consideration of any identified groundborne vibration impacts; (4) recommendations for specific protective fencing and signage to be implemented during construction; and (5) if determined appropriate based on the results of the groundborne vibration analysis, recommendations for construction monitoring (pre-, post-, and during construction). The protection plan shall be prepared by a qualified architectural historian/historic preservation professional, clearly identify all responsible parties with their contact information, and be appended to the final set of construction plans. *(Also see **MM NOI-2** in Section 4.11, Noise, which relates to vibration monitoring requirements).*

### **4.4.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Less than significant impact.

#### 4.4.8 REFERENCES

- California, State of. 2022a (September 28, access date). California Code of Regulations (CCR). Sacramento, CA. <https://oal.ca.gov/publications/ccr/>
- . 2022b (September 28, access date). California Public Resources Code. Sacramento, CA. [https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=PRC&division=2.&title=&part=&chapter=9.&article=6](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=2.&title=&part=&chapter=9.&article=6).
- Moorpark, City of. 2022a (March, current through). Moorpark Municipal Code, Moorpark, California (Title 17: Zoning). Seattle, WA: Quality Code Publishing for the City. <http://qcode.us/codes/moorpark/>.
- . 2022b (September). Standard Conditions of Approval. Moorpark, CA: City of Moorpark.
- . 1998 (as amended through July 2020). Downtown Specific Plan. Moorpark, CA: Moorpark. <https://www.moorparkca.gov/DocumentCenter/View/10902/Downtown-Specific-Plan>
- South Central Coastal Information Center. 2022 (May 11). Re: Records Search Results for the Psomas Project 3MOO010100. Fullerton, CA: SCCIC.
- South Environmental. 2022 (June). Historical Resource Assessment Report, Civic Center Master Plan Project, Moorpark, California. Pasadena, CA: South Environmental. Provided as Appendix D.
- Weeks and Grimmer. 1995. The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings. Washington, DC: Weeks and Grimmer. <https://www.nps.gov/tps/standards/treatment-guidelines-2017.pdf>

## **4.5 ENERGY**

### **4.5.1 EXISTING CONDITIONS**

The Project Site contains a variety of existing land uses. The existing Civic Center consists of a city hall, a community center/active adult center, a city library, portable structures, and parking areas. The existing uses which will be replaced by the Project buildings consists of approximately 7,800 square feet of library, 9,260 square feet of Community and Active Adult Center, as well as the existing City Hall. These existing uses consume electricity as well as natural gas for heating needs. Depending on when these buildings were built or renovated, they would have complied with the energy efficiency standards that were adopted at that time.

### **4.5.2 REGULATORY SETTING**

#### **Federal**

##### ***Office of Energy Efficiency and Renewable Energy***

The Office of Energy Efficiency and Renewable Energy's (EERE) mission is to accelerate the research, development, demonstration, and deployment of technologies and solutions to equitably transition America to net-zero greenhouse gas (GHG) emissions economy-wide by no later than 2050, and ensure the clean energy economy benefits all Americans, creating good paying jobs for the American people—especially workers and communities impacted by the energy transition and those historically underserved by the energy system and overburdened by pollution (EERE 2021). EERE's work will involves the four principles:

- Building the clean energy economy in a way that benefits all Americans. We must address environmental injustices that disproportionately affect communities of color, low-income communities, and indigenous communities.
- Fostering a diverse science, technology, engineering, and math (STEM) workforce. We need to increase awareness of clean energy job opportunities at minority-serving institutions and ensure that organizations receiving EERE funding are thinking through diversity and equity in their own work.
- Developing more robust workforce training opportunities to build a pipeline for permanent, good-paying jobs for the clean energy workforce.
- Working closely and learning from state and local governments.

#### **State**

##### ***Title 24 Energy Efficiency Standards***

The Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24, Part 6 of the California Code of Regulations [CCR]) were established in 1978 in response to a legislative mandate to reduce California's energy consumption. The California Energy Commission (CEC) adopted the 2008 changes to the Building Energy Efficiency Standards in order to (1) "Provide California with an adequate, reasonably-priced, and environmentally-sound supply of energy" and (2) "Respond to Assembly Bill (AB) 32, the Global Warming Solutions Act of 2006, which mandates that California must reduce its greenhouse gas emissions to 1990 levels by 2020". Additionally, it has been California policy that all new residential buildings will be zero net energy (ZNE) by 2020 and new commercial buildings will be ZNE by 2030, as described in the 2008 California Public Utilities Commission (CPUC) long-term energy efficiency strategic plan. In 2013,

the CEC, in coordination with the CPUC, commenced a process to update the Title 24 energy efficiency standards and, the 2016 Title 24 Energy Efficiency Standards establish building design and construction requirements that move closer to achieving California's ZNE goals. The requirements of the energy efficiency standards result in the reduction of natural gas and electricity consumption. Both natural gas use and electricity generation result in GHG emissions.

The currently applicable standards are the 2022 Standards, effective January 1, 2023. The 2022 Energy Code focuses on four key areas in newly constructed homes and businesses:

1. Encouraging electric heat pump technology for space and water heating, which consumes less energy and produces fewer emissions than gas-powered units.
2. Establishing electric-ready requirements for single-family homes to position owners to use cleaner electric heating, cooking, and electric vehicle (EV) charging options whenever they choose to adopt those technologies.
3. Expanding solar photovoltaic (PV) system and battery storage standards to make clean energy available onsite and complement the State's progress toward a 100 percent clean electricity grid.
4. Strengthening ventilation standards to improve indoor air quality.

### **California Green Building Standards Code**

The 2022 California Green Building Standards Code (CCR, Title 24, Part 11), also known as the CALGreen Code, contains mandatory requirements and voluntary measures for new residential and nonresidential buildings (including buildings for hotel, retail, office, public schools, and hospitals) throughout California (CBSC 2022a). The development of the CALGreen Code is intended to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the following construction practices: (1) planning and design; (2) energy efficiency; (3) water efficiency and conservation; (4) material conservation and resource efficiency; and (5) environmental quality. In short, the code is established to reduce construction waste; make buildings more efficient in the use of materials and energy; and reduce environmental impact during and after construction.

### **Senate Bills 1078, 107, and SBX1-2 (Renewable Portfolio Standards)**

Established in 2002 under SB 1078, accelerated in 2006 under SB 107, and again in 2011 under Senate Bill (SB) X1-2, California's Renewable Portfolio Standard (RPS) requires retail sellers of electric services to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020. Initially, the RPS provisions applied to investor-owned utilities, community choice aggregators, and electric service providers. SBX1-2 added, for the first time, publicly owned utilities to the entities subject to RPS.

### **Senate Bill 100**

On September 10, 2018, Governor Brown signed SB 100, the 100 Percent Clean Energy Act of 2018. SB 100 requires renewable energy and zero-carbon resources to supply 100 percent of electric retail sales to end-use customers and 100 percent of electricity procured to serve state agencies by December 31, 2045. This policy requires the transition to zero-carbon electric systems that do not cause contributions to increase of GHG emissions elsewhere in the western electricity grid (CEC 2021b). SB 100 also creates new standards for the RPS goals established by SB 350 in 2015. Specifically, the bill increases required energy from renewable sources for both investor-owned utilities and publicly owned utilities from 50 percent to 60 percent by 2030.



### 4.5.3 THRESHOLDS OF SIGNIFICANCE

The following significance criteria, included for analysis in this EIR, are based on Appendix G of California Environmental Quality Act (CEQA) Guidelines, and will be used to determine the significance of potential energy impacts. A project would result in a significant adverse energy impact if it would:

**Threshold 4.5-a**      *Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.*

**Threshold 4.5-b**      *Conflict with or obstruct a State or local plan for renewable energy or energy efficiency.*

### 4.5.4 ENVIRONMENTAL IMPACTS

**Threshold 4.5-a**      *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?*

**Less Than Significant Impact.**

#### **Construction**

Construction of the Project would require the use of construction equipment for grading and building activities. All off-road construction equipment is assumed to use diesel fuel. Transportation energy use depends on the type and number of trips, vehicle miles traveled (VMT), fuel efficiency of vehicles, and travel mode. During construction, transportation energy would be used for the transport and use of construction equipment, from delivery vehicles and haul trucks, and from construction employee vehicles that would use gasoline and/or diesel fuel. The use of these energy resources fluctuates according to the phase of construction and would be temporary. Table 4.5-1, Construction-Related Energy Use for the Project, quantifies anticipated energy use during construction activities associated with the Project. The use of these energy resources fluctuates according to the phase of construction and would be temporary.

**TABLE 4.5-1  
CONSTRUCTION-RELATED ENERGY USE FOR THE PROJECT**

Source	Gasoline Fuel (gallons)	Diesel Fuel (gallons)
Off-road Construction Equipment	46,522	21,426
Worker commute	26,049	124
Vendors	2,904	48
On-road haul	0	252
<b>Total</b>	<b>75,475</b>	<b>21,850</b>
Source: Energy data can be found in Appendix F.		

Construction energy use could be considered wasteful, inefficient, or unnecessary if construction equipment is not well-maintained such that its energy efficiency is substantially lower than newer equipment; if equipment idles even when not in use; if construction trips utilize longer routes than

necessary; or if excess electricity and water<sup>1</sup> are used during construction activities. Pursuant to the Title 13, Section 2485 of California Code of Regulations, all diesel-fueled commercial motor vehicles must not idle for more than five consecutive minutes at any location. Mandatory compliance would reduce fuel use by construction vehicles. Fuel energy consumed during construction would also be temporary in nature, and there are no unusual Project characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in other parts of the region or State. Short-term energy usage for construction of the Project would result in long-term energy savings from newly constructed buildings that are compliant with the current Title 24 CALGreen code. The Project buildings would also service the civic, commercial, residential and recreational needs of local residents of Moorpark. As such, energy use associated with construction of the Project would not result in significant impacts related to wasteful, inefficient, or unnecessary consumption of energy resources. Therefore, the Project would result in a less than significant impact related to this threshold, and no mitigation is required.

**Operation**

The Project would promote building energy efficiency through compliance with energy efficiency standards (Title 24 Energy Efficiency Standards and CALGreen). Development of the Project is required to comply with the latest building energy efficiency standards adopted by the State and the City at the time of Project implementation. Mobile source energy consumption is based on estimated Project-related trip generation forecast of a net increase of 1,329 daily trips, as provided in the Project’s Traffic Impact Analysis (Psomas 2022) and the VMT assumptions for the Project’s trips (CAPCOA 2022). The number of electric vehicle chargers within the Project Site is anticipated to increase as demand for charging increases. The Project Site is also supported by existing bus services. The energy use for the Project also includes the anticipated electrical demand and natural gas demand. The estimated energy consumption attributable to the Project as calculated by CalEEMod is shown in Table 4.5-2, Energy Use During Operation of the Project, below.

**TABLE 4.5-2  
ENERGY USE DURING OPERATION OF THE PROJECT**

Land Use	Gasoline (gallons/yr)	Diesel (gallons/yr)	Natural Gas (kBtu/yr)	Electricity (kWh/yr)
Project Land Uses	427,413	45,062	3,059,867	1,079,636

kBTU: kilo-British thermal units; kWh: kilowatt hour; yr: year  
Source: Energy data can be found in Appendix F.

Adherence to the 2019 Building Energy Efficiency Standards would result in a reduction of energy use as compared to previous energy standards (CEC 2021). The reduction in energy use intensity typically consists of upgrades to higher efficiency equipment and improved building automation, lighting controls, and sequences of operations. The CEC states that the 2019 energy efficiency standards are projected to result in a 30 percent improvement in energy efficiency over the 2016 standards for nonresidential buildings. Future building efficiency standards are expected to be even more energy efficient. Therefore, the new buildings would be more energy efficient than existing buildings that are proposed to be demolished and buildings proximate to the Project Site and would be among the most energy-efficient buildings in the City.

<sup>1</sup> Indirect energy use for the extraction, treatment, and conveyance of water.

Because the Project would involve the most energy-efficient buildings required under the latest Title 24 Energy Efficiency Standards, the Project would not result in the inefficient, wasteful, or unnecessary consumption of energy. Therefore, the Project would result in a less than significant impact related to this threshold and no mitigation is required.

**Threshold 4.5b**      ***Would the Project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?***

**Less Than Significant Impact.** As discussed above, strategies and measures have been implemented at the State level with the California's Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings and the CALGreen Code. The Project would be more energy-efficient than the existing buildings in the vicinity of the site, including the buildings to be demolished. The CALGreen Code requires the development of electric vehicle charging infrastructure to promote and support alternatively fueled vehicles and bicycling. Furthermore, the Project would increase energy efficiency for buildings, developing higher density, mixed-use, walkable, bikeable, and disabled-accessible neighborhoods. As such, the Project would not conflict with or obstruct the State or the City's goals for energy efficiency. Therefore, the Project would result in a less than significant impact related to this threshold, and no mitigation is required.

#### **4.5.5 CUMULATIVE IMPACTS**

The geographic area for consideration of cumulative impacts is the City. Future development throughout the City would generate additional energy demand and construction and operational fuel energy demand. Future development projects in the City would also need to comply with all applicable local and State energy efficiency and renewable energy regulations. The electrification of the transportation sector is anticipated throughout California and would contribute to reduced fuel energy use related to future development throughout the City. Also, regional (i.e., Southern California Association of Governments) planning documents support a denser land use pattern with a focus on proximity to transit. Therefore, the Project would not result in a cumulatively considerable impact related to energy.

#### **4.5.6 MITIGATION PROGRAM**

##### **Conditions of Approval**

No conditions of approval or regulatory requirements are applicable to this resource topic.

##### **Mitigation Measures**

No significant impacts pertaining to energy were identified; therefore, no mitigation measures are required.

#### **4.5.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Less than significant impact.

#### **4.5.8 REFERENCES**

California Energy Commission. 2021. 2019 Energy Efficiency Building Standards. Sacramento, CA: CEC. <https://www.energy.ca.gov/rules-and-regulations/building-energy-efficiency>

Psomas. 2022 (August). Civic Center Master Plan Project – Traffic Impact Analysis. Santa Ana, CA: Psomas. Appendix K.

US Department of Energy. Office of Energy Efficiency & Renewable Energy (EERE). Washington, D.C.: EERE. <https://www.energy.gov/eere/office-energy-efficiency-renewable-energy>.

## **4.6 GEOLOGY AND SOILS**

### **4.6.1 EXISTING CONDITIONS**

A Preliminary Geotechnical Investigation was prepared for the first phase of the Project by Oakridge Geoscience, Inc. (OGI), which is provided as Appendix G (OGI 2017a). The Geotechnical Investigation included a site reconnaissance, field exploration, laboratory testing, engineering analysis, and the preparation of the preliminary geotechnical investigation. The report was prepared for the Project to evaluate subsurface soil and geologic conditions underlying the proposed library that would be constructed during Phase 1, and to provide conclusions and recommendations pertaining to the geotechnical aspects of design and construction. Subsequently, a Conceptual Ground Improvement Plan was prepared by OGI, which is provided as Appendix H, to provide a ground improvement plan and cost estimate for the library (OGI 2017b).

#### **Site Topography**

Overall, the Project Site's topography slopes gently to the south. The ground surface at the Project Site slopes southward from an elevation of approximately +520 feet above mean sea level at the northern portion of the Project Site to an elevation of about +514 feet at the southern portion of the site over a distance of about 270 feet, which is an approximate 2.2 percent slope (OGI 2017).

#### **Groundwater**

According to the Preliminary Geotechnical Investigation, groundwater was encountered at depths of about 36 to 37.5 feet below existing surface grade in the drill holes advanced within the Project Site (OGI 2017).

#### **Geologic Setting**

The Project Site is located within the Transverse Ranges geologic/geomorphic province of California. This province is characterized by generally east-west-trending mountain ranges composed of sedimentary and volcanic rocks ranging in age from Cretaceous to Recent. Major east-trending folds, reverse faults, and left-lateral strike-slip faults reflect regional north-south compression and are characteristic of the Transverse Ranges. The Project Site is located south of the confluence of two southerly draining tributaries (Walnut Canyon and an unnamed canyon) to the Arroyo Simi. Earth materials in the vicinity of the Project Site consists of alluvial sediments of silt, sand, and gravel deposits (OGI 2017).

#### ***Seismic Environment, Faulting and Surface Rupture***

The numerous faults in Southern California include active, potentially active, and inactive faults. The criteria for these major groups are based on criteria developed by the California Geological Survey (CGS) for the Alquist-Priolo Earthquake Fault Zone Program. By definition, an active fault is one that has had surface displacement within Holocene time (about the last 11,000 years). A potentially active fault has demonstrated surface displacement during Quaternary time (approximately the last 1.6 million years) but has had no known Holocene movement. Faults that have not moved in the last 1.6 million years are considered inactive. The Project Site is not within a State-designated Alquist-Priolo Earthquake Fault Zone for surface fault rupture hazards (DOC 2021a). No active or potentially active faults with the potential for surface fault rupture are known to pass directly beneath the Project Site.

As with all of Southern California, the Project Site has experienced historic earthquakes from various regional faults. The Project Site could be subjected to strong ground shaking in the event of an earthquake. However, this hazard is common in Southern California and the effects of ground shaking can be reduced if the proposed structures are designed and constructed in conformance with current building codes and engineering practices.

The nearest known mapped fault to Project Site is an unnamed, Quaternary-age fault located approximately ½ mile east of the Project Site. This unnamed fault is shown to trend approximately southwest-northeast; it does not trend towards the site. Other known mapped faults near the Project Site include an unnamed, Late Quaternary fault, located approximately 1 mile to the northwest; the active Simi-Santa Rosa fault zone, located approximately 2.1 miles to the southeast; the active Oak Ridge Fault, located approximately 5 miles to the north-northwest; the potentially active San Cayetano Fault, located approximately 8 miles to the north-northeast; and the historically active San Andreas Fault, located approximately 28 miles to the north-northeast. The Oak Ridge Fault is located north of the City at the foot of the Oak Ridge Mountains and the Simi-Santa Rosa Fault is located on the southeastern end of the City through the Las Posas Hills. There are no mapped active faults with surface expression that trend through or are adjacent to the Project Site (OGI 2017).

Seismic sources other than faults with known surface expression are referred to as “buried thrust faults”. These faults are not exposed at the surface and are typically defined based on the seismic wave recordings of small earthquakes in the Southern California area. Because of the buried nature of thrust faults, their existence is typically unknown until they produce seismic activity. It is believed that the magnitude 6.7, January 17, 1994, Northridge earthquake was caused by a blind section of the Oak Ridge system located beneath the San Fernando Valley (OGI 2017).

### **Seismic Hazard Zones**

Seismic Hazard Zones are regulatory zones that encompass areas prone to liquefaction and earthquake-induced landslides.

#### Landslides

According to the California Earthquake Hazards Zone Application (EQ Zapp) maintained by CGS, the Project Site is not located within a zone of potential earthquake-induced landslides (CGS 2022a). Also, there are no recorded landslide incidents within or near the Project Site identified in the CGS Landslide Inventory (CGS 2022b).

#### Liquefaction

Liquefaction is the loss of soil strength or stiffness due to a buildup of water pressure between soil particles during severe ground shaking. This condition is associated primarily with loose (low density), saturated, fine- to medium-grained, cohesionless soils that often make up alluvial materials and the presence of water within 50 feet of the surface. The preliminary geotechnical report prepared for the Project found that the Project Site is within the zone of required investigation for liquefaction hazards (CDMG 2000). These zones include areas where liquefaction has occurred historically or where local geological, geotechnical and groundwater conditions indicate the potential for permanent ground displacement due to liquefaction.

As part of the Project’s preliminary geotechnical report, the Project Site was evaluated for the potential for liquefaction using the computer program GeoLogisMiki and the subsurface conditions encountered during subsurface exploration. Overall, the liquefaction analyses indicate the very

loose to loose granular soils at the site are susceptible to liquefaction below the groundwater and dry seismic settlement above the groundwater (OGI 2017).

### **Geologic Materials**

The Project Site is underlain by fill overlying natural, alluvial soils. The soil profile of the Project Site consists of interbedded granular alluvial deposits of sand and silty sand underlain by interbedded silty to clayey sand, sandy clay, and silt. The underlain silt, clay, and sand layers are generally thinly bedded, ranging from several inches to two feet in thickness, with occasional clay or silty sand layers to about five feet thick (OGI 2017).

The deepest fill encountered during borings conducted as part of the preliminary geotechnical report was 13.5 feet thick. In general, the deeper fills are located within the large vacant areas at the central and western portion of the property. Along the eastern portion of the Project Site (east of the existing drainage channel) between zero and 4.5 feet of fill material was encountered. The fill is generally silty sand and clayey sand.

There is an approximate 10-foot-high fill stockpile located in the western portion of the Project Site. The fill stockpile generally consists of silty sand, which contains an abundance of oversized cobbles and boulders. The existing fill below the bottom of the stockpile generally consists of sand, silty sand, sandy silt, and clayey silt with gravel, rock fragments to 3 inches diameter, vary amounts of cobbles and boulders, and some construction debris. The construction debris includes brick, plaster, ceramic, and plastic fragments, asphalt pavement underlain by a 9-inch-thick sandy gravel base layer and organic material.

The underlying natural soils generally consist of sands and silty sands, with lesser layers of sandy silt and clayey silt. The sands and silty sands are slightly moist to wet beneath the groundwater, and are medium-dense to dense. Near the ground surface, soils are generally fine to medium-grained with some coarse sand zones with varying amounts of gravel and a few cobbles from four to eight inches diameter.

The existing fill and natural on-site soils generally have a low expansion potential.

### **Paleontological Resources**

Research performed at the Natural History Museum of Los Angeles County (LACM) notes no recorded fossil localities on the Project Site. However, the LACM has fossil locality information from sedimentary deposits similar to those that occur on the site (McLeod 2010).

Surface deposits on the Project Site consist of soil on top of younger Quaternary Alluvium. The uppermost layers of such deposits typically do not contain significant vertebrate fossils. There are exposures of the Plio-Pleistocene Saugus Formation in the elevated terrain in the northeast portion of the Project Site. The Saugus Formation is both terrestrial and marine in origin and can contain a range of fossil types from small rodents and fish to large elephants and whales. The Saugus Formation is considered to have high paleontological sensitivity (McLeod 2010).

## 4.6.2 REGULATORY SETTING

### **Federal**

#### ***International Building Code***

The International Building Code (IBC) is the national model building code providing standardized requirements for construction. The IBC establishes consistent construction guidelines for the nation, and has been adopted with amendments into the California Building Code. The IBC contains codes related to geology and soils, including Chapter 16 (structural design) and Chapter 18 (soils and foundations) (ICC 2021).

### **State**

#### ***California Building Code***

The California Building Code (also known as the California Building Standards Code or CBC) is promulgated under the California Code of Regulations (CCR), Title 24 (Parts 1 through 12) and is administered by the California Building Standards Commission (CBSC) (CBSC 2022). The California Building Code may be adopted wholly or with revisions by State and local municipalities.

The national model code standards adopted into Title 24 apply to all occupancies in California except for modifications adopted by State agencies and local governing bodies. The CBC establishes general standards for the design and construction of buildings, including provisions related to seismic safety. The CBC provides standards that must be met to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures in its jurisdiction. Chapter 18 of the California Building Code, Soils and Foundations, specifies the level of soil investigation required by law in California. Requirements in Chapter 18 apply to building and foundations systems and consider reduction of potential seismic hazards.

#### ***Alquist-Priolo Earthquake Fault Zoning Act of 1972***

The Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo Act) was adopted by the State of California in 1972 in order to mitigate surface fault rupture hazards along known active faults (California Public Resources Code [PRC] Section 2621 et. Seq.). The purpose of the Alquist-Priolo Act is to reduce the threat to life and property—specifically from surface fault rupture—by preventing the construction of buildings used for human occupancy on the surface trace of active faults. Under the Alquist-Priolo Act, the California Geological Survey has defined an “active” fault as one that has had surface displacement during the past 11,700 years (Holocene time). This law directs the State Geologist to establish Earthquake Fault Zones (known as “Special Studies Zones” prior to January 1, 1994) to regulate development in designated hazard areas. In accordance with the Alquist-Priolo Act, the State has delineated “Earthquake Fault Zones” along identified active faults throughout California. Prior to permitting, City and County jurisdictions must require a geologic investigation to demonstrate that a proposed development project, which includes structures for human occupancy, is adequately set back. An evaluation and written documentation of the site must be prepared by a licensed geologist. If the results of the report determine there is an active fault, no structure for human occupancy can be placed over the trace of the fault and a set back from the fault (generally at least 50 feet) is required (OGI 2017). The Seismic Hazards Mapping Act (SHMA) was passed in 1990 and directs the State of California Department of Conservation Division of Mines and Geology to identify and map areas subject to earthquake hazards such as liquefaction, earthquake-induced landslides, and amplified ground



shaking (PRC Sections 2690–2699.6). Passed by the State legislature after the 1989 Loma Prieta Earthquake, the SHMA is aimed at reducing the threat to public safety and minimizing potential loss of life and property in the event of a damaging earthquake event. Seismic Hazard Zone Maps are a product of the resultant Seismic Hazards Mapping Program and are produced to identify Zones of Required Investigation; most developments designed for human occupancy in these zones must conduct site-specific geotechnical reports to identify the hazard and to develop appropriate mitigation measures prior to permitting by local jurisdictions.

The SHMA establishes a statewide public safety standard for the mitigation of earthquake hazards. The California Geological Survey’s Special Publication 117A, Guidelines for Evaluating and Mitigating Seismic Hazards in California, provides guidance for the evaluation and mitigation of earthquake-related hazards for projects in designated zones of required investigations (CGS 2008).

## **Local**

### **City of Moorpark General Plan Safety Element**

The Safety Element of the City’s General Plan establishes goals, policies and implementation strategies for promoting public health, safety, and general welfare. The Safety Element outlines goals, policies and implementation actions for protecting life and for preventing property damage that may occur due to seismic and geologic hazards; risks from hazardous materials, flood hazards, and fire hazards; and for emergency preparedness. The site is located in areas identified in the Safety Element as having liquefaction hazards but outside fault zones and landslide areas. The Project’s consistency with applicable General Plan safety goals and policies is provided later in this environmental impact report (EIR) section (City of Moorpark 2023a).

### **City of Moorpark Building Code**

Title 15, Buildings and Construction, of the Moorpark Municipal Code serves as the City’s Building Code. This Title incorporates by reference the California Building Code and other State codes, as well as the Ventura County Fire Code and the City’s standards for building and construction (City of Moorpark 2022).

## **4.6.3 THRESHOLDS OF SIGNIFICANCE**

The following significance criteria, included for analysis in this EIR, are based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines, and will be used to determine the significance of potential geology and soil impacts. The Project would result in a significant impact related to geology and soils if it would:

**Threshold 4.6-a**      ***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 of based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.***

- (i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other***

**substantial evidence of a known fault. Refer to Division of Mines and Geology Special Publication 42.**

- (ii) Strong seismic ground shaking**
- (iii) Seismic-related ground failure, including liquefaction**
- (iv) Landslides**

**Threshold 4.6-b Result in substantial soil erosion or the loss of topsoil.**

**Threshold 4.6-c Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.**

**Threshold 4.6-d Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.**

**Threshold 4.6-e Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal system where sewers are not available for the disposal of waste water?**

**Threshold 4.6-f Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.**

#### **4.6.4 IMPACT ANALYSIS**

**Threshold 4.6-a (i) 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. Refer to Division of Mines and Geology Special Publication 42.**

**Less Than Significant Impact.** According to the preliminary geotechnical report prepared for Phase 1 of the Project, there is no presence of active faulting within the Project Site (OGI 2017). Furthermore, the Project Site does not occur within an Earthquake Fault Zone as defined by the State of California in the Alquist-Priolo Earthquake Fault Zoning Act (CGS 2022a). Therefore, the Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault. The Project would result in less than significant impacts related to this threshold, and no mitigation measures are either required or recommended.

**Threshold 4.6-a (ii) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?**

**Threshold 4.6-a (iii) Would the project directly or indirectly cause potential substantial adverse effects including the risk of loss, injury, or death from seismic-related ground failure, including liquefaction?**

**Less than Significant With Mitigation.** Like all of Southern California, the City of Moorpark is subject to ground shaking hazards associated with earthquake events in the region. Employees and visitors to the Project Site would be exposed to ground shaking during earthquakes. Ground shaking can cause damage to buildings and infrastructure, depending on the magnitude of the earthquake, soil conditions, and the design and construction of buildings.

Implementation of the Project would not change the intensity of ground shaking that would occur on the Project Site during a seismic event, but it would result in new exposure for the new structures and site occupants.

According to mapping prepared by the California Department of Conservation, the Project Site is located within a liquefaction zone (CGS 2022a). According to the preliminary geotechnical report, the potential for liquefaction during a seismic event is considered high if not mitigated prior to construction (OGI 2017a). Overall, the liquefaction analyses conducted as part of the preliminary geotechnical report indicate the very loose to loose granular soils at the Project Site are susceptible to liquefaction below the groundwater and dry seismic settlement above the groundwater. Seismically induced settlement or collapse can occur in soils that are loose, soft, or that are moderately dense, but weakly cemented. The onsite very loose to loose granular and silty soils above the groundwater are susceptible to seismically induced settlement. OGI's report notes that the groundwater is assumed to be at 15 feet below ground surface within the Project Site due to the historically high groundwater levels reported by the California Geological Survey; therefore, soils below that depth are subject to liquefaction potential in the analyses even though the groundwater depth encountered by OGI's explorations was about 36 to 37.5 feet below the existing surface grade (OGI 2017a)

The proposed buildings would be designed in accordance with the California Green Building Standards Code, which contains minimum standards regulating the design and construction of excavations, foundations, retaining walls, and other building elements to control the effects of seismic ground shaking and adverse soil conditions. The California Green Building Standards Code also includes provisions for earthquake safety based on factors such as occupancy type, the types of soil and rock on-site, and the strength of ground motion that may occur at the Project Site.

Implementation of Phase 1 would occur in accordance with the recommendations contained in the geotechnical reports that were prepared for Phase 1 of the Project (OGI 2017a and 2017b). Based on the geotechnical reports, Phase 1 of the Project is geotechnically feasible provided that the recommendations in those reports are reviewed in the context of the final Project design and are incorporated during the Project's construction phase. Seismic design parameters have been included in the geotechnical reports based on the seismic zone, soil profile, and proximity of known faults to the Project Site, which provide the minimum design procedures to avoid significant cosmetic damage structures (OGI 2017a). Compliance with the applicable regulations, and proper grading, design, and building construction methods, including the improvement of soils to address liquefaction issues, as specified in the geotechnical report, and as required by **MM GEO-1** would reduce potentially significant impacts related to this threshold to less than significant levels for Phase 1. As required by **COA GEO-1**, future Project phases, additional geotechnical reports would be required to identify specific geotechnical recommendations for new buildings; however, based on CGS mapping which identify liquefaction risk across much of the Project Site, it is anticipated that similar soil improvements would be required for future Project

phases as have been identified for the library that would be built under Phase 1. Overall, with implementation of recommendations from current and future geotechnical reports, the Project would have a less than significant impact related to this threshold.

**Threshold 4.6-a (iv) Would the project directly or indirectly cause potential substantial adverse effects including the risk of loss, injury, or death from seismic-related ground failure, including landslides?**

**Less Than Significant Impact.** As discussed above, no landslide, settlement, or subsidence hazards are known to be present at the Project Site. Lateral spreading is the lateral movement of stiff, surficial blocks of sediments as a result of a subsurface layer liquefying. The lateral movements can cause ground fissures or extensional, open cracks at the surface as the blocks move toward a slope face, such as a stream bank or in the direction of a gentle slope. When the shaking stops, these isolated blocks of sediments come to rest in a place different from their original location and may be tilted. An evaluation of lateral spreading was made as a part of this EIR. The risk for significant horizontal displacement due to lateral spreading is low. Therefore, less than significant impacts are anticipated related to this threshold, and no mitigation is required.

**Threshold 4.6-b Would the project result in substantial soil erosion or the loss of topsoil?**

**Less Than Significant Impact.** The Project would grade and develop the site with new impervious surfaces and new pervious landscaped areas. Project construction would expose soils on the Project Site and would require the hauling of soil off-site, which could result in soil erosion and the loss of topsoil if not implemented consistent with regulatory requirements. The largest source of erosion and topsoil loss is uncontrolled drainage during construction. As discussed in more detail in Section 4.9, Hydrology and Water Quality, the National Pollutant Discharge Elimination System (NPDES) permit program controls water pollution by regulating point sources that discharge pollutants into “Waters of the U.S.”. Construction activities shall be conducted in compliance with the statewide NPDES General Permit for Storm Water Discharges Associated with the Construction and Land Disturbance Activities (Order No 2012-0006-DWQ, NPDES No. CAS000002), adopted by the State Water Resources Control Board on July 17, 2012. In compliance with the NPDES permit, erosion potential during construction of the Project would be managed with Best Management Practices (BMPs) implemented on the Project Site as part of a Storm Water Pollution Prevention Plan during construction activities in accordance with NPDES requirements. Implementation of the BMPs would ensure that construction-related erosion impacts would be less than significant.

Although the Project Site already contains impervious surfaces, the Project may result in an increase in the percentage of the Project Site that is impervious, which would result in increased storm water runoff generated on the Project Site. As further discussed in Section 4.9, Hydrology and Water Quality, operational BMPs will be identified for each Project phase to reduce the potential for erosion and the transport of sediment off site. Long term, the Project’s contribution to erosion of channels downstream is expected to be less than significant because the stormwater runoff volume with the Project would be similar to existing conditions and would be mitigated through implementation of BMPs. Therefore, impacts related to soil erosion due to construction and operation of the Project would be less than significant, and no mitigation measures are either required or recommended.

**Threshold 4.6-c**      **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?**

**Less than Significant with Mitigation Incorporated.** The Project's geotechnical reports found that the Project was geotechnically feasible with implementation of grading and foundation recommendations (OGI 2017a and 2017b). As noted above, the Project is not in a location susceptible to landslides liquefaction. Also, the Project Site is not located within an area of known ground subsidence. Any potential for significant impacts related to liquefaction would be mitigated through the implementation of the foundation design, grading, and ground improvement recommendations contained in the Project's geotechnical reports, as specified in **MM GEO-1**. With implementation of **MM GEO-1**, potentially significant impacts related to unstable soils would be reduced to less than significant levels.

**Threshold 4.6-d**      **Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?**

**Less Than Significant Impact.** Expansive soils are materials that, when subject to a constant load, are prone to expand when exposed to water. The hazard associated with expansive soils is that they can overstress and cause damage to the foundation of buildings set on top of them. The surficial soils at the Project Site consist of sand and silty to clayey sand (OGI 2017). Thus, the onsite granular soils are anticipated to have a low expansion potential. Therefore, impacts associated with expansive soils are expected to be less than significant.

**Threshold 4.6-e**      **Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal system where sewers are not available for the disposal of waste water?**

**No Impact.** The Project Site is located within the service area of Ventura County Waterworks District (VCWWD) No. 1. The Project would connect to the existing sewer system and would not require the use of septic or alternative waste water disposal systems. Therefore, no impacts would result related to this threshold, and no mitigation measures are either required or recommended.

**Threshold 4.6-f**      **Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

**Less Than Significant Impact.** A paleontological resources records search was completed for the Project. No known fossil localities have been previously recorded within the Project Site, but fossil localities have been found nearby from sedimentary deposits that are similar to those that occur in the area. The paleontologically sensitive Saugus Formation may be present beneath the Project Site (McLeod 2010). Grading of the Saugus Formation could impact sensitive fossil resources. The Project would be required to comply with **COA CUL-1**, which states that in the event that any paleontological finds are uncovered during grading or excavation operations, all grading or excavation would immediately cease and the lead agency would obtain the services of a qualified paleontologist or archaeologist, approved in writing by the Community Development Director. Also, **COA CUL-3** would be implemented as part of the Project, which requires paleontological training for Project construction personnel. With implementation of **COA CUL-1 and COA CUL-3**, the Project would have less than significant impacts related to this threshold and no mitigation is required.

#### 4.6.5 CUMULATIVE IMPACTS

The Project's potentially significant impacts related to strong seismic ground shaking and liquefaction would be mitigated through implementation of **MM GEO-1**, which requires compliance with the applicable regulations and implementation of proper grading, design, and building construction methods that are outlined in the Project's geotechnical reports. Given that paleontological resources could be encountered during Project construction, **COA GEO-2** will be implemented, which requires monitoring of grading and excavation activities in the native soils and salvage of fossils should they be found on-site.

All of the cumulative projects that include the construction of new structures would be required by the agency issuing their building permits to comply with the applicable State and local requirements such as the CBC and prepare a geotechnical report to evaluate and mitigate geotechnical hazards, if needed. Therefore, no significant cumulative impacts related to geotechnical hazards would result from the Project and cumulative projects collectively.

It is likely that most, if not all, of the cumulative projects would result in native ground disturbance that could encounter and affect paleontological resources. During each projects' entitlement process, it is the responsibility of the CEQA Lead Agency reviewing each cumulative project to identify potentially significant impacts, including potential paleontological resource impacts, and to require mitigation measures if needed, such as paleontological resources if appropriate. Therefore, no significant cumulative impacts related to paleontological resources would result from the Project and cumulative projects when considered collectively.

#### 4.6.6 MITIGATION PROGRAM

##### Conditions of Approval

**COA GEO-1** Prior to the issuance of a grading permit for each Project phase, a geotechnical report will be prepared and submitted to the City for review and approval. The geotechnical report shall be prepared by a registered Civil Engineer or certified Engineering Geologist and shall contain site-specific evaluations of the seismic and geologic hazards affecting the project and shall identify recommendations for earthwork and construction. All recommendations from forthcoming site-specific geotechnical studies shall be included in the site preparation and building design specifications. Compliance with this requirement shall be verified by the City as part of the plan approval process.

**COA CUL-1** If any archaeological, paleontological, or historical finds are uncovered during grading or excavation operations, all grading or excavation shall immediately cease in the immediate area and the find must be left untouched. The applicant, in consultation with the project paleontologist or archeologist, shall assure the preservation of the site and immediately contact the Community Development Director by phone, in writing by email or hand delivered correspondence informing the Director of the find. In the absence of the Director, the applicant shall so inform the City Manager and Planning Manager. The applicant shall be required to obtain the services of a qualified paleontologist or archeologist, whichever is appropriate to recommend disposition of the site. The paleontologist or archeologist selected must be approved in writing by the Community Development Director. The

applicant shall pay for all costs associated with the investigation and disposition of the find. *(Note: repeated from Section 4.4).*

**COA CUL-3** Prior to any ground disturbing activity, construction personnel associated with earth moving equipment, drilling, grading, and excavating, shall be provided with basic training conducted by a qualified archaeologist. Issues that shall be included in the basic training will be geared toward training the applicable construction crews in the identification of archaeological deposits, further described below. Training will include written notification of the restrictions regarding disturbance and/or removal of any portion of archaeological, paleontological, or historical deposits and the procedures to follow should a resource be identified. The construction contractor, or its designee, shall be responsible for implementation of this measure. A tribal monitor shall be provided an opportunity to attend the pre-construction briefing if requested. *(Note: repeated from Section 4.4).*

### **Mitigation Measures**

**MM GEO-1** Prior to approval grading plans, the Applicant shall demonstrate, to the satisfaction of the City's Planning Division that the recommendations in the project's geotechnical reports and in any future geotechnical reports have been fully and appropriately incorporated (OGI 2017a and 2017b).

#### **4.6.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Less than significant impact.

#### 4.6.8 REFERENCES

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## 4.7 **GREENHOUSE GAS EMISSIONS**

### 4.7.1 **EXISTING CONDITIONS**

#### **Greenhouse Gases**

Climate change is a recorded change in the average weather of the earth measured by variables such as wind patterns, storms, precipitation, and temperature. Increasing greenhouse gas (GHG) emissions have led to an anthropogenic<sup>1</sup> warming trend of the Earth's average temperature, which is causing changes in the earth's climate. GHG emissions are primarily associated with (1) the burning of fossil fuels during motorized transport, electricity generation, consumption of natural gas, industrial activity, manufacturing, and other activities; (2) deforestation; (3) agricultural activity; and (4) solid waste decomposition. This increasing temperature phenomenon is known as "global warming", and the climatic effect is known as "climate change" or "global climate change".

GHGs are atmospheric gases and clouds within the atmosphere that influence the Earth's temperature by absorbing most of the infrared radiation that rises from the sun-warmed surface and that would otherwise escape into space. This process is commonly known as the "Greenhouse Effect". GHGs are emitted by natural processes and human activities. The Earth's surface temperature averages about 58 degrees Fahrenheit (°F) because of the Greenhouse Effect. Without it, the Earth's average surface temperature would be somewhere around an uninhabitable 0°F. Anthropogenic GHG emissions enhance the Greenhouse Effect by absorbing radiation from other atmospheric GHGs that would otherwise escape into space, thereby trapping more radiation in the atmosphere and causing temperatures to increase.

GHGs, as defined under California's Assembly Bill (AB) 32, include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF<sub>6</sub>), and nitrogen trifluoride (NF<sub>3</sub>). CO<sub>2</sub> is the most important anthropogenic GHG.<sup>2</sup> The global atmospheric concentration of CO<sub>2</sub> has increased from a pre-industrial (roughly 1750) value of about 280 parts per million (ppm) primarily due to fossil fuel use. The annual growth rate in CO<sub>2</sub> concentrations continues to increase, with a larger annual CO<sub>2</sub> concentration growth. In August 2022, the concentration measured at Mauna Loa, Hawaii was more than 419.15 ppm (ESRL 2022).

GHGs are global pollutants and are therefore unlike air pollutants such as ozone, particulate matter, and toxic air contaminants (TACs), which are pollutants of regional and local concern. While pollutants with localized air quality effects have relatively short atmospheric lifetimes (generally on the order of a few days), GHGs have relatively long atmospheric lifetimes, ranging from one year to several thousand years. Long atmospheric lifetimes allow for GHGs to disperse around the globe. In addition, the GHG impacts are global, as opposed to the localized air quality effects of criteria air pollutants and TACs.

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<sup>1</sup> Caused or produced by humans.

<sup>2</sup> General discussions on climate change often include water vapor, ozone, and aerosols in the GHG category. Water vapor and atmospheric ozone are not gases that are formed directly in the construction or operation of development projects, nor can they be controlled in these projects. Aerosols are not gases. While these elements have a role in climate change, they are not considered by either regulatory bodies (such as the California Air Resources Board [CARB]) or climate change groups (such as the California Climate Action Registry [CCAR]) as gases to be reported or analyzed for control. Therefore, no further discussion of water vapor, atmospheric ozone, or aerosols is provided in this EIR section.

GHGs vary widely in the power of their climatic effects; therefore, climate scientists have established a unit called a global warming potential (GWP). The GWP of a gas is a measure of both potency and lifespan in the atmosphere as compared to CO<sub>2</sub>. For example, since CH<sub>4</sub> and N<sub>2</sub>O are approximately 21 and 310 times more powerful than CO<sub>2</sub> (respectively) in their ability to trap heat in the atmosphere, they have GWPs of 21 and 310, respectively (CO<sub>2</sub> has a GWP of 1). Carbon dioxide equivalent (CO<sub>2</sub>e) is a quantity that enables all GHG emissions to be considered as a group despite their varying GWP. The GWP of each GHG is multiplied by the prevalence of that gas to produce CO<sub>2</sub>e.

Climate change effects in California are anticipated to impact resources including, but not limited to, the following: public health, wildfires, energy, droughts, sea level and flooding, agriculture, forestry, and ecosystems.

## 4.7.2 REGULATORY SETTING

### Federal

#### *U.S. Environmental Protection Agency Findings*

On December 7, 2009, the U.S. Environmental Protection Agency (USEPA) Administrator signed two distinct findings regarding GHGs under Section 202(a) of the Clean Air Act.

- **Endangerment Finding:** The Administrator finds that the current and projected concentrations of the six key well-mixed greenhouse gases—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 well-mixed GHGs from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution which threatens public health and welfare.

The findings do not themselves impose any requirements on industry or other entities. However, this action was a prerequisite for implementing GHG emissions standards for vehicles (USEPA 2021a). A light-duty vehicle is defined any motor vehicle with a gross vehicle weight of 6,000 pounds or less (CARB 2021a).

#### *Light-Duty Vehicle Greenhouse Gas Emissions Standards and Corporate Average Fuel Economy Standards*

The USEPA and the Department of Transportation's National Highway Traffic Safety Administration (NHTSA) have been working together on developing a National Program of regulations to reduce GHG emissions and to improve the fuel economy of light-duty vehicles. On April 1, 2010, the USEPA and NHTSA announced a joint Final Rulemaking establishing standards for 2012 through 2016 model year vehicles. On October 15, 2012, the agencies issued a Final Rulemaking with standards for model years 2017 through 2025. The rules require these vehicles to meet an estimated combined average emissions level of 295 grams of CO<sub>2</sub> per mile by 2012, decreasing to 250 grams per mile by 2016, and finally to an average industry fleet-wide level of 163 grams per mile in model year 2025. The 2016 standard is equivalent to 35.5 miles per gallon (mpg) and the 2025 standard is equivalent to 54.5 mpg if the levels were achieved solely through improvements in fuel efficiency. The agencies expect, however, that a portion of these improvements will occur due to air conditioning technology improvements (i.e., they will leak less) and due to the use of alternative refrigerants, which would not contribute to fuel economy. These

standards would cut GHG emissions by an estimated 2 billion metric tons and 4 billion barrels of oil over the lifetime of the vehicles sold under the program (model years 2017–2025). The combined USEPA GHG standards and NHTSA Corporate Average Fuel Economy (CAFE) standards resolve previously conflicting requirements under both federal programs and the standards of the State of California and other States that have adopted the California standards (USEPA and NHTSA 2012).

On September 19, 2019, NHTSA and the USEPA issued a final action entitled the “One National Program Rule” to enable the federal government to provide nationwide uniform fuel economy and GHG emission standards for automobile and light duty trucks. This action finalizes critical parts of the Safer, Affordable, Fuel-Efficient (SAFE) Vehicles Rule that was first proposed in August 2018. In this proposal, the agencies proposed new and amended GHG and CAFE standards for model year 2021 to 2026 light duty vehicles (USEPA and NHTSA 2019).

In this action, USEPA withdrew the Clean Air Act waiver that had been granted to the State of California in January 2013 for the State’s Advanced Clean Car program with respect to GHG and Zero Emission Vehicle (ZEV) elements. In November 2019, California, 21 other states, the District of Columbia, and four California cities filed a petition for the USEPA to reconsider SAFE-1. A petition for reconsideration was also filed by several environmental groups.

On April 28, 2021, USEPA published a Notice of Reconsideration: California State Motor Vehicle Pollution Control Standards; Advanced Clean Car Program; Reconsideration of a Previous Withdrawal of a Waiver of Preemption; Opportunity for Public Hearing and Public Comment. The public comment period closed July 6, 2021 (USEPA 2021b).

## **State**

### ***Assembly Bill 1493 (Mobile Source Reductions)***

AB 1493, adopted September 2002, also known as Pavley I, requires the development and adoption of regulations to achieve the maximum feasible reduction of GHGs emitted by noncommercial passenger vehicles, light-duty trucks, and other vehicles used primarily for personal transportation in the State. The emission standards have become increasingly more stringent through the 2016 model year. California is also committed to further strengthening these standards beginning in 2017 to obtain a 45 percent GHG reduction from 2020 model year vehicles (CARB 2021b). Regulations to make California emissions standards for model year 2017 and beyond consistent with federal standards were adopted in 2012 and are discussed further below.

### ***California Air Resources Board’s Advanced Clean Cars Program***

In January 2012, California Air Resources Board (CARB) approved the Advanced Clean Cars Program, an emissions-control program for model year 2017 through 2025. The program combines the control of smog, soot and GHGs with requirements for greater numbers of zero-emission vehicles. By 2025, when the rules will be fully implemented, the new automobiles will emit 34 percent fewer global warming gases and 75 percent fewer smog-forming emissions. The program also requires car manufacturers to offer for sale an increasing number of ZEVs each year, including battery electric, fuel cell, and plug-in hybrid electric vehicles. In March 2017, CARB adopted GHG standards for 2022 through 2025 model years and directed staff to begin rule development for 2026 and subsequent model years (CARB 2021c).

### **Executive Order S-3-05 (Statewide GHG Targets)**

On June 1, 2005, Governor Arnold Schwarzenegger signed Executive Order (EO) S-3-05, which proclaims that California is vulnerable to the impacts of climate change. It declares that increased temperatures could reduce snowpack in the Sierra Nevada Mountains; could further exacerbate California's air quality problems; and could potentially cause a rise in sea levels. In an effort to avoid or reduce the impacts of climate change, Executive Order S-3-05 calls for a reduction in GHG emissions to the year 2000 level by 2010, to year 1990 levels by 2020, and to 80 percent below 1990 levels by 2050.

However, executive orders do not have the same status as a law because in California's constitutional system, it is the Legislature, not the Governor, who is entrusted with the role of making statewide laws. The Legislature declined to include the Executive Order's 2050 goal in AB 32 (discussed below), and again declined to use the EO's 2050 goal in adopting Senate Bill (SB) 375 (discussed below), nor has it incorporated it in any implementing legislation or applicable plans. Additionally, although CARB has the requisite authority to adopt whatever regulations are necessary beyond the AB 32 horizon year 2020 to meet the target set forth in S-3-05, the agency has not done so. Since the Legislature has never enacted EO S-3-05's 2050 target, and no expert agency has interpreted the California Environmental Quality Act (CEQA) to require it, the 2050 target has only the force and effect of an executive order issued by a former Governor. If the Legislature has delegated any of its authority to define CEQA's requirements, it delegated that authority to the Governor's Office of Planning and Research (OPR).

### **Senate Bill 97 and the CEQA Guidelines**

Pursuant to SB 97, OPR developed and California Natural Resources Agency (CNRA) adopted proposed amendments to the CEQA Guidelines (CEQA Amendments) for the feasible mitigation of GHG emissions and their effects. The CEQA Amendments became effective on March 18, 2010.

The CEQA Amendments for Greenhouse Gas Emissions state in Section 15064.4(a) that lead agencies should "make a good faith effort, to the extent possible on scientific and factual data, to describe, calculate or estimate" GHG emissions. The CEQA Amendments note that an agency may identify emissions by either selecting a "model or methodology" to quantify the emissions or by relying on "qualitative analysis or other performance based standards" (CNRA 2009b). Section 15064.4(b) of the CEQA Guidelines provides that the lead agency should consider the following when assessing the significance of impacts from GHG emissions on the environment (CNRA 2009b):

- The extent a project may increase or reduce GHG emissions as compared to the 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 GHG emissions.

All of these are considered in the impact analysis presented in this section. The revisions to Appendix G, Environmental Checklist Form, of the CEQA Guidelines, which is often used as a basis for lead agencies' selection of significance thresholds, do not prescribe specific thresholds. Rather, Appendix G of the CEQA Guidelines asks whether the project would conflict with a plan, policy, or regulation adopted to reduce GHG emissions or would generate GHG emissions that would significantly affect the environment, indicating that the determination of what is a significant effect on the environment should be left to the lead agency. Accordingly, the CEQA Amendments do not prescribe specific methodologies for performing an assessment; they do not establish specific thresholds of significance; and they do not mandate specific mitigation measures. Rather, the CEQA Amendments emphasize the lead agency's discretion to determine the appropriate methodologies and thresholds of significance consistent with the manner in which other impact areas are handled in CEQA (CNRA 2009b).

The CEQA Amendments indicate that lead agencies should consider all feasible means, supported by substantial evidence and subject to monitoring and reporting, of mitigating the significant effects of GHG emissions. As pertinent to the Project, these potential mitigation measures, set forth in Section 15126.4(c) of the CEQA Guidelines, may include (1) measures in an existing plan or mitigation program for the reduction of GHG emissions that are required as part of the lead agency's decision; (2) reductions in GHG emissions resulting from a project through implementation of project design features; (3) off-site measures, including offsets, to mitigate a project's emissions; and (4) carbon sequestration measures (CNRA 2009b).

Among other things, the CNRA noted in its Public Notice for these changes that impacts of GHG emissions should focus on the cumulative impact on climate change. The Public Notice states (CNRA 2009):

While the Proposed Amendments do not foreclose the possibility that a single project may result in greenhouse gas emissions with a direct impact on the environment, the evidence before [CNRA] indicates that in most cases, the impact will be cumulative. Therefore, the Proposed Amendments emphasize that the analysis of greenhouse gas emissions should center on whether a project's incremental contribution of greenhouse gas emissions is cumulatively considerable.

Thus, the CEQA Amendments continue to make clear that the significance of greenhouse gas emissions is most appropriately considered on a cumulative level.

### **Assembly Bill 32 (Statewide GHG Reductions)**

In furtherance of the goals established in EO S-3-05, the California Legislature adopted the public policy position that global warming is "a serious threat to the economic well-being, public health, natural resources, and the environment of California" (California Health and Safety Code, Section 38501). The public policy statements became law with the enactment of the California Global Warming Solutions Act of 2006 (AB 32) in September 2006, after considerable study and expert testimony before the Legislature. The law instructs CARB to develop and enforce regulations for the reporting and verifying of statewide GHG emissions. AB 32 directed CARB to set a GHG emission limit based on 1990 levels, to be achieved by 2020. The bill set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner. The scoping plan is described further below.

### ***Executive Order B-30-15 (Statewide Interim GHG Targets)***

California EO B-30-15 (2015) set an “interim” statewide emission target to reduce GHG emissions to 40 percent below 1990 levels by 2030, and directed State agencies with jurisdiction over GHG emissions to implement measures pursuant to statutory authority to achieve this 2030 target and the 2050 target of 80 percent below 1990 levels. Specifically, the Executive Order directed CARB to update the Scoping Plan to express this 2030 target in metric tons.

### ***Senate Bill 32/Assembly Bill 197***

SB 32, signed September 8, 2016, implements a goal of EO B-30-15. Under SB 32, in “adopting rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions,” CARB must ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030. SB 32’s findings state that CARB will “achieve the state’s more stringent greenhouse gas emission reductions in a manner that benefits the state’s most disadvantaged communities and is transparent and accountable to the public and the Legislature.” AB 197, a companion to SB 32, adds two members to the CARB and requires measures to increase transparency about GHG emissions, climate policies, and GHG reduction actions.

### ***California Air Resources Board Scoping Plan***

On December 11, 2008, CARB adopted the Scoping Plan to achieve the goals of AB 32. The Scoping Plan establishes an overall framework for the measures that will be adopted to reduce California’s GHG emissions. CARB determined that achieving the 1990 emission level would require a reduction of GHG emissions of approximately 28.5 percent below what would otherwise occur in 2020 in the absence of new laws and regulations (referred to as “business as usual”). The Scoping Plan evaluates opportunities for sector-specific reductions; integrates all CARB and Climate Action Team early actions and additional GHG reduction measures by both entities; identifies additional measures to be pursued as regulations; and outlines the role of a cap-and-trade program.

### **First Update to the Climate Change Scoping Plan**

CARB approved the final “First Update to the Climate Change Scoping Plan” on May 22, 2014. The first update describes California’s progress towards AB 32 goals, stating that “California is on track to meet the near-term 2020 greenhouse gas limit and is well positioned to maintain and continue reductions beyond 2020 as required by AB 32”. Specifically, “if California realizes the expected benefits of existing policy goals (such as 12,000 megawatts [MW] of renewable distributed generation by 2020, net zero energy homes after 2020, existing building retrofits under AB 758, and others) it could reduce emissions by 2030 to levels squarely in line with those needed in the developed world and to stay on track to reduce emissions to 80 percent below 1990 levels by 2050” (CARB 2014). Reducing the “business as usual” condition of 509 metric tons carbon dioxide equivalent (MMTCO<sub>2e</sub>) to the 1990 emissions level of 431 MMTCO<sub>2e</sub> will require a reduction of 78 MMTCO<sub>2e</sub>, or approximately a 15.3 percent reduction (compared to a 28.5 percent reduction as set forth in the original Scoping Plan but not directly comparable because of the change in methodology).

## Second Update to the Climate Change Scoping Plan

CARB prepared a second update to the Scoping Plan to reflect the 2030 target established in Executive Order B-30-15 and in Senate Bill 32 (discussed above). The Final Proposed 2017 Scoping Plan was published in November 2017, and the third public Board Meeting for the Proposed Scoping Plan was held on December 14, 2017, where the Final Proposed 2017 Climate Change Scoping Plan (Second Update to the Climate Change Scoping Plan, or 2017 Scoping Plan Update) was adopted.

The 2017 Scoping Plan Update includes new statutory GHG reduction requirements that were not included in the current Scoping Plan, including Senate Bill 32 (discussed below) which sets a 40 percent GHG reduction target below 1990 GHG levels to be achieved by 2030, SB 350 (which sets a 50 percent reduction in GHG emissions from electricity generation and other energy uses in existing structures, and a 50 percent renewable energy portfolio requirement), and SB 650 (which establishes priority GHG reduction targets for designated types of greenhouse gases such as methane). The key elements of the 2017 Scoping Plan Update proposal call for further GHG reductions from the refinery sector specifically, further reductions from other stationary sources through either a renewed and expanded cap and trade or carbon tax program, further reductions from other sectors such as transportation technologies and services, water and solid waste conservation and management, and land uses in both open space and urban areas (CARB 2017).

## 2022 Scoping Plan Update

The 2022 Scoping Plan Update will assess progress towards achieving the Senate Bill 32 2030 target and lay out a path to achieve carbon neutrality by mid-century. The first public workshops for the 2022 Scoping Plan Update were held in June 2021 (CARB 2021d).

## ***Senate Bill 375 (Land Use Planning)***

Signed September 30, 2008, SB 375 provides for a new planning process to coordinate land use planning and regional transportation plans (RTPs) and funding priorities in order to help California meet the GHG reduction goals established in AB 32. SB 375 requires Metropolitan Planning Organizations, including the Southern California Association of Governments (SCAG), to incorporate a Sustainable Communities Strategy (SCS) in their regional transportation plans that will achieve GHG emission reduction targets set by CARB. There are two mutually important facets to SB 375: reducing vehicle miles traveled and encouraging more compact, complete, and efficient communities for the future. SB 375 also includes provisions for exemptions from or streamlined CEQA review for projects classified as transit priority projects. See additional discussion of the SCAG plan under “Regional” regulations below.

## ***Senate Bills 1078, 107, and SBX1-2 (Renewable Portfolio Standards)***

Established in 2002 under SB 1078, accelerated in 2006 under SB 107, and again in 2011 under SBX1-2, California’s Renewable Portfolio Standard (RPS) requires retail sellers of electric services to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020. Initially, the Renewable Portfolio Standard provisions applied to investor -owned utilities, community choice aggregators, and electric service providers. SBX1-2 added, for the first time, publicly owned utilities to the entities subject to RPS.

### **Senate Bill 350**

SB 350, signed October 7, 2015, is the Clean Energy and Pollution Reduction Act of 2015. SB 350 is the implementation of some of the goals of EO B-30-15. The objectives of SB 350 are as follows:

- (1) To increase from 33 percent to 50 percent, the procurement of our electricity from renewable sources; and
- (2) To double the energy efficiency savings in electricity and natural gas final end uses of retail customers through energy efficiency and conservation (CEC 2021a).

### **Senate Bill 100**

On September 10, 2018, Governor Brown signed SB 100, the 100 Percent Clean Energy Act of 2018. SB 100 requires renewable energy and zero-carbon resources to supply 100 percent of electric retail sales to end-use customers and 100 percent of electricity procured to serve state agencies by December 31, 2045. This policy requires the transition to zero-carbon electric systems that do not cause contributions to increase of GHG emissions elsewhere in the western electricity grid (CEC 2021b). SB 100 also creates new standards for the RPS goals established by SB 350 in 2015. Specifically, the bill increases required energy from renewable sources for both investor-owned utilities and publicly owned utilities from 50 percent to 60 percent by 2030.

### **Executive Order B-55-18**

On September 10, 2018, Governor Brown also signed California EO B-55-18, which sets a new statewide goal of carbon neutrality as soon as possible, and no later than 2045, and achieve net negative emissions thereafter. EO B-55-18 was added to the existing Statewide targets of reducing GHG emissions, including the targets previously established by Governor Brown of reducing emissions to 40 percent below 1990 levels by 2030 (EO B-30-15 and SB 32), and by Governor Schwarzenegger of reducing emissions to 80 percent below 1990 levels by 2040 (EO S-3-05).

### **Executive Order N-79-20**

On September 23, 2021, Governor Newsom announced that California will phase out the sale of new gasoline and diesel-powered cars to reduce GHG emissions. The Executive Order directs the State to require that, by 2035, all new cars and passenger trucks sold in California be zero-emission vehicles. This would aid in reducing CO<sub>2</sub> emissions, half of which are from the transportation sector.

### **Title 24 Energy Efficiency Standards**

The Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24, Part 6 of the California Code of Regulations [CCR]) were established in 1978 in response to a legislative mandate to reduce California's energy consumption. The currently applicable standards are the 2019 Standards, effective January 1, 2020 (CBSC 2018). The 2019 standards focus on four key areas: smart residential photovoltaic systems, updated thermal envelope standards (preventing heat transfer from the interior to exterior and vice versa), residential and nonresidential ventilation requirements, and nonresidential lighting requirements. The ventilation measures improve indoor air quality, protecting homeowners from air pollution originating from outdoor and indoor sources (CEC 2021c). The requirements of the energy efficiency standards result in the reduction of natural gas and electricity consumption. Both natural gas and electricity use produce GHG



emissions. The goal of the standards is to reduce energy use in new homes by more than 50 percent. The 2019 standards require that there is sufficient on-site electricity generation to meet the annual electricity usage for low rise residential buildings. A 30 percent reduction in energy uses is anticipated for nonresidential uses. The requirement for low-rise residential buildings to develop onsite electricity generation is consistent with the goal to develop renewable sources of energy.

The California Energy Commission (CEC) adopted the 2008 changes to the Building Energy Efficiency Standards in order to (1) “Provide California with an adequate, reasonably-priced, and environmentally-sound supply of energy” and (2) “Respond to Assembly Bill 32, the Global Warming Solutions Act of 2006, which mandates that California must reduce its GHG emissions to 1990 levels by 2020”. Additionally, it has been California policy that all new residential buildings will be zero net energy (ZNE) by 2020 and new commercial buildings will be ZNE by 2030, as described in the 2008 California Public Utilities Commission(CPUC) long-term energy efficiency strategic plan. The 2019 Title 24 Energy Efficiency Standards establish building design and construction requirements that move closer to achieving California’s ZNE goals by requiring single-family residential developments to incorporate solar photovoltaic panels to meet their annual electricity requirements. The requirements of the energy efficiency standards result in the reduction of natural gas and electricity consumption. Both natural gas use and electricity generation result in GHG emissions.

### ***California Green Building Standards Code***

The 2019 California Green Building Standards Code (24 CCR, Part 11), also known as the CALGreen code, contains mandatory requirements and voluntary measures for new residential and nonresidential buildings (including buildings for retail, office, public schools and hospitals) throughout California) (CBSC 2019). The development of the CALGreen Code is intended to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the following construction practices: (1) planning and design; (2) energy efficiency; (3) water efficiency and conservation; (4) material conservation and resource efficiency; and (5) environmental quality. In short, the code is established to reduce construction waste; make buildings more efficient in the use of materials and energy; and reduce environmental impact during and after construction.

### ***California Air Pollution Control Officers Association***

The California Air Pollution Control Officers Association (CAPCOA) is the association of Air Pollution Control Officers representing all 35 local air quality agencies throughout California. CAPCOA is not a regulatory body, but has been an active organization in providing guidance in addressing the CEQA significance of GHG emissions and climate change as well as other air quality issues. The August 2010 CAPCOA publication entitled *Quantifying Greenhouse Gas Mitigation Measures, A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures* provides guidance on the quantification of project-level mitigation of GHGs associated with land use, transportation, energy use, and other related project areas. The guidance includes detailed procedures about the approaches to assessing and calculating the GHG emissions reductions associated with project design features and mitigation measures (CAPCOA 2010). This publication’s methods are used in the California Emission Estimator Model (CalEEMod) computer model that is used to calculate GHG emissions.

## **Regional**

### ***South Central Coast Air Quality Management District***

The Ventura County Air Pollution Control District (VCAPCD) is the agency responsible for comprehensive air pollution control in Ventura County. As a regional agency, the VCAPCD develops rules and regulations; establishes permitting requirements; inspects emissions sources; and enforces such measures through educational programs or fines, when necessary. The VCAPCD is directly responsible for reducing emissions from stationary, mobile, and indirect sources. The 2022 Ventura County Air Quality Management Plan (2022 AQMP), adopted by the Ventura County Air Pollution Control Board on February 14, 2017, presents the County's strategy for attaining the federal 8-hour ozone standard as required by the Federal Clean Air Act Amendments of 2008 (VCAPCD 2022). The 2022 AQMP contains an attainment demonstration showing that Ventura County must attain the federal 8-hour ozone standard by July 20, 2021, the deadline for serious 8-hour ozone nonattainment areas (VCAPCD 2022).

The Ventura County Air Quality Assessment Guidelines (Guidelines) is an advisory document prepared by the District that provides lead agencies, consultants, and project applicants with a framework and uniform methods for preparing air quality impact assessments and the air quality section of environmental documents for projects that require discretionary entitlements. The Guidelines recommend specific criteria and threshold levels for determining whether a proposed project may have a significant adverse air quality impact. The Guidelines also provide mitigation measures that may be useful for mitigating the air quality impacts of proposed projects (VCAPCD 2003).

### ***Southern California Association of Governments***

As previously discussed, SB 375 specifically required Metropolitan Planning Organizations (MPOs), including SCAG, to incorporate an SCS in their RTPs that will achieve GHG emission reduction targets set by CARB. SCAG's current SCS is included in its 2020–2045 RTP/SCS Connect SoCal (SCAG 2020).<sup>3</sup> The 2020 RTP/SCS combines the need for mobility with a “sustainable future” through a reduction in the emissions produced from transportation sources. The document was adopted by SCAG on September 3, 2020. The 2020–2045 RTP/SCS is expected to reduce per capita transportation emissions by 19 percent by 2035 relative to 2005.

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

The Ventura County Air Pollution Control District (VCAPCD) is the agency responsible for comprehensive air pollution control in Ventura County. As a regional agency, the VCAPCD develops rules and regulations; establishes permitting requirements; inspects emissions sources; and enforces such measures through educational programs or fines, when necessary. The VCAPCD is directly responsible for reducing emissions from stationary, mobile, and indirect sources.

The VCAPCD has not established a quantitative threshold for GHG emissions. In a September 2016 report to the VCAPCD Air Pollution Control Board, the VCAPCD staff stated, “Given that Ventura County is adjacent to the South Coast AQMD jurisdiction and is a part of the SCAG 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 “Unless directed otherwise, District staff will continue to evaluate and develop suitable interim

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<sup>3</sup> The 2020-2045 RTP/SCS succeeds the 2016-2040 RTP/SCS.

GHG threshold options for Ventura County with preference for GHG threshold consistency with the South Coast AQMD and the SCAG region” (VCAPCD 2011). Therefore, the South Coast Air Quality Management District (SCAQMD) considerations of GHG thresholds are described below.

### **South Coast Air Quality Management District**

Beginning in April 2008, the SCAQMD convened a Working Group to provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents. On December 5, 2008, the SCAQMD Governing Board adopted its staff proposal for an interim CEQA GHG significance threshold of 10,000 metric tons of CO<sub>2</sub> equivalent per year (MTCO<sub>2</sub>e/year) for industrial projects where the SCAQMD is the lead agency. The policy objective for establishing this significance threshold is to capture projects that represent approximately 90 percent of GHG emissions from new sources and to avoid Environmental Impact Report (EIR)-level analysis for relatively small impacts (SCAQMD 2008).

In September 2010, the Working Group proposed extending the 10,000 MTCO<sub>2</sub>e/year screening threshold currently applicable to industrial projects where the SCAQMD is the lead agency, described above, to other lead agency industrial projects. For all other projects, SCAQMD staff proposed a multiple tier analysis to determine the appropriate threshold to be used. The draft proposal suggests the following tiers: Tier 1 is any applicable CEQA exemptions, Tier 2 is consistency with a GHG reduction plan, Tier 3 is a screening value or bright-line<sup>4</sup>, Tier 4 is a performance-based standard, and Tier 5 is GHG mitigation offsets. According to the presentation given at the September 28, 2010, Working Group meeting, SCAQMD staff proposed a Tier 3 draft threshold of 3,000 MTCO<sub>2</sub>e per year for all non-industrial land use types (SCAQMD 2010). For the Tier 4 draft threshold, SCAQMD staff presented a percent emission reduction target option but did not provide any specific recommendation for a numerical target; instead it referenced the San Joaquin Valley Air Pollution Control District approach. The percent reduction target is based on consistency with AB 32 as it was based on the same numeric reductions calculated in the Scoping Plan to reach 1990 levels by 2020. The second Tier 4 option is to utilize efficiency targets: 2020 targets are 4.8 MTCO<sub>2</sub>e per year per service population (SP) for project-level thresholds where SP is project residents plus employees and 6.6 MTCO<sub>2</sub>e per year per SP for a plan-level threshold (SCAQMD 2010). Targets for 2035 are 3.0 MTCO<sub>2</sub>e per SP for project level thresholds and 4.1 MTCO<sub>2</sub>e per year per SP for plan level threshold. The Working Group has not convened since the fall of 2010. It is noted that judicial decisions in recent years and the acceleration of State GHG thresholds have indicated that use of the Tier 4 method could be legally challenged. As of the publication of this EIR, the proposal to establish a GHG threshold for developments like the Project has not been considered or approved for use by the SCAQMD Board but the methodology has been used by lead agencies to evaluate GHG impacts under CEQA.

### **Local**

The Conservation Element of the City of Moorpark General Plan contains policies specifically relating to the reduction of GHG emissions, including Goal COS-8 which calls for the City to support greenhouse gas emission reduction and comprehensive sustainability practices throughout the community.

<sup>4</sup> A bright-line is a single value, applicable to all projects of one type, regardless of size. Thus, a bright-line is different from performance standards or efficiency standards that are generally based on a per-unit basis.

### 4.7.3 THRESHOLDS OF SIGNIFICANCE

The following significance criteria, included for analysis in this EIR, are based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines, and will be used to determine the significance of potential greenhouse gas emissions (GHG). A project would result in a significant adverse impact related to GHG emissions if it would:

**Threshold 4.7-a**      *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.*

**Threshold 4.7-b**      *Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.*

Based on the VCAPCD guidance stated above, SCAQMD-recommended quantitative screening GHG emissions thresholds are used for Threshold 4.7-a.

### 4.7.4 IMPACT ANALYSIS

**Threshold 4.7-a**      *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

**Less Than Significant Impact.**

#### Construction Emissions

Temporary impacts would result from Project construction activities. Construction GHG emissions are generated by vehicle engine exhaust from construction equipment, on-road hauling trucks, vendor trips, and worker commuting trips. Construction GHG emissions were calculated by using CalEEMod. The results are output in MTCO<sub>2e</sub> for each phase and year of construction. The estimated construction GHG emissions for each phase of the Project are shown in Tables 4.7-1 through 4.7-4.

**TABLE 4.7-1  
ESTIMATED GHG EMISSIONS  
FROM PHASE 1 CONSTRUCTION**

Year	Emissions (MTCO <sub>2e</sub> )
2023	188
2024	34.5
<b>Total</b>	<b>222.5</b>
MTCO <sub>2e</sub> : metric tons of carbon dioxide equivalent	
<sup>a</sup> Combined total amortized over 30 years	

**TABLE 4.7-2  
ESTIMATED GHG EMISSIONS  
FROM PHASE 2 CONSTRUCTION**

Year	Emissions (MTCO <sub>2e</sub> )
2027	10.8
2028	2.4
<b>Total</b>	<b>13.2</b>
MTCO <sub>2e</sub> : metric tons of carbon dioxide equivalent	
<sup>a</sup> Combined total amortized over 30 years	

**TABLE 4.7-3  
ESTIMATED GHG EMISSIONS  
FROM PHASE 3 CONSTRUCTION**

Year	Emissions (MTCO <sub>2e</sub> )
2030	406
2031	51.0
<b>Total</b>	<b>457</b>
MTCO <sub>2e</sub> : metric tons of carbon dioxide equivalent	
<sup>a</sup> Combined total amortized over 30 years	

**TABLE 4.7-4  
ESTIMATED GHG EMISSIONS  
FROM PHASE 4 CONSTRUCTION**

Year	Emissions (MTCO <sub>2e</sub> )
2035	277
2036	1.59
<b>Total</b>	<b>278.59</b>
MTCO <sub>2e</sub> : metric tons of carbon dioxide equivalent	
<sup>a</sup> Combined total amortized over 30 years	

Therefore, it is estimated that total construction combined GHG emissions for all phases of the Project would be 971.29 MTCO<sub>2e</sub>. Based on an SCAQMD recommendation, construction over the life of a project and a common value for project life is 30 years (SCAQMD 2008). Therefore, the 30-year amortized construction emissions would be 32 MTCO<sub>2e</sub>/yr.

**Operational Emissions**

Operational GHG emissions anticipated for the Project are estimated by including purchased electricity; natural use for space and water heating; the electricity embodied in water consumption; the energy associated with solid waste disposal; and mobile source emissions. For utilities use, CalEEMod default values for civic center, residential, commercial, and library buildings were used. The estimated annual GHG emissions for the Project were calculated and are shown in Table 4.7-5.

**TABLE 4.7-5  
ESTIMATED ANNUAL GHG EMISSIONS AT PROJECT BUILDOUT**

Source	Emissions MTCO <sub>2</sub> e/yr
<b>Project Uses</b>	
Mobile Sources	3,388
Area	2
Energy	292
Water	22
Waste	65
Refrigerants	<1
Amortized construction emissions	32
<b>Subtotal Project</b>	<b>3,801</b>
<b>Existing uses to be replaced</b>	
Mobile	1,251
Area	<1
Energy	122
Water	12
Waste	50
Refrigerants	<1
<b>Subtotal Existing</b>	<b>1,437</b>
<b>Net Increase – Project</b>	<b>2,364</b>
MTCO <sub>2</sub> e/yr: metric tons of carbon dioxide equivalent per year; GHG: greenhouse gas.	
Note: Detailed calculations in Appendix C.	

As shown in Table 4.7-5, the estimated annual project related GHG emissions, including amortized construction emissions, would be approximately 3,801 MTCO<sub>2</sub>e/yr; however, the Project would replace existing uses which currently generate approximately 1,437 MTCO<sub>2</sub>e/yr. Therefore, the Project would generate a net increase of 2,364 MTCO<sub>2</sub>e/yr. This value is less than the proposed SCAQMD Tier 3 screening threshold of 3,000 MTCO<sub>2</sub>e/yr for all land uses. It is accepted as very unlikely that any individual development project would have GHG emissions of a magnitude to directly impact global climate change (OPR 2008); therefore, any impact would be considered on a cumulative basis. Because the Project's GHG emissions would be less than 3,000 MTCO<sub>2</sub>e/yr, the emissions would not be cumulatively considerable. The Project would result in less than significant impacts related to this threshold, and no mitigation is required.

**Threshold 4.7-b** *Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

**Less Than Significant Impact.** As discussed further above, under Section 4.7.2, Regulatory Setting, on June 1, 2005, the California Governor signed Executive Order S-3-05, which calls for a reduction in GHG emissions to year 2000 levels by 2010, to year 1990 levels by 2020, and to 80 percent below 1990 levels by 2050. The principal overall State plan and policy adopted for the purpose of reducing GHG emissions is AB 32 (California Global Warming Solutions Act of 2006). AB 32 establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and establishes a cap on statewide GHG emissions. The quantitative goal of AB 32 is to reduce GHG emissions to 1990 levels by 2020, through its 2008

Scoping Plan. In 2016, the Legislature passed Senate Bill 32, which codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels. With SB 32, the Legislature passed companion legislation Assembly Bill 197, which provides additional direction for developing the Scoping Plan.

SB 375, signed in September 2008, aligns regional transportation planning efforts, regional GHG reduction targets, and land use and housing allocations. SB 375 requires a MPO to adopt a sustainable communities strategy or alternative planning strategy that will address land use allocation in their regional transportation plans. SB 375 is being addressed at the State and regional levels, and the principles of SB 375 are incorporated in SCAG’s RTP/SCS.

California EO B-30-15 set an “interim” statewide emission target to reduce GHG emissions to 40 percent below 1990 levels by 2030 and directed State agencies with jurisdiction over GHG emissions to implement measures pursuant to their statutory authority to achieve this 2030 target and the 2050 target of 80 percent below 1990 levels.

As discussed above the State policy and standards adopted for the purpose of reducing GHG emissions that are applicable to the Project are Executive Order S-3-05, AB 32, and SB 32. The quantitative goal of these regulations is to reduce GHG emissions to 1990 levels by 2020 to 80 percent below 1990 levels by 2050, and for SB 32, to 40% below 1990 levels by 2030. Statewide plans and regulations (such as GHG emissions standards for vehicles, the Low Carbon Fuel Standard, Cap-and-Trade, and renewable energy) are being implemented at the Statewide level, and compliance at a project level is not addressed. Therefore, the Project does not conflict with these plans and regulations.

However, for purposes of this analysis, a consistency analysis is provided in Table 4.7-6, Scoping Plan Measures Consistency Analysis, for the applicable portions of the Scoping Plan Reduction Measures (CARB 2008). As described in Table 4.7-6, the Project is consistent with applicable strategies, while others are not applicable to the Project. Therefore, the Project would result in less than significant impacts related to this threshold and no mitigation is required.

**TABLE 4.7-6  
SCOPING PLAN MEASURES CONSISTENCY ANALYSIS**

Scoping Plan Reduction Measure	Project Consistency
1. California Cap-and-Trade Program Linked to Western Climate Initiative Partner Jurisdictions Implement a broad-based California cap-and-trade program to provide a firm limit on emissions. Link the California cap-and-trade program with 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.	<b>Not Applicable.</b> The Cap and Trade program has begun. However, this Project is not targeted by the cap-and-trade system regulations, and that program is therefore not applicable to this Project.
2. California Light-Duty Vehicle Greenhouse Gas Standards Implement adopted Pavley standards and planned second phase of the program. Align zero-emission vehicle, alternative and renewable fuel and vehicle technology programs with long-term climate change goals.	<b>Not applicable.</b> This is a Statewide measure that cannot be implemented on a project level, but the standards for light-duty vehicles would be applicable for light-duty vehicles that access the Project Site.
3. Energy Efficiency	<b>Consistent.</b> This measure is for the State to increase its energy efficiency standards. However, the Project would

**TABLE 4.7-6  
SCOPING PLAN MEASURES CONSISTENCY ANALYSIS**

Scoping Plan Reduction Measure	Project Consistency
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 (including both investor-owned and publicly-owned utilities).	be consistent with this measure because it would be required as applicable to comply with the latest Title 24 energy efficiency standards as required by <b>COA GHG-1</b> . The standards encourage demand responsible technologies, such as battery storage and heat pump water heaters to improve the buildings' thermal envelope through high-performance attics, walls, and windows.
4. Renewables Portfolio Standard Achieve 33 percent renewable energy mix statewide.	<b>Not Applicable.</b> This measure is for the State to increase its renewable use statewide. However, Southern California Edison (SCE), the electricity provider for the site, is required, through SB 2 (1x) to achieve a 33 percent renewable energy mix by 2020. It is also subject to the Renewable Portfolio Standards which require progressively increasing renewable energy sources of electricity generation and eventual phase-out of fossil fueled based energy generation by the year 2045.
5. Low Carbon Fuel Standard Develop and adopt the Low Carbon Fuel Standard.	<b>Not applicable.</b> This is a statewide measure that cannot be implemented at the Project level but Project vehicles subject to this requirement will comply.
6. Regional Transportation-Related Greenhouse Gas Targets Develop regional greenhouse gas emissions reduction targets for passenger vehicles.	<b>Not applicable.</b> This is a statewide measure. The Project is not related to developing GHG emissions reduction targets for passenger vehicles.
7. Vehicle Efficiency Measures Implement light-duty vehicle efficiency measures.	<b>Not applicable.</b> This is a statewide measure that cannot be implemented on a Project level, but the standards for light-duty vehicles would be applicable for light-duty vehicles that access the Project Site.
8. Goods Movement Implement adopted regulations for the use of shore power for ships at berth. Improve efficiency in goods movement activities.	<b>Not Applicable.</b> The Project does not propose any changes to goods movement activities, including maritime, intermodal facilities, or forms of transportation.
9. Million Solar Roofs Program Install 3,000 MW of solar-electric capacity under California's existing solar programs.	<b>Consistent.</b> This measure is for the State to increase solar throughout California, which is being completed by electricity providers and existing solar programs. The Project would comply with 2019 Title 24 standards as applicable for the Project by <b>COA GHG-1</b> .
10. Medium/Heavy-Duty Vehicles Adopt medium and heavy-duty vehicle efficiency measures.	<b>Not applicable.</b> This is a statewide measure that cannot be implemented on a Project level, but the standards for medium and heavy-duty vehicles would be applicable for medium- and heavy-duty vehicles that access the Project Site, such as for vendor trips during construction or for deliveries during operations of the Project.
11. Industrial Emissions Require assessment of large industrial sources to determine whether individual sources within a facility can cost-effectively reduce greenhouse gas emissions and provide other pollution reduction co-benefits. Reduce greenhouse gas 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.	<b>Not applicable.</b> This measure would apply to the direct GHG emissions at major industrial facilities emitting more than 500,000 MTCO <sub>2e</sub> per year. The Project is a residential, governmental, commercial, and recreational land use development project that would generate substantially less than 3,000 MTCO <sub>2e</sub> /yr (see Table 4.7-5, Estimated Annual GHG Emissions at Project Buildout).
12. High Speed Rail Support implementation of a high speed rail system.	<b>Not applicable.</b> This is a Statewide measure that cannot be implemented by a Project applicant or lead agency.



**TABLE 4.7-6  
SCOPING PLAN MEASURES CONSISTENCY ANALYSIS**

Scoping Plan Reduction Measure	Project Consistency
	The Project would not prevent implementation of a high speed rail project.
13. Green Building Strategy Expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings.	<b>Consistent.</b> The Project would comply with the CEC as applicable through compliance with Title 24 building standards, as required by <b>COA GHG-1</b> , and would therefore incorporate applicable energy efficiency features designed to reduce energy consumption.
14. High Global Warming Potential Gases Adopt measures to reduce high global warming potential gases.	<b>Consistent.</b> This measure is applicable to the high global warming potential gases that would be used by sources with large equipment (such as in air conditioning). The Project would be required to comply with all CARB requirements for the Stationary Equipment Refrigerant Management Program.
15. Recycling and Waste Reduce methane emissions at landfills. Increase waste diversion, composting, and other beneficial uses of organic materials, and mandate commercial recycling. Move toward zero-waste.	<b>Consistent.</b> The Project would reduce waste with implementation of State-mandated recycling and reuse mandates for construction and operations activities, including compliance with the CALGreen code.
16. Sustainable Forests Preserve forest sequestration and encourage the use of forest biomass for sustainable energy generation.	<b>Not applicable.</b> The Project is not in a forested area, and therefore, preservation of on-site forest biomass is not applicable.
17. Water Continue efficiency programs and use cleaner energy sources to move and treat water.	<b>Not applicable.</b> This measure is for State and local agencies.
18. Agriculture 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.	<b>Not applicable.</b> The Project Site is not designated for agricultural use by the County of Ventura General Plan. No grazing or other agricultural activities that could generate manure are proposed to occur at the Project Site.
Source: CARB 2008	

Additionally, a consistency analysis with applicable General Plan policies is provided below in Table 4.7-7, General Plan Consistency Analysis.

**TABLE 4.7-7  
GENERAL PLAN CONSISTENCY ANALYSIS**

General Plan Policy	Project Consistency
<p><b>COS 8.1</b> Greenhouse gas reduction: Reduce community-wide and city operations greenhouse gas (GHG) emissions from vehicles, residential, and nonresidential energy use, waste generation, water and wastewater collection and treatment, off-road uses, and other GHG emission sources to meet or exceed the State’s goal to achieve carbon neutrality by 2045.</p>	<p><b>Consistent.</b> The Project would be consistent with this measure because it would be required, as applicable, to comply with the latest Title 24 energy efficiency standards as required by <b>COA GHG-1</b>. Additionally, the Project would reduce waste with implementation of State-mandated recycling and reuse mandates for construction and operations activities, including compliance with the CALGreen code.</p>
<p><b>COS 8.2</b> Climate action plan: Work collaboratively with regional agencies, neighboring cities, community-based organizations, businesses, and other partners, as appropriate, to develop and implement a Climate Action Plan to address statewide GHG reduction and elimination goals, including those of Assembly Bill 1279, Executive Order B-55-18, Senate Bill 32, and Executive Order S-03-05.</p>	<p><b>Not Applicable.</b> This measure is for the City to implement a new Climate Action Plan. As such, this is a citywide measure that cannot be implemented on a Project level.</p>
<p><b>COS 8.3</b> Environmental education: Develop and implement a public information program on environmentally responsible and sustainable practices that can: (1) educate community residents as to the nature of these issues, opportunities for public input and dates and times of public participation meetings, hearings, workshops, etc., and (2) respond to current local issues and problems associated with environmental responsibility and sustainability.</p>	<p><b>Not Applicable.</b> This measure is for the City to implement an education program. As such, this is a citywide measure that cannot be implemented on a Project level.</p>
<p><b>COS 8.4</b> Expanded environmental programs: Explore and promote opportunities for additional environmentally responsible and sustainable programs and practices for community residents and visitors, businesses, and city operations.</p>	<p><b>Not Applicable.</b> This measure is for the City to implement City environmental programs. As such, this is a citywide measure that cannot be implemented on a Project level.</p>
<p>Source: Moorpark 2023</p>	

**4.7.5 CUMULATIVE IMPACTS**

As noted above, it is accepted as very unlikely that any individual development project would have GHG emissions of a magnitude to directly impact global climate change; therefore, any impact would be considered on a cumulative basis. As described above, GHG emissions would not exceed the proposed SCAQMD screening threshold for development projects; therefore, the Project’s cumulative impacts would be less than significant.

## 4.7.6 MITIGATION PROGRAM

### Conditions of Approval

**COA GHG-1** The Project is required to comply with the requirements established under the Title 24 development standards.

### Mitigation Measures

No significant impacts pertaining to greenhouse gas emissions were identified; therefore, no mitigation measures are required.

## 4.7.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

## 4.7.8 REFERENCES

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## 4.8 HAZARDS AND HAZARDOUS MATERIALS

### 4.8.1 EXISTING CONDITIONS

#### On-Site Development

The Project Site contains the City Hall and Library buildings, which were developed with several wood-frame and modular buildings, surface parking lots, a playground, and landscaped areas. The wood-frame structures were built in the 1980s and the modular buildings were added in the mid-2000s.

The vacant parcels located south of the Library do not contain any above-ground structures, except for chain link fencing and driveways extending north from West High Street. This area is relatively flat and was formerly developed with single-family residences and a mobile home park. The City acquired these parcels in 2001. The mobile home park was relocated in 2004 and the single-family units were demolished in 2009 and 2010.

The western portion of the Project Site contains limited vegetation, a concrete-lined above and below ground drainage channel, and wooden utility poles. This western section was formerly part of Moorpark Memorial High School's athletic fields. A chain-link fence runs along the western and southern boundaries of this area. This portion of the site is approximately 50 to 60 feet lower in elevation than the adjacent area now occupied by the Walnut Canyon Elementary School (formerly Moorpark Memorial High School). The southern portion of the Project Site contains a surface parking lot associated with the off-site United States Post Office.

#### Listed Sites within the Project Site

Listed sites include both permitted facilities whose operations use, produce, or transport hazardous materials and the locations of reported releases and/or cleanup operations (remediation). A single site can be listed in multiple databases. The complete list of databases searched and identified sites can be found in the environmental database report (EDR) prepared for this Project, which is provided as Appendix I of this environmental impact report (EIR). Based on the EDR report, the following sites are listed as being within the Project Site boundaries:

**TABLE 4.8-1  
LISTED SITES WITHIN THE PROJECT SITE**

Site Name	Address	Distance
City of Moorpark Integrated Vector Management Program	799 Moorpark Avenue	0 mi
Javier Magdaleno	799 Moorpark Dr	0 mi
City of Moorpark	799 Moorpark	0 mi
City of Moorpark Civic Center	799 Moorpark Ave	0 mi
City of Moorpark/REDEV	661 Moorpark Ave	0 mi
JEMCO Plumbing	675 Moorpark Ave	0 mi
Moorpark Cleaners	675 Moorpark Ave	0 mi
Dennis A Gottlieb	100 W High St #300	0 mi
Bug Mechanic Pest Control and Landscape Control	100 W High St #300	0 mi
Source: EDR 2022.		

## **Surrounding Land Uses**

The Project Site is generally bordered by residential, commercial, public and institutional structures, vacant land, and railroad tracks. As noted in the EDR report an industrial use at Poindexter Street is listed in the Resource Conservation and Recovery Act (RCRA) database as a small quantity generator of hazardous waste. The Ventura County Yard is a solid waste facility located off of the Project Site. A number of gas stations and other facilities with underground fuel storage tanks are also located on Moorpark Avenue, East High Street, Flory Avenue, Walnut Street, Poindexter Avenue, and New Los Angeles Avenue. In addition, two sites located off-site to the north and west of the Project Site are identified as contaminated sites in the California Department of Toxic Substances Control's Envirostor database. Other hazardous material users in the area include dry cleaners, groceries, auto repair shops, the Moorpark Unified School District, fire stations, clinics, and various industrial uses. Listed sites near the Project Site are described in Table 4.8-2.

**TABLE 4.8-2  
LISTED SITES NEAR THE PROJECT SITE**

Site Name	Address	Distance
Patton S Union Station	589 Moorpark Ave	.002 mi
Metrolink Moorpark Layover	585 N Moorpark Ave	.002 mi
Towry S Shirley Chevron Service	499 Moorpark Ave	.005 mi
AA Moorpark Transmission	21 W High St	.011 mi
Fire Station #42	782 Moorpark Ave	.015 mi
Moorpark Fire Station	782 Moorpark Ave	.015 mi
City of Moorpark	Charles St	.016 mi
A&P ARCO	18 E High St	.017 mi
UNOCAL #1696	18 E High St	.023 mi
City of Moorpark	530 ½ N Moorpark Ave.	.041 mi
Primo Corp	31 Poindexter Ave.	.047 mi
Cascade Sprinkler	177 Poindexter Ave.	.061 mi
Seacon Construction INC.	175 Poindexter Ave.	.065 mi
CE & D MABRY Family Limited	137 E. High St.	.067 mi
Moorpark Garage	661 Walnut St.	.070 mi
City of Moorpark	661 Walnut St.	.070 mi
Dick's Garage	690 Walnut St.	.084 mi
Gail Covate	80 1 <sup>st</sup> Street	.098 mi
Rancho Cleaners	419 Moorpark Ave.	.126 mi
Gifford Runkle	393 McFadden Ave.	.151 mi
Texaco Station	347 Moorpark Ave.	.192 mi
Francisco and Delia Morales	507 Millard St.	.203 mi
Ann Dowd	445 Millard St.	.225 mi
Source: EDR 2022.		



## 4.8.2 REGULATORY SETTING

### Federal

#### ***Hazardous Materials Transportation***

The Hazardous Materials Transportation Act administered by the U.S. Department of Transportation governs the transport of hazardous materials, such as contaminated soil, asbestos, or lead-containing materials. The California Department of Transportation (Caltrans) implements the federal regulations published as Title 49 of the Code of Federal Regulations (CFR), which is known as the Hazardous Materials Transportation Act. These laws regulate the handling and transport of hazardous waste materials.

#### ***Hazardous Materials Management***

The Federal Resource Conservation and Recovery Act (RCRA) was enacted in 1976 and mandated a national waste management program. Under the RCRA regulations, as established by the United States Environmental Protection Agency (EPA), hazardous wastes must be tracked from the time of generation to the point of disposal. The RCRA program also sets standards for hazardous waste treatment, storage and disposal, which is intended to have hazardous wastes managed in a manner that minimizes the present and future threat to the environment and human health. At a minimum, each generator of hazardous waste must register and obtain a hazardous waste activity identification number. If hazardous wastes are stored for more than 90 days, or treated or disposed at a facility, any treatment, storage or disposal unit must be permitted under RCRA. EPA has largely delegated responsibility for implementing the RCRA program in California to the Department of Toxic Substances Control (DTSC), an agency within the California Environmental Protection Agency (CalEPA), which implements this program through the California Hazardous Waste Control Law (discussed below). While it is possible that future residential land uses at the Project Site may generate or handle small quantities of hazardous wastes, the Project would not generate hazardous wastes in quantities that would subject such uses to RCRA requirements.

#### ***Occupational Safety and Health***

Federal worker safety and health laws contain provisions with respect to hazardous materials management. The applicable federal law is the Occupational Safety and Health Act of 1970, as amended, which is implemented by the Occupational Safety and Health Administration (OSHA) (29 U.S.C., sec. 651-678). Federal OSHA requirements, set forth in 29 Code of Federal Regulations Section 1910, et. seq., are designed to promote worker safety, worker training, and worker right-to-know. A significant component of the federal OSHA regulations is the requirement that employers implement the OSHA Hazard Communication Standard (HCS), in order to provide information to employees about the existence and potential risks of exposures to hazardous substances in the workplace. As part of the HCS, employers must (1) obtain material safety data sheets (MSDSs) from chemical manufacturers which identify the types and handling requirements of hazardous materials used in given areas; (2) make the MSDSs available to their employees; (3) label chemical containers in the workplace; (4) develop and maintain a written hazard communication program; (5) and develop and implement programs to train employees about hazardous materials. Future uses at the Project Site, including the pool area, would be subject to these OSHA requirements if the use involves chemical storage or handling.

## **Soil/Groundwater Contamination**

The Comprehensive Environmental Response Compensation and Liability Act, 42 U.S.C. Section 9601, et. seq. (CERCLA) was enacted in 1980, and principally sets forth a framework for the remediation of hazardous waste disposal sites and other contaminated sites. CERCLA provides that generators and transporters of hazardous substances, and owners and operators of facilities at which there has been a release of hazardous substances, are liable for the costs of the removal and remedial actions and can be ordered to perform the actions.

## **State**

### **California Hazardous Waste Control Act**

The California Hazardous Waste Control Act (HWCA), as found in Sections 25100, et seq. of the California Health and Safety Code, authorizes the California Department of Toxic Substances Control (DTSC) and local Certified Unified Program Agencies (CUPAs) to regulate facilities that generate or treat hazardous waste. The HWCA authorizes the CUPAs to:

- Conduct inspections of any factory, plant, construction site, waste disposal site, transfer station or the establishment or any other place or environment where hazardous wastes are stored, handled, processed, disposed of, or being treated to recover resources.
- Maintain records of compliance with the HWCA.
- Require hazardous waste generators to pay inspection and administration fees to cover the costs of administering the provisions in the HWCA. Fees may include but shall not be limited to the costs of inspection, documentation of development and processing, recordkeeping, enforcement activities, and informational materials development and distribution.
- Allow authorization eligible persons to conduct on-site treatment of hazardous wastes pursuant to permit-by-rule, conditional authorization, or conditional exemption.
- Enforce against violations of the HWCA.

## **Asbestos Abatement**

Asbestos, a naturally occurring fibrous material, was used for years in many building materials for its fire-proofing and insulating properties. Loose insulation, ceiling panels, and brittle plaster are potential sources of friable (easily crumbled) asbestos. Nonfriable asbestos is generally bound to other materials such that it does not become airborne under normal conditions. Any activity that involves cutting, grinding, or drilling during demolition can release friable asbestos fibers unless proper precautions are taken. Inhalation of airborne fibers is the primary mode of asbestos entry into the body, which makes friable materials the greatest potential health risk.

Asbestos is a known human carcinogen; there is no known threshold level of exposure at which adverse health effects are not anticipated. Given this, the U.S. Environmental Protection Agency (USEPA) and California Environmental Protection Agency (CalEPA) have identified asbestos as a hazardous air pollutant pursuant to Section 12 of the Federal Clean Air Act. Further, the California Air Resources Board (CARB) has identified asbestos as a Toxic Air Contaminant (TAC) pursuant to the California Health and Safety Code (§§39650 et seq.). Asbestos is also regulated as a potential worker safety hazard under the authority of the California Occupational Safety and Health Administration (CalOSHA). These rules and regulations prohibit emissions of asbestos from asbestos-related demolition or construction activities; require medical examinations and

monitoring of employees engaged in activities that could disturb asbestos; specify precautions and safe work practices that must be followed to minimize the potential for release of asbestos fibers; and require notice to federal and local government agencies prior to beginning renovation or demolition that could disturb asbestos. Because of the age of the facilities and structures on the Project Site, asbestos may be present and would have to be abated if those facilities and structures are demolished, removed, relocated, or otherwise altered in a manner that may result in a release of asbestos into the atmosphere.

In California, asbestos abatement must be performed and monitored by contractors with appropriate certifications from the California Department of Health Services. In addition, CalOSHA has regulations to protect worker safety during potential exposure to asbestos under Title 8 of the California Code of Regulations (§1529, Asbestos). All demolition that could result in the release of asbestos must be conducted according to CalOSHA standards. These standards were developed to protect the general population and construction workers from respiratory and other hazards associated with exposure to these materials. Young children, the elderly, and people in poor health may be more susceptible to adverse health effects from exposure to asbestos released to the environment.

### ***Lead Abatement***

Lead is a naturally occurring metallic element. Among its numerous uses and sources, lead can be found in paint; water pipes; solder in plumbing systems; soils around buildings; and structures painted with lead-based paint. In 1978, the federal government required the reduction of lead in house paint to less than 0.06 percent (600 parts per million [ppm]). However, some paints manufactured after 1978 for industrial uses or marine uses legally contain more than 0.06 percent lead. Because of its toxic properties, lead is regulated as a hazardous material. Lead is also regulated as a TAC. Because of the age of the facilities and structures on the Project Site, lead from paint may be present and would have to be abated if those facilities and structures are demolished, removed, relocated, or otherwise altered in a manner that may result in a release of lead into the atmosphere. As discussed further in the analysis below, laboratory testing on Project Site soils indicates that there are no metals present above regulatory limits.

In California, lead abatement must be performed and monitored by contractors with appropriate certifications from the California Department of Health Services. In addition, CalOSHA has safety regulations to protect workers during potential exposure to lead under Title 8 of the California Code of Regulations (§1532.1, Lead). All demolition that could result in the release of lead must be conducted according to CalOSHA standards. These standards were developed to protect the general population and construction workers from respiratory illness and other hazards associated with exposure to these materials. Young children, the elderly, and people in poor health may be more susceptible to adverse health effects from exposure to lead released to the environment.

### ***Certified Unified Program Agency***

In 1993, Senate Bill 1082 created the CUPA to foster effective partnerships between local, State and federal agencies. The program consolidated the administrative activities, permits, inspections, and enforcement activities of the following environmental and emergency management programs:

- Hazardous Materials Release Response Plans and Inventories (Business Plans);
- The California Accidental Release Prevention Program;

- The Underground Storage Program;
- The Aboveground Petroleum Storage Act Program;
- Hazardous Waste Generator and On-site Hazardous Waste Treatment Programs; and
- The California Uniform Fire Code: Hazardous Material Management Plans and Hazardous Material Inventory Statements.

CUPA is implemented at the local level by government agencies certified by the Secretary of CalEPA. The CUPA for Ventura County is the Ventura County Fire Department.

### 4.8.3 THRESHOLDS OF SIGNIFICANCE

The following significance criteria, included for analysis in this EIR, are based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines, and will be used to determine the significance of potential hazards and hazardous materials impacts. Impacts to hazards and hazardous materials would be significant if the Project would:

- Threshold 4.8-a**      ***Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.***
- Threshold 4.8-b**      ***Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.***
- Threshold 4.8-c**      ***Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.***
- Threshold 4.8-d**      ***Would 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.***
- Threshold 4.8-e**      ***For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area.***
- Threshold 4.8-f**      ***Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.***
- Threshold 4.8-g**      ***Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.***

#### 4.8.4 IMPACT ANALYSIS

**Threshold 4.8-a**      ***Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?***

**Less than Significant Impact.** The Project would not involve the routine use, transport, handling, or storage of hazardous materials on-site. The proposed land uses are limited to residential, commercial, and institutional, and no industrial or manufacturing land uses would be developed which routinely utilize hazardous materials. The Project would result in the on-site handling of materials that are common in similar residential developments, such as commercial cleansers, solvents and other janitorial or industrial use materials; paints; and landscape fertilizers/pesticides. While many such common materials are technically labeled “hazardous”, the presence of such materials is common in a residential environment and the quantities of these materials would be relatively limited, and would not represent a significant hazard to the public or the environment. The Project would not generate hazardous emissions, nor would it involve transport, use, or disposal of hazardous materials that would create a substantive hazard to the public or environment.

Given the age of the existing facilities, it is possible asbestos and lead-based paint could be present in the building materials and require specialized removal and disposal. As required by **COA HAZ-1** and **COA HAZ-2**, adherence to existing regulations would ensure compliance with safety standards related to the use and storage of hazardous materials as well as the safety procedures mandated by applicable federal, State, and local laws and regulations. The Project would result in less than significant impacts related to this threshold, and no mitigation measures are either required or recommended.

**Threshold 4.8-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?***

**Less than Significant Impact.** Project construction activities routinely involve the use and handling of limited volumes of commonly used hazardous materials, such as petroleum (fuel), paints, adhesives, and solvents. During construction, there is a limited risk of spills and/or accidental release of hazardous materials that are used for the operation and maintenance of construction equipment. The on-site temporary handling, storage, and usage of these materials would be subject to applicable local, State, and/or federal regulations in accordance with **COA HAZ-1** and **COA HAZ-2**.

As discussed previously, it is possible that lead-based paints (LBPs), asbestos-containing materials (ACMs), and/or other common hazardous building materials may be encountered during demolition. Demolition of buildings and facilities containing ACM that have not been properly abated would cause ACM to become friable and airborne, thus causing a danger from inhalation. Demolition of buildings/structures and facilities containing LBPs, polychlorinated biphenyl (PCB)-containing lighting ballasts, and mercury-containing thermostats or fluorescent light tubes that have not been properly abated would cause a danger from inhalation, direct absorption through the skin, and ingestion of impacted soils. Although this would be a potentially significant impact, various federal and State regulations governing testing and abatement of ACM, LBPs, PCB-containing lighting ballasts, and/or mercury containing thermostats or fluorescent light tubes require that buildings/structures and facilities containing these materials must be properly tested

and abated prior to demolition or renovation for reuse. **COA HAZ-3** requires testing and proper abatement of materials deemed hazardous prior to the issuance of a demolition permit.

With implementation of **COA HAZ-1** through **COA HAZ-3**, the Project would result in less than significant impacts related to this threshold, and no mitigation measures are either required or recommended.

**Threshold 4.8-c**      ***Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?***

**Less than Significant Impact.** Walnut Canyon School and Chaparral Middle School are located within 0.25 mile of the Project Site. However, the Project would not develop land uses that involve the use, storage, or transport of acutely hazardous materials that represent a significant hazard to the public or the environment. During Project operations, the Project would result in the routine on-site handling of materials that are common in similar developments, such as commercial cleansers, solvents, and other janitorial or industrial use- materials and would be subject to applicable State, and federal regulations. As noted above, hazardous materials utilized during Project construction would be stored, transported, and used according to applicable regulations and ordinances. Therefore, the Project would result in less than significant impacts related to this threshold, and no mitigation measures are either required or recommended.

**Threshold 4.8-d**      ***Would the project 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?***

**No Impact.** Government Code Section 65962.5 requires the development of a hazardous waste and substances site list, also known as the Cortese List, which provides the location of known hazardous materials release sites. According to the EDR search conducted for the Project in 2022, as well as a search of the DTSC's ENVIROSTOR database that was conducted by Psomas in 2022, which consists of a search of selected government databases for potential environmental concerns in the vicinity of the Project Site (e.g., "listed sites"), no Cortese List properties occur within the Project Site (DTSC 2022). Therefore, no impact would result from implementation of the Project, and no mitigation measures are either required or recommended.

**Threshold 4.8-e**      ***For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?***

**No Impact.** The Project Site is not located within an airport land use plan, within two miles of a public airport, or near a private airstrip. The Burbank, Van Nuys, and Oxnard commuter airports are the nearest airports and they are located over 35 miles away from the Project Site. Therefore, the Project would have no impact related to this threshold and no mitigation is required.

**Threshold 4.8-f**      ***Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?***

**Less Than Significant Impact.** As described in further detail in response to threshold 4.18-a in Section 4.18, Wildfire, the Project would not substantially conflict with any of the applicable emergency response or evacuation plans including the County's Multi-Jurisdictional Hazard

Mitigation Plan, the County's Emergency Operations Plan, and the City's Emergency Operations Plan. Therefore, the Project would result in less than significant impacts related to this threshold, and no mitigation is required.

**Threshold 4.8-g**      *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

**Less Than Significant Impact.** The Project Site is located within a Very High Fire Hazard Severity Zone (VHFHSZ), and is partially developed with buildings and other development and contains scattered ornamental vegetation. The western portion of the Project Site is previously graded and currently vacant, with low herbaceous vegetation growth. As such, there exists a potential for wildfire risk to future users and structures within the Project Site.

The Project would be constructed in compliance with the latest California Fire Code as well as the California Building Code, which contain regulations for safeguarding life and property from fire (ICC 2019; CBSC 2018). During design of Project structures, the establishing and ongoing maintenance of fuel modification zones may be required to minimize wildfire risk to Project buildings. With incorporation of California Building Code, the Project would have less than significant impacts related to this threshold, and no mitigation is required.

#### **4.8.5 CUMULATIVE IMPACTS**

Existing structures within the Project Site that would be demolished may contain asbestos and lead based paint. Also, during construction a limited amount of commonly used hazardous materials such as petroleum (fuel), paints, adhesives, and solvents would be utilized. As required by **COA HAZ-1** and **COA HAZ-2**, adherence to existing regulations would ensure compliance with safety standards related to the use and storage of hazardous materials as well as the safety procedures mandated by applicable federal, State, and local laws and regulations. Similarly, LBP, ACMs, and PCB could be encountered during construction which would be avoided through compliance with **COA HAZ-3**. Other cumulative projects would similarly be required to implement federal, State, and local laws to minimize their potential impacts, which would avoid cumulatively significant impacts related to these thresholds.

The Project would not conflict with any adopted emergency response or evacuation plan. Therefore, the Project would not conflict with any such plans individually or cumulatively when considered with the cumulative projects.

The Project as well as most of the cumulative projects are located within VHFHSZ's; therefore, the Project and cumulative projects would expose people and structures to wildland fires. Cumulatively considerable impacts related to wildfire would be avoided given that the Project and other cumulative projects would be built in conformance with the California Fire Code and California Building Code which would reduce potential fire risk.

Given these considerations, the Project would not result in cumulative impacts related to hazards and hazardous materials.

## 4.8.6 MITIGATION PROGRAM

### Conditions of Approval

- COA HAZ-1** Applicant/operator shall store, manifest, transport, and dispose of all on-site generated waste that meets hazardous waste criteria in accordance with California Code of Regulations Title 22 and in a manner to the satisfaction of the Manager, HCA/Hazardous Materials Program. Applicant shall keep storage, transportation, and disposal records on site and open for inspection to any government agency upon request.
- COA HAZ-2** Transport of materials deemed as hazardous must comply with the requirements of Title 22, Division 4.5 of the California Code of Regulations, the U.S. Department of Transportation regulations in the Code of Federal Regulations (specifically, Title 49, Hazardous Materials Transportation Act and Title 40, Part 263, Subtitle C of Resource Conservation and Recovery Act), California Department of Transportation (Caltrans) standards, and Occupational Safety and Health Administration (OSHA) standards.
- COA HAZ-3** Prior to issuance of a demolition permit for any buildings or facilities, building materials shall be assessed by a qualified Environmental Professional as defined in Section 312.10 of 40 CFR Part 312 for the presence of lead-based paints (LBPs), asbestos-containing materials (ACM), and other common hazardous building materials (e.g., polychlorinated biphenyl [PCB]-containing lighting ballasts and mercury-containing light tubes and switches). If determined to be present, the Applicant shall prepare an abatement plan for their removal and safe transport in compliance with State and federal regulations, including Occupational Safety and Health Administration (OSHA) regulations in the Code of Federal Regulations (specifically Title 29, Part 1926) and South Coast Air Quality Management District (SCAQMD) Rule 1403. The abatement plan shall meet the satisfaction of the Manager, Orange County Health Care Agency (OCHCA)/Hazardous Materials Program.

### Mitigation Measures

No significant impacts pertaining to hazards and hazardous materials were identified; therefore, no mitigation measures are required.

## 4.8.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Less than significant impact.



#### **4.8.8 REFERENCES**

Department of Toxic Substances Control. 2022 (October 6, access date). ENVIROSTOR. Sacramento, CA: DTSC. <https://www.envirostor.dtsc.ca.gov/public/>

Environmental Data Resources, Inc. (EDR) 2022 (May). The Radius Map™ Report with GeoCheck®. Shelton, CT: EDR.

Oakridge Geoscience, Inc. 2017 (June 17). Preliminary Geotechnical Report Proposed Moorpark Library Moorpark, California. Camarillo, CA: OGI.

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## **4.9 HYDROLOGY AND WATER QUALITY**

### **4.9.1 EXISTING CONDITIONS**

#### **Hydrologic Setting**

Moorpark is located within the Calleguas Creek Watershed, a 343-square-mile watershed in the southeastern section of Ventura County and western Los Angeles County. The watershed is approximately 30 miles long and 14 miles wide. The northern boundary of the watershed is formed by the Santa Susana Mountains, South Mountain, and Oak Ridge; the southern boundary is formed by the Simi Hills and Santa Monica Mountains. The Arroyo Simi begins in the Santa Susana Mountains and generally runs west and southwest through the Simi Valley; becoming Arroyo Las Posas through Las Posas Valley, Little Simi Valley and Pleasant Valley; and as Calleguas Creek through the Oxnard Plain to Mugu Lagoon and the Pacific Ocean. Discharges into these creeks include storm water runoff; water from dewatering wells; treated wastewater effluent; and urban runoff. Arroyo Simi was historically an ephemeral stream but year-round discharges from a dewatering well and of treated effluent have led to continuous flows into this creek (State Water Board 2022).

#### ***Existing Site Drainage Conditions and Infrastructure***

Storm water runoff from the existing Civic Center parking areas flows east toward Moorpark Avenue and Charles Street; it then flows south to and west on West High Street toward a drainage channel along West High Street. Runoff from the building areas drains into the Walnut Canyon drainage channel, which is an open concrete channel along the western boundary of the existing Civic Center that conveys flows from Walnut Canyon and Casey Road. The Walnut Canyon drainage channel becomes an underground culvert as it crosses the Project Site. Located within a 50-foot-wide easement, it is a reinforced concrete box under High Street (Moorpark Storm Drain Number 1), but reverts back to an open concrete channel past the terminus of West High Street. The concrete box parallels the railroad tracks, eventually tying into the Arroyo Las Posas to the southwest. The facility is owned and maintained by the Ventura County Watershed Protection District. Runoff from the southern portion of the Project Site flows south toward West High Street and into the same drainage channel. Storm water originating from the vacant lots south and west of the existing Civic Center primarily percolates into the ground.

#### **Flood Hazards**

The Project Site contains areas that are identified as being within the 500-year floodplain. Additionally, the 100-year flows are conveyed through the Project Site within the concrete-lined Walnut Canyon drainage channel (FEMA 2022). The Walnut Canyon drainage channel traverses the Project Site within a Ventura County Public Works flood control easement. It is a concrete-lined open channel that runs along the western boundary of the existing Civic Center and becomes an underground concrete box north of West High Street. It remains underground running west beneath West High Street, until it reverts back to an open concrete-lined channel at the western end of the Project Site.

#### **Dam Inundation**

The Bard Reservoir (or Wood Ranch Reservoir) is an 11,000-acre-foot dam owned by the Calleguas Municipal Water District (MWD) and is located east of State Route (SR) 23 approximately 4.4 miles southeast of the Project Site. In the event of dam failure, a large area of Little Simi Valley (in the cities of Simi Valley, Moorpark, and Camarillo) would flood, including the

Project Site. Reservoir 7 is also located upstream (northeast) of the Project Site and may release waters that would flow into the Project Site upon tank failure.

## **Surface Water Quality and Designated Beneficial Uses of Receiving Waters**

### ***Beneficial Uses of Receiving Waters***

A beneficial use is one of the various ways that water can be used for the benefit of people and/or wildlife. Beneficial uses and specific water quality criteria for discharges comprise water quality standards for surface (navigable) waters, as defined by Section 303 of the federal Clean Water Act (CWA) (33 United States Code [USC] §1313). Under the Porter-Cologne Act (California Water Code, §13050) these concepts are separately considered as beneficial uses and water quality objectives. Twenty-three beneficial uses are defined statewide. The Los Angeles Regional Water Quality Control Board (RWQCB) has identified the beneficial uses of the watersheds in Ventura County in its Basin Plan. The Calleguas Creek Reach 6 (Arroyo Las Posas), where runoff from the Project Site drains into, has the following beneficial uses (LARWQCB 2020): Groundwater Recharge (GWR); Freshwater Replenishment (FRSH); Warm Freshwater Habitat (WARM); and Wildlife Habitat (WILD). It has the following potential beneficial uses (LARWQCB 2020): Municipal and Domestic Supply (MUN); Industrial Service Supply (IND); Industrial Process Supply (PROC); Agricultural Supply (AGR); and Cold Freshwater Habitat (COLD).

The SWRCB lists Calleguas Creek Reach 6 as an impaired water body under Section 303(d) of the Clean Water Act. The creek is considered impaired for ammonia, chloride, dichlorodiphenyltrichloroethane (DDT - sediment), fecal coliform, nitrate and nitrite, nitrate as nitrate (NO<sub>3</sub>), sedimentation/siltation, sulfates, total dissolved and solids (LARWQCB 2003). These impairments are due to both point sources and non-point sources that discharge runoff into Calleguas Creek.

### **Groundwater Resources**

The City is underlain by the Las Posas groundwater basin, which is divided into the West, East, and South basins. The northern edge of the City is underlain by the East Las Posas Basin and the rest of the City is underlain by the South Las Posas Basin. The East and West Las Posas Basins underlie 34,400 acres in the South Mountain area, with groundwater levels between 100 to 800 feet below surface. These basins have approximately 3.0 million acre-feet of capacity, with annual withdrawals of 20,030 to 36,000 acre-feet.

The South Las Posas Basin underlies 9,500 acres along Arroyo Las Posas, with groundwater levels approximately 40 feet below the surface. This basin has approximately 1.25 million acre-feet of capacity with annual withdrawals of 1,830 to 2,300 acre-feet (Calleguas Municipal Water District 2004).

Increasing groundwater levels in the East and South Las Posas Basins are attributed to the decrease in agricultural use because of the availability of imported water and percolation of discharges of treated wastewater effluent and dewatering operations in the western portion of the City of Simi Valley. Salinity of the groundwater has also increased as increases in groundwater levels have occurred. Chloride, sulfate, and sodium concentrations in the groundwater have increased over time along the Arroyo Las Posas and have moved from the shallow aquifer to the lower aquifer system and from the South Las Posas Basin into the East Las Posas Basin.

The Basin Plan also identifies the beneficial uses of groundwater basins. The existing beneficial uses of the Las Posas Basin include Municipal and Domestic Supply, Industrial Service Supply, Industrial Process Supply, and Agricultural Supply.

Groundwater was encountered in deeper borings at depths of 36 to 37.5 feet below existing surface grade. The historically highest groundwater level was approximately 15 feet below ground level. It should be noted that fluctuations in the level of the groundwater may occur due to climatic conditions and/or alterations in the existing groundwater recharge area (i.e., changes in landscaping irrigation rates, surface drainage, and surface water infiltration conditions) (OGI 2017).

## 4.9.2 REGULATORY SETTING

### Federal

#### **Clean Water Act**

The United States (U.S.) Environmental Protection Agency (USEPA) is the federal agency responsible for water quality management. It administers the Federal Water Pollution Control Act Amendments of 1972 and 1987, collectively known as the Clean Water Act. In 1972, the Clean Water Act was amended to require National Pollutant Discharge Elimination System (NPDES) permits for the discharge of pollutants to “Waters of the U.S.”<sup>1</sup> from any point source.<sup>2</sup> In 1987, the Act was further amended to require that the USEPA establish regulations for permitting municipal and industrial storm water discharges under the NPDES permit program. Final regulations regarding storm water discharges were issued on November 16, 1990, and require that municipal separate storm sewer system (MS4) discharges and industrial (including construction) storm water discharges to surface waters be regulated by an NPDES permit. NPDES permit requirements relevant to the proposed Project are discussed later in this section.

The Clean Water Act also requires states to adopt water quality standards for receiving water bodies and to have those standards approved by the USEPA. Water quality standards consist of designated beneficial uses for a particular receiving water body (e.g., wildlife habitat, agricultural supply, fishing), along with the water quality criteria necessary to support those uses. Water quality criteria are prescribed concentrations or levels of constituents (such as lead, suspended sediment, and fecal coliform bacteria) or narrative statements that represent the quality of water that support a particular use. Because the State of California was unable to develop these standards for priority toxic pollutants, the USEPA promulgated the California Toxics Rule in 1992 (40 *Code of Federal Regulations* [CFR] §131.38), which fills this gap. As a separate Rule, the California Toxics Rule is discussed further below under State regulations.

When water quality issues compromise the designated beneficial uses of a particular receiving water body, Section 303(d) of the Clean Water Act requires the identification and listing of that water body as “impaired”. Once a water body has been deemed impaired, a Total Maximum Daily Load (TMDL) must be developed for the impairing pollutant(s). A TMDL is an estimate of the total load of pollutants from point, non-point, and natural sources that a water body may receive without exceeding applicable water quality standards (plus a “margin of safety”). Once established, the TMDL allocates the loads among the water body’s current and future pollutant sources.

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<sup>1</sup> “Waters of the U.S.” include all waters that have, are, or may be used in interstate or foreign commerce (including sightseeing or hunting), including all waters subject to the ebb and flow of the tide and all interstate waters including interstate wetlands (33 *Code of Federal Regulations* §328.3).

<sup>2</sup> Point sources are discrete water conveyances such as pipes or man-made ditches.

### **Federal Anti-Degradation Policy**

The Federal Anti-Degradation Policy was released in 1968 and was included in the USEPA's first Water Quality Standards Regulation. The Anti-Degradation Policy represents a three-tiered approach to maintaining and protecting water quality. First, all existing beneficial uses and levels of water quality necessary to protect those uses must be preserved and protected from degradation. Second, water quality must be protected in areas where the quality cannot support the propagation of fish, shellfish, and wildlife and recreation (known as "fishable/swimmable"). Third, the policy provides special protection of waters for which the ordinary water quality criteria are not sufficient. These waters are called "Outstanding National Resources Waters" and have been designated as unique or ecologically sensitive.

If an activity is going to be allowed to degrade or lower water quality (in situations where existing water quality is higher than that needed to maintain established beneficial uses), the Anti-Degradation Policy requires that proposed projects meet the criteria below:

- The project is necessary to accommodate important economic or social development in the area.
- Water quality is adequate to protect and fully maintain existing beneficial uses.
- The highest statutory and regulatory requirements and best management practices (BMP) for pollution control are achieved.

### **National Flood Insurance Act**

The National Flood Insurance Act of 1968 established the National Flood Insurance Program, which is based on the minimal requirements for floodplain management and is designed to minimize flood damage in Special Flood Hazard Areas. The Federal Emergency Management Agency (FEMA) is the agency that administers the National Flood Insurance Program. Special Flood Hazard Areas are defined as areas that have a 1 percent chance of flooding within a given year, also referred to as the 100-year flood. Flood Insurance Rate Maps have been developed to identify flood zones within participating communities.

### **State**

#### **California Porter-Cologne Act**

California's Porter-Cologne Water Quality Control Act of 1970 (Porter-Cologne Act) grants the State Water Resource Control Board (SWRCB) and the Regional Water Quality Control Boards (RWQCBs) power to protect surface water and groundwater quality and is the primary vehicle for implementing California's responsibilities under the Clean Water Act. The Porter-Cologne Act grants the SWRCB and the RWQCBs authority and the responsibility to adopt plans and policies; to regulate discharges of waste to surface and groundwater; to regulate waste disposal sites; and to require cleanup of discharges of hazardous materials and other pollutants. The Porter-Cologne Act also establishes reporting requirements for unintended discharges of any hazardous substance, sewage, or oil or petroleum product.

Each RWQCB must formulate and adopt a Water Quality Control Plan (Basin Plan) for its region. The Basin Plan must conform to the policies set forth in the Porter-Cologne Act and established by the SWRCB in its State Water Policy. The Basin Plan establishes beneficial uses for surface and groundwater in the region and sets forth narrative and numeric water quality standards to protect those beneficial uses. The Porter-Cologne Act also states that an RWQCB may include

water discharge prohibitions applicable to particular conditions, areas, or types of waste within its regional plan.

### **California Toxics Rule**

The California Toxics Rule (40 CFR 131.38) is a USEPA-issued federal regulation that provides water quality criteria for potentially toxic constituents in California surface waters with designated uses related to human health or aquatic life. The rule fills a gap in California water quality standards that was created in 1994 when a State court overturned the State's water quality control plans containing water quality criteria for priority toxic pollutants. These federal criteria are legally applicable in the State of California for inland surface waters, enclosed bays, and estuaries for all purposes and programs under the Clean Water Act.

The California Toxics Rule establishes two types of aquatic life criteria: (1) acute criteria represent the highest concentration of a pollutant to which aquatic life can be exposed for a short period of time<sup>3</sup> without harmful effects and (2) chronic criteria equal the highest concentration to which aquatic life can be exposed for an extended period of time (four days) without deleterious effects. Due to the intermittent nature of storm water runoff (especially in Southern California), the acute criteria are considered to be more applicable to storm water conditions than chronic criteria.

### **State Anti-Degradation Policy**

Under the State's Anti-Degradation Policy (as set forth in SWRCB Resolution No. 68-16), whenever the existing quality of waters is better than what is needed to protect present and future beneficial uses, such existing quality must be maintained. This State policy has been adopted as a water quality objective in all the State's Basin Plans. The State policy establishes a two-step process to determine if discharges with the potential to degrade the water quality of surface or groundwater would be allowed.

The first step requires that, where a discharge would degrade high-quality water, the discharge may be allowed only if any change in water quality would:

- Be consistent with the maximum benefit to the people of the State;
- Not reasonably affect present and anticipated beneficial uses of such water;
- Result in water quality that is not less than that which is prescribed in State policies (i.e., Basin Plans).

The second step (as set forth in SWRCB Resolution No. 68-16) states that any activity resulting in discharge to high-quality waters is required to use the best practicable treatment or control of the discharge necessary in order to avoid the occurrence of pollution or nuisance and to maintain the "highest water quality consistent with the maximum benefit to the people of the state". The State policy applies to both surface and groundwater, as well as to both existing and potential beneficial uses of the applicable waters.

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<sup>3</sup> The rule does not specify timeframe for "acute". Standard practice would likely imply that any condition that is permanent or semi-permanent is chronic—all else would be short-term.

## ***National Pollutant Discharge Elimination Program (NPDES) Permits***

The NPDES permit program is administered in the State of California by the RWQCBs, and was first established under the authority of the Clean Water Act to control water pollution by regulating point sources that discharge pollutants into “Waters of the U.S.”. If discharges from industrial, municipal, and other facilities go directly to surface waters, those facility operators must obtain NPDES permits. An individual NPDES permit is specifically tailored to a facility. A general NPDES permit covers multiple facilities within a specific activity category such as construction activities.

There are nine RWQCBs in the State of California. These boards have the mandate to develop and enforce water quality objectives and implementation plans within their regions. The Project Site is located within the jurisdiction of the Los Angeles RWQCB.

### **Regional**

#### ***General Construction Permit***

The SWRCB has issued a statewide general NPDES Permit and Waste Discharge Requirements for storm water discharges from construction sites. Under this General Construction Permit, discharges of storm water from construction sites with a disturbed area of one or more acres are required to either obtain individual NPDES permits for storm water discharges or be covered by the General Construction Permit. Each applicant under the General Construction Permit must file a Notice of Intent (NOI) with the RWQCB and ensure that a Storm Water Pollution Prevention Plan (SWPPP) is prepared prior to grading. The primary objective of the SWPPP is to identify BMPs to reduce or eliminate pollutants in storm water discharges and authorized non-storm water discharges from the site during construction.

In 1999, the SWRCB issued and subsequently amended the General Construction Storm Water Permit (Water Quality Order 99-08-DWQ), which governs discharges from construction sites that disturb one acre or more of surface area. Again, on September 2, 2009, the SWRCB adopted a new General Construction Permit that substantially alters the approach taken to regulate construction discharges through (1) requiring the determination of risk levels posed by a project’s construction discharges to water quality and (2) establishing numerical water quality thresholds that trigger permit violations. These new permit regulations took effect on July 1, 2010.

#### ***Municipal Separate Storm Sewer System (MS4) NPDES Permit***

The State’s Municipal Storm Water Permitting Program regulates storm water discharges from Municipal Storm Sewer Systems (MS4s). The MS4 NPDES Permit No. CAS004002 for Ventura County, dated May 7, 2009 and corrected on January 13, 2010, regulates storm water and non-storm water discharges in the County and incorporated cities in Ventura County. Under this permit, the Ventura County Watershed Protection District (VCWPD), the County, and incorporated cities formed a countywide Storm Water Quality Management Program to reduce pollutants in the storm water in the County to the maximum extent practicable, in order to comply with water quality standards and to protect the beneficial uses of receiving waters. The County and cities in the County have adopted storm water quality ordinances that enforce the requirements of the MS4 Permit for incorporating treatment-control, source-control, and operational BMPs by new developments and reuse projects; implementing hydrological control measures to prevent downstream erosion; using sediment-control and erosion-control BMPs during construction; and prohibiting non-storm water discharges. In addition, the VCWPD, the County, and incorporated cities implement public information programs to reduce storm water pollution by properly using



and disposing of fertilizers, pesticides, and wastes and by implementing measures that minimize pollutant discharges into the storm water.

The MS4 Permit also includes Total Maximum Daily Load (TMDL) Provisions for impaired waters in the County, including interim waste load allocations for existing or future point sources.

### ***Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties***

The Los Angeles RWQCB has prepared and updated the Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties, which seeks to preserve and enhance water quality and to protect the beneficial uses of water bodies in the region. The Basin Plan designates beneficial uses for surface and ground waters; sets narrative and numerical water quality objectives to attain or maintain beneficial uses; and outlines the implementation programs that will protect the waters of the region. These programs are centered on the control of point source and non-point source pollutants and the remediation of water pollution. The Basin Plan also includes water quality objectives for ammonia, coliform bacteria, bioaccumulation, biochemical oxygen demand, biostimulatory substances, chemical constituents, total residual chlorine, color, exotic vegetation, floating material, methylene blue activated substances, mineral quality, nitrogen, oil and grease, dissolved oxygen, pesticides, potential of hydrogen (pH), polychlorinated biphenyls (PCBs), radioactive substances, suspended solids, taste and odor, temperature, toxicity, and turbidity. Implementation of the Basin Plan occurs primarily through issuance of waste discharge requirements (WDRs), including regulatory enforcement action, as necessary.

### ***Flood Mitigation Plan for Ventura County***

The VCWPD has developed a Flood Mitigation Plan for Ventura County, which identifies flood hazards in the County and assesses the risks of flooding. The hazards from coastal and riverine flooding, inundation due to dam failure, and post-fire debris flow are evaluated in the plan, along with exposure of residents, critical facilities, and infrastructure. The plan identifies staff and personnel resources that are available at different agencies and existing regulations and programs that relate to flood hazards. The following are outlined as goals and objectives of the plan: cooperation and coordination with various agencies; public education and awareness; reduction in damages from flood; dam failure; and post-fire debris flows. Implementation actions to achieve these goals and objectives are also included in the Plan.

### ***Fox Canyon Groundwater Management Plan***

The Fox Canyon Groundwater Management Agency was formed by the California Legislature in 1982 to manage and protect groundwater resources in the southern portion of Ventura County, which lies above the Fox Canyon aquifer, and in turn, is part of the Lower Aquifer System. The Grimes Canyon and Fox Canyon Aquifers are found beneath the East Las Posas and South Las Posas Basins, which underlie the City of Moorpark (City). The Fox Canyon Aquifer is present under 185 square miles of the County (in the cities of Ventura, Oxnard, Port Hueneme, Camarillo, and Moorpark, and in several unincorporated communities). The agency regulates groundwater extraction and is responsible for groundwater management planning.

The Fox Canyon Groundwater Management Plan initially addressed seawater intrusion in the Oxnard Plain, but subsequent updates have addressed other water quality issues in the area. These issues include high salinity with high groundwater levels, saline intrusion from surrounding sediments, and nitrate in the groundwater. The Plan proposes to continue to limit groundwater extraction; to encourage water conservation and wastewater reclamation; to operate seawater intrusion abatement; to place restrictions on water wells; to monitor groundwater; to place

restrictions on pumping and drilling in the Las Posas Basins; to construct spreading basins; and to implement several other strategies. Additional management strategies are also under development.

### **General Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters**

The Los Angeles RWQCB issued Order No. R4-2008-0032 to regulate the discharge of treated and untreated groundwater generated from permanent or temporary dewatering operations or other applicable wastewater discharges not covered by the General Construction NPDES permit. To obtain coverage under this permit, an applicant must submit a Notice of Intent and data establishing the water quality characteristics of the dewatering discharge. A standard monitoring and reporting program is included as part of the permit. For dewatering activities that are not covered by the General Permit, an individual NPDES permit and WDRs must be obtained from the RWQCB.

## **Local**

### **City of Moorpark Municipal Code**

Chapter 8.52, Stormwater Quality Management, of the Moorpark Municipal Code implements the regulations in the Federal Clean Water Act, including the NPDES, and the California Water Code by prohibiting non-storm water discharges into the storm drain system.

The City prohibits illicit connections and discharges to the storm drain system. Activities that lead to discharges into the storm drain system are required to reduce pollutants in the storm water to the maximum extent practicable. In compliance with its NPDES Permit, the City requires new development to prepare and implement Storm Water Pollution Prevention Plans (SWPPPs) or Storm Water Pollution Control Plans (SWPCPs), which identify construction and post-construction BMPs that would be incorporated into the development. The regulations also identify prohibited acts that may affect storm water quality and the City's authority to eliminate illicit discharges.

Chapter 15.24 of the Municipal Code contains the City's floodplain management regulations. These regulations minimize public and private losses due to flooding by restricting or prohibiting uses which may cause flooding; requiring land uses to be protected against flood damage at the time of initial construction; controlling the alteration of natural floodplains, stream channels, and natural protective barriers; controlling activities that may increase flood damage; and preventing or regulating diversion of floodwaters or the construction of barriers that may increase flood hazards in other areas.

### **4.9.3 THRESHOLDS OF SIGNIFICANCE**

A significant impact to hydrology and water quality would occur if the Project would:

The following significance criteria, included for analysis in this EIR, are based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines, and will be used to determine the significance of potential hydrology and water quality impacts. Impacts to hydrology and water quality impacts would be significant if the Project would:

**Threshold 4.9-a**      ***Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.***

- Threshold 4.9-b**      **Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.**
- Threshold 4.9-c**      **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the additional of impervious surfaces, in a manner which would:**
- (i)      Result in a substantial erosion or siltation on- or off-site;**
  - (ii)     Substantially increase the rate or amount of surface runoff in a manner in which would result in flooding on- or off-site;**
  - (iii)    Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or**
  - (iv)    Impede or redirect flood flows?**
- Threshold 4.9-d**      **In flood hazard, tsunami, seiche zones, risk release of pollutants due to project inundation.**
- Threshold 4.9-e**      **Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.**

#### 4.9.4 IMPACT ANALYSIS

- Threshold 4.9-a**      **Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?**

**Less than Significant Impact.** This section discusses the Project's potential construction- and operational-related water quality impacts.

#### **Construction-Related Water Quality Impacts**

The Project would result in short-term construction impacts to surface water quality from demolition, grading, and other construction-related activities. Storm water runoff from the Project Site during construction could contain soils and sediments from these activities. Also, spills or leaks from heavy equipment and machinery, construction staging areas, and/or building sites can also enter runoff and typically include petroleum products such as fuel, oil and grease, and heavy metals.

The SWRCB has issued the Statewide NPDES General Permit for Storm Water Discharges Associated with the Construction and Land Disturbance Activities (Order No 2012-0006-DWQ, NPDES No. CAS000002, adopted by the SWRCB on July 17, 2012). Under this Construction General Permit, individual NPDES permits or Construction General Permit coverage must be obtained for discharges of storm water from construction sites with a disturbed area of one or more acres. For each phase of the Project that involves over one acre of ground disturbance, coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity would be required. To obtain coverage, the Developer must retain the services of a

certified Qualified SWPPP Developer to prepare a SWPPP for the Project. The Developer, or the contractor if specifically delegated, would electronically submit permit registration documents prior to beginning construction activities in the Storm Water Multi-Application Report Tracking System, which would consist of a Notice of Initiation, Risk Assessment, Post-Construction Calculations, a site map, the SWPPP, a signed certification statement, and the first annual fee. Project construction would also adhere to the South Coast Air Quality Management District's Rule 402 (Nuisance) and Rule 403 (Fugitive Dust) to avoid and minimize dust from leaving the site.

The requirement to prepare a SWPPP has been incorporated as **COA HWQ-1**, which would ensure that Project short-term impacts to surface water quality during construction would be less than significant, and no mitigation measures are either required or recommended.

Groundwater is neither expected to be encountered during construction or to impact foundation excavations or grading operations (UGI 2017). Therefore, it is unlikely that the Project would degrade groundwater quality, and a less than significant impact would occur.

### **Operational Water Quality Impacts**

The Project would have the potential to increase the volume and quantity of pollutants within storm water that flows from the Project Site during operation of the Project. However, for each phase of the Project, a Water Quality Management Plan (WQMP) would be prepared in accordance with **COA HWQ-2** and **COA HWQ-3** to identify general pollutants that may result from the uses and structures proposed during that phase and to select and implement appropriate operational water quality BMPs for that Project phase. Therefore, construction and operation of these storm water BMPs would adequately convey and treat storm water runoff and a less than significant impact would occur, and no mitigation measures are either required or recommended.

**Threshold 4.9-b**      *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?*

**Less than Significant Impact.** The Project would not involve direct or indirect withdrawals of groundwater. Domestic water service would be provided by the Ventura County Waterworks District No. 1 (VCWWD No. 1), as described in Section 4.11, Public Services and Utilities, of this EIR (VC Public Works 2022). As indicated, demand for water would be met by existing supplies, and impacts would be less than significant.

The Project would increase the amount of impervious surface within the Project Site. However, as required by **COA HWQ-2**, the Project would include operational water quality BMPs such as detention and retention basins, infiltration trenches, and other BMPs that would generally maintain the amount of groundwater recharge that occurs within the Project Site.

Therefore, impacts related to this threshold would be less than significant, and no mitigation is required.

**Threshold 4.9-c**      *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the additional of impervious surfaces, in a manner which would:*

*(i)      Result in a substantial erosion or siltation on- or off-site?*

**Less Than Significant Impact.** The Project has the potential to result in erosion and siltation during construction. Development and implementation of a SWPPP as required by **COA HWQ-1** would ensure potential effects related to erosion and siltation are reduced to less than significant levels during construction. Also, a system of storm water BMPs would be incorporated in the Project's design as part of each Project phase, which would reduce potential for erosion and siltation during Project operations. Given these considerations, less than significant impacts would result from the Project, and no mitigation measures are either required or recommended.

- (ii) ***Substantially increase the rate or amount of surface runoff in a manner in which would result in flooding on- or off-site?***
- (iii) ***Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?***

**Less Than Significant Impact.** The Project would result in a minor increase in impervious surface coverage in the Project Site, which could increase the peak storm water runoff from the Project Site during operations. As discussed above and as required by **COA HWQ-2** and **COA HWQ-3**, a WQMP or similar plan will be prepared to demonstrate compliance with applicable NPDES requirements and to demonstrate that appropriate drainage infrastructure and water quality BMPs have been incorporated. With preparation and implementation of a WQMP, the Project would result in less than significant impacts relative to this threshold, and no mitigation measures are either required or recommended.

- (iv) ***Impede or redirect flood flows?***

**Less Than Significant Impact.** The Project Site contains areas that are identified as being within the 500-year floodplain. Additionally, the 100-year flows are conveyed through the Project Site within the concrete-lined Walnut Canyon drainage channel (FEMA 2022). The Walnut Canyon drainage channel traverses the Project Site within a Ventura County Public Works flood control easement. It is a concrete-lined open channel that runs along the western boundary of the existing Civic Center and becomes an underground concrete box north of West High Street. It remains underground running west beneath West High Street, until it reverts back to an open concrete-lined channel at the western end of the Project Site. The Project would involve no impacts to the Walnut Canyon drainage channel; therefore, the Project would have no potential to impede or redirect the 100-year floodplain. Areas of the Project Site within the 500-year floodplain are classified by FEMA as areas of minimal risk for loss related to flood events. Therefore, the Project would result in less than significant impacts related to this threshold, and no mitigation is required.

**Threshold 4.9-d** ***Would the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?***

**Less Than Significant Impact.** The Project Site contains areas that are identified as being within the 500-year floodplain. Additionally, the 100-year flows are conveyed through the Project Site within the concrete-lined Walnut Canyon drainage channel (FEMA 2022).

The Project Site is not near the ocean or other water body with the potential to be at risk of seismically-induced tidal or seiche phenomena.

Although parts of the Project Site are within flood zones, the Project would not utilize, store, or otherwise contain pollutants that would be at risk of release if inundated. Therefore, hazards

related to the potential release of pollutants due to inundation caused by a flood, tsunami, and/or seiche are considered to be less than significant and no mitigation is required.

**Threshold 4.9-e**      **Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

**Less Than Significant Impact.** The RWQCB prepares and maintains the Water Quality Control Plan for the Los Angeles Regional Board's Basin Plan (Basin Plan). The Basin Plan sets water quality standards for the Los Angeles RWQCB's jurisdictional area by establishing beneficial uses for specific water bodies and designating numerical and narrative water quality objectives. The Basin Plan sets water quality objectives for the Project Site and its surrounding areas. Water quality thresholds identified in the Basin Plan are intended to reduce pollutant discharge and ensure that water bodies are of sufficient quality to meet their designated beneficial uses. The Project would not conflict with the water quality standards outlined in the Basin Plan or worsen water quality conditions in any 303(d)-listed water body. As discussed above in response to threshold 4.9-e-a, pollutant discharge during construction would be avoided through compliance with the Construction General Permit including the preparation and implementation of a SWPPP. Once the Project is constructed, the Project would consist of a mix of institutional, commercial, and residential development. Pollutants generated during Project operations would be treated using BMPs identified in WQMPs that would be developed for each Project phase. Therefore, the Project would not be a source of pollutants for downstream water bodies and the Project would thereby not conflict with the Basin Plan. Therefore, the Project would result in less than significant impacts relative to this threshold, and no mitigation measures are either required or recommended.

#### **4.9.5 CUMULATIVE IMPACTS**

As discussed above, the Project would result in short-term construction impacts to surface water quality from demolition, grading, and other construction-related activities. Also, during Project operations potential water quality contamination might occur. Similar to the proposed Project, cumulative projects in the vicinity would be required to prepare and implement a SWPPP and WQMPs, which would minimize the potential for water quality degradation on a cumulative basis.

The Project does not occur in a tsunami or seiche zone; therefore, there is no potential for the Project to contribute to cumulative impacts related to these topics. Flood hazards for the Project are minimal, and flood impacts of other cumulative projects would be minimized through those projects complying with FEMA requirements for development within Special Flood Hazard Areas. The Project would result in a minor increase in impervious surface and storm water runoff volume from the Project Site, but water quality BMPs for the project and cumulative projects that would be developed as part of their WQMPs would minimize cumulative impacts to stormwater quantity and quality. Therefore, the project and cumulative projects would not result in cumulatively considerable impacts related to this resource topic.

#### **4.9.6 MITIGATION PROGRAM**

##### **Conditions of Approval**

**COA HWQ-1** Prior to the issuance of any grading or building permit for each project phase, the applicant shall demonstrate compliance under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge

Identification (WDID) Number or other proof of filing in a manner meeting the satisfaction of the Community Development Department. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the Project Site and be available for County review on request.

**COA HWQ-2** Prior to the issuance of any grading or building permits, the applicant shall submit for review and approval by the Community Development Department, a Water Quality Management Plan (WQMP) that must include the following minimum contents:

- Address Site Design BMPs (as applicable) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, and conserving natural areas;
- Incorporate applicable Routine Source Control BMPs; and
- Include an Operation and Maintenance (O&M) Plan that identifies the mechanism(s) by which long-term O&M of all structural BMPs will be provided.

**COA HWQ-3** Prior to the issuance of a certificate of use and occupancy, the applicant shall demonstrate compliance with the WQMP in a manner meeting the satisfaction of the Community Development Department, including:

- Demonstrate that all structural Best Management Practices (BMPs) described in the project's WQMP have been implemented, constructed and installed in conformance with approved plans and specifications;
- Demonstrate that the applicant has complied with all non-structural BMPs described in the project's WQMP;
- Submit for review and approval an Operations and Maintenance (O&M) Plan for all structural BMPs for attachment to the WQMP; and
- Demonstrate that copies of the project's approved WQMP (with attached O&M Plan) are available for each of the incoming occupants.

### **Mitigation Measures**

No significant impacts pertaining to hydrology and water quality were identified; therefore, no mitigation measures are either required or recommended.

#### **4.9.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Less than significant impact.

#### 4.9.8 REFERENCES

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- .2022b (October 6, access date). California Public Resources Code. Sacramento, CA. [https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=PRC&division=2.&title=&part=&chapter=9.&article=6](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=2.&title=&part=&chapter=9.&article=6).
- Federal Emergency Management Agency. 2022 (October 6, access date). Flood Insurance Rate Map (FIRM) Panel 06111C0817E. Washington DC: FEMA. <https://msc.fema.gov/portal/search>
- Moorpark, City of. 2022 (March, current through). Moorpark Municipal Code, Moorpark, California (Title 17: Zoning). Seattle, WA: Quality Code Publishing for the City. <http://qcode.us/codes/moorpark/>.
- Oakridge Geoscience, Inc. 2017a. Preliminary Geotechnical Investigation. Camarillo, CA: OGI. Appendix G.
- State Water Resources Control Board. 2022 (October 6, access date). Watershed Description for the Calleguas Creek Watershed. Sacramento, CA: Water Board. [https://www.waterboards.ca.gov/rwqcb4/water\\_issues/programs/regional\\_program/Water\\_Quality\\_and\\_Watersheds/calleguas\\_creek\\_watershed/summary.shtml](https://www.waterboards.ca.gov/rwqcb4/water_issues/programs/regional_program/Water_Quality_and_Watersheds/calleguas_creek_watershed/summary.shtml)
- VC Public Works. 2022 (October 7, access date). Ventura County Waterworks District No. 1 (Moorpark) Overview. Moorpark, CA: VC Public Works. <https://www.vcpublicworks.org/wp-content/uploads/2018/03/DescriptionWWD1.pdf>



## **4.10 LAND USE AND PLANNING**

### **4.10.1 EXISTING CONDITIONS**

#### **On-Site Land Uses**

The Project Site contains a variety of existing land uses. The eastern portion of the Project Site contains the existing Civic Center, which is oriented toward Moorpark Avenue. The existing Civic Center consists of a city hall, a community center/active adult center, a city library, portable structures, and parking areas. The southern portion of the Project Site contains a surface parking lot associated with the off-site United States (U.S) Post Office, which is generally located between West High Street to the north and the Union Pacific Railroad and Metrolink tracks to the south. The western portion of the Project Site is undeveloped, generally rectangular-shaped vacant land oriented in an east/west direction along the north side of West High Street. In conjunction with previous nearby residential development, the western portion of the Project Site has been subject to grading and is relatively flat with no distinguishing topographical features. The northern portion of the Project Site is developed with the existing City Hall buildings.

The Project Site contains areas that are identified as being within the 500-year floodplain. Additionally, the 100-year flows are conveyed through the Project Site within the concrete-lined Walnut Canyon drainage channel. The Walnut Canyon drainage channel traverses the Project Site within a Ventura County Public Works flood control easement. It is a concrete-lined open channel that runs along the western boundary of the existing Civic Center and becomes an underground concrete box north of West High Street. It remains underground running west beneath West High Street, until it reverts back to an open concrete-lined channel at the western end of the Project Site.

All parcels within the Project Site are owned by the City of Moorpark, with the exception of Assessor's Parcel Number (APN) 511-0-020-275, which is owned by Essex Moorpark Owner LP.

#### **General Plan Land Use Designations**

As depicted on Exhibit 3-4, General Plan Land Use Designations, the current General Plan land use designation for the entire Project Site is Downtown Specific Plan (SP-D).

#### **Zoning Designations**

As depicted on Exhibit 3-5, Existing Zoning, the existing zoning for the Project Site includes Commercial Old Town (C-OT), Rural Exclusive (RE), and Institutional (I).

The proposed zoning for the entire Project Site is Mixed-Use Medium (MUM). MUM allows for a mix of commercial, office, and housing development.

#### **Surrounding Land Uses**

The Project Site is surrounded by development including commercial, office, institutional, and residential uses. Single-family residential uses are located to the north of the Project Site (east and west of Moorpark Avenue/Walnut Canyon Road). Walnut Canyon Elementary School, the Moorpark Boys and Girls Club, and vacant land are located to the northwest of the Project Site. This vacant land off-site and northwest of the Project Site (APN 511-0-020-265) is approved for 200 apartment units. That project would take with vehicular access from Casey Road. Also, the southeastern boundary of the Hitch Ranch Specific Plan is located approximately 0.15 mile west

of the Project Site, which was approved by City Council in June 2022. The Hitch Ranch Specific Plan consists of a 270-acre, 755-unit development that would construct a primarily residential community with park facilities, private recreational facilities, open spaces, and equestrian trails that are expected to be built out by 2029.

Land uses to the east of the Project Site (east of Moorpark Avenue/Walnut Canyon Road) include a mix of commercial, office, and residential uses. A commercial building, the Tanner Corner Building, is located off site at the northwestern corner of Moorpark Avenue at High Street (southeast of the Project Site). The Tanner Corner Building is listed on the California Register of Historical Resources (CRHR). The Project Site is bordered to the south by the Union Pacific railroad, Metrolink railroad tracks, and a United States Postal Service post office. Land uses located south of the railroad tracks include Chaparral Middle School; Poindexter Park; commercial and light industrial uses; and residential uses. The Project Site is 0.2-mile northwest of the Moorpark Amtrak and Metrolink station. Existing land uses are shown in Exhibit 3-3, Existing Land Uses.

## 4.10.2 REGULATORY SETTING

### State

#### **Senate Bill 375**

Signed September 30, 2008, Senate Bill (SB) 375 provides for a new planning process to coordinate land use planning and regional transportation plans (RTPs) and funding priorities in order to help California meet the greenhouse gas (GHG) reduction goals established in Assembly Bill (AB) 32. SB 375 requires Metropolitan Planning Organizations (MPOs), including Southern California Association of Governments (SCAG), to incorporate a Sustainable Communities Strategy (SCS) in their regional transportation plans that will achieve GHG emission reduction targets set by California Air Resources Board (CARB). There are two mutually important facets to SB 375: reducing vehicle miles traveled (VMT) and encouraging more compact, complete, and efficient communities for the future. SB 375 also includes provisions for exemptions from or streamlined California Environmental Quality Act (CEQA) review for projects classified as transit priority projects.

### Regional

#### **Connect SoCal**

Under federal law, SCAG is designated as a MPO and under state law as a Regional Transportation Planning Agency and a Council of Governments for Orange County and the Project Site. The SCAG region encompasses six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura) and 191 cities in an area covering more than 38,000 square miles. The agency develops long-range regional transportation plans including sustainable communities strategy and growth forecast components, regional transportation improvement programs, regional housing needs assessment (RHNA) and a portion of the South Coast Air Quality management plans (SCAG 2022a).

On September 3, 2020, SCAG's Regional Council unanimously voted to approve and fully adopt Connect SoCal (2020–2045 Regional Transportation Plan/Sustainable Communities Strategy) (RTP/SCS) (SCAG 2020). Connect SoCal 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. It charts a path toward

a more mobile, sustainable and prosperous region by making connections between transportation networks, between planning strategies and between the people whose collaboration can improve the quality of life for Southern Californians. Connect SoCal outlines more than \$638 billion in transportation system investments through 2045. It was prepared through a collaborative, continuous, and comprehensive process with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses, and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura (SCAG 2022b).

## **Local**

### ***City of Moorpark General Plan 2050***

State law requires cities and counties, as political subdivisions of the State, to adopt general plans that provide a comprehensive set of policies and guidelines that form the basis for land use decisions. The City of Moorpark General Plan serves as the long-range guide for growth and development in the City. It includes the following General Plan elements: Land Use, Circulation, Housing, Economic Development, Open Space, Parks and Recreation, Conservation, Safety; and Noise. A discussion of the Project's consistency with applicable goals and policies in the General Plan is provided later in this section. The policy analysis for other environmental topics addressed in this Environmental Impact Report (EIR) is provided in each respective technical EIR section.

### **Land Use Element**

The Land Use Element provides goals and policies pertaining to the use of land in the City. This Element includes: a discussion of existing land uses, neighborhoods, districts, and land use planning issues; a discussion of proposed land uses; development standards for each land use category; and goals and policies related to land use. The General Plan identifies the Project Site as containing public facilities and vacant lands. The General Plan also identifies the Project Site as occurring within the Downtown District of the City. The Downtown District encompasses the High Street Corridor and Civic Center areas. As described in the General Plan, Moorpark's Civic Center anchors the western edge of the Downtown District and encompasses the city hall, library, and community rooms. Its proximity to a revitalized High Street and the Charles Street neighborhood offers the opportunity to function as an integral continuation of the downtown core (Moorpark 2023a).

The Land Use Element identifies the Project Site as three General Plan land use designations, which include: (1) SP-D, Downtown Specific Plan; (2) PUB, Public/Institutional; and (3) C-A, Commercial – Auto (0.5 FAR) (Moorpark 2023a)

### **2021-2029 Housing Element**

The City's 2021-2029 Housing Element establishes and City's goals, policies and implementation programs for the adequate provision of decent, safe, and affordable housing for all residents of Moorpark. The Element discusses the population and housing stock of the City, constraints to housing development in Moorpark, and areas where future housing development may occur. Quantified objectives, housing programs, and associated funding were developed to meet the City's existing and future housing needs, as outlined in the RHNA by SCAG. None of the goals, policies, and housing programs in the Housing Element are directly applicable to the proposed Project or the Project Site.

### Circulation Element

The City's Circulation Element is comprised of two sections, Mobility and Infrastructure. The Element classifies the existing roadway system and sets a level of service (LOS) standard of "D" for roadways and intersections in the City. Moorpark Avenue and High Street are identified as local collectors with a traffic signal at the intersection of the two roadways. There are Class III Bike Routes<sup>1</sup> planned on segments of Moorpark Avenue and High Street near the Project Site. No equestrian trails are planned near the Project Site.

### Safety Element

The primary goals of the Safety Element are to promote public health, safety, and general welfare. The Element identifies existing geologic, seismic, fire, and flood hazards in the City; hazardous materials and wastes; and emergency preparedness. It also includes goals and policies to protect life and property from these hazards.

### Noise Element

The Noise Element serves as a comprehensive program for noise control in the City. The Element identifies existing noise sources and noise concerns in Moorpark; existing and future noise levels along roadways; and sets noise standards for various land uses. Major noise sources include traffic noise on State Route (SR) 23 (east and northeast of the site) and train noise on the tracks south of the Project Site. The interior noise standard for institutional office uses is 50 A-weighted decibels (dBA) on the Community Noise Equivalent Level (CNEL) and 45 dBA CNEL for libraries. The exterior noise standard for parks is 60 dBA CNEL.

### Open Space, Parks and Recreation Element

The Open Space, Parks and Recreation Element provides goals and policies for the conservation, preservation and management of Moorpark's open space and natural resources. These resources include agricultural lands, mineral resources, air resources, water resources, biological resources, petroleum resources, parks and recreational resources, open space resources (including scenic views and vistas) and energy resources. Moorpark Avenue and High Street are identified as scenic routes and bike paths near the site. The Project Site is not located in a scenic viewshed.

### **Moorpark Zoning Code**

The Moorpark Zoning Code is Title 17 of the City's Municipal Code and serves as the primary tool for implementing the City's General Plan. It regulates land uses in the City by zone, with applicable development requirements, standards, and regulations (i.e., setbacks, building height, site coverage, parking, and sign requirements). The Zoning Code also includes noise regulations, transportation demand management requirements, and Specific Plan overlay zones.

As depicted on Exhibit 3-5, Existing Zoning, the existing zoning for the Project Site includes Commercial Old Town (C-OT), Rural Exclusive (RE), and Institutional (I).

The proposed zoning for the entire Project Site is Mixed-Use Medium (MUM). MUM allows for a mix of commercial, office, and housing development.

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<sup>1</sup> The Circulation Element defines a Class III Bike Route as a conventional street where bike routes are identified by sign only. There are no specially paved bikeways and bicycle traffic shares the roadway with motorized traffic.

### ***Downtown Specific Plan***

The Downtown Specific Plan addresses the need to improve the City's downtown; the planning process; consistency of the Specific Plan with the City's General Plan; and development standards in the City's Zoning Code that are applicable to land within the Specific Plan boundaries. This Specific Plan encompasses the areas along Moorpark Avenue, High Street, Charles Street, Everett Street, and a portion of Spring Road within the City's historic core. This area is developed with older commercial, industrial, public, and residential land uses.

The Specific Plan promotes commercial development, economic development, and employment through commercial retail, service, and civic uses that would create a business core in the City; that would be compatible with adjacent civic center, industrial, and residential uses; and that would create jobs for local residents. Design guidelines, landscape guidelines, and site development standards for each land use category, for maintenance and renovation guidelines, for circulation and roadway improvements, and for other infrastructure and service improvements are provided to guide development in the downtown area and to help create a unified and revitalized downtown.

The Downtown Specific Plan states that land uses and permitted uses within the plan boundaries are regulated by the Zoning Code. The eastern and southern sections of the Project Site are located within the Downtown Specific Plan area.

#### **4.10.3 THRESHOLDS OF SIGNIFICANCE**

The following significance criteria, included for analysis in this EIR, are based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines, and will be used to determine the significance of potential to land use and planning impacts. Impacts to land use and planning would be significant if the Project would:

***Threshold 4.10-a      Physically divide an established community.***

***Threshold 4.10-b      Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.***

#### **4.10.4 ENVIRONMENTAL IMPACTS**

***Threshold 4.10-a      Would the project physically divide an established community?***

**Less Than Significant Impact.** The Project Site does not contain any established communities to the south or west; therefore, the Project Site does not play a role in connecting any established communities. Furthermore, public roadways with sidewalks exist north, south, and east of the Project Site, which would be maintained by the Project that would ensure that connectivity amongst existing communities north and east of the Project Site is maintained. Therefore, the Project would result in no impacts related to this threshold, and no mitigation measures are either required or recommended.

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**Threshold 4.10-b** *Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

**Less Than Significant Impact.** This section includes an analysis of the Project's consistency with adopted plans, policies, and regulations that are applicable to the Project.

**Regional**

***Connect SoCal***

In their development of the demographic and growth assumptions associated with Connect SoCal, SCAG utilized parcel-level existing and future (general plan) land use designations. The Project would require amendments to the City's General Plan, to the Downtown Specific Plan, and to land use designations for the Project Site. Prior SCAG assumptions assumed a mix of land uses for the Project Site, which are described above in Section 4.10.1. However, the Project would allow for 13,000 square feet of commercial development and 75 additional dwelling units that were not assumed in the Connect SoCal plan, which is a nominal amount relative to the amount of commercial square footage and number of dwelling units within the City, County, and region, and would not result in a significant impact. The Project would not otherwise conflict with the regional roadway system identified within the Connect SoCal plan.

**Local**

***Zoning Consistency***

As depicted on Exhibit 3-5, Existing Zoning, the existing zoning for the Project Site includes Commercial Old Town (C-OT), Rural Exclusive (RE), and Institutional (I). The proposed zoning for the entire Project Site is Mixed-Use Medium (MUM). MUM allows for a mix of commercial, office, and housing development. The MUM designation allows for all of the Project's proposed land uses. Furthermore, the City would review each phase of the Project as it is implemented to ensure compliance with the development standards applicable to the MUM designation. The MUM designation provides for a mix of commercial, office, and housing development in buildings that contain active ground floor uses located at or near the sidewalk with housing or office next to or above (City of Moorpark 2023a).

***General Plan Consistency***

Table 4.10-2 addresses the consistency of the Project with the relevant goals and policies of the City's 2050 General Plan. As identified in Table 4.10-2, the Project would be consistent goals and policies in the City's General Plan intended to avoid or mitigate an environmental effect.

**TABLE 4.10-1  
GENERAL PLAN (2050) CONSISTENCY ANALYSIS**

Relevant Goals and Policies	Consistency Analysis
<b>General Plan Land Use Element</b>	
<p><b>Goal LU 1</b> Development Capacity: Sustainable growth through well-planned development that provides for the needs of Moorpark’s residents and businesses, makes efficient land and infrastructure, protects important environmental resources, promotes the health of the community, and maintains the unique character distinguishing the city as a special place in the region.</p>	<p><b>Consistent.</b> The Project would redevelop an underutilized Project Site into a cohesive site with a diverse mix of land uses.</p>
<p><b>LU 1.1</b> Growth respecting Moorpark’s values and character: Accommodate growth that is consistent with community values and complements the scale and character of Moorpark’s residential neighborhoods, business districts, and natural environmental setting.</p>	
<p><b>LU 1.2</b> Types and distribution of land uses: Accommodate population and employment growth attributable to the categories and standards for densities/intensities of the land uses depicted on the Land Use Diagram and as evaluated in the General Plan Program Environmental Impact Report (PEIR).</p>	
<p><b>LU 1.4</b> Public services to support growth: Coordinate new development and redevelopment of existing properties to ensure that the existing and planned capacity of public facilities and services shall not be adversely impacted.</p>	<p><b>Consistent.</b> No significant adverse impacts on public facilities and services would occur with the Project, as addressed in Section 4.13, Public Services and Utilities. Future coordination with utility providers would occur to ensure ability to serve each Project phase.</p>
<p><b>LU 1.5</b> Development timing: Manage new development and redevelopment to ensure that it is orderly with respect to location, timing, and density/intensity; concurrent with the provision of local public services and facilities; and compatible with the overall community character.</p>	
<p><b>LU 1.6</b> Development priorities: Prioritize infill and redevelopment of existing developed areas and immediately adjoining properties to achieve a seamless and connected development pattern, limiting expanded development outward into hillsides and natural areas.</p>	<p><b>Consistent.</b> The Project would allow for the reuse of the existing Civic Center site and the diverse development of adjacent vacant land to the south and west with the proposed Project land uses.</p>
<p><b>GOAL LU 3</b> Land use mix: a mix of land uses that meets the diverse needs of the Moorpark community.</p>	
<p><b>LU 3.4</b> Reuse of declining commercial properties: Promote the redevelopment of commercial centers and corridors that are underutilized, where businesses have closed, and do not exhibit supportable market demand for economically viable uses desired by the community.</p>	

**TABLE 4.10-1  
GENERAL PLAN (2050) CONSISTENCY ANALYSIS**

Relevant Goals and Policies	Consistency Analysis
<p><b>LU 3.5</b> Mixed-use development: Provide for development projects that mix housing with commercial uses to enable Moorpark’s residents to live close to businesses and employment, reducing vehicle trips, and supporting social interactions.</p>	<p><b>Consistent.</b> The Project would allow for a diverse mix of land uses within the City’s downtown.</p>
<p><b>GOAL LU 4</b> Urban form: a city of distinct, compact, and walkable centers and corridors, surrounded by diverse and complete neighborhoods, and connected to a unifying network of greenways and open spaces.</p>	<p><b>Consistent.</b> The Project would directly help to achieve this goal and policy by redeveloping the existing Civic Center, while allowing for a mix of uses that would add vitality and economic activity to the area.</p>
<p><b>LU 4.1</b> Sustainable urban form: Provide an overall pattern of land uses that promotes efficient development; reduces automobile dependence, greenhouse gas emissions; and consumption of non-renewable resources; ensures compatibility among uses; enhances community livability and health; and sustains economic vitality.</p>	<p><b>Consistent.</b> The Project Site is located in the downtown area adjacent to Moorpark Avenue (SR-23) and within walking distance of the Metrolink Station on High Street. Bus service is available from the Project Site. The density of development for the Project would be consistent with the standards contained in the Municipal Code, Downtown Specific Plan, etc.</p>
<p><b>LU 4.2</b> Focused development: Reinforce existing patterns of development by concentrating development in key centers and districts serving as destinations and gathering places for the community that are linked by pedestrian connections to adjoining residential neighborhoods, such as the downtown High Street corridor, Mission-Bell/Moorpark Town Center, and Moorpark Marketplace.</p>	
<p><b>LU 4.5</b> Community-serving uses: Encourage uses that meet the daily needs of residents such as grocery stores, local-serving restaurants, and service businesses to be located within safe walking distance of residents.</p>	<p><b>Consistent.</b> The Project would directly achieve these policies by developing a new City Hall, Library, mercado, and park spaces in the City’s downtown area.</p>
<p><b>LU 4.6</b> Highway-oriented development: Cluster commercial development in compact areas along major roadways and provide pedestrian links to adjacent residential areas.</p>	<p><b>Consistent.</b> The Project Site is located in the downtown area adjacent to Moorpark Avenue (SR-23) and within walking distance of the Metrolink Station on High Street.</p>
<p><b>LU 5.1</b> Development complements existing character: Require that new development be designed to complement Moorpark’s historical family-oriented small-town feel.</p>	<p><b>Consistent.</b> The City’s design review process will ensure that the Project’s design complies with applicable plans, policies, and ordinances.</p>
<p><b>LU 5.2</b> Integration of public spaces: Maintain public spaces and services to create an aesthetically and functionally welcoming environment.</p>	
<p><b>LU 5.3</b> Special design districts: Establish design concepts for the overall community and special treatment areas, such as the downtown district, which may include guidelines for architecture, landscape architecture, signage, streetscape, and infrastructure.</p>	
<p><b>LU 5.5</b> Compatible land uses: Require design features that provide visual relief and separation between land uses of conflicting character.</p>	



**TABLE 4.10-1  
GENERAL PLAN (2050) CONSISTENCY ANALYSIS**

Relevant Goals and Policies	Consistency Analysis
<p><b>LU 7.3</b> Protect uses from hazards: Require that new development be located and designed to avoid or mitigate any potentially hazardous conditions.</p>	<p><b>Consistent.</b> No significant adverse impacts associated with hazards would occur with implementation the Project, as addressed in Section 4.8, Hazards</p>
<p><b>LU 7.5</b> Arroyo Simi corridor recreation: Encourage the development of compatible open space/recreational uses of the Arroyo Simi floodway that are consistent with the provisions of the Federal Emergency Management Agency for floodway uses.</p>	
<p><b>LU 8.2</b> Reduction of energy and water use: Encourage developers to exceed standards for building design and construction specified by the California Green Building Standards Code, with goals of achieving net zero energy and water use.</p>	<p><b>Consistent.</b> As discussed in Sections 4.2, Air Quality, 4.5, Energy, and 4.7, Greenhouse Gas Emissions, the Project would have less than significant impacts associated with energy and greenhouse gas emissions.</p>
<p><b>LU 8.3</b> Design for climate change: Require major development projects, as defined in the Municipal Code, to prepare greenhouse gas reduction and climate change resilience plans.</p>	
<p><b>LU 8.9</b> Design to avoid hazards: Require that development in significant hazard areas is located and designed to ensure safety in accordance with the Safety Element.</p>	<p><b>Consistent.</b> No significant adverse impacts associated with hazards would occur with implementation the Project, as addressed in Section 4.8, Hazards</p>
<p><b>LU 9.18</b> Library and lifelong learning: Provide and promote a state-of-the-art library that offers resources and engaging programs to meet the varied educational, cultural, civic, and general business needs of all residents and support opportunities for lifelong learning and enrichment.</p>	<p><b>Consistent.</b> The Project would directly help to achieve this goal and policy by redeveloping the existing Civic Center and Library, while allowing for a mix of uses that would add vitality and economic activity to the area.</p>
<p><b>LU 13.1</b> Commercial uses and diversity: Provide for and encourage the development of a broad range of uses in Moorpark’s commercial centers and corridors consistent with Economic Development Element that reduce the need to travel to adjoining communities and capture a greater share of local spending.</p>	<p><b>Consistent.</b> The Project would redevelop an underutilized Project Site into a cohesive site with a diverse mix of land uses that would add vitality and economic activity to the area.</p>
<p><b>LU 13.4</b> Economic enhancement of commercial centers: Prioritize the transition of existing commercial centers to incorporate experiential uses that enhance their economic vitality and role as active places for community gathering and patronage.</p>	

**TABLE 4.10-1  
GENERAL PLAN (2050) CONSISTENCY ANALYSIS**

Relevant Goals and Policies	Consistency Analysis
<p><b>LU 13.5</b> Commercial center identities: Establish and maintain distinct identities for Moorpark’s commercial centers and corridors to reflect their location, mix of uses, surrounding uses, and targeted markets, differentiating these by use, scale and form of development, and amenities.</p>	<p><b>Consistent.</b> The Project would directly achieve these policies by developing a new City Hall, Library, mercado, and park spaces in the City’s downtown area.</p>
<p><b>LU 15.2</b> Mix uses to enhance economic activity: Support mixed-use development projects as a strategy to enhance the economic vitality of adjoining commercial districts, through increases of population in proximity to these uses.</p>	
<p><b>LU 17.1</b> Services supporting Moorpark’s residents: Provide public facilities and services that are cost effective, and contribute to the health, safety, welfare, and personal development of all residents.</p>	
<p><b>LU 17.2</b> Efficient development: Promote the co- location of parks, schools, libraries, health services, recreation facilities, and other community facilities to support resident needs and leverage limited resources.</p>	
<p><b>LU 19.1</b> Core community district: Support the continued development of the area along High Street as a distinct place identified as the symbolic and functional downtown of Moorpark.</p>	
<p><b>LU 19.2</b> Complementary development: Promote the development of new commercial and office uses, housing, park or recreational facilities, public parking, and a potential multimodal transportation center in the commercial core.</p>	<p><b>Consistent.</b> The Project Site is located in the downtown area adjacent to Moorpark Avenue (SR-23) and within walking distance of the Metrolink Station on High Street. Bus service is available from the Project Site. The density of development for the Project would be consistent with the standards contained in the Municipal Code, Downtown Specific Plan, etc.</p>
<p><b>LU 19.3</b> Relationship to transit station: Locate and design development to capitalize on and reflect its adjacency to the Metrolink station, including developing direct pedestrian connections.</p>	
<p><b>LU 19.4</b> Visual character: Strengthen the visual character of the downtown commercial core in order to attract a variety of commercial and mixed-use (commercial and housing) projects and promote the economic viability of downtown Moorpark.</p>	
<p><b>LU 19.5</b> Tree canopy: Maintain and expand the tree canopy in the downtown area to provide shade, improve air and water quality, reduce the heat island effect, and create habitat for birds and pollinators.</p>	<p><b>Consistent.</b> The City’s design review process will ensure that the Project’s design complies with applicable plans, policies, and ordinances.</p>

### **Municipal Code Consistency**

An evaluation of the Project’s consistency with the City of Moorpark Municipal Code regulations related to tree removal and replacement is provided in Section 4.3 of this EIR, Biological Resources. During the future development of buildings as part of this Project, the Project would review each proposal for adherence to applicable requirements from the Municipal Code, including Chapter 17.24, Development Requirements; Chapter 17.28, Standards for Specific Uses; Chapter 17.30, Lighting Requirements; Chapter 17.40, Signage; and Chapter 17.72, Downtown Specific Plan Overlay Zone (SP-D). As detailed in **COA AES-1**, the Project would comply with Section 12.12.070 of the City’s Municipal Code, Tree Removal Permits – Requirements, which encourages the avoidance of mature trees and mitigation for trees that must be removed.

The City’s design review process will ensure that the Project’s design complies with applicable plans, policies, and ordinances, including with applicable aspects of the Municipal Code.

### **Downtown Specific Plan**

The Project is located on the southwest edge of the City’s Downtown Specific Plan. The Project would not require any amendments to the Downtown Specific Plan. Goals and policies specific to the Project are analyzed in Table 4.10-2, Downtown Specific Plan Consistency Analysis.

**TABLE 4.10-2  
DOWNTOWN SPECIFIC PLAN CONSISTENCY ANALYSIS**

Relevant Goals and Policies		Consistency Analysis
<b>Downtown Specific Plan</b>		
3.3.3c:	Maintain coordination with the VCTC, Union Pacific, and Metrolink to ensure that vacant and under-used sites along the tracks are maintained and developed with compatible uses that are integrated into the downtown.	<b>Consistent.</b> The Project is consistent with this goal. The Project would allow for continued development on the north side of the railroad tracks with recreational and institutional uses similar to what currently is found to the north and south of the tracks. The Civic Center Campus is within walking distance of the Metrolink station on High Street.
3.3.3d:	Encourage evening and weekend activities in the downtown, especially those that support one another such as dining, strolling, art galleries, crafts, etc.	<b>Consistent.</b> The existing Civic Center is used for community functions and meetings during both the daytime and nighttime hours. The provision of additional civic buildings and potentially a City park would provide for additional opportunities to evening and weekend events.
3.3.3f:	Continue to maintain a civic presence in downtown through the expansion of the Civic Center area to provide for an enlarged City Hall and Library.	
Sources: City of Moorpark 1998.		

### **Conclusion**

During the City’s design review process of future buildings and other aspects of the Project, the Project will be reviewed to ensure compliance with applicable plans, policies, and ordinances. The Project would result in less than significant impacts related to this threshold, and no mitigation measures are either required or recommended.

#### **4.10.5 CUMULATIVE IMPACTS**

As described above, the Project would not divide an established community. Therefore, the Project has no potential to cumulatively contribute to impacts related to this threshold.

The Project and other cumulative projects are not anticipated to conflict with any land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect since each of these projects would be reviewed for consistency through each jurisdictions' design review process.

#### **4.10.6 MITIGATION PROGRAM**

##### **Conditions of Approval**

**COA AES-1** As required by Section 12.12.070 of the City's Municipal Code, Tree Removal Permits – Requirements, no native oak tree, historic tree or other mature tree, where that tree is on public or private property, except as provided for in subsection B of this section, or is associated with a proposal for urban development, shall be removed, cut down, or otherwise destroyed, unless a tree removal permit has been issued by the city. The director of community services shall establish the format and information required for a tree removal permit consistent with this chapter. In no event shall a permit be denied if to do so would cause interference with the economic use and enjoyment of the property. (*Note: repeated from Section 4.1*).

##### **Mitigation Measures**

No significant impacts pertaining to land use and planning were identified; therefore, no mitigation measures are required.

#### **4.10.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Less than significant impact.

#### 4.10.8 REFERENCES

- California, State of. 2022a (September 28, access date). California Code of Regulations (CCR). Sacramento, CA. <https://oal.ca.gov/publications/ccr/>
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- . 2020 (September). Connect SoCal (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy. Los Angeles, CA: SCAG. <https://scag.ca.gov/connect-socal#:~:text=Adopted%20Final%20Connect%20SoCal%202020,-Overview%20November%2021&text=it%20charts%20a%20path%20toward,of%20life%20for%20Southern%20Californians>.

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## **4.11 NOISE**

### **4.11.1 EXISTING CONDITIONS**

#### **Noise Criteria and Definitions**

##### ***Sound***

Sound is a vibratory disturbance created by a moving or vibrating source and that is capable of being detected by the hearing organs. Noise is defined as sound that is loud, unpleasant, unexpected, or undesired and may 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. Excessive noise levels may also affect performance and learning processes through distraction, reduced accuracy and increase fatigue, annoyance and irritability, and the ability to concentrate.

##### ***Decibels and Frequency***

In its most basic form, a continuous sound can be described by its frequency or wavelength (pitch) and its amplitude (loudness). Sound pressure levels are described in units called the decibel (dB). Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used for earthquake magnitudes. Therefore, a doubling of the energy of a noise source, such as doubling of traffic volume, would increase the noise level by 3 dB; a halving of the energy would result in a 3 dB decrease.

Groundborne vibration consists of oscillatory waves that propagate from the source through the ground to adjacent structures. The frequency of a vibrating object describes how rapidly it is oscillating. The number of cycles per second of oscillation is the vibration frequency, which is described in terms of hertz (Hz). The normal frequency range of most groundborne vibration that can be felt generally starts from a low frequency of less than 1 Hz to a high of about 200 Hz.

#### **Perception of Noise and Vibration**

##### ***Noise***

The human ear is not equally sensitive to all frequencies within the sound spectrum. To accommodate this phenomenon, the A-scale, which approximates the frequency response of the average young ear when listening to most ordinary everyday sounds, was devised. When people make relative judgments of the loudness or annoyance of a sound, their judgments correlate well with the A-scale sound levels of those sounds. Therefore, the “A-weighted” noise scale is used for measurements and standards involving the human perception of noise. Noise levels using A-weighted measurements are written dB(A) or dBA.

Human perception of noise has no simple correlation with acoustical energy. The perception of noise is not linear in terms of dBA or in terms of acoustical energy. Two noise sources do not “sound twice as loud” as one source. It is widely accepted that the average healthy ear can barely perceive changes of a 3 dBA increase or decrease; that a change of 5 dBA is readily perceptible; and that an increase or decrease of 10 dBA sounds twice or half as loud, respectively.

As noise travels from the source to the receiver, noise changes both in level and frequency. The most obvious change is the decrease in noise as the distance from the source increases. The manner in which noise reduces with distance (noise attenuation) depends on a number of

factors. Ground absorption, atmospheric effects, and shielding (as by natural and man-made barriers) also affect the rate of noise attenuation.

### **Vibration**

While people have varying sensitivities to vibrations at different frequencies, in general they are most sensitive to low-frequency vibration. Vibration in buildings caused by construction activities may be perceived as motion of building surfaces or rattling of windows, items on shelves, and pictures hanging on walls. Vibration of building components can also take the form of an audible low-frequency rumbling noise, which is 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 the structure and the construction activity are connected by foundations or utilities, such as sewer and water pipes.

Although groundborne vibration is sometimes noticeable in outdoor environments, groundborne vibration is almost never annoying to people who are outdoors. The primary concern from vibration is the ability to be intrusive and annoying to nearby residents and other vibration-sensitive land uses. Vibration energy spreads out as it travels through the ground, causing the vibration level to diminish with distance away from the source. High frequency vibrations reduce much more rapidly than low frequencies, so that low frequencies tend to dominate the spectrum at greater distances from the source.

### **Noise and Vibration Metrics**

Several rating scales (or noise “metrics”) exist to analyze effects of noise on a community. These scales include the equivalent noise level ( $L_{eq}$ ), the community noise equivalent level (CNEL), and the day-night average sound level ( $L_{dn}$ ). Average noise levels over a period of minutes or hours are usually expressed as dBA  $L_{eq}$ , which is the equivalent noise level for that period of time. The period of time averaging may be specified; for example,  $L_{eq(3)}$  would be a three-hour average. When no period is specified, a one-hour average is assumed. It is important to understand that noise of short duration (i.e., a time period substantially less than the averaging period) is averaged into ambient noise during the period of interest. Therefore, a loud noise lasting many seconds or a few minutes may have minimal effect on the measured sound level averaged over a one-hour period.

To evaluate community noise impacts, a descriptor was developed that accounts for human sensitivity to nighttime noise. The descriptor is called the  $L_{dn}$ , which represents the 24-hour average sound level with a penalty for noise occurring at night. The  $L_{dn}$  computation divides the 24-hour day into two periods: daytime (7:00 AM to 10:00 PM) and nighttime (10:00 PM to 7:00 AM). The nighttime sound levels are assigned a 10 dBA penalty prior to averaging with daytime hourly sound levels. CNEL is similar to  $L_{dn}$  except that it separates a 24-hour day into 3 periods: daytime (7:00 AM to 7:00 PM), evening (7:00 PM to 10:00 PM), and nighttime (10:00 PM to 7:00 AM). The evening and nighttime sound levels are assigned a 5 and 10 dBA penalty respectively, prior to averaging with daytime hourly sound levels. Several statistical descriptors are also often used to describe noise, including  $L_{max}$ ,  $L_{min}$ , and  $L_x$ .  $L_{max}$  and  $L_{min}$  are respectively the highest and lowest A-weighted sound levels that occur during a noise event. The  $L_x$  signifies the noise level that is exceeded x percent of the time; for example,  $L_{10}$  denotes the level that was exceeded 10 percent of the time.

Vibration levels are usually expressed as single-number measure of vibration magnitude, in terms of velocity or acceleration, which describes the severity of the vibration without the frequency variable. The peak particle velocity (ppv) is defined as the maximum instantaneous positive or



negative peak of the vibration signal, usually measured in inches per second (in/sec). Since it is related to the stresses that are experienced by buildings, ppv is generally used to assess vibration to structures.

### **Sensitive Receptors**

Noise-sensitive receptors are generally considered to be those people engaged in activities or utilizing land uses that may be subject to the stress of significant interference from noise. Activities usually associated with sensitive receptors include, but are not limited to, talking, reading, and sleeping. Land uses often associated with sensitive receptors include residences, schools, libraries, hospitals, churches, and hotels. The nearest noise-sensitive receptors to the Project Site are residences located east of the Project Site along Charles Street, Everett Street, and Wicks Road; Walnut Canyon Elementary School located northwest of the Project Site; and Chaparral Middle School located south of the Project Site on Poindexter Avenue.

### **Existing Noise Conditions**

The primary source of noise affecting the Project Site is vehicular traffic on Moorpark Avenue east of the Project Site and train operations on the railroad line that runs south of and parallel to the south side of the Project Site. Moorpark Avenue is a two-lane roadway with observed cruise speeds of 30 miles per hour (mph). The railroad line is primarily used by Metrolink and Amtrak passenger trains, and also for freight trains. There are parallel spur tracks south of the Project Site that are being used for passenger (rail) car storage. During the site visit, it was observed that passenger trains travel at approximately 40 mph, blowing their horns as they pass by the at-grade crossing at Moorpark Avenue.

Noise measurements were taken as part of this environmental impact report (EIR). Exhibit 4.11-1, Noise Measurement Locations, shows the locations of the short-term noise level measurements taken at four locations. The results of these measurements are presented in Table 4.11-1. Generally, the noise condition in the vicinity of the Project Site is characteristic of quiet suburban/small town. During the survey, the average existing noise levels ( $L_{eq}$ ) ranged from 55 to 64 dBA  $L_{eq}$ . The higher ambient noise levels were observed at the southern portion of the Project Site nearest to the railroad line and the eastern part of the Project Site near Moorpark Avenue. A noise measurement was taken on the southern boundary of the site during an Amtrak passenger train pass by; the event lasted approximately 40 seconds; the maximum noise level was 88 dBA during the locomotive pass by with the warning horn sounding.

**TABLE 4.11-1  
EXISTING NOISE CONDITIONS**

Measurement Number <sup>a</sup>	Location, Date, and Time	Noise Levels (dBA)			Primary Noise Source	Notes
		L <sub>eq</sub>	L <sub>max</sub>	L <sub>min</sub>		
1	Southeast portion of the Project Site north of the Post Office building approximately 320 ft from Moorpark Ave and 20 ft from High St (12:15-12:34 PM)	55	72	42	Traffic on Moorpark Ave and High St	A few heavy trucks pass by on Moorpark Ave, sporadic traffic on High St; no train activities.
2	East portion of the Project Site south of the Library building approximately 65 ft from Moorpark Ave (12:38-12:58 PM)	59	73	41	Traffic on Moorpark Ave	A few heavy trucks pass by on Moorpark Ave
3	East portion of the Project Site north of the Library building approximately 80 ft from Moorpark Ave (1:03-1:30 PM)	61	79	41	Traffic on Moorpark Ave	A few heavy trucks pass by on Moorpark Ave
4	South portion of the Project Site west of the Post Office building approximately 150 ft from the railroad tracks. (12:15-12:34 PM)	64	88	41	Traffic on Moorpark Ave, High St, and a train pass by	The loudest event was an Amtrak train pass by blowing warning horn, otherwise noise levels were in the high 40 dBAs.

Leq-Average noise level; Lmax-Maximum noise level; Lmin-minimum noise level

<sup>a</sup> See Exhibit 4.11-1 for measurement locations.

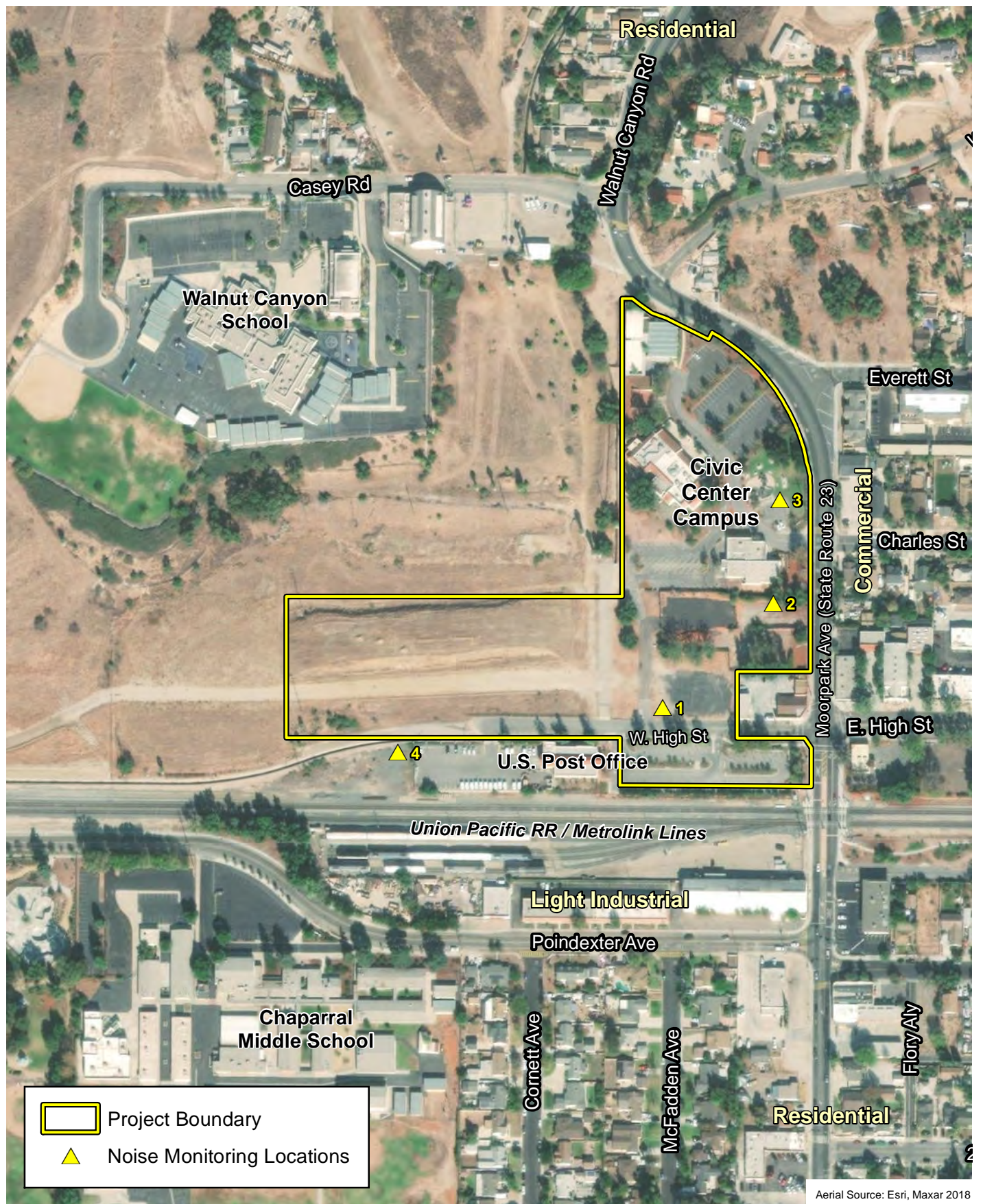
## 4.11.2 REGULATORY SETTING

### Local

#### ***City of Moorpark General Plan Noise Element***

The City of Moorpark General Plan Noise Element (Noise Element) serves as a comprehensive program for noise control in the City. The Element identifies existing noise sources and noise concerns in Moorpark; existing and future noise levels along roadways; and sets noise standards for various land uses. The impacts of traffic noise to the Project and to existing noise-sensitive uses within the City are governed by the standards and policies included in the City's Noise Element. The City's noise compatibility guidelines are identified in Table 4.11-2, which are derived from the State General Plan Guidelines. These guidelines are primarily used to assess transportation noise impacts to new development. The City noise standards are presented in Table 4.11-3.

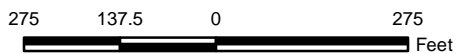
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# Noise Monitoring Locations

Exhibit 4.11-1

Civic Center Master Plan Project





**TABLE 4.11-2  
CITY OF MOORPARK  
LAND USE COMPATIBILITY GUIDELINES**

Land Use Categories		CNEL						
Categories	Uses	<55	55-60	60-65	65-70	70-75	75-80	>80
<b>Residential</b>	Single-family, 2-Family, Multi-Family	A	A	B	B	C	D	D
<b>Residential</b>	Mixed Use	A	A	A/B	B	C	D	D
<b>Residential</b>	Mobile Home	A	A	A/B	B	C	C	D
<b>Commercial</b> Regional, District	Hotel, Motel, Transient Lodging	A	A	A	A	B	B	C
<b>Commercial</b> Regional, Village District, Special	Commercial Retail, Bank, Restaurant, Movie Theater	A	A	A	A/B	B	C/D	D
<b>Commercial Industrial Institutional</b>	Office Building, Research and Development, Professional Office, City Office Building	B	B	B	B/C	C	C/D	D
<b>Commercial</b> Recreational <b>Institutional</b> <b>Civic Center</b>	Amphitheatre, Concert Hall Auditorium, Meeting Hall	A	A	A	B	B	D	D
<b>Commercial</b> Recreational	Children's Amusement Park, Miniature Golf Course, Go-cart Track, Equestrian Center, Sports Club	A	A	A	A	A/B	B	B
<b>Commercial</b> General, Special <b>Industrial, Institutional</b>	Automobile Service Station, Auto Dealership, Manufacturing, Warehousing, Wholesale, Utilities	A	A	A	B	C	D	D
<b>Institutional</b>	Hospital, Church, Library, Schools' Classroom	A	A	A	B	C	D	D
<b>Open Space</b>	Parks	A	A	A	A	B	C	C
<b>Open Space</b>	Golf Course, Cemeteries, Nature Centers, Wildlife Reserves, Wildlife Habitat	A	A	A	A	B	C	C
<b>Agriculture</b>	Agriculture	A	A	B	B	C	D	D

CNEL: community noise equivalent level.

Zone A: Clearly Compatible—Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.

Zone B: Normally Compatible—New construction or development should be undertaken only after detailed analysis of the noise reduction requirements and are made and needed noise insulation features in the design are determined. Conventional construction with closed windows and fresh air supply systems or air conditioning will normally suffice.

Zone C: Normally Incompatible—New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of noise reduction requirements must be made and needed noise insulation features included in the design.

Zone D: Clearly Incompatible—New construction or development should generally not be undertaken.

Source: Moorpark 1998a.

**TABLE 4.11-3  
CITY OF MOORPARK NOISE STANDARDS**

Land Use Categories		Energy Average CNEL	
Category Uses		Interior <sup>a</sup>	Exterior <sup>b</sup>
Residential	Single-Family, Two-Family, Multiple-Family	45 <sup>c</sup>	55 <sup>d</sup>
	Mobile Home	–	65 <sup>e</sup>
Commercial, Industrial, Institutional	Hotel, Motel, Transient Lodging	45	65 <sup>f</sup>
	Commercial Retail, Bank, Restaurant	55	–
	Office Building, Research and Development, Professional Offices, City Office Building	50	–
	Amphitheater, Concert Hall, Auditorium, Meeting Hall	45	–
	Gymnasium (Multipurpose)	50	–
	Sports Club	55	–
	Manufacturing, Warehousing, Wholesale Utilities	65	–
	Movie Theaters	45	–
Institutional	Hospital, School classroom	45	65
	Church, Library	45	–
Open Space	Parks	–	65
<b>Interpretation:</b>			
a. Indoor environment excluding: Bathrooms; toilets; closets; corridors.			
b. Outdoor environment limited to: Private yard of single-family; Multi-family private patio or balcony which is served by a means of exit from inside; Mobile Home Park; Hospital patio; Park's picnic area; School's playground; Hotel and motel recreation area.			
c. Noise level requirement with closed windows. Mechanical ventilating system or other means of natural ventilation shall be provided as of Chapter 12, Section 1205 of UBC.			
d. Noise level requirement with open windows if they are used to meet natural ventilation requirement.			
e. Exterior noise level should be such that interior noise level will not exceed 45 CNEL.			
f. Except those areas around an airport within the 65 CNEL contour.			
Source: Moorpark 1998a.			

**City of Moorpark Municipal Code**

Chapter 17.53, Noise, of the Moorpark Municipal Code is the City's Noise Ordinance. The purposes of the Noise Ordinance are to, "establish criteria and procedures to implement the noise element and to maintain quiet in those areas which exhibit low noise levels and to help control noise in those areas within the city where noise levels are above acceptable values" (City of Moorpark 2022). Chapter 15.26 of the Moorpark Municipal Code, Construction Activity Restrictions, prescribes limits for hours of construction (City of Moorpark 2022). The City-adopted exterior noise level limits are presented in Table 4.11-4.

**TABLE 4.11-4  
CITY OF MOORPARK  
NOISE ORDINANCE EXTERIOR NOISE LIMITS**

Type of Land Use	Time Interval	Base Allowable Exterior Noise Level
Single-family and multi-family residential/rural and agricultural zone	10:00 p.m. to 7:00 a.m.	55 dBA
	7:00 a.m. to 10:00 p.m.	60 dBA
Commercial office/neighborhood	10:00 p.m. to 7:00 a.m.	55 dBA
	7:00 a.m. to 10:00 p.m.	60 dBA
General commercial/planned development	10:00 p.m. to 7:00 a.m.	60 dBA
	7:00 a.m. to 10:00 p.m.	65 dBA
Industrial Park	Anytime	65 dBA
Limited industrial	Anytime	70 dBA
Public Space	All Day	70 dBA
Source: City of Moorpark 2022		

The Noise Ordinance states:

No person shall operate or cause to be operated, any source of sound at any location within the city or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level when measured on any other property, either incorporated or unincorporated, to exceed:

1. The noise standard for that land use as specified in Table 4 (Table 4.11-4 above) for a cumulative period of more than thirty (30) minutes in any hour; or
2. The noise standard for that land use as specified in Table 4 (Table 4.11-4 above) plus five (5) dB for a cumulative period of more than fifteen (15) minutes in any hour; or
3. The noise standard for that land use as specified in Table 4 (Table 4.11-4 above) plus ten (10) dB for a cumulative period of more than five (5) minutes in any hour; or
4. The noise standard for that land use as specified in Table 4 (Table 4.11-4 above) plus fifteen (15) dB for a cumulative period of more than one (1) minute in any hour; or
5. The noise standard for that land use as specified in Table 4 (Table 4.11-4 above) plus twenty (20) dB or the maximum measured ambient level, for any period of time.
6. If the measured ambient level differs from that permissible within any of the first four (4) noise limit categories above, the noise limit for that land use, as specified in Table 4 (Table 4.11-4 above), shall be adjusted in five (5) dB increments in each category as appropriate to reflect said ambient noise level. In the event the ambient noise level exceeds the fifth (5th) noise limit category, the maximum allowable noise level under this category shall be increased to reflect the maximum ambient noise level.

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Section 17.53.100 of the Noise Ordinance includes two exemptions applicable to the Project. The provisions of Section 16.53.100 do not apply to:

- D. Occasional outdoor gatherings, public dances, shows, and sporting and entertainment events, provided said events are conducted pursuant to a permit issued by the city relative to the staging of said events.
- E. Construction/Demolition: Repair, remodeling or grading of real property, provided the activities occur between the hours of seven (7:00) a.m. to seven (7:00) p.m. weekdays including Saturday.

The City also regulates noise produced from air conditioning or air handling equipment to no more than 50-55 dBA based on Section 17.53.070 Prohibited acts of the Municipal Code.

### Construction Noise

Per Chapter 15.26 of the City's Municipal Code, it is unlawful within the incorporated limits of the City to engage in or conduct any outdoor work relative to construction, except between the hours of 7:00 AM and 7:00 PM, Monday through Saturday, unless a permit for different hours has first been issued by the Public Works Director for projects within the public right-of-way; or by the Community Development Director for projects on private property.

### Vibration Standards

Neither the City nor the State has established standards for a significant vibration impact. The Federal Transit Administration (FTA) has developed impact assessment guidelines in their publication Transit Noise and Vibration Impact Assessment Manual (FTA 2018). The California Department of Transportation (Caltrans) has also published guidelines in their Transportation- and Construction-Induced Vibration Guidance Manual (Caltrans 2004). Based these guidance documents, thresholds for potential structural damage and human annoyance are identified in Tables 4.11-5 and 4.11-6, respectively, and are used in this analysis.

The FTA also uses a conservative screening methodology to determine whether a quantitative analysis of vibration levels is required. For institutional uses near a conventional commuter railroad, the screening distance is 120 feet.



**TABLE 4.11-5  
VIBRATION THRESHOLDS FOR STRUCTURAL DAMAGE**

Structure and Condition	Maximum ppv (in/sec)	
	Transient Sources	Continuous/Frequent Intermittent Sources
Extremely fragile historic buildings, ruins, ancient monuments	0.12	0.08
Fragile buildings	0.20	0.10
Historic and some old buildings	0.50	0.25
Older residential structures	0.50	0.30
New residential structures	1.00	0.50
Modern industrial/commercial buildings	2.00	0.50

ppv: peak particle velocity  
in/sec: inch per second

Note: Transient sources create a single isolated vibration event, such as blasting or drop balls. Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment. Caltrans states many types of construction activities fall between a single event and continuous sources. FTA states that the criteria of 0.20 in/sec for fragile buildings and 0.12 in/sec for extremely fragile historic buildings are appropriate vibration damage thresholds for construction vibration.

Source: Caltrans 2004, FTA 2006.

**TABLE 4.11-6  
GROUND-BORNE VIBRATION IMPACT  
CRITERIA FOR GENERAL ASSESSMENT**

Land Use Category	Ground-borne Vibration Impact Levels		
	Frequent Events (> 70 events/day)	Occasional Events (30-70 events/day)	Infrequent Events (< 30 events/day)
Institutional uses <sup>a</sup>	< 75 VdB	< 78 VdB	< 83 VdB

VdB: Vibration decibels

<sup>a</sup> Institutional land uses with primarily daytime use. Schools, churches, other institutions, and quiet offices that do not have vibration-sensitive equipment, but still have the potential for activity interference.

Source: FTA 2006

### 4.11.3 THRESHOLDS OF SIGNIFICANCE

The following significance criteria, included for analysis in this EIR, are based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines, and will be used to determine the significance of potential noise impacts. Impacts to aesthetics would be significant if the Project would:

**Threshold 4.11-a** *Result in a substantial temporary or permanent increase in ambient noise in the vicinity of the project levels in excess of standards established in local general plan or noise ordinance, or applicable standards of other agencies.*

**Threshold 4.11-b** *Generate of excessive groundborne vibration or groundborne noise levels.*

**Threshold 4.11-c** *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted,*

***within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels.***

### **Noise Impact Criteria**

Long-term on-site and off-site impacts from non-transportation noise sources are measured against the City's Noise Ordinance, limits as stated in Table 4.11-4. Long-term off-site impacts from Project-generated traffic noise are measured against two criteria. For community noise assessment purposes, changes in noise levels greater than 3 dBA are often identified as discernible, while changes less than 1 dBA are not considered discernible to local residents. In the range of 1 to 3 dBA, persons who are very sensitive to noise may perceive a slight change. Both of the following criteria must be met for a direct significant impact to be identified:

- Project traffic must cause a substantial noise level increase (greater than 3 dBA) on a roadway segment adjacent to a noise sensitive land use, and
- the resulting future with project noise level must exceed the criteria level for the noise sensitive land use (e.g., residential use, school). In this case, the exterior criteria level is 65 dBA CNEL for residences and the interior level is 45 CNEL for schools.

The significance threshold for a cumulative off-site traffic noise impact is:

- The total noise increase must exceed 3 dBA, and
- the future exterior noise level at a sensitive receptor must exceed 65 dBA CNEL, and
- the project contribution to the noise increase must exceed 1 dBA.

### **Vibration Impact Criteria**

Because there are no applicable State or local CEQA significance standards for vibration, the FTA recommended criteria from Tables 4.11-4 and 4.11-5 will be applied as follows:

- Excessive exposure to groundborne vibration resulting in potential structural damage would occur if construction vibration levels exceed the recommended building damage criteria of nearby existing buildings including existing historic structures. This value is based on a conservative interpretation of the California Department of Transportation's vibration guidance for construction activity impacts.

#### **4.11.4 IMPACT ANALYSIS**

***Threshold 4.11-a*** ***Would the project result in a substantial temporary or permanent increase in ambient noise in the vicinity of the project levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?***

**Less Than Significant With Mitigation Incorporated.**

### **Temporary Construction Noise**

Construction noise would be related primarily to the use of heavy equipment during each construction phase. The primary source of construction noise is generally diesel engine driven equipment. Each phase of construction is expected to have a specific equipment mix, depending

on the work to be accomplished during that phase. Each phase also has its own noise characteristics; some would have higher continuous noise levels than others, and some have high intensity-short duration noise events with lower average levels. The loudest phase is usually during earthmoving and grading. The average noise level of each construction activity is determined by combining the contributions from each piece of equipment used in that phase (FTA 2018). Typical duty cycles (the percentage of time during which equipment is operated) and noise levels generated by representative pieces of equipment are listed in Table 4.11-7.

**TABLE 4.11-7  
TYPICAL MAXIMUM CONSTRUCTION EQUIPMENT NOISE LEVELS**

Equipment	Noise Level (dBA) at 50 ft	Typical Duty Cycle
Auger Drill Rig	85	20%
Backhoe	80	40%
Blasting	94	1%
Chain Saw	85	20%
Clam Shovel	93	20%
Compactor (ground)	80	20%
Compressor (air)	80	40%
Concrete Mixer Truck	85	40%
Concrete Pump	82	20%
Concrete Saw	90	20%
Crane (mobile or stationary)	85	20%
Dozer	85	40%
Dump Truck	84	40%
Excavator	85	40%
Front End Loader	80	40%
Generator (25 KVA or less)	70	50%
Generator (more than 25 KVA)	82	50%
Grader	85	40%
Hydra Break Ram	90	10%
In situ Soil Sampling Rig	84	20%
Jackhammer	85	20%
Mounted Impact Hammer (hoe ram)	90	20%
Paver	85	50%
Pneumatic Tools	85	50%
Pumps	77	50%
Rock Drill	85	20%
Scraper	85	40%
Tractor	84	40%
Vacuum Excavator (vac-truck)	85	40%
Vibratory Concrete Mixer	80	20%
KVA = kilovolt amps Source: Thalheimer 2000.		

Grading equipment including excavators, loaders, dozers, and loaded haul trucks have the potential to generate the highest noise levels. Noise from point sources (such as construction) decreases by approximately 6 dBA with each doubling of distance from source to receptor. For example, a noise level of 85 dBA measured at 50 feet from the noise source to the receptor would be reduced to 79 dBA at 100 feet from the source to the receptor, and would be further reduced to 73 dBA at 200 feet from the source to the receptor. Variation in power, equipment location, and terrain imposes complexity in characterizing the noise source level from construction equipment.

In accordance with **COA NOI-1**, noise-generating construction work on the Project would be restricted to the hours of 7:00 AM and 7:00 PM, Monday through Saturday, which complies with the City's Noise Ordinance. **COA NOI-2** provides further measures to assure that construction workers are aware of the time limits. This includes compliance with Chapter 10.04 of the Municipal Code that requires vehicles with internal combustion engines to use noise-muffling devices when operating near residential properties. **COA NOI-3** requires that the permitted hours for construction be posted on-site and be communicated to all construction staff. Compliance with these regulatory requirements would prohibit construction activities from occurring at night and limit noise produced from construction activities to the least noise sensitive portions of the day. In addition, construction activities would generally not occur close to existing residential and school uses. Therefore, the Project construction would not expose persons to or generate noise levels in excess of standards established in the General Plan or Noise Ordinance.

### **Phase 1**

During Phase 1 construction, the nearest affected uses would be residences located east of the Project Site approximately 160 feet across and east of Moorpark Avenue, Walnut Canyon Elementary School located approximately 600 feet to the northwest, and Chaparral Middle School located approximately 700 feet to the southwest.

A typical grading operation would have a scraper, a dozer, and a loader working concurrently (three pieces of grading equipment). Based on these operations occurring at the approximate center of the Phase 1 development area, noise levels east side of Moorpark Avenue (280 feet away) are estimated at 70 dBA  $L_{eq}$ , approximately 10 dBA higher than the existing traffic noise levels. Average noise levels at the Walnut Canyon Elementary School and the Chaparral Middle School for the same condition are forecast to be approximately 61 dBA  $L_{eq}$  at a distance of approximately 760 feet away. The construction noise would be heard above existing ambient noise at residences close to Moorpark Avenue and at the school, and may create temporary annoyances. However, the noise levels are within the ranges considered typical and acceptable for construction and would be less when construction phases with construction vehicles are completed. As mentioned previously, noise from construction activities are required to occur during the least noise sensitive portions of the day. Although the noise levels during construction are not considered a significant impact, **MM NOI-1** requires that abatement measures be incorporated into the Project to reduce noise impacts from the operation of heavy equipment and truck traffic during construction.

### **Phases 2 through 4**

Construction of Project elements for Phase 2 would result in noise levels similar to those described above for Phase 1 to receptors east of Moorpark Avenue/Walnut Canyon Road but located at least 500 feet further away to the west. Noise levels would be approximately 65 dBA at Chaparral Middle School because construction would be located at least 500 feet from the school buildings.

Construction during Phase 3 would be located on the northern portion of the site and approximately 270 feet from the center of the proposed development area to receptors east of Moorpark Avenue. Construction activities could be as close as 100 feet to some buildings along Moorpark Avenue. Noise levels would range from 79 dBA  $L_{eq}$  to 70 dBA  $L_{eq}$  at distances of 100 feet to 270 feet, respectively. Phase 3 construction would occur approximately 500 feet from the nearest buildings at Walnut Canyon Elementary School which would result in noise exposures of 65 dBA  $L_{eq}$ .

Phase 4 construction activities would involve development of the new City Hall and Mercado/Market. Noise levels at the nearest noise sensitive residential uses across Moorpark Avenue Construction activities could be as close as 100 feet to some buildings along Moorpark Avenue. Noise levels would be as high as 79 dBA  $L_{eq}$  at a distance of 100 feet.

While these noise levels are not unusual for construction, they would be audible at nearby land uses. However, noise from construction activities is limited to the hours of 7:00 a.m. and 7:00 p.m. when people are least sensitive to noise and the periods for which heavy construction are needed are relatively short. As such, construction noise produced from the Project would result in less than significant noise impacts.

### **Operational (Long-Term) Permanent Noise**

Long-term noise impacts are evaluated for (1) off-site impacts resulting from traffic generated by the Project; (2) noise generated at the City Hall, Community Center and Library; and (3) noise generated by park activities. To estimate noise level increases and impacts due to the development of the Project, traffic noise exposure levels were calculated based on traffic projections in the Traffic Impact Analysis prepared for the Project. These traffic noise levels represent the distance from the centerline of the road to the contour value shown. Noise contours adjacent to the Project Site are shown on Exhibit 4.11-2.

### ***Traffic Noise Impacts to Off-Site Receptors***

Traffic noise contours were assessed by evaluating the noise levels “with” and “without” the Project for the following scenarios: Year 2025 and Year 2037. Year 2025 was assessed as an interim year analysis for the Project and Year 2037 was analyzed under the full buildout of the Project.

***Year 2025 Conditions With and Without Project:*** Table 4.11-8 presents a comparison of the existing noise conditions with and without the Project. The Project would not increase the noise levels along the study area roadway segments due to less vehicle trip generation under Phase 1 as compared to the existing buildings. Changes in noise levels below 3 decibels are not considered to be perceptible in outdoor environments. Because Project related traffic would not result in traffic noise increases, the Project would not result in a significant traffic noise impact for the Project interim year of 2025. No mitigation would be required.

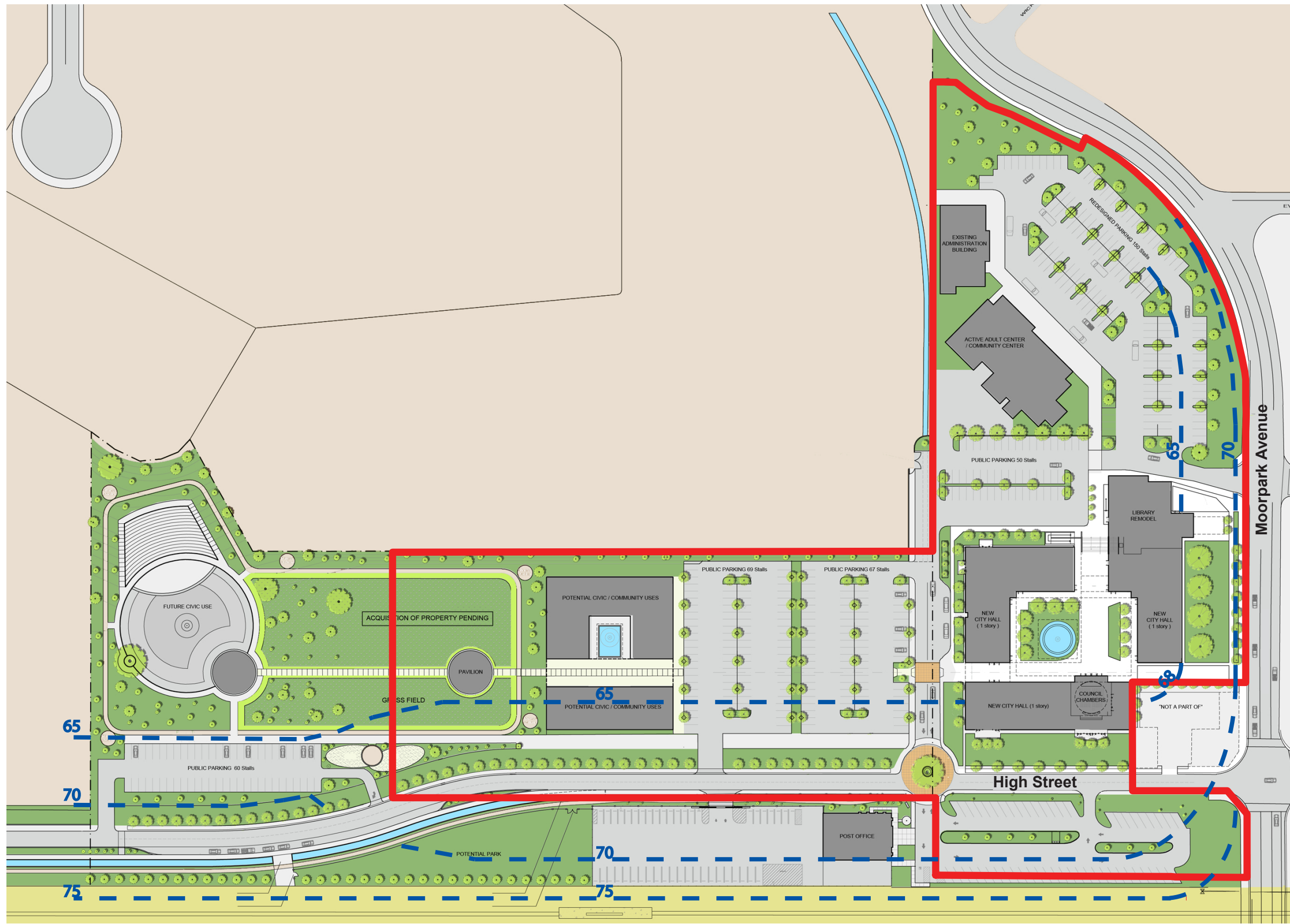
**TABLE 4.11-8  
YEAR 2025 WITH AND WITHOUT PROJECT  
TRAFFIC NOISE LEVELS**



Roadway	Segment	CNEL at 50 feet (dBA)			
		No Project	With Project	Project Contribution	Potential Impact?
Casey Road and Moorpark Avenue/Walnut Canyon Road	East Leg	0	0	0	No
	West Leg	59.9	59.9	0	No
	North Leg	62.5	62.5	0	No
	South Leg	64.7	64.7	0	No
Charles Street/Civic Center Driveway and Moorpark Avenue	East Leg	52.0	52.0	0	No
	West Leg	49.7	48.3	-1.5	No
	North Leg	66.5	66.5	0	No
	South Leg	66.5	66.5	0	No
High Street and Moorpark Avenue	East Leg	64.4	64.3	-0.1	No
	West Leg	55.9	55.0	-0.9	No
	North Leg	66.5	66.5	0	No
	South Leg	66.1	66.0	-0.1	No
High Street/Princeton Avenue and Spring Road	East Leg	66.0	66.0	0	No
	West Leg	64.3	64.2	-0.1	No
	North Leg	68.8	68.8	0	No
	South Leg	68.6	68.6	0	No
First Street/Poindexter Avenue and Moorpark Avenue	East Leg	50.7	50.7	0	No
	West Leg	59.0	58.9	-0.1	No
	North Leg	64.7	64.6	-0.1	No
	South Leg	63.6	63.5	-0.1	No
Los Angeles Avenue and Moorpark Avenue	East Leg	72.8	72.8	0	No
	West Leg	72.6	72.6	0	No
	North Leg	64.8	64.8	0	No
	South Leg	62.7	62.7	0	No
Spring Road and Walnut Canyon Road	East Leg	64.3	64.3	0	No
	West Leg	45.7	45.7	0	No
	North Leg	68.2	68.2	0	No
	South Leg	63.5	63.5	0	No
High Street and Gabbert Road	East Leg	49.0	48.5	-0.5	No
	West Leg	0	0	0	No
	North Leg	56.2	56.2	0	No
	South Leg	56.7	56.6	-0.1	No

CNEL: community noise equivalent level; ft: feet; dBA: A-weighted decibels.  
Source: FHWA RD 77-108 Highway Traffic Noise Prediction Model

**Year 2037 With and Without Project:** Table 4.11-9 compares year 2037 noise levels with and without the Project. This timeframe corresponds with Project Buildout. The Project would increase the noise levels along the study area roadway segments up to 0.7 dBA  $L_{eq}$  which is below the traffic noise impact criteria. Changes in noise levels below 3 decibels are not considered to be perceptible in outdoor environments. Because Project related traffic would result in traffic noise increases that are below the significance criteria set forth in this EIR, the Project would not result in a traffic noise impact for the Project buildout year of 2037. No mitigation would be required.

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 Project Boundary  
 dBA CNEL Contour

Source: City of Moorpark 2010

### Noise Contours

### Exhibit 4.11-2

Civic Center Master Plan Project







**TABLE 4.11-9  
YEAR 2037 WITH AND WITHOUT PROJECT TRAFFIC NOISE LEVELS**

Roadway	Segment	CNEL at 50 feet (dBA)			
		No Project	With Project	Project Contribution	Potential Impact?
Casey Road and Moorpark Avenue/Walnut Canyon Road	East Leg	4.8	4.8	0	No
	West Leg	60.0	60.0	0	No
	North Leg	62.8	62.8	0	No
	South Leg	64.9	65.0	0	No
Charles Street/Civic Center Driveway and Moorpark Avenue	East Leg	52.6	52.6	0	No
	West Leg	50.2	51.3	1.0	No
	North Leg	66.8	66.8	0	No
	South Leg	66.8	66.9	0	No
High Street and Moorpark Avenue	East Leg	64.7	64.8	0.1	No
	West Leg	56.1	56.8	0.7	No
	North Leg	66.8	66.8	0.0	No
	South Leg	66.5	66.5	0.1	No
High Street/Princeton Avenue and Spring Road	East Leg	66.4	66.4	0	No
	West Leg	64.6	64.7	0.1	No
	North Leg	69.2	69.2	0	No
	South Leg	69.0	69.1	0	No
First Street/Poindexter Avenue and Moorpark Avenue	East Leg	51.2	51.2	0	No
	West Leg	59.5	59.5	0.1	No
	North Leg	65.0	65.1	0.1	No
	South Leg	63.8	63.9	0.1	No
Los Angeles Avenue and Moorpark Avenue	East Leg	73.2	73.2	0	No
	West Leg	73.0	73.0	0	No
	North Leg	65.2	65.2	0	No
	South Leg	63.1	63.1	0	No
Spring Road and Walnut Canyon Road	East Leg	64.7	64.7	0	No
	West Leg	45.7	45.7	0	No
	North Leg	68.6	68.6	0	No
	South Leg	63.8	63.8	0	No
High Street and Gabbert Road	East Leg	49.0	49.3	0.3	No
	West Leg	4.8	4.8	0	No
	North Leg	56.3	56.3	0	No
	South Leg	56.8	56.8	0	No

CNEL: community noise equivalent level; ft: feet; dBA: A-weighted decibels.  
Source: FHWA RD 77-108 Highway Traffic Noise Prediction Model

### ***Project-Related Stationary Source Noises***

The primary noise stationary noise sources associated with the Project would be heating, ventilating, and air conditioning (HVAC) equipment and park activities. As mentioned previously, the City regulates noise produced from air conditioning or air handling equipment to no more than 50-55 dBA based on Section 17.53.070 Prohibited acts of the Municipal Code.

If a park is built under Phase 2, typical park uses could include playgrounds, athletic courts/fields, and picnic areas. Due to the size of the proposed park area, the amount of space available for each of these proposed activities is limited. The closest existing noise sensitive uses are residential uses located approximately 550 feet south of the Project Site. Future residential uses could be located as close as approximately 100 feet to the north of the park area. Due to the small scale of potential park uses, relatively low magnitude of noise produced by these park uses and the distance from the park uses and existing/future residential uses, the Project would result in less than significant noise impacts to offsite uses.

The proposed mercado/market would also have the potential to generate noise from visitors patronizing the site. This would result in low levels of noise associated with people talking and parking lot activities. Noise associated with these activities will not be substantial and would result in less than significant noise impacts to nearby uses.

**Threshold 4.11-b Would the project generate excessive groundborne vibration or groundborne noise levels?**

**Less Than Significant With Mitigation Incorporated.** The Project would generate groundborne vibration during construction of the Project. The operations phase of the Project would not involve substantial sources of vibration or groundborne noise levels based on the types of land uses proposed.

**Temporary Vibration Impacts During Construction**

The effect of construction vibration depends on the amount and type of construction planned under each phase and the distance between construction activities and the nearest vibration-sensitive receptor. Table 4.11-10 identifies vibration levels during typical construction activities. The construction of the Project does not assume impact pile driving or blasting. The most substantial vibration sources associated with Project construction would be the equipment used during grading and preparation of the Project Site.

**TABLE 4.11-10  
VIBRATION LEVELS FOR CONSTRUCTION EQUIPMENT**

Equipment	PPV at 25 ft (in/sec) <sup>a</sup>	Approximate L <sub>v</sub> at 25 ft (VdB) <sup>b</sup>
Pile driver – impact (typical)	0.644	104
Pile driver – sonic (typical)	0.170	93
Large bulldozer	0.089	87
Caisson drilling	0.089	87
Loaded trucks	0.076	86
Jackhammer	0.035	79
Small bulldozer	0.003	58

ft: feet; ppv: peak particle velocity; in/sec: inches/second; VdB: vibration decibels  
<sup>a</sup> The ppv is defined as the maximum instantaneous positive or negative peak of the vibration signal, and is usually measured in in/sec.  
<sup>b</sup> Root mean square velocity  
 Source: Source: FTA 2018

The Tanner Corner Building, a historic building, is located on the northwest corner of the intersection of Moorpark Avenue at West High Street. A vibration threshold of 0.25 ppv was used for historic structures based on FTA guidance. This is considered conservative because the

Tanner Corner Building is made of concrete masonry units which are not considered fragile. As shown in Table 4.11-11, with the exception of the Tanner Corner Building the vibration generated by construction equipment would not exceed the vibration building damage criteria threshold when construction activities occur under maximum (i.e., closest to the receptor) exposure conditions for vibration sensitive receptors. Vibration levels may potentially exceed the vibration threshold for building damage at the adjacent Tanner Corner Building to the east of the Project Site.

**TABLE 4.11-11  
VIBRATION BUILDING DAMAGE AT NEAREST OFFSITE BUILDINGS**

Equipment	Vibration Levels (ppv)			
	North - Residential Uses	Northwest - Walnut Canyon School	South - Post Office	East - Tanner Corner Building
	(ppv @ 55 ft)	(ppv @ 320 ft)	(ppv @ 70 ft)	(ppv @ 10 ft)
<b>Pile Driver (Sonic) Upper Range (VR Equivalent)</b>	0.22	0.02	0.16	<b>2.90</b>
Pile Driver (Sonic) Typical	0.05	0.00	0.04	<b>0.67</b>
Vibratory roller	0.06	0.00	0.04	<b>0.83</b>
<b>Caisson Drill (DSM Equivalent)</b>	0.03	0.00	0.02	<b>0.35</b>
Large bulldozer	0.03	0.00	0.02	<b>0.35</b>
Small bulldozer	0.00	0.00	0.00	0.01
Jackhammer	0.01	0.00	0.01	0.14
Loaded trucks	0.02	0.00	0.02	<b>0.30</b>
<b>Criteria</b>	<b>0.30</b>	<b>0.30</b>	<b>0.30</b>	<b>0.25</b>
<b>Exceeds Criteria?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>Yes</b>

ppv: peak particle velocity; Max: maximum; avg: average; ft: feet; NA: not applicable  
Source: FTA 2018 (Calculations can be found in Appendix J).

Based on the “Moorpark Library Project Site, Conceptual Ground Improvement Plan Cost Estimate” prepared by Oakridge Geoscience, Inc., there are two proposed ground improvement methods currently being considered. The two possible ground improvement methods are vibro-replacement (VR) or deep soil mixing (DSM). The VR method consists of advancing a 30-inch diameter mandrel using a combination of the weight of the mandrel and vibration. After the mandrel reaches the selected depth, gravel is vibrated and “rammed” into the hole as backfill. This approach is best approximated by the sonic pile driver shown in Table 4.11-11. It is unknown whether it is best characterized under typical or upper range vibration data. To provide a conservative analysis, it is assumed that vibrations generated by VR are comparable to the upper range data for sonic pile driving. The DSM method involves use of a large-diameter auger attached to a drill rig or crane to advance the auger to the necessary depth. Cement is mixed into the soil through the auger. Drilling through the use of the auger is anticipated to be comparable to the vibrations imparted by a caisson drill due to similar drilling activities. Table 4.11-12 shows the vibration levels from construction equipment at different distances from the Tanner Corner Building.

**TABLE 4.11-12  
VIBRATION BUILDING DAMAGE AT DIFFERENT DISTANCES**

Equipment	Vibration Levels (ppv)			
	(ppv @ 15 ft)	(ppv @ 20 ft)	(ppv @ 25 ft)	(ppv @ 55 ft)
<b>Pile Driver (Sonic) Upper Range (VR Equivalent)</b>	<b>1.58</b>	<b>1.03</b>	<b>0.73</b>	0.22
Pile Driver (Sonic) Typical	<b>0.37</b>	0.24	0.17	0.05
Vibratory roller	<b>0.45</b>	<b>0.29</b>	0.21	0.06
<b>Caisson Drill (DSM Equivalent)</b>	0.19	0.12	0.09	0.03
Large bulldozer	0.19	0.12	0.09	0.03
Small bulldozer	0.01	0.00	0.00	0.00
Jackhammer	0.08	0.05	0.04	0.01
Loaded trucks	0.16	0.11	0.08	0.02
<b>Criteria</b>	<b>0.25</b>	<b>0.25</b>	<b>0.25</b>	<b>0.25</b>
<b>Exceeds Criteria?</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>No</b>

ppv: peak particle velocity; Max: maximum; avg: average; ft: feet; NA: not applicable  
Source: FTA 2018 (Calculations can be found in Appendix J).

As shown in Table 4.11-12, the distance for which construction equipment have to be separated from the Tanner Corner Building differs depending on the type of construction equipment. A 25-foot separation distance between conventional construction equipment and DSM equipment is sufficient. VR equipment would need to be separated by a distance of at least 55 feet if vibration levels are equivalent to the upper range of vibration from a sonic pile driver. The vibration exposure levels at the Tanner Corner Building are an estimate based on vibration levels provided by the FTA for general construction equipment and may not reflect the vibration levels of the proposed equipment nor the geology present at the site. As such, **MM NOI-2** which requires onsite vibration monitoring at the Tanner Corner Building would provide real-time and actual vibration exposure levels at the Tanner Corner Building. With the implementation of **MM NOI-2**, the impact would be less than significant.

With respect to impacts to people, the threshold of annoyance varies dependent on the frequency of occurrence and the character of vibration. The FTA guidance indicates that 75 vibration decibels (VdB) is a level that separates barely perceptible from distinctly perceptible. Based on the equipment to be used and the distance from occupied buildings, construction equipment vibration levels at occupied buildings would generally be less than 75 VdB and not perceptible. However, when heavy equipment is used near a building vibration may be noticeable to the occupants of buildings on and near to the Project Site. These events would occur for short periods and infrequently. Annoyance to people would not be excessive and the impact would be less than significant.

**Threshold 4.11-c** For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

**No Impact.** The Project Site is not located within an adopted Airport Land Use Plan or in the vicinity of a private airstrip, heliport, or helistop. The nearest airport is the Camarillo Airport located

approximately 11 miles southwest of the site. The Project Site would not be subject to excessive noise levels related to aircraft or airport operations. Therefore, the Project would have no impacts related to this threshold, and no mitigation is required.

#### **4.11.5 CUMULATIVE IMPACTS**

##### **Cumulative Construction Noise**

Adverse noise impacts during construction of the Project would be localized and would occur intermittently for varying periods of time throughout the construction period. Short-term cumulative impacts related to ambient noise and vibration levels could occur if construction associated with the Project as well as surrounding current and future development were to occur simultaneously. The 200-unit apartment building planned northwest of the Project Site is approved; however, the timing of construction is unknown. Due to the differences in the size of development, these projects are not likely to be built concurrently. Any overlap with the Moorpark Civic Center Campus construction by these projects is expected to be minor. Compliance with the City's Noise Ordinance and conditions of approval would prevent any significant construction noise impacts.

##### **Cumulative Operational Noise**

Off-site cumulative noise impacts describe how much noise levels are forecasted to increase over existing conditions with traffic growth. Cumulative increases in traffic noise levels were estimated by comparing the "2037 With Project" scenario to existing conditions.

As addressed in Section 4.11-7, a significant cumulative traffic noise impact would occur if all of the following occur: (1) the total noise increase exceeds 3 dBA, (2) the future noise level at a sensitive receptor exceeds 65 dBA CNEL, and (3) the Project contribution to the noise increase exceeds 1 dBA if noise levels exceed 65 dBA CNEL. A 3 dBA increase would result in a noticeable change in noise levels. The 65 dBA CNEL noise level is considered by the City to be the upper limit for acceptable exterior noise levels for noise sensitive uses and a 1 dBA allowance is provided if noise levels exceed 65 dBA CNEL.

Table 4.11-13 shows that the cumulative noise increases would range from 0 to 44.5 dBA CNEL with the majority of noise increases below the noticeable change threshold of 3 dBA. Cumulative noise increases greater than 3 dBA would occur at multiple segments. However, these increases would occur with total future noise levels that are less than the 65 dBA CNEL upper noise threshold. So the noticeable change in traffic noise levels will occur in noise environments that are still acceptable based the compatibility standards identified previously in Table 4.11-1. The only location where there is a 3 dBA or greater increase that approaches the noise limit of 65 dBA CNEL occurs at the southern roadway segment of Casey Road and Moorpark Avenue/Walnut Canyon Road. However, the Project's contribution to this cumulative traffic noise increase is less than 1 dBA because it is contributing 40 daily vehicle trips to the 11,060 vehicle trips estimated to occur there. Because the cumulative traffic noise increases would be less than the thresholds, cumulative traffic noise increases would be less than significant.

Stationary sources of noise for existing and future uses would continue to be regulated by the City's Municipal Codes. Compliance with the City's noise limits would reduce cumulative noise levels to less than significant levels and no mitigation measures would be required.

**TABLE 4.11-13  
CUMULATIVE OFF-SITE TRAFFIC NOISE LEVELS**

Roadway	Segment	CNEL at 50 feet (dBA)				
		Existing	2037 With Project	Total Traffic Noise Increase	Project Contribution	Potential Impact?
Casey Road and Moorpark Avenue/Walnut Canyon Road	East Leg	0	0	0	0	No, <3 dBA
	West Leg	52.1	60.0	7.9	0	No, <65 dBA
	North Leg	60.0	62.8	2.9	0	No, <3 dBA
	South Leg	60.8	65.0	4.1	0	No, <1 dBA
Charles Street/Civic Center Driveway and Moorpark Avenue	East Leg	51.9	52.6	0.7	0	No, <3 dBA
	West Leg	49.7	51.3	1.6	1.0	No, <3 dBA
	North Leg	64.2	66.8	2.6	0	No, <3 dBA
	South Leg	64.2	66.9	2.6	0	No, <3 dBA
High Street and Moorpark Avenue	East Leg	62.4	64.8	2.4	0.1	No, <3 dBA
	West Leg	50.3	56.8	6.5	0.7	No, <65 dBA
	North Leg	64.2	66.8	2.7	0.0	No, <3 dBA
	South Leg	64.4	66.5	2.1	0.1	No, <3 dBA
High Street/Princeton Avenue and Spring Road	East Leg	64.7	66.4	1.8	0	No, <3 dBA
	West Leg	62.3	64.7	2.4	0.1	No, <3 dBA
	North Leg	67.9	69.2	1.3	0	No, <3 dBA
	South Leg	67.8	69.1	1.2	0	No, <3 dBA
First Street/Poindexter Avenue and Moorpark Avenue	East Leg	50.4	51.2	0.8	0	No, <3 dBA
	West Leg	58.4	59.5	1.1	0.1	No, <3 dBA
	North Leg	62.2	65.1	2.9	0.1	No, <3 dBA
	South Leg	60.3	63.9	3.6	0.1	No, <65 dBA
Los Angeles Avenue and Moorpark Avenue	East Leg	71.6	73.2	1.6	0	No, <3 dBA
	West Leg	71.4	73.0	1.6	0	No, <3 dBA
	North Leg	62.6	65.2	2.6	0	No, <3 dBA
	South Leg	61.6	63.1	1.5	0	No, <3 dBA
Spring Road and Walnut Canyon Road	East Leg	63.0	64.7	1.7	0	No, <3 dBA
	West Leg	44.1	45.7	1.6	0	No, <3 dBA
	North Leg	66.5	68.6	2.2	0	No, <3 dBA
	South Leg	60.9	63.8	2.9	0	No, <3 dBA
High Street and Gabbert Road	East Leg	0	49.3	44.5	0.3	No, <65 dBA
	West Leg	0	0	0	0	No, <3 dBA
	North Leg	49.0	56.3	7.3	0	No, <65 dBA
	South Leg	49.0	56.8	7.9	0	No, <65 dBA

CNEL – Community Noise Equivalent Level; dBA - decibels

#### 4.11.6 MITIGATION PROGRAM

##### Conditions of Approval

**COA NOI-1** The Project shall comply with Section 15.26 of the City’s Municipal Code, which requires contractors to not engage in or conduct any noise-generating outdoor

construction work, except between the hours of 7:00 AM and 7:00 PM, Monday through Saturday, unless a permit for different hours has been issued.

**COA NOI-2** The Project shall comply with Chapters 9.28, 10.04, 12.24 and 17.53 of the Moorpark Municipal Code and any provision amendatory or supplementary thereto, as a standard requirement for construction noise reduction.

**COA NOI-3** The Project shall include the posting, in a conspicuous location, of the construction hour limitations and make each construction trade aware of the construction hour limitations.

### **Mitigation Measures**

**MM NOI-1** Prior to the start of grading of each Project phase, the Project applicant shall provide evidence acceptable to the City's Community Development Department, that:

- a. All construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.
- b. Stationary equipment, such as generators and air compressors, would be located as far from local residences and Walnut Canyon Elementary School, as feasible.
- c. Equipment maintenance and staging areas would be located as far away from local residences and Walnut Canyon Elementary School, as feasible.
- d. Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings and Walnut Canyon Elementary School.

**MM NOI-2** During construction activities, the Project applicant will ensure that ongoing vibration monitoring is conducted for Project activities within 75 feet of the Tanner Corner Building as specified below.

- Whenever vibratory replacement activities occur within 75 feet of the Tanner Corner Building.
- Whenever Deep Soil Mixing activities occur within 50 feet of the Tanner Corner Building.
- Whenever general construction equipment is utilized within 25 feet of the Tanner Corner Building.

If vibration levels at the Tanner Corner Building reach or exceed 0.25 ppv, there is a potential for building damage and an immediate stop work order will be issued. Alternative construction methods or vibration reduction measures will then be determined that keep vibration exposure levels below 0.25 ppv. (Also see **MM CUL-1** in Section 4.3, *Cultural Resources*, which includes requirements for the development of a construction monitoring plan for work in proximity to the Tanner Corner Building).

### **4.11.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Less than significant impact.

#### 4.11.8 REFERENCES

- California, State of. 2022a (September 28, access date). California Code of Regulations (CCR). Sacramento, CA. <https://oal.ca.gov/publications/ccr/>
- . 2022b (September 28, access date). California Public Resources Code. Sacramento, CA. [https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=PRC&division=2.&title=&part=&chapter=9.&article=6](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=2.&title=&part=&chapter=9.&article=6).
- Amtrak. 2013 (Effective May 7). Pacific Surfliner Schedule. (September 13, access date). <http://www.amtrak.com/pacific-surfliner-train>. Washington, DC: Amtrak.
- California Department of Transportation (Caltrans). 2004 (June). Transportation- and Construction-Induced Vibration Guidance Manual (prepared by Jones and Stokes). Sacramento, CA: Jones and Stokes. <http://www.dot.ca.gov/hq/env/noise/pub/vibrationmanFINAL.pdf>.
- Federal Transit Administration. 2018 (September). Transit Noise and Vibration Impact Assessment. [https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123\\_0.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf)
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## 4.12 POPULATION AND HOUSING

### 4.12.1 EXISTING CONDITIONS

The Project Site does not currently contain any housing or residents. However, there are many employees that currently work within the Project Site associated with City Hall, the Library, and the Active Adult Center.

According to the United States (U.S.) Census Bureau, the existing population of Ventura County increased from 823,318 in 2010 to 843,843 in 2020 (U.S. Census Bureau 2021). The Department of Finance (DOF) projects population in Ventura County to increase to 885,628 by 2040 (DOF 2022a), while Southern California Association of Governments' (SCAG) population projection is 947,000 by 2045 for Ventura County (SCAG 2020). The City of Moorpark's current population is 35,399 as of January 2022 (DOF 2022b). According to SCAG's past and future projections for population, housing, and employment, the City will experience greater increases relative to County increases. Table 4.12-1, below provides SCAG's population, housing, and employment projections for years 2016 and 2045 for the County and the City.

**TABLE 4.12-1  
ESTIMATES FOR  
POPULATION, HOUSEHOLDS, AND EMPLOYMENT**

Categories	Year 2016	Year 2045	Total Increase	Percent Increase
<b>Ventura County</b>				
Population	850,000	947,000	97,000	11.41
Households	271,000	306,000	35,000	12.92
Employment	335,000	389,000	54,000	16.12
<b>City of Moorpark</b>				
Population	36,700	42,200	5,500	14.99
Households	11,000	13,000	2,000	18.18
Employment	11,300	15,000	3,700	32.74
Source: SCAG 2020				

### 4.12.2 REGULATORY SETTING

#### State

#### ***California Housing and Community Development Department Projections***

California housing law calls upon local jurisdictions to provide a fair-share of housing. In implementing this law, the California Housing and Community Development Department assigns fair share housing targets to each of the Council of Governments (COG) in the State based on the California Department of Finance (DOF) population projections and regional forecasts. Southern California Association of Governments (SCAG), a Joint Powers Agency established under Sections 6502 et seq. of the California Government Code, is designated as a COG, a Regional Transportation Planning Agency, and a Metropolitan Planning Organization for the six-county region consisting of Ventura, Imperial, Los Angeles, Orange, Riverside, and San Bernardino Counties.

## **Regional**

### ***Regional Housing Needs Assessment***

The Regional Housing Needs Assessment (RHNA) is mandated by State Housing Law as part of the periodic process of updating local housing elements of the General Plan. RHNA quantifies the need for housing within each jurisdiction during specified planning periods. Communities use RHNA in land use planning, prioritizing local resource allocation, and in deciding how to address identified existing and future housing needs resulting from population, employment, and household growth. RHNA does not necessarily encourage or promote growth, but rather allows communities to anticipate growth, so that collectively the region and subregion can grow in ways that enhance quality of life, improve access to jobs, promotes transportation mobility, and addresses social equity and fair share housing needs. On March 4, 2021, the SCAG Regional Council adopted the 6th Cycle Final RHNA Allocation Plan, which assigns housing need for each jurisdiction in the SCAG region for the October 2021 through October 2029 planning period. RHNA housing need allocation for the County of Ventura is 24,452 dwelling units (DUs) and 1,289 DUs for the City of Moorpark (SCAG 2021).

## **Local**

### ***2021-2029 Housing Element***

The City's 2021-2029 Housing Element establishes and City's goals, policies and implementation programs for the adequate provision of decent, safe, and affordable housing for all residents of Moorpark. The Element discusses the population and housing stock of the City, constraints to housing development in Moorpark, and areas where future housing development may occur. Quantified objectives, housing programs, and associated funding were developed to meet the City's existing and future housing needs, as outlined in the RHNA by SCAG. None of the goals, policies, and housing programs in the Housing Element are directly applicable to the proposed Project or the Project Site.

#### **4.12.3 THRESHOLDS OF SIGNIFICANCE**

The following significance criteria, included for analysis in this environmental impact report (EIR), are based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines, and will be used to determine the significance of potential population and housing impacts. Impacts to population and housing would be significant if the Project would:

***Threshold 4.12-a Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure); or***

***Threshold 4.12-b Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?***

#### **4.12.4 IMPACT ANALYSIS**

***Threshold 4.12-a 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)?***

**Less than Significant Impact.** The Project is not anticipated to generate substantial unplanned population growth. Using an estimate of 3.09 persons per dwelling unit for residential development in the City of Moorpark, the 75 dwelling units proposed for Phase 3 of the Project would generate approximately 232 new residents (U.S. Census Bureau 2021). When compared to the 2022 population of Moorpark, which is 35,399 people and SCAG's projected population of 42,200 in 2045, 232 new residents is not a substantial number of people and is within the projections identified (DOF 2022b, SCAG 2020).

Furthermore, the City's General Plan was updated in 2022 to meet the State-mandated RHNA allocation of 1,289 units of total new construction (SCAG 2021). The DUs proposed for the Project would be within the anticipated growth for the City as projected by SCAG at 42,200 residents and 13,000 households by 2045 (SCAG 2020). The Project would not result in substantial direct unplanned population growth and impacts would be less than significant.

The Project would result in temporary construction jobs, as well as an increase in permanent jobs within the Project Site than exist currently through the addition of 13,000 square feet of commercial land uses. This minor amount of commercial space would not induce substantial unplanned population growth.

The Project would not otherwise extend roads or other infrastructure in a manner that would have the potential to induce population growth.

The Project would result in less than significant impacts related to this threshold, and no mitigation is required.

**Threshold 4.12-b** *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

**No Impact.** The Project Site does not contain existing housing; therefore, implementation of the Project would not displace any existing housing or residents. Furthermore, the Project would result in an increase of up to 75 residential units once constructed. Therefore, the Project would have no impacts related to this threshold and no mitigation is required.

#### **4.12.5 CUMULATIVE IMPACTS**

As described above, the Project would not displace any existing residents or housing units. Instead, the Project would result in the addition of approximately 232 new residents and 75 new housing units, which is not a substantial amount. None of the other cumulative projects would displace substantial numbers of residents or housing units. A number of the cumulative projects would increase the local housing supply and number of residents, consistent with local and regional plans. Therefore, no significant cumulative impacts would result related to this resource topic.

#### **4.12.6 MITIGATION PROGRAM**

##### **Conditions of Approval**

No conditions of approval are applicable to population and housing.

## **Mitigation Measures**

No significant impacts pertaining to population and housing were identified; therefore, no mitigation measures are required.

### **4.12.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Less than significant impact.

### **4.12.8 REFERENCES**

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## 4.13 PUBLIC SERVICES

### 4.13.1 EXISTING CONDITIONS

#### Ventura County Fire Department

The Ventura County Fire Department (VCFD) is responsible for providing fire protection services to the Cities of Moorpark, Camarillo, Ojai, Port Hueneme, Simi Valley, Thousand Oaks, Santa Paula, and unincorporated areas of Ventura County. VCFD's response area is approximately 848 square miles and serves more than 800,000 persons in unincorporated areas of Ventura County and the Cities of Ojai, Port Hueneme, Moorpark, Camarillo, Santa Paula, Simi Valley, and Thousand Oaks (VCFD 2022a). The Project Site is served by Fire Station 42, located approximately 0.02 miles away. Table 4.13-1 identifies the location, current equipment, and staffing levels for this station.

**TABLE 4.13-1  
FIRE STATION 42 DETAILS**

Station Number	Address	Equipment	Personnel
42	Moorpark Station 295 E. High Street Moorpark	1 Engine (Engine 42) 1 Reserve Engine (Engine 142) 1 Brush Engine (Engine 342)	3
Source: VCFD 2022a.			

Fire Station 42 serves the central and eastern sections of the City. This station also supports larger incidents in the Santa Clara Valley (VCFD 2022b). Countywide, in 2020, the VCFD responded to more than 47,272 incidents of which 35,304 were medical emergency calls, 1,485 were fire related, 3,155 were public service calls, 3,645 were alarms, 1,079 were calls involving hazardous materials, and 1,485 calls related to fires (VCFD 2022b).

#### Ventura County Sherriff's Office

The Ventura County Sheriff's Office (VCSO) provides law enforcement services to a service area that encompasses 1,882 square miles and serves unincorporated Ventura County and the Cities of Camarillo, Fillmore, Ojai, Moorpark, and Thousand Oaks (VCSO 2022). The VCSO operates stations throughout Ventura County, including the Moorpark Station located at 610 Spring Street less than one mile from the Project Site. Law enforcement services for the City are provided on a contract basis. From the Moorpark Station, the VCSO serves the City of Moorpark as well as the unincorporated areas of the Santa Rosa Valley and Simi Valley.

#### Local and Regional Parks

As described in more detail in Section 4.14 of this Environmental Impact Report (EIR), Recreation, the City has 19 parks, seven of which are located in the downtown area. The Community Center Park is an approximate ½-acre public park located on the Project Site, which contains amenities including barbeques, picnic tables, playground, and restrooms located on the front lawn of the Civic Center Campus along Moorpark Avenue.

#### Moorpark Unified School District

The Project Site is located within the Moorpark Unified School District (MUSD). The Project Site is located within the attendance boundaries for Arroyo West School (K–5), Chaparral Middle

School (6–8), and Moorpark High School (9–12) (My School Locator, 2022). MUSD charges developer fees of \$3.36 per square foot of livable space for residential development and \$0.54 per square foot for commercial/industrial development (MUSD 2022).

### **Moorpark City Library**

The Moorpark City Library is located within the Project Site, which provides library service to the City of Moorpark. The Project involves the construction of a new City Library (Moorpark 2022b).

## **4.13.2 REGULATORY SETTING**

### **State**

#### ***Assembly Bill 2926 and Assembly Bill 1986***

To assist in providing school facilities to serve students generated by new development projects, the State passed Assembly Bill (AB) 2926 in 1986. This bill allows school districts to collect impact fees from developers of new residential and commercial/industrial building space. Development impact fees are also referenced in the 1987 Leroy Greene Lease-Purchase Act, which requires school districts to contribute a matching share of costs for construction, modernization, and reconstruction projects.

#### ***Senate Bill 50***

The Leroy F. Greene School Facilities Act of 1998, or Senate Bill (SB) 50, restricts the ability of a local agency to deny project approvals on the basis that public school facilities (classrooms, auditoriums, etc.) are inadequate. School impact fees are collected at the time building permits are issued. These fees are used by the local schools to accommodate the new students added by the Project, reducing potential impacts on schools to a less than significant impact. Payment of school fees is required by SB 50 for all new residential development projects and is considered full and complete mitigation for school impacts of new development.

### **Local**

#### ***Fire Protection and Emergency Services***

##### **City of Moorpark Municipal Code**

Title 15, Buildings and Construction, of the City’s Municipal Code, contains the provisions of the Ventura Fire Code, which “apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation”.

#### ***Police Protection***

##### **City of Moorpark Municipal Code**

Chapter 3.36, Building Permit Fees, of the City of Moorpark Municipal Code, contains a provision stating that “within any service area for which the existing police station is overextended, a police

facilities fee computed pursuant to this article shall be paid as a condition precedent to the issuance of any building permit for new construction”.

### 4.13.3 THRESHOLDS OF SIGNIFICANCE

The following significance criteria, included for analysis in this EIR, are based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines, and will be used to determine the significance of potential public services impacts. Impacts to public services would be significant if the Project would:

**Threshold 4.13**      ***Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:***

- a. ***Fire Protection.***
- b. ***Police Protection.***
- c. ***Schools.***
- d. ***Parks.***
- e. ***Other Public Facilities.***

### 4.13.4 IMPACT ANALYSIS

**Threshold 4.13-a**      ***Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection?***

**Less than Significant Impact.** The Project Site is currently partially developed; therefore, it already requires fire protection under existing conditions. As discussed in Section 4.12, Population and Housing, the Project would add approximately 75 residential units and other buildings, and would increase the population within the Project Site by approximately 232 residents, which would incrementally increase the demand for fire protection services, including administrative tasks associated with approval and construction of the Project (e.g., building plan check) and response to fire service calls once the Project is occupied. This minor increase in demand for fire protection services is not expected to independently require the construction of new or alteration of existing fire protection facilities to maintain an adequate level of fire protection service to the Project area. However, to maintain current levels of response times the VCFD may need to add to their existing staffing to accommodate the Project as well as other cumulative projects in the vicinity.

As required by **COA PUB-1**, the Project would comply with fire protection design standards, which would ensure that the Project would not inhibit the ability of fire protection or paramedic crews to respond at optimum levels.

Also, as required by **COA PUB-2**, the Project as well as other future development in the City would be required to pay typical City Development Impact Fees (DIF) that would be used exclusively for future facility improvements necessary to ensure contribution of its fair share of the cost of facilities and equipment. Payment of the DIF would allow future site-specific development to contribute to its fair share cost of facilities and equipment due to the increased demand for fire protection services. The construction of future fire department facilities would be subject to separate environmental review.

Therefore, less than significant impacts would result related to this threshold, and no mitigation is required.

**Threshold 4.13-b** *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?*

**Less than Significant Impact.** The Project Site is currently partially developed; therefore, it already requires police protection under existing conditions. The VCSO provides police patrol and investigative services to the Project Site. Although the existing uses within the Project Site already place some demand on police services, the Project would result in a minor incremental increase in the demand for police services with the addition of 75 residential units and other buildings, as well as approximately 232 new residents.

As required by **COA PUB-2**, the Project as well as other future development in the City would be required to pay property taxes that would be used for future facility improvements necessary to ensure adequate levels of service. Therefore, impacts related to police protection would be less than significant, and no mitigation measures are either required or recommended.

**Threshold 4.13-c** *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools?*

**Less than Significant Impact.** The number of students expected to be generated by the development of the 75 residential units would be minimal. Using MUSD student generation rates, the Project would result in the addition of approximately 31 students to local schools, consisting of 16 elementary school students, seven middle school students, and eight high school students, as shown below in Table 4.13-2, Estimated Project Student Generation (MUSD 2020). As required by **COA PUB-2**, the Project as well as other future development in the MUSD service area would be required to pay developer school fees that would be used for future facility improvements necessary to ensure adequate levels of service. Developer school fees are considered full and complete school facilities mitigation pursuant to SB 50. Therefore, impacts related to schools would be less than significant, and no mitigation measures are either required or recommended.



**TABLE 4.13-2  
ESTIMATED PROJECT STUDENT GENERATION**

Grade Level	Student Generation Rate	Units Proposed by the Project	Estimated Student Generation
Elementary School (K-5)	0.2118 students/unit	75 units	16 elementary school students
Middle School (6-8)	0.0814 student/unit	75 units	7 middle school students
High School (9-12)	0.1031 students/unit	75 units	8 high school students
<b>Total</b>			<b>31 total students</b>

Source: Moorpark Unified School District, Residential Development School Fee Justification Study.

**Threshold 4.13-d** *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for parks?*

**Less than Significant Impact.** The Project’s impacts related to Recreation are evaluated in detail in Section 4.14 of this EIR. The Project includes the development of on-site recreational amenities within the Project Site including a City-owned park, the impacts of which have been addressed through the impact analysis presented in each of the topical issues in this EIR where applicable. Also, the Project would be required to comply with the minimum requirements of the Municipal Code that require dedication of parkland or payment of in-lieu fees associated with residential development. Any off-site park development that is partially funded through the Project’s development fees would be subject to a separate environmental review pursuant to the California Environmental Quality Act (CEQA). Therefore, impacts related to parks would be less than significant, and no mitigation measures are either required or recommended.

**Threshold 4.13-e** *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for other public facilities?*

**Less than Significant Impact.** The Project would generate approximately 232 new residents that would utilize library services. Due to this relatively small residential population anticipated to be generated by the Project, implementation of the Project is not expected to adversely impact library services or to independently trigger the need for construction of new or expanded library facilities. Furthermore, the Project would construct a new and improved City library in Phase 1, which would expand the capacities of the City’s library system above existing conditions. Therefore, the Project would not result in impacts associated with the need for new or physically altered governmental facilities. Additionally, the Project would provide payment of applicable development fees. Therefore, impacts related to other public facilities, including libraries, would be less than significant, and no mitigation measures are either required or recommended.

#### **4.13.5 CUMULATIVE IMPACTS**

Collectively, the cumulative projects and the Project would result in increased development that would collectively increase demand for public services provided by public service providers. The Project as well as other future development in the City would be required to pay property taxes that would be used for future facility improvements necessary to ensure adequate levels of service from these public service providers. Therefore, impacts related to the provision of new or physically altered governmental facilities would be less than significant, and no mitigation measures are either required or recommended.

#### **4.13.6 MITIGATION PROGRAM**

##### **Conditions of Approval**

**COA PUB-1** The Developer shall comply with all applicable codes, ordinances, and regulations, including the most current edition of the California Fire Code and the City of Moorpark Municipal Code, regarding fire prevention and suppression measures; fire hydrants; fire access; water availability; and other, similar requirements. Prior to issuance of building permits, the City of Moorpark Community Development Department and the Ventura County Fire Department shall verify compliance with applicable codes and that appropriate fire safety measures are included in the Project design. All such codes and measures shall be implemented prior to occupancy.

**COA PUB-2** The Developer shall pay all applicable Development Impact Fees (DIFs) prior to the issuance of building permits, for parkland dedication, parkland improvements, public safety facilities, other governmental facilities, and outside agency fees including school district fees.

##### **Mitigation Measures**

No significant impacts pertaining to public services were identified; therefore, no mitigation measures are required.

#### **4.13.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Less than significant impacts.

#### 4.13.8 REFERENCES

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## 4.14 RECREATION

### 4.14.1 EXISTING CONDITIONS

The City has 19 parks, seven of which are located in the downtown area. The locations, acreage, and types of services and facilities within the City of Moorpark are presented in Table 4.14-1 below. The Community Center Park is an approximate ½-acre public park located on the Project Site. The Community Center Park contains amenities including barbecues, picnic tables, playground, and restrooms located on the front lawn of the Civic Center Campus along Moorpark Avenue.

**TABLE 4.14-1  
CITY OF MOORPARK PUBLIC PARKS**

Park Name	Location	Park Acreage	Facilities
<b>Downtown Area/Northern Area Parks</b>			
Mammoth Highlands Park	700 Elk Run Loop	6.5	Barbecues, basketball court, picnic pavilion, playground, restroom, tennis court
Magnolia Park	296 Charles Street	0.3	Barbecues, Picnic tables, playground
Community Center Park*	799 Moorpark Avenue	0.5	Barbecues, picnic tables, playground, restroom
Poindexter Park	500 Poindexter Avenue	9.8	Barbecues, basketball court, horseshoe pits, multipurpose fields, picnic pavilion, skatepark, tot lot
Villa Campesina Park	4704 Leta Yancy Road	0.5	Barbeques, multipurpose fields
Veterans Memorial Park	Spring Rd at Flinn Avenue	0.3	Veterans statue
Walnut Acres Park	161 Second Street	0.34	Barbecues, picnic tables, pinata pole, playground
<b>Mountain Meadows/Western Area Parks</b>			
Glenwood Park	11800 Harvester Street	4.5	Barbecues, basketball court multipurpose fields volleyball court
Arroyo Vista Community Park	4550 Tierra Rejada Road	69.0	Recreation center, athletic fields, ball fields, barbecues, disc golf, football field, gymnasium, multipurpose fields, parking, pet waste disposal stations, picnic pavilion, picnic tables, playground, recycle bin, restrooms, tennis court, tot lot, trash receptacles, water
County Trail Park	11701 1/2 Mountain Trail Street	8.0	Barbeques, multipurpose fields, playground
Tierra Rejada Park	11900 Mountain Trail Street	8.0	Barbeques, basketball court, bocce ball courts, multipurpose fields, pickleball courts, picnic pavilion, playground, restrooms, tennis court, tot lot
Mountain Meadows Park	4350 Mountain Meadow Drive	8.0	Ball fields, barbeques, multipurpose fields, picnic pavilion, restrooms
<b>Peach Hill Area/Southern Area Parks</b>			
Peach Hill Park	13200 Peach Hill Road	10.0	Ball fields, barbeques, multipurpose fields, picnic pavilion, playground, restrooms
Monte Vista Nature Park	4201 Spring Road	5.0	Hiking trails

**TABLE 4.14-1  
CITY OF MOORPARK PUBLIC PARKS**

Park Name	Location	Park Acreage	Facilities
Miller Park	4530 Miller Parkway	6.5	Barbeques, basketball court, pickleball courts, picnic pavilion, playground, restrooms
<b>College Area/Eastern Area Parks</b>			
Virginia Colony Park	14507 Condor Drive	1.0	Barbecues, picnic tables, playground.
Campus Park	6400 Harvard Street	2.5	Barbeques, basketball court, playground, restrooms
College View Park	15400 Campus Park Drive	4.0	Barbecues, basketball court, multipurpose fields, playgrounds, restrooms and a dog park with pet waste disposal stations, recycle bin (ADA accessible)
Campus Canyon Park	6970 Campus Canyon Drive	6.0	Ball fields, barbeques, basketball court, multipurpose fields, playground, restrooms
<b>Total Acres</b>		<b>150.74</b>	
*The Community Center Park is located within the Project Site. Source: City of Moorpark 2022.			

As shown in Table 4.14-1, Moorpark has 19 parks (155 acres) of existing parkland which serves a population of 35,399 residents (DOF 2022b). This translates to a parkland ratio of approximately 4.37 acres per 1,000 persons. The City’s General Plan Land Use Element identifies the City’s parkland ratio as 5.0 acres per 1,000 persons (Moorpark 2023). However, the City’s goal is higher than 3.0 acres per 1,000 persons set by the Quimby Act.

**4.14.2 RELEVANT PROGRAMS AND REGULATIONS**

**State**

***Quimby Act of 1965***

California allows a City or County to pass an ordinance that requires, as a condition of approval of a subdivision, either the dedication of land, the payment of a fee in lieu of dedication, or a combination of both for park and recreational purposes (Section 66477 of the *California Government Code*). This legislation, commonly called the “Quimby Act,” establishes a standard of three acres of parkland per 1,000 residents for new subdivision development unless the municipality has already established a higher rate, unless the amount of existing neighborhood and community park area exceeds that limit, in which case the city may adopt a higher standard not to exceed 5 acres per 1,000 residents. The Quimby Act also specifies acceptable uses and expenditures of such funds.

***California Public Park Preservation Act of 1971***

The primary instrument for protecting and preserving parkland is California’s Public Park Preservation Act of 1971 (Public Resources Code [PRC], §§ 5400–5409). Under this PRC, cities and counties may not acquire any real property that is in use as a public park for any nonpark use unless compensation, land, or both are provided to replace the parkland acquired. This provides no net loss of parkland and facilities.

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## City

### **General Plan**

The goals and policies of the City of Moorpark General Plan that are applicable to the Project are listed below.

### Land Use Element

**GOAL LU 15** Mixed use districts and corridors: a diversity of well-designed districts and corridors containing an integrated mix of commercial, office, and/or housing that enable Moorpark's residents to live close to businesses and employment, reduce automobile use, and actively engage and enhance pedestrian activity. LU 15.4 Inclusion of recreation and amenities: Require that residential/commercial mixed-use projects provide on-site recreational areas and other pedestrian-scale amenities such as benches, fountains, and landscaping that contribute to the living environment of residents, or contribute funds for their development within proximity of the project.

**GOAL LU17** Public facilities and services: governmental, utility, institutional, educational, recreational, cultural, religious, and social facilities and services are located and designed to complement Moorpark's neighborhoods, centers, and corridors.

**LU 17.1** Services supporting Moorpark's residents: Provide public facilities and services that are cost effective, and contribute to the health, safety, welfare, and personal development of all residents.

**LU 17.2** Efficient development: Promote the co- location of parks, schools, libraries, health services, recreation facilities, and other community facilities to support resident needs and leverage limited resources.

**GOAL LU 19** Downtown: Revitalize the downtown commercial core (Moorpark avenue area, walnut street, bard street, magnolia avenue, and high street)

**LU 19.2** Complementary development: Promote the development of new commercial and office uses, housing, park or recreational facilities, public parking, and a potential multimodal transportation center in the commercial core.

### Open Space, Conservation and Recreation Element

**GOAL OSPR 1** Public parkland is acquired, maintained, and provided for both passive and active use that is equally accessible on a neighborhood, community, and regional basis. OSPR 1.6 Expanded access: Expand access to parklands for all residents, including the young, handicapped, and elderly.

**OSPR 1.7** Recreational activities: Facilitate the development and provision of recreational activities that are both active and passive (e.g., hiking, biking, running, sightseeing, swimming).

**OSPR 1.14** New development: Allow new development to provide small plazas, pocket parks, civic spaces, and other gathering places that are available to the public, particularly in infill areas, to help meet recreational demands.

**OSPR 1.15** Park equity: Prioritize social equity considerations in the provision and design of public parks so that residents regardless of age, ability, or neighborhood where they live have quality active and passive green space.

### ***Municipal Code***

The following section from the City's Municipal Code applies to the Project.

#### **16.44.101 Parks and Recreation Facilities**

- A. As a condition of the subdivision of land, the subdivider shall dedicate a portion of such land and/or pay a fee for the purpose of providing park and recreational facilities to serve the future residents of the property being subdivided. This requirement shall apply to all subdivisions except those which:
  - 1. Are exempted by Section 66477 of the Subdivision Map Act;
  - 2. Are a redivision of four (4) or less existing contiguous parcels or lots, which does not result in the creation of a greater number of parcels or lots than existed immediately prior to such redivision; or
  - 3. Will not result in the creation of any parcel or lot which, under the zoning regulations applicable at the time the tentative map is approved, and without the prior issuance of a conditional use permit or other discretionary entitlement, could be developed so as to increase the total number of dwelling units on such parcel or lot; provided, however, that this exemption shall not apply to condominium projects or stock cooperatives which consist of the subdivision of air-space in an existing apartment building which is less than five (5) years old.
- B. If the proposed subdivision contains fifty (50) parcels or less, the subdivider shall not dedicate any land for park and recreational purposes but shall pay a fee equal to the fair market value of land which would otherwise be dedicated plus improvement costs as determined in accordance with the provisions of this chapter.

#### **City of Moorpark Parks and Recreation Master Plan**

Adopted in 2009, the City's Parks and Recreation Master Plan (PRMP) outlines the needs, goals, and current state of the approximately 150.57 acres of parkland throughout the City. The PRMP identifies the City standard for parks as 5.0 acres per 1,000 residents and the necessity to add 77.5 additional acres by 2025 to meet this goal. The PRMP includes measures for development and guidelines and policies for successful operation of these additional parks and recreational facilities. The PRMP also discusses coordination with the Moorpark Unified School District, Moorpark College, and private developers to share the costs of design, construction, operations and maintenance.

### **4.14.3 THRESHOLDS OF SIGNIFICANCE**

The following significance criteria, included for analysis in this environmental impact report (EIR), are based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines, and will be used to determine the significance of potential recreation impacts. Impacts to recreation would be significant if the Project would:



**Threshold 4.14-a** *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.*

**Threshold 4.14-b** *Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.*

#### 4.14.4 IMPACT ANALYSIS

**Threshold 4.14-a** *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

**Less Than Significant Impact.** The Project consists of the phased development of a new Civic Center. During Phase 2, the Project would include the removal of the existing Community Center Park and the construction of a new City-owned public park on the west side of the Project Site. The proposed park would be of a similar size and would provide similar recreational uses for the public as the existing Community Center Park.

Phase 3 of the Project includes the construction of 75 dwelling units on the north side of the Project which are anticipated to be occupied by approximately 232 residents, based on an estimated 3.09 persons per household in the City (US Census Bureau 2021). These residents would generate a demand for nearby parks and recreational facilities. Construction of an on-site City-owned public park would occur during Phase 2, prior to the development of the proposed residential community and therefore would be available for use by the future and existing City residents. The future employees of on-site land uses would also result in a minor increase in demand for parks and recreational facilities in the City. Other nearby parks and recreational facilities, as listed in Table 4.14-1, that may be used by future employees and residents of the Project Site include Mammoth Highlands Park, Magnolia Park, Poindexter Park, Villa Campesina Park, and Walnut Acres Park (City of Moorpark 2022b, City of Moorpark 2022c).

The Project would be required to pay applicable fees according to Chapter 16.44.101, Park and Recreational Facilities Development Impact Fee, of the Moorpark Municipal Code, which requires residential developments to dedicate parkland or pay in-lieu fees (City of Moorpark 2022a).

Due to the small number of residents and other users that would be introduced by the Project and the Project's on-site provision of a new City-owned public park, the increase in the use of existing public park facilities by the Project would not be at a level that would result in physical deterioration of existing parks and other recreational facilities, nor would it require the need for new or physically altered facilities. Compliance with the City's Municipal Code related to dedication of parkland or payment of in-lieu fees would ensure that the Project would result in less than significant impacts related to this threshold and no mitigation is required.

**Threshold 4.14-b** *Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

**Less Than Significant Impact.** The Project includes the development of on-site recreational amenities within the Project Site including a City-owned park, the impacts of which have been addressed through the impact analysis presented in each of the topical issues in this document where applicable. Also, the Project would be required to comply with the minimum requirements

of the Municipal Code that require dedication of parkland or payment of in-lieu fees associated with residential development. Any off-site park development that is partially funded through the Project's development fees would be subject to a separate environmental review pursuant to the California Environmental Quality Act (CEQA). Therefore, impacts related to parks would be less than significant, and no mitigation measures are either required or recommended.

#### **4.14.5 CUMULATIVE IMPACTS**

The cumulative projects and the Project would result in increased development that would collectively increase demand for parks through the addition of new residents, workers, or other site users. All of these cumulative projects would be required to pay development fees to maintain and expand parks as needed. Therefore, less than significant cumulative impacts would result related to this threshold, and no mitigation measures are either required or recommended.

#### **4.14.6 MITIGATION PROGRAM**

##### ***Standard Conditions***

No standard conditions are applicable to this resource topic.

##### ***Mitigation Measures***

No significant impacts pertaining to recreation were identified; therefore, no mitigation measures are required.

#### **4.14.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Less than significant impact.

#### 4.14.8 REFERENCES

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## **4.15 TRANSPORTATION**

### **4.15.1 EXISTING CONDITIONS**

The Project Site is approximately 12.5 acres in size and is located in the central, downtown area of the City of Moorpark in Ventura County. A portion of the Project Site contains the existing civic center, which is located west of Moorpark Avenue/Walnut Canyon Road. Portions of the Project Site are located on the north and south sides of West High Street. The primary vehicular access into the existing Civic Center is provided from Moorpark Avenue/Walnut Canyon Road with secondary access provided from a driveway on West High Street. Moorpark Avenue/Walnut Canyon Road are co-signed as State Route (SR) 23 adjacent to the Project Site. SR-23 is a local two-lane roadway. Adjacent to the Project Site, Moorpark Avenue/Walnut Canyon Road has one travel lane in each direction.

SR-23 is primarily a north/south highway that stretches between the City of Fillmore through Moorpark and Thousand Oaks. SR-23 is a two-lane highway from Fillmore to Moorpark passing through rural and sometimes mountainous roads. In Moorpark, SR-23 turns into a six-lane freeway to US 101 in Thousand Oaks. SR-23 picks up again at Westlake Blvd as a non-freeway six-lane road through residential areas and becomes a two-lane road to the Ventura/LA County line. In Moorpark, SR-23 runs through the City of Moorpark north through open space and mountainous areas to the City of Fillmore (VCTC 2009).

Metrolink and Amtrak's Pacific Surfliner operate passenger trains through the Project area, with the Moorpark Station located 0.35-mile to the southeast of the Project Site at 300 High St, Moorpark CA 93021. Given the proximity to transit, the Project Site is considered to be located within a High Quality Transit Area (HQTA) as designated by the Southern California Association of Governments (SCAG) (SCAG 2022). A HQTA is defined as an area that is within one half-mile of a well-served transit stop or a transit corridor with 15-minute or less service frequency during peak commute hours.

Also, the Project Site is served during weekdays by Route 1 and Route 2, which are operated by Moorpark City Transit (Moorpark City Transit 2022). There are also paratransit, senior dial-a-ride, and other services provided within the City as well as by Ventura County Transportation Commission (VCTC).

### **4.15.2 REGULATORY SETTING**

#### **State**

##### ***California Highway System***

As the owner and operator of the State Highway System, the State of California Department of Transportation (Caltrans) implements established State planning priorities in all functional plans, programs, and activities. Caltrans has the responsibility to coordinate and consult with local jurisdictions when proposed local land use planning and development may impact State highway facilities. Pursuant to Section 21092.4 of the Public Resources Code, for projects of statewide, regional, or area-wide significance, the lead agency shall consult with transportation planning agencies and public agencies that have transportation facilities which could be affected by the Project. The proposed Project will not affect any Caltrans facilities and is not considered a project of Statewide, regional, or area-wide significance.

Moorpark Avenue along the Project Site's eastern boundary is designated as SR-23. Generally north of the existing Civic Center, Moorpark Avenue changes names and becomes Walnut Canyon Road/SR-23. All work within and near the right-of-way for Moorpark Avenue is subject to permits and approval by Caltrans including but not limited to encroachment permits.

### ***Congestion Management Program***

The Congestion Management Program (CMP) is the program by which State agencies monitor and report on the status of regional roadways. In June 1990, the passage of the Proposition 111 gas tax increase required urbanized areas in the State with a population of 50,000 or more to adopt a CMP. Compliance with the CMP requirements ensures a local jurisdiction's eligibility to compete for State gas tax funds for local transportation projects. The VCTC is the County's designated Congestion Management Agency (CMA). The latest CMP was prepared in July 2009.

### ***Senate Bill 743***

With the adoption of Senate Bill (SB) 743, the State of California changed the method of traffic analysis required through the California Environmental Quality Act (CEQA) for publicly- and privately-initiated projects. The law changed the way local jurisdictions analyze transportation impacts from development projects and identify mitigation measures to reduce those impacts. SB 743 became effective on July 1, 2020. The previous practice of evaluating traffic transportation impacts used on-road congestion or level of service (LOS). SB 743 requires the amount of driving and length of trips — as measured by vehicle miles traveled (VMT) — be used to assess transportation impacts on the environment for CEQA review. These impacts will be reduced or “mitigated” by options such as increasing transit, providing for active transportation such as walking and biking, and participating in mitigation banks. All jurisdictions have the option to tailor requirements to their unique communities.

### **Ventura County**

#### ***Ventura County Congestion Management Program***

VCTC is the County's CMA. The CMP links transportation, land use, and air quality decisions in the County and addresses the impact of local growth on the regional transportation system. It requires (1) monitoring of the CMP road and highway system in the County; (2) development of a deficiency plan when the level of service (LOS) drops to service level “F” on the CMP network; (3) analysis of land use impacts on the regional transportation system; (4) implementation of Transportation Demand Management programs that promote alternatives to the automobile and the single-occupant driver; (5) monitoring the performance of the countywide multi-modal transportation system; and (6) identification of projects and/or programs to relieve congestion. Local jurisdictions, such as the City of Moorpark, are required to conform to local CMP requirements in order to receive their portion of State gas tax revenues. The CMP requires each jurisdiction to provide VCTC with roadway performance, transit operations data, and land use information, along with certification of local traffic impact models. When cities or the County have roadways on the CMP system that do not meet LOS standards, a local deficiency plan must be prepared. Both SR-118 (New Los Angeles Avenue) and SR-23 (Moorpark Avenue) are a part of the County's CMP network.

## **City of Moorpark**

### **General Plan Circulation Element**

The General Plan Circulation Element provides background research and goals and policies for mobility and infrastructure within the City. The Element classifies the roadway system and sets an LOS standard of "D" for roadways and intersections in the City<sup>1</sup>. For roadways and interchanges already operating at a lower level of performance than level of service "D", the standard shall be to maintain or improve the current level of service. The current roadway network relies primarily on two freeways, California State Route 23 (SR-23) and California State Route 118 (SR-118), to facilitate regional connections south through Thousand Oaks and east through Simi Valley, respectively. Moorpark Avenue and High Street are identified as local collectors with a traffic signal at their intersection in the Circulation Element's Highway Network. The proposed future widening of Moorpark Avenue from Casey Road to Third Street would require an amendment to the Circulation Element to redesignate Moorpark Avenue from a local collector to a four-lane arterial. Class III Bike Routes are planned on the segments of Moorpark Avenue and High Street near the Project Site. No equestrian trails are planned near the site.

### **Moorpark Transportation Demand Management Ordinance**

Section 17.48 of the City's Zoning Code is the Moorpark Transportation Demand Management (TDM) Ordinance. This ordinance requires the provision of transit stop improvements (i.e., bus pullouts, bus pads or shelters) and safe and convenient access for pedestrians and bicyclists from the external circulation system to on-site buildings or internal street/sidewalks. An information board with transit services, bicycle routes, and facilities/services for carpoolers, vanpoolers, bicyclists, transit riders, and pedestrians should be provided for developments with 50 or more employees. Carpool/vanpool spaces and bicycle/motorcycle parking spaces are required for developments with 100 or more employees. Pedestrian circulation; showers, lockers and changing rooms; and lunchrooms, cafeterias or other facilities are required for development with 150 or more employees.

#### **4.15.3 THRESHOLDS OF SIGNIFICANCE**

The following significance criteria, included for analysis in this environmental impact report (EIR), are based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines, and will be used to determine the significance of potential transportation impacts. Impacts to transportation would be significant if the Project would:

- Threshold 4.15-a**      ***Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facility paths?***
- Threshold 4.15-b**      ***Conflict with or be inconsistent with CEQA Guidelines Section 15064.3 subdivision (b).***
- Threshold 4.15-c**      ***Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).***

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<sup>1</sup> High Street between Moorpark Avenue and Spring Road is exempt from this standard.

**Threshold 4.15-d Result in inadequate emergency access.**

**4.15.4 ENVIRONMENTAL IMPACTS**

**Threshold 4.15-a** *Would the project conflict with an program plan, ordinance or policy addressing the circulation system, including transit and roadways, bicycle lanes, and pedestrian facility paths?*

**Less than Significant Impact.** The Project’s consistency with programs, plans, ordinances, and policies related to the circulation system is evaluated below. There are no transit, bicycle, or pedestrian programs, plans, ordinances, or policies that are directly applicable to the Project.

**Circulation Element of the General Plan**

The purpose of the Circulation Element of the Moorpark General Plan is to designate a safe and efficient circulation systems which promotes the movement of people and goods in an around the City. The Project Site is adjacent to SR-23, which is a regional transportation corridor identified in the Circultaion Element. The goals and policies from the Circulation Element that relate to the Project are listed below in Table 4.15-1.

**TABLE 4.15-1  
GENERAL PLAN CIRCULATION ELEMENT CONSISTENCY ANALYSIS**

Relevant Goals and Policies	Consistency Analysis
<b>GOAL CI 1: Transportation System:</b> A transportation system supporting uses accommodated by the land use plan and providing for the safe and efficient movement of people of all ages and abilities, goods, and services into, out of, and through the city of Moorpark.	<b>Consistent.</b> The Project would result in new sidewalks and turning lane improvements that would improve the circulation system. Also, the Project is located less than 0.5-mile from the existing Moorpark Station, which provides Metrolink and Amtrak services for existing and future users of the Project Site.
<b>CI 1.1 Multimodal transportation:</b> Require that the planning, design, and construction of all transportation projects consider the needs for all modes of travel to create safe, livable, and inviting environments for motorists, pedestrians, bicyclists, and public transit users of all ages and abilities.	
<b>CI 1.2 Complete streets:</b> Design, plan, maintain, and operate streets using complete streets principles for all types of transportation projects including design, planning, construction, maintenance, and operations of new and existing streets and facilities. Encourage street connectivity that aims to create a comprehensive, integrated, connected network for all modes.	
<b>CI 1.4 System improvements:</b> Promote the continued improvement of the circulation system, through the improvement of sub-standard roadways, sidewalk crossings, and intersections and the construction of missing links and related facilities through the city’s Capital Improvement Program (CIP).	
<b>CI 1.10 Transportation Equity:</b> Consider health and equity in the design and operation of the city’s transportation network; and make provisions for convenient, accessible, affordable, and alternative modes of mobility based on the needs of residents.	



**TABLE 4.15-1  
GENERAL PLAN CIRCULATION ELEMENT CONSISTENCY ANALYSIS**

Relevant Goals and Policies	Consistency Analysis
<p><b>GOAL CI 2 Level Of Service:</b> a circulation system which supports existing, approved, and planned uses throughout the city while maintaining a desired level of service on all streets and at all intersections.</p>	<p><b>Consistent.</b> Vehicular level of service is no longer an environmental impact pursuant to CEQA. However, consistent with the project's Traffic Study, phased circulation improvements have been incorporated into the Project to minimize LOS impacts of the Project. Furthermore, the Project would be responsible for payment of applicable fees as required related to the transportation system.</p> <p>Additionally, the Project is located in a Transit Priority Area. As discussed in the Office of Planning and Research (OPR's) Technical Advisory on Evaluating Transportation Impacts in CEQA, projects within 0.5-mile of an existing major transit stop or an existing stop along a high quality transit corridor are presumed to have a less than significant impact related to VMT (OPR 2018). The Project is located less than 0.5-mile from the existing Moorpark Station, which provides Metrolink and Amtrak services.</p>
<p><b>CI 2.1 Roadway performance standard:</b> Maintain Level of Service "D" as the standard for system performance for traffic volumes on the circulation system. High Street between Moorpark Avenue and Spring Road is exempt from this standard. For roadways and interchanges already operating at a lower level of performance than level of service "D", the standard shall be to maintain or improve the current level of service.</p>	
<p><b>CI 2.2 Environmental impact threshold:</b> Maintain thresholds for the determination of environmental impacts for proposed residential, commercial, and industrial uses of a minimum reduction of per capita vehicle miles travelled (VMT) of 15% below existing and no net increase in per capita VMT compared to existing for all other land use types. Periodically review and adjust this threshold as appropriate in consideration of actual vehicle miles and greenhouse gas emissions resulting from implementation of the Land Use Plan.</p>	
<p><b>CI 2.3 VMT analysis.</b> Require the analysis of VMT per resident and/or per employee as part of CEQA environmental review, and development of a mitigation program to reduce any significant impacts consistent with State law.</p>	
<p><b>CI 2.4 VMT reduction:</b> Work to reduce VMT through land use planning, enhanced transit access, localized attractions that reduce the need for travel to adjoining communities, and improved access to non-vehicular modes of transportation.</p>	
<p><b>CI 2.5 Phasing to maintain LOS:</b> Coordinate project phasing to ensure that the timing of accompanying on-site and off-site circulation improvements maintain the level of service standards specified in CI 2.1.</p>	
<p>Sources: City of Moorpark 2023</p>	

As shown above, the Project would be consistent with the City's Circulation Element. There are no other programs, plans, ordinances, or policies addressing the circulation system that directly relate to the Project. Therefore, the Project would result in a less than significant impact related to this threshold and no mitigation is required.

**Threshold 4.3-b** *Would the project conflict with or be inconsistent with CEQA Guidelines Section 15064.3 subdivision (b)?*

**Less Than Significant Impact.** The Project is located in a Transit Priority Area. As discussed in the Office of Planning and Research (OPR's) Technical Advisory on Evaluating Transportation

Impacts in CEQA, projects within 0.5-mile of an existing major transit stop or an existing stop along a high quality transit corridor are presumed to have a less than significant impact related to VMT (OPR 2018). The Project is located less than 0.5-mile from the existing Moorpark Station, which provides Metrolink and Amtrak services. Therefore, the Project is considered to have a less than significant impact related to this threshold and no mitigation is required.

**Threshold 4.15-c** *Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

**Less than Significant Impact.** All project circulation improvements would be designed and constructed to City standards; therefore, the Project would not result in design hazards. Project design of such circulation improvements would be reviewed and approved by the City prior to construction. All new Project driveway access points would comply with applicable City roadway standards for adequate sight distance (**COA TRA-1**) which requires compliance with City sight distance requirements in a manner meeting the approval of the Public Works Department. With implementation of **COA TRA-1**, the Project would not increase hazards due to an incompatible use, and no mitigation measures are either required or recommended.

**Threshold 4.15-d** *Would the project result in inadequate emergency access?*

**Less than Significant Impact.** The City's design review process would ensure that the internal circulation and the location of new or modified driveway access points would be designed to comply with all applicable design and safety standards required by adopted fire codes, safety codes, and building codes.

As described in more detail, the Project would result in fewer trips in the morning peak hour than existing uses within the Project Site, but would result in 63 more trips in the evening peak hour. Overall, the Project would result in 401 more daily trips than the existing uses within the Project Site (Psomas 2022). Based on the results of the Traffic Analysis and as required by **COA TRA-2**, to alleviate delays the Project has been modified to include the addition of a left turn lane on the northbound approach at the intersection of High Street and Moorpark Avenue as part of the Project's Phase 1. The Project would also include the modification of the existing full movement eastbound Charles Street approach within the Project Site to be a right-in and right-out access along with the development of Phase 4 of the Project. With implementation of these improvements, adequate emergency access would be maintained to the Project Site.

During construction, temporary impacts to local roads such as lane closures may be needed to allow for the connection of utilities, and other related activities. As required by **COA TRA-3**, traffic control plans would be developed and coordinated with the City to ensure that no substantial impacts to the circulation system occur as a result of Project construction

Therefore, with implementation of **COA TRA-2** and **COA TRA-3**, the Project would have a less than significant impact related to this threshold and no mitigation is required.

#### **4.15.5 CUMULATIVE IMPACTS**

The Project as well as other cumulative projects nearby would increase the density of residential, commercial, and other development in the nearby vicinity, which would collectively increase VMT and could affect other aspects of the transportation system, including temporary and permanent impacts to LOS. All cumulative projects would be required to conduct their own transportation studies to evaluate potential impacts and to identify VMT and other applicable mitigation, as

needed. Furthermore, all cumulative projects would be reviewed by the City to ensure that no dangerous design features or incompatible uses are developed, and that adequate emergency access is maintained. Therefore, the Project and other cumulative projects would not result in cumulatively considerable transportation impacts.

#### **4.15.6 MITIGATION PROGRAM**

##### **Conditions of Approval**

- COA TRA-1** Prior to the issuance of a grading permit for each project phase, the applicant shall demonstrate adequate sight distance at all street intersections, in a manner meeting the approval of the City's Public Works Department.
- COA TRA-2** Prior to the issuance of any grading permits, the applicant shall demonstrate that applicable improvements for that phase from the Project's Traffic Study have been incorporated into Project design, in a manner meeting the approval of the City's Public Works Department.
- COA TRA-3** Prior to beginning each project phase, the applicant shall submit a construction traffic control plan for the review and approval of the City Engineer and Public Works Director. Traffic control plan shall include construction advisory speed limits, speed limit posting locations, and enforcement measures if needed.

##### **Mitigation Measures**

No significant impacts pertaining to transportation were identified; therefore, no mitigation measures are either required or recommended.

#### **4.15.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Less than significant impact.

#### 4.15.8 REFERENCES

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## **4.16 TRIBAL CULTURAL RESOURCES**

### **4.16.1 EXISTING CONDITIONS**

Section 3.2 of this environmental impact report (EIR) provides an evaluation of cultural resources. As noted in that section, a cultural resource record search and literature review was conducted at the California Historical Resources Information System (CHRIS), which maintains records and literature regarding cultural resources within California. The CHRIS office for Los Angeles County is located at the South Central Coastal Information Center (SCCIC). No prehistoric archaeological sites or tribal cultural resources have been documented within the Project Site or the ½-mile search radius. Nevertheless, the results from the Native American Heritage Commission (NAHC) Sacred Lands Files confirmed the presence of a sacred site (tribal cultural resource) important to the local Gabrielino/Tongva community. The resource is located nearby, but not within the Project Site. The locations and other details of sacred sites are kept confidential in order to protect the sites.

### **4.16.2 REGULATORY SETTING**

#### **State**

##### ***California Register of Historical Resources***

The California Register of Historical Resources (CRHR) program encourages public recognition and protection of resources of architectural, historical, archaeological, tribal cultural resources, and cultural significance; identifies historical resources for State and local planning purposes; determines eligibility for State historic preservation grant funding; and affords certain protections under the California Environmental Quality Act (CEQA). The criteria established for eligibility for the CRHR are directly comparable to the national criteria established for the National Register of Historic Places (NRHP).

In order to be eligible for listing in the CRHR, a building, object, or structure must satisfy at least one of the following four criteria:

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

Archaeologists and Tribal Representatives assess sites based on all four of the above criteria but usually focus on the fourth criterion provided above. Historical resources eligible for listing in the CRHR must also retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. For the purposes of eligibility for the CRHR, integrity is defined as “the authenticity of an historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance”. This general definition is generally strengthened by the more specific definition offered by the NRHP—the criteria and guidelines on which the CRHR criteria and guidelines are based upon.

### **Assembly Bill 52**

In September 2014, Governor Brown signed Assembly Bill (AB) 52 (Chapter 532, Statutes of 2014), which creates a new category of environmental resources that must be considered under CEQA: “tribal cultural resources.” The legislation imposes new requirements for offering to consult with California Native American tribes regarding projects that may affect a tribal cultural resource, emphasizes a broad definition of what may be considered to be a tribal cultural resource, and includes a list of recommended mitigation measures.

Recognizing that tribes may have expertise regarding their tribal history and practices, AB 52 requires lead agencies to provide notice to tribes that are traditionally and culturally affiliated with the geographic area of a proposed project if they have requested notice of projects proposed within that area. Mitigation measures (MM) agreed upon during consultation must be recommended for inclusion in the environmental document.

AB 52 became effective on July 1, 2015 and requires that the lead agency provide project notifications to California Native American tribes on the NAHC Tribal Consultation list that request notification in writing prior to a lead agency’s release of a Notice of Preparation (NOP) for an EIR, a Mitigated Negative Declaration (MND), or Negative Declaration (ND). Once Native American tribes receive a project notification, they have 30 days to respond as to whether they wish to initiate consultation regarding the project and specifically consultation regarding mitigation for any potential project impacts.

### **Senate Bill 18**

Senate Bill (SB) 18 was signed into law in September 2004 and it requires local governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places through local land use planning.

### **Native American Historic Resource Protection Act**

Established in 2002, the Native American Historic Resource Protection Act, establishes a misdemeanor for unlawfully and maliciously excavating upon, removing, destroying, injuring, or defacing a Native American historic, cultural, or sacred site that is listed or may be eligible for listing in the California Register of Historical Resources (CRHR). The focus of this legislation was to provide additional legal protection for Native American historical and cultural sites, art, and other cultural artifacts found at those sites. The Act also encourages collaborative relationships for the protection of Native American cultural resources between Native Americans and landowners. Funding and other state assistance should be encouraged for support of voluntary agreements to conserve, maintain, and provide physical access for Native Americans to these cultural resources.

### **California Health and Safety Code (Sections 7050.5, 7051, and 7054)**

Sections 7050.5, 7051, and 7054 of the California Health and Safety Code collectively address the illegality of interference with human burial remains (except as allowed under applicable sections of the [California Public Resources Code (PRC)]). These sections also address the disposition of Native American burials in archaeological sites and protect such remains from disturbance, vandalism, or inadvertent destruction. Procedures to be implemented are established for (1) the discovery of Native American skeletal remains during construction of a project; (2) the treatment of the remains prior to, during, and after evaluation; and (3) reburial.

Section 7050.5 of the California Health and Safety Code specifically provides for the disposition of accidentally discovered human remains. Section 7050.5 states that if human remains are found, no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined the appropriate treatment and disposition of the human remains.

### **California Public Resources Code (Section 5097.98)**

Section 5097.98 of the PRC states that, if remains are determined by the Coroner to be of Native American origin, the Coroner must notify the NAHC within 24 hours. When the NAHC receives this notification from a County Coroner, it shall immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land or his or her authorized representative, inspect the site of the remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. This regulation also requires that, upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations and all reasonable options regarding their preferences for treatment. This section of the PRC has been incorporated into Section 15064.5(e) of the State CEQA Guidelines.

### **4.16.3 THRESHOLDS OF SIGNIFICANCE**

The following significance criteria, included for analysis in this EIR, are based on Appendix G of the State CEQA Guidelines, and will be used to determine the significance of potential cultural resources impacts. Impacts to tribal cultural resources would be significant if the Project would:

**Threshold 3.16-a**     *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); and/or*

**Threshold 3.16-b**     *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

#### 4.16.4 IMPACT ANALYSIS

**Threshold 4.16-a** *Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?*

**No Impact.** A tribal cultural resource is considered a site, feature, place, cultural landscape, sacred place, or object which is of cultural value to a California Native American Tribe and is either eligible for the CRHR or a local register.

Psomas submitted a request to the SCCIC on July 24, 2020. As discussed in Section 3.2, Cultural Resources, of this EIR, based on the record searches and consultation with Native American tribes culturally affiliated with the area (see analysis under Threshold 3.16-b below), there are no known tribal cultural resources listed on or eligible for the CRHR or a local register within the Project Site. Therefore, the Project would have no impact related to this threshold, and no mitigation measures are either required or recommended.

**Threshold 4.16-b:** *Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

**Less Than Significant Impact.** In June 2022, the City sent letters to the ten tribal contacts on the City's tribal consultation list to offer them the opportunity to consult on the Project pursuant to AB 52 and SB 18. The two tribes to respond are discussed below.

##### Santa Ynez Band of Chumash

The Santa Ynez Band of Chumash Indians responded to the City by email on June 23, 2022 stating that they did not wish to engage in tribal consultation related to this Project.

##### Fernandeño Tataviam Band of Mission Indians

The Fernandeño Tataviam Band of Mission Indians responded to the City by email on June 7, 2022, in which they requested additional information which the City provided to the Tribe later that same day. Additional information was requested by the Tribe on June 7, 2022 which was provided to the Tribe on June 14, 2022. Meetings were held in July 2022 between the City and Tribe in



which the Project and mitigation measures were discussed. The City and Fernandeño Tataviam Band of Mission Indians concluded tribal consultation for this Project thereafter.

### Conclusion

Tribal consultation was conducted for this Project consistent with the requirements of AB 52 and SB 18. Although consultation and records searches did not reveal the existence of known tribal cultural resources on the Project Site, unknown tribal cultural resources could be unexpectedly discovered during construction activities. Therefore, **COA CUL-1, COA CUL-2, and COA CUL-3** would be implemented as part of the Project to minimize potential impacts related to the unanticipated discovery of tribal cultural resources. With implementation of these conditions, the Project would result in less than significant impacts related to this threshold.

### **4.16.5 CUMULATIVE IMPACTS**

There are no tribal cultural resources listed or determined eligible for listing, on the national, State, or local register of historical resources on the Project Site. However, should buried resources be identified during ground disturbance, then this could lead to the degradation of previously unknown tribal cultural resources. All projects are required to abide by standard regulatory requirements, which require that work be stopped and coroner consulted if suspected human remains are identified. For cumulative projects with archaeological and tribal cultural sensitivity, it is anticipated that the requirements for archaeological monitoring, procedures for stopping work and evaluating finds, and consultation with the tribes during grading, if needed, would be required by the applicable lead agency. Therefore, cumulative impacts related to tribal cultural resources are anticipated to be less than significant.

### **4.16.6 MITIGATION PROGRAM**

#### Conditions of Approval

**COA CUL-1** If any archaeological, paleontological, or historical finds are uncovered during grading or excavation operations, all grading or excavation shall immediately cease in the immediate area and the find must be left untouched. The applicant, in consultation with the project paleontologist or archeologist, shall assure the preservation of the site and immediately contact the Community Development Director by phone, in writing by email or hand delivered correspondence informing the Director of the find. In the absence of the Director, the applicant shall so inform the City Manager and Planning Manager. The applicant shall be required to obtain the services of a qualified paleontologist or archeologist, whichever is appropriate to recommend disposition of the site. The paleontologist or archeologist selected must be approved in writing by the Community Development Director. The applicant shall pay for all costs associated with the investigation and disposition of the find. (*Note: repeated from Section 4.4*).

**COA CUL-2** In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be notified within 24 hours of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are or are believed to be Native American, s/he shall notify the Native American Heritage Commission (NAHC) in Sacramento

within 48 hours. In accordance with Section 5097.98 of the California Public Resources Code, the NAHC must immediately notify those persons it believes to be the most likely descended from the deceased Native American. The descendants shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative shall then determine, in consultation with the property owner, the disposition of the human remains. (*Note: repeated from Section 4.4*).

**COA CUL-3** Prior to any ground disturbing activity, construction personnel associated with earth moving equipment, drilling, grading, and excavating, shall be provided with basic training conducted by a qualified archaeologist. Issues that shall be included in the basic training will be geared toward training the applicable construction crews in the identification of archaeological deposits, further described below. Training will include written notification of the restrictions regarding disturbance and/or removal of any portion of archaeological, paleontological, or historical deposits and the procedures to follow should a resource be identified. The construction contractor, or its designee, shall be responsible for implementation of this measure. A tribal monitor shall be provided an opportunity to attend the pre-construction briefing if requested. (*Note: repeated from Section 4.4*).

### **Mitigation Measures**

No significant impacts pertaining to tribal cultural resources were identified; therefore, no mitigation measures are required.

#### **4.16.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Less than significant impact.

#### **4.16.8 REFERENCES**

California, State of. 2022a (September 28, access date). California Code of Regulations (CCR). Sacramento, CA. <https://oal.ca.gov/publications/ccr/>

———. 2022b (September 28, access date). California Public Resources Code. Sacramento, CA. [https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=PRC&division=2.&title=&part=&chapter=9.&article=6](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=2.&title=&part=&chapter=9.&article=6).

South Central Coastal Information Center. 2022 (May 11). Re: Records Search Results for the Psomas Project 3MOO010100. Fullerton, CA: SCCIC.

## **4.17 UTILITIES AND SERVICE SYSTEMS**

### **4.17.1 EXISTING CONDITIONS**

#### **Water**

The Calleguas Municipal Water District (CMWD) provides water within its service area through the acquisition and distribution of imported water from the Metropolitan Water District (MWD) of Southern California and from local water supplies. MWD water is transported via the State Water Project from Northern California. The CMWD does not provide water directly to consumers. It distributes water on a wholesale basis to cities, local water agencies, and private and mutual water companies throughout southern Ventura County (CMWD 2021). These entities provide direct water service to residents and businesses. These entities include the Ventura County Water Works District No. 1 (VCWWD No. 1) which serves the Project Site. VCWWD No. 1 is a public water supplier with 11,426 water service connections (as of the end of fiscal year 2020) and a total 10,019 acre-feet (AF) of water supplied to customers in their water service area in fiscal year 2020 (VCWWD 2021).

The existing water system in the Project area includes a 14-inch water distribution main east of the Project Site in Moorpark Avenue, between Charles Street and High Street; a 16-inch water distribution main east of the Project Site in Moorpark Avenue, between High Street and Wicks Road; and a 6-inch water distribution main south of the Project Site in High Street. A 4-inch water line also exists in the Moorpark Civic Center area that serves the Moorpark City Library, City Hall, and Modular Buildings 1 through 3.

#### **Wastewater**

The VCWWD No. 1 provides wastewater treatment and collection services to Moorpark and the surrounding areas, including the Project Site. VCWWD No. 1 operates and maintains local sewer collection pipelines and trunk sewers that feed into the Moorpark Wastewater Treatment Plant. It owns, operates and maintains the Moorpark Wastewater Treatment Plant (MWTP) located at 9550 Los Angeles Avenue in Moorpark.

Existing development on the Project Site is served by an 18-inch sewer main south of the Project Site in Poindexter Avenue to High Street; an 8-inch sewer main east of the Project Site in Moorpark Avenue, between High Street and Charles Street; and a 10-inch sewer main through the existing Moorpark Civic Center Campus, located near the intersection of Moorpark Avenue and Wicks Road, all of which convey wastewater to the Moorpark Wastewater Treatment Plant.

#### **Storm Water Drainage**

The Walnut Canyon drainage channel becomes an underground culvert as it crosses the Project Site. Located within a 50-foot-wide easement, the channel exists as a reinforced concrete box under High Street (Moorpark Storm Drain Number 1), but reverts back to an open concrete channel past the terminus of West High Street. The concrete box parallels the railroad tracks, eventually tying into the Arroyo Las Posas to the southwest. The facility is owned and maintained by the Ventura County Watershed Protection District. Runoff from the southern portion of the Project Site flows south toward West High Street and into the same drainage channel. Storm water originating from the vacant lots south and west of the existing Civic Center primarily percolates into the ground.

## **Electricity, Gas, and Telecommunications**

Southern California Edison (SCE) currently provides electricity to the City of Moorpark, including the Project Site. The Southern California Gas Company (SCGC) currently provides natural gas service to the City of Moorpark, including the Project Site. AT&T and Spectrum currently provide telecommunications service to the City of Moorpark, including the Project Site. There are existing service connections for electricity, natural gas, and telecommunications throughout the site, serving the existing development.

## **Landfills**

Solid waste collection and disposal is provided for the City through private haulers. Waste Management serves the Project Site. After the waste is collected, it is separated into recyclable material, household hazardous waste, and other solid waste. The solid waste is then processed and consolidated for delivery to the Simi Valley Landfill and Recycling Center (SVLRC).

### **4.17.2 REGULATORY SETTING**

#### **State**

##### ***California Water Plan***

The California Water Plan is prepared by the California Department of Water Resources (DWR), most recently updated in 2018 (DWR 2018). The plan provides a framework for water managers, legislators, tribes, agencies, businesses, academia, stakeholders, and the public to consider options and make decisions regarding California's water future. The California Water Plan, which is updated every 5 years, presents basic data and information on California's water resources, including water supply evaluations and assessments of agricultural, urban, and environmental water uses, to quantify the gap between water supplies and uses. The California Water Plan also identifies and evaluates existing and proposed statewide demand management and water supply augmentation programs and projects to address the State's water needs. The California Water Plan provides resource management strategies and recommendations to strengthen integrated regional water management. Resource management strategies include projects, programs, or policies that help local agencies and governments manage their water and related resources. Resource management strategies help regions meet future demands and sustain the environment, resources, and economy, involve communities in decision-making, and meet various goals. These strategies can reduce water demand, improve operational efficiency, increase water supply, improve water quality, practice resource stewardship, and improve flood management. Additionally, the California Water Plan includes a finance plan that identifies critical priorities for State investment in integrated water management activities.

##### ***California Water Code***

The California Water Code contains provisions that control almost every consideration of water and its use. Division 2 of the California Water Code provides that the SWRCB consider and act on all applications for permits to appropriate waters. Division 6 of the California Water Code controls conservation, development, and utilization of the State water resources, whereas Division 7 addresses water quality protection and management.

### **Urban Water Management Planning Act**

The California Urban Water Management Planning Act (California Water Code, Sections 10610–10656) requires urban water suppliers that provide over 3,000 acre-feet (AF) of water annually or serve 3,000 or more connections to analyze the reliability of their water sources over a 20-year planning horizon. The Act requires urban water suppliers to prepare and update Urban Water Management Plans (UWMPs) that analyze the availability of water supplies to meet demands during normal, single-dry, and multiple-dry years, to encourage water conservation programs and create long-term planning obligations.

### **Senate Bill 606 and Assembly Bill 1668**

In 2018, two laws were passed that built on California’s ongoing efforts to make water conservation a way of life. They emphasized efficiency and stretching water supplies in cities and farms. The laws were jointly designed to overhaul California’s approach to conserving water. The measures impose new and expanded requirements on State water agencies and local water supplies, and provide for greater State oversight of local water suppliers’ water use, even in non-drought years. Assembly Bill (AB) 1668 and Senate Bill (SB) 606 required the State Water Resources Control Board, in coordination with the Department of Water Resources, to establish long-term urban water use efficiency standards.

### **Waste Discharge Requirements Program**

The Waste Discharge Requirements (WDR) Program is administered by the State and Regional Water Quality Control Boards. The WDR Program regulates all discharges of waste to land. Waste discharge requirements adopted under the WDR Program protect surface water by either prohibiting discharge of a pollutant to waters of the United States (U.S.) or prescribing requirements for discharge to surface waters that are not waters of the U.S., and they protect groundwater by prescribing waste containment, treatment, and control requirements. The WDR program is a mandated program issuing WDRs to regulate the discharge of municipal, industrial, commercial, and other wastes to land that will or have the potential to affect groundwater. Section 13260(a) of the California Water Code requires that any person discharging waste or proposing to discharge waste within any region, other than to a community wastewater system, that could affect the quality of the waters of the State, must file a report of waste discharge. All waste discharge requirements issued by the Regional Water Board include self-monitoring programs requiring the waste discharger to collect pertinent water quality data and to submit it to the Regional Water Quality Control Board (RWQCB) for evaluation of compliance with waste discharge requirements. WDRs are written for a specific discharger (individual WDRs) or to regulate a similar group of dischargers (general WDRs). In recent years, the Program staff has also used conditional waivers, which may be used to regulate those discharges that have the lowest threat to water quality.

### **California Building Code**

The 2019 California Green Building Standards Code (24 CCR, Part 11), also known as the CALGreen code, is promulgated under the California Code of Regulations, Title 24 (Parts 1 through 12) and is administered by the California Building Standards Commission (CBSC 2018). The national model code standards adopted into Title 24 apply to all occupancies in California except for modifications adopted by State agencies and local governing bodies. The California Building Code establishes general standards for the design and construction of buildings, including provisions related to energy and water efficiency and conservation; material conservation and resource efficiency; and environmental quality. Mandatory measures include

storm water pollution prevention, water conservation, and recycling and/or salvage of at least 50 percent of nonhazardous construction and demolition wastes. The County of Ventura Code of Ordinances adopts the CALGreen Code by reference, with specific amendments.

## **Local**

### ***Moorpark Municipal Code***

Title 8 of the City's Municipal Code (Chapter 8.44, Water Conservation) sets forth mandatory water conservation measures ranging from low water consumption features to bathroom water pipe sizing.

#### **4.17.3 THRESHOLDS OF SIGNIFICANCE**

The following significance criteria, included for analysis in this environmental impact report (EIR), are based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines, and will be used to determine the significance of potential utilities and service systems impacts. Impacts to utilities and service systems would be significant if the Project would:

***Threshold 4.17-a***     ***Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities the construction or relocation of which could cause significant environmental effects;<sup>1</sup>***

***Threshold 4.17-b***     ***Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.***

***Threshold 4.17-c***     ***Result in a determination by the wastewater treatment provider which serves or may serve the Project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.***

***Threshold 4.17-d***     ***Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.***

***Threshold 4.17-e***     ***Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.***

#### **4.17.4 ENVIRONMENTAL IMPACTS**

***Threshold 4.17-a***     ***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?***

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<sup>1</sup> The Initial Study (provided in Appendix A, Notice of Preparation) concluded that all thresholds related to hydrology and water quality, including storm drainage capacity, would result in no impacts or less than significant impacts and were not carried forward into the Draft EIR.

**Threshold 4.17-c** *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?*

**Less Than Significant Impact.**

### ***Water and Wastewater***

Water and wastewater services are provided to the Project Site by VCWWD No. 1. The Project would generate an increase in water demand through the addition of approximately 75 residential units and other proposed land uses within the Project Site that would intensify development on the Project Site above existing conditions. The Project would involve the trenching and installation of water and sewer lines to connect to the existing water mains in roads adjacent to the Project Site. The impacts of these water-related improvements are disclosed and analyzed throughout this EIR and no other relocation or expansions of water or wastewater infrastructure is anticipated to be required to accommodate the Project. As required by **COA UTL-1**, prior to issuance of a building permit for each new building within the Project Site, the applicant would be required to obtain a will-serve letter or equivalent from VCWWD No. 1 demonstrating their capacity to serve the Project for water and wastewater services.

### ***Storm Water Drainage***

As described in more detail in Section 4.9 of this EIR, Hydrology and Water Quality, the Project would have the potential to increase the volume and quantity of pollutants within storm water that flows from the Project Site during operation of the Project. However, for each phase of the Project, a Water Quality Management Plan (WQMP) would be prepared in accordance with **COA HWQ-2** and **COA HWQ-3** to identify general pollutants that may result from the uses and structures proposed during that phase and to select and implement appropriate operational water quality BMPs for that Project phase. The impacts of these storm water-related improvements are disclosed and analyzed in Section 4.9, Hydrology and Water Quality of this EIR and no other relocation or expansions of storm water infrastructure is anticipated to be required to accommodate the Project.

### ***Electricity, Natural Gas, and Telecommunications***

As discussed previously, portions of the Project Site are currently provided with electricity, natural gas, and telecommunication services. The Project would include the extension of existing distribution lines for dry utilities onsite and would be responsible to connect to existing distribution lines within adjacent right-of-way areas offsite, if necessary. As required by **COA UTL-2**, will serve letters or similar correspondence from dry utility providers will be provided to the City's Community Development Department to verify ability to serve each phase.

### ***Conclusion***

The impacts of utility connections that discussed above are disclosed in this EIR as part of the Project, and no other relocation or expansion of infrastructure is anticipated. Less than significant impacts would result related to these thresholds, and no mitigation measures are either required or recommended.

**Threshold 4.17-b** *Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

**Less Than Significant Impact.** As noted above, VCWWD No. 1 currently provides water to the Project Site. The Project would include the connection to existing mainlines within and adjacent to the Project Site; however, final utility design for each of the Project phases has not yet been completed. VCWWD No. 1's 2020 Urban Water Management Plan was prepared in compliance with California Water Code and it provides a detailed look at VCWWD No. 1's water system current and future water use, water sources, demand management measures, evaluation of multiple consecutive drought years, as part of the Drought Risk Assessment, and the preparation of a Water Shortage Contingency Plan. The UWMP concludes that the VCWWD No. 1 would have sufficient water supplies for the future and that VCWWD No. 1 does not anticipate water reliability issues. The UWMP was developed based on future population projections prepared by the Southern California Association of Governments (SCAG), which assumed a mix of zoning for the Project Site (SCAG 2020). Specifically, it assumed five zoning designations that regulates the Project Site including: Institutional (I), Old Town Commercial, Industrial Park, Limited Industrial, and Rural Exclusive.

The Project proposes a zone change, which would allow for a greater mix of land uses within the Project Site than is currently permitted, which may result in nominal increases in water usage above what was assumed in the UWMP. However, this changes in land uses and potential increase in density would have a negligible effect on City and regional water demand relative to the overall service area of the VCWWD No. 1. As required by **COA UTL-1**, prior to issuance of a building permit for each new building within the Project Site, the applicant would be required to obtain a will-serve letter or equivalent from VCWWD No. 1 demonstrating their capacity to serve the Project for water and wastewater services. Furthermore, once a zone change is approved for the Project, the new zoning designations will be made available to SCAG, VCWWD No. 1, and other agencies so that the next iterations of their plans can be updated to account for the Project. Given that the UWMP is revisited annually and updated every two years, and due to the phased nature of the Project, the UWMP will be updated to assume the correct land uses by the time that any of these new uses are developed.

**Threshold 4.17-d** *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?*

**Less Than Significant Impact.** The Project would generate solid waste during construction and operation. Simi Valley Landfill, which is permitted to receive 3,000 tons per day (tpd) and has an average daily tonnage of approximately 2,500 tons, would be utilized to meet the Project's operational solid waste disposal demand. The landfill has a design capacity of 43.5 million cubic yards (cy), and the estimated closure date of the landfill is 2063.

The Project involves demolition of existing buildings and paved surfaces within the Project Site, which would generate debris that would need to be removed from the Project Site.

Also, Project implementation would result in the development of 75 residential units as well as commercial and institutional land uses that would generate solid waste on an ongoing basis.

As required by **COA UTL-3**, prior to issuance of a building permit for each Project phase, the applicant shall submit a Construction and Demolition Materials Management Plan Estimate for



the review and approval of the City's Solid Waste Management staff and Building and Safety Division for recycling of waste materials consistent with City and state requirements.

Additionally, the Project would also be required to implement organic waste recycling programs consistent with the requirements of AB 1826 and SB 1383.

Therefore, the Project would not generate solid waste in excess of state or local standards, exceed the capacity of local infrastructure, or conflict with federal, State, or local management and reduction statutes and regulations related to solid waste, and impacts would be less than significant.

**Threshold 4.17-e** *Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

**Less Than Significant Impact.** During construction and operation, the Project would be required to comply with applicable federal, State, and local management and reduction laws and regulations regarding the proper disposal of solid waste. Regulations specifically applicable to the Project include the California Integrated Waste Management Act of 1989 (AB 939) and Section 4.408 of the CALGreen Code. Through compliance with existing regulations, the Project would result in less than significant impacts related to this threshold, and no mitigation measures are either required or recommended.

#### **4.17.5 CUMULATIVE IMPACTS**

The cumulative projects as well as the Project would collectively increase density within the Project vicinity, which would increase demand for water, wastewater, electricity, natural gas, and telecommunications utilities as well as solid waste services over baseline conditions. Similar to the proposed Project, all cumulative projects would be required to coordinate with utility providers to demonstrate their ability to serve each of the proposed developments. Also, each cumulative project would be responsible for extending utility lines from the nearest water, wastewater, electrical, and stormwater to provide service to each of these Project Sites. With implementation of conditions of approval, no cumulatively considerable impacts related to utilities would result from the project and other cumulative projects.

Cumulative impacts related to stormwater is discussed in Section 4.9.5, the Cumulative Impacts discussion of the Hydrology and Water Quality section of this EIR.

#### **4.17.6 MITIGATION PROGRAM**

##### **Conditions of Approval**

**COA HWQ-2** Prior to the issuance of any grading or building permits, the applicant shall submit for review and approval by the Community Development Department, a Water Quality Management Plan (WQMP) that must include the following minimum contents:

- Address Site Design Best Management Practices (BMPs) (as applicable) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, and conserving natural areas;
- Incorporate applicable Routine Source Control BMPs; and

- Include an Operation and Maintenance (O&M) Plan that identifies the mechanism(s) by which long-term O&M of all structural BMPs will be provided. (*Note: repeated from Section 4.9*).

**COA HWQ-3** Prior to the issuance of a certificate of use and occupancy, the applicant shall demonstrate compliance with the WQMP in a manner meeting the satisfaction of the Community Development Department, including:

- Demonstrate that all structural Best Management Practices (BMPs) described in the project's WQMP have been implemented, constructed and installed in conformance with approved plans and specifications;
- Demonstrate that the applicant has complied with all non-structural BMPs described in the project's WQMP;
- Submit for review and approval an Operations and Maintenance (O&M) Plan for all structural BMPs for attachment to the WQMP; and
- Demonstrate that copies of the project's approved WQMP (with attached O&M Plan) are available for each of the incoming occupants. (*Note: repeated from Section 4.9*).

**COA UTL-1** Prior to issuance of a building permit for each new building within the Project Site, the applicant would be required to obtain a will-serve letter or equivalent from Ventura County Waterworks District No. 1 (VCWWD No. 1) demonstrating their capacity to serve the Project for water and wastewater services. The will-serve letter must be submitted to the Community Development Department for review prior to issuance of a building permit.

**COA UTL-2** Prior to issuance of a building permit for each new building within the Project Site, the applicant would be required to obtain a will-serve letter or equivalent from dry utility providers demonstrating their capacity to serve the Project for electricity, natural gas, and telecommunications if needed. The will-serve letters must be submitted to the Community Development Department for review prior to issuance of a building permit.

**COA UTL-3** Prior to issuance of a building permit for each new building within the Project Site, the applicant shall submit a Construction and Demolition Materials Management Plan Estimate for the review and approval of the City's Solid Waste Management staff and Building and Safety Division for recycling of waste materials consistent with applicable City and State requirements. The Plan must include estimated quantities for each type of material to be diverted or landfilled.

**COA UTL-4** Prior to issuance of certificate of occupancy for new structures within the Project Site, the applicant must submit a Final Report Construction and Demolition Waste Letter of Documentation (including premium gate tickets) to the Building and Safety Division, demonstrating compliance with the Construction and Demolition Materials Management Plan Estimate and indicating the total amount of construction and demolition waste diverted.

### **Mitigation Measures**

No significant impacts pertaining to utilities and service systems were identified; therefore, no mitigation measures are required.

#### 4.17.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

#### 4.17.8 REFERENCES

- California, State of. 2022a (September 28, access date). California Code of Regulations (CCR). Sacramento, CA. <https://oal.ca.gov/publications/ccr/>
- .2022b (September 28, access date). California Public Resources Code. Sacramento, CA. [https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=PRC&division=2.&title=&part=&chapter=9.&article=6](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=2.&title=&part=&chapter=9.&article=6).
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- Ventura County Waterworks District No. 1 (VCWWD No. 1). 2021 (June, adopted). 2020 Urban Water Management Plan for Ventura County Waterworks District No. 1. Ventura, CA: VCWWD No. 1. [https://s29422.pcdn.co/wp-content/uploads/2021/06/VCWD1\\_-UWMP\\_Report\\_Draft.pdf](https://s29422.pcdn.co/wp-content/uploads/2021/06/VCWD1_-UWMP_Report_Draft.pdf)

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## **4.18 WILDFIRE**

### **4.18.1 EXISTING CONDITIONS**

The Project Site can be separated into two sections: the eastern portion which contains existing buildings and associated development facilities (such as parking lots and landscaped areas) and the western portion which was previously subject to grading, but does not contain any structures or support facilities. The Project Site is bordered by commercial and residential development to the east, a United States (U.S.) Postal Service facility and a Metrolink rail yard to the south, undeveloped open space to the west, and an elementary school to the north. Existing vegetation types within the Project Site are described in Section 4.3.1, Biological Resources.

According to the Fire Hazard Severity Zones Viewer maintained by California Department of Forestry and Fire Protection (CAL FIRE), the Project Site as is the majority of the City are within a Very High Fire Hazard Severity Zone (VHFHSZ) (CAL FIRE 2022a).

### **4.18.2 REGULATORY SETTING**

#### **State**

##### ***California Public Resources Code***

California Public Resources Code Section 4291 sets forth requirements for defensible space, including clearing most flammable vegetation within 30 feet of buildings, and reducing flammable vegetation 30 feet to 100 feet from buildings (PRC 2022).

##### ***California Building Standards Code***

New construction in any FHSZ must comply with California Building Standards Code (CBSC) Chapter 7A, Materials and Construction Methods for Exterior Wildfire Exposure. CBSC Chapter 7A sets forth requirements pertaining to roofing; vents (covered with metal wire mesh or other materials with openings no larger than 0.125 inch); exterior coverings; floor projections; underfloor protection; exterior windows, skylights, and doors; decking; accessory structures; and use of ignition-resistant materials (CBSC 2020a).

##### ***California Fire Code***

The 2019 California Fire Code, California Code of Regulations, Title 24, Part 9, effective January 1, 2020, is based on the 2018 International Fire Code. Typical fire safety requirements of the California Fire Code include requirements for the installation of fire sprinkler; building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures within wildfire hazard areas. In addition, the California Fire Code addresses fire flow requirements, fire hydrant spacing, and access road specifications (CBSC 2020b).

California Fire Code Chapter 49, Requirements for Wildland-Urban Interface Fire Areas, sets forth requirements for hazardous vegetation and fuel management and defensible space and requires compliance with construction methods mandated in CBSC Chapter 7A (CBSC 2020b).

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## **California Department of Forestry and Fire Prevention Fire Prevention Program**

The California Department of Forestry and Fire Protection's (CAL FIRE's) mission is to prevent wildfires in the State Responsibility Area (SRAs). CAL FIRE's Fire Prevention Program consists of various activities including wildland pre-fire engineering, vegetation management, fire planning, education, and law enforcement. Additionally, CAL FIRE prepares Fire Hazard Severity Zone (FHSZ) maps for SRAs and Local Responsibility Areas (LRAs) considering many factors such as fire history, existing and potential fuel (natural vegetation), flame length, blowing embers, terrain, and typical weather for the area (CAL FIRE 2022b).

### **Local**

#### **County of Ventura**

##### **Multi-Jurisdictional Hazard Mitigation Plan**

The County's hazard mitigation plan update for 2022 defines measures to reduce risks from natural disasters in the Ventura County planning area, which includes unincorporated areas, incorporated cities, and special purpose districts. The plan updates the County's previous plan, the 2015 Ventura County Multi-Hazard Mitigation Plan. (County of Ventura 2022).

##### **Emergency Operations Plan**

The County's Emergency Operations Plan provides the structure and processes that all key partner agencies within the county use to respond to emergencies. The County Emergency Operations Plan was adopted by the Board of Supervisors in March 2022.

#### **City of Moorpark**

##### **General Plan 2050**

Applicable goals and policies from the Safety Element of the City's General Plan are listed below (City of Moorpark 2023).

**GOAL SE 1** An emergency management framework that effectively prepares and responds to natural and human-caused emergencies.

**SE 1.10** Ingress and egress: Require new development to have at least two ingress and egress routes that account for existing and proposed traffic evacuation volumes at buildout.

**GOAL SE 4** Minimized injury, loss of life, and damage to property from wildfire and structural fires.

**SE 4.2** California Building Standards Code and Fire Code: Continue to adopt and enforce the most recent version of the California Building Code and Fire Code, as well as California Fire Safe Standards for new and existing development.

**SE 4.5** Ventura County Strategic Fire Plan: The current version of the Ventura County Fire Department Strategic Fire Plan is hereby incorporated into this Safety Element, by reference, to ensure existing non-conforming development reduces fire hazards by implementing fire safe standards for roads and vegetation.

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## Municipal Code

Title 15 Buildings and Construction, Chapter 15.08.060 Building Code of the Moorpark Municipal Code adopts Chapter 36 of the California Building Code, which addresses fire hazard zone requirements. Certain locations within the incorporated areas of the City of Moorpark shall be classified as High Fire Hazard by the Ventura County Fire Protection District. The High Fire Hazard Area is defined as any area within 500 feet of uncultivated brush, grass, or forest-covered land wherein an authorized representative of said district determines that a potential fire hazard exists due to the presence of such flammable growth. The City's Municipal Code further provides construction requirements for the fire protection of buildings and structures erected in proximity to areas of the city where concentrations of highly flammable brush, grass, or other combustible growth combined with periods of hot, dry winds create a high fire hazard and where lives and property may thereby be endangered (City of Moorpark 2022b).

## Emergency Operations Plan

The Emergency Management Division is responsible for the operation of the City's Emergency Operations Center (EOC). The EOC is the focal point for coordination of the City's emergency planning, training, response, and recovery efforts for emergencies and major disasters.

The Emergency Operations Center prepares for emergencies and major disasters such as fires, floods, earthquakes, and acts of terrorism. The EOC also prepares for major planned events in the city that require involvement by multiple city departments and integration with outside agencies, such as schools, special districts, other cities, the county, state, and federal agencies, as well as the private sector (City of Moorpark 2022c).

The City's Emergency Operations Plan (EOP) was most recently updated in 2022. The EOP establishes a comprehensive, all-hazards approach to managing disasters and emergencies across a spectrum of phases including preparedness, response, recovery, and mitigation. As indicated in the EOP, the City of Moorpark is part of the California Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS) (City of Moorpark 2022b). The EOP is consistent with the Ventura County Multi-Jurisdictional Hazard Mitigation Plan, described above.

## Ventura County Strategic Fire Plan

Ventura County is one of six counties that maintains a contractual relationship with CAL FIRE. A Unit Plan that is part of the California Strategic Fire Plan is used within the Ventura County Fire Department. The State of California's Strategic 2018 Fire Plan (State Plan) creates a statewide framework for collaboratively reducing and preventing the impacts of fire through suppression and prevention efforts. The State Plan's vision is for a natural environment that is more fire resilient, buildings and infrastructure that are more fire-resistant, and a society that is more aware of and responsive to the benefits and threats of wildland fire; all achieved through local, state, federal, tribal, and private partnerships.

The State Plan anticipates the trends in wildland fires will continue. The effects of climate change, prolonged drought, tree mortality, and development into the wildland urban interface will continue to increase the number and severity of wildland fires. The focus is on (1) fire prevention and suppression activities and (2) natural resources management, and the continued inclusive collaboration among local, state, federal, tribal, and private partners.

The Ventura County Fire Department seeks to achieve these same goals locally with a Unit Fire Plan that works with stakeholders and cooperators to create programs, policies, and procedures that will make the residents of Ventura County safer. Another significant element of this plan is to identify and evaluate wildland fire hazards to minimize the negative effects of wildland fire on the natural and human-made environments.

#### 4.18.3 THRESHOLDS OF SIGNIFICANCE

The following significance criteria, included for analysis in this environmental impact report (EIR), are based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines, and will be used to determine the significance of potential wildfire impacts. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, impacts to wildfire would be significant if the Project would:

**Threshold 4.18-a**     *Substantially impair an adopted emergency response plan or emergency evacuation plan.*

**Threshold 4.18-b**     *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.*

**Threshold 4.18-c**     *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.*

**Threshold 4.18-d**     *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.*

#### 4.18.4 ENVIRONMENTAL IMPACTS

**Threshold 4.18-a**     *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*

**Less Than Significant Impact.** According to the Fire Hazard Severity Zones Viewer maintained by CAL FIRE, the Project Site and much of the City is located within a VHFHSZ (CAL FIRE 2010, CAL FIRE 2022). Emergency response plans that are applicable to the Project include the County's Multi-Jurisdictional Hazard Mitigation Plan, the County's Emergency Operations Plan, and the City's Emergency Operations Plan. There are no additional emergency evacuation plans applicable to the Project. Project consistency with each of these plans is provided below.

#### **County of Ventura Multi-Jurisdictional Hazard Mitigation Plan**

Volume 1, Part 2 of the County's hazards mitigation plan provides risk assessments for various areas of the County relating to topics such as dam failure, drought, earthquake, flood, landslide, sea-level rise, coastal erosion, severe storms, severe weather, tsunamis, wildfire, climate change, and other hazards of interest. Volume 1, Part 3 including a mitigation plan with a vision statement, goals, and objectives. None of these county-wide goals or objectives directly relate to the Project.



Volume 2 of the County’s hazard mitigation plan contains a section directly relating to the City of Moorpark and its hazard vulnerabilities, capacity for responding and mitigation hazards, and providing a list of hazard-related action items. The plan identifies past natural hazard events within the City as including the COVID-19 pandemic, several fires (i.e., Maria Fire, Easy Fire, Thomas Fire, Guiberson Fire, and the Shekell Fire), an extreme heat event in July 2018, extreme winter storm events in February 2017 and January 2005, a flash flood in January 2008, a severe freeze event in January 2007. The plan identifies wildfire as the top hazard risk to the City of Moorpark, followed by landslides, earthquakes, dam failure, severe weather, and severe storms. A Hazard Mitigation Action Plan is identified in Volume 2, Section 4.8 of the County’s Plan, which includes Action MPK-1 that reads that it is a goal for the City to, “Where appropriate, support retrofitting, purchase or relocation of structures located in hazard areas, prioritizing those that have experienced repetitive losses and/or are located in high- or medium-risk hazard areas.” The Project would include the demolition and replacement of existing City buildings in accordance with the latest building code requirements, which would help to achieve this action item. None of the other action items identified for the City of Moorpark are directly applicable to the project.

### **County of Ventura Emergency Operations Plan**

The County’s Emergency Operations Plan contains no particular goals, policies, or objectives that directly relate to the Project.

### **City of Moorpark Emergency Operations Plan**

The City’s Emergency Operations Plan identifies the Moorpark Community Center Citrus Room, within the Project Site, as the primary alternate City Hall in the event that the existing City Hall is damaged and unsafe to use for routine City government activities. The Project involves the eventual construction of a new City Hall building, demolition of the existing City Hall building, and demolition of the Moorpark Community Center building. Therefore, as the Project is implemented the City’s Emergency Operations Plan will need to be updated to identify the new City Hall location as well as a new primary alternative City Hall in the event of an emergency. Similarly, the Active Adult Center within the Project Site is identified as an American Red Cross shelter during emergencies. The Active Adult Center would eventually be demolished as part of the Project; therefore, it is anticipated that a new primary location for the Care and Shelter Branch would be identified in future iterations of the City’s Emergency Operations Plan and that the alternate shelter locations would be utilized. Also, the Project would construct several civic buildings that could likely be utilized as shelter locations. The Project would not otherwise conflict with the City’s Emergency Operations Plan.

### **Conclusion**

There are no designated evacuation routes within the plans mentioned above. As discussed above, the Project would not substantially conflict with any of the applicable emergency response or evacuation plans. The Project would result in less than significant impacts related to this threshold, and no mitigation is required.

***Threshold 4.18-b If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, 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?***

**Less Than Significant Impact.** The Project Site is located within a VHFHSZ, and is partially developed with buildings and other development and contains scattered ornamental vegetation. The western portion of the Project Site is previously graded and currently vacant, with low herbaceous vegetation growth. As such, there exists a potential for wildfire risk and exposure of occupants of the Project Site to wildfire smoke in the event of wildfires nearby or further upwind.

There are no steep slopes on or near the Project Site, and no major topographic changes are proposed as part of the Project that would exacerbate existing fire risks.

According to a review of meteorological data, prevailing winds in Moorpark generally blow from the south and southwest (Willy Weather 2022). South and southwest of the Project Site are developed sites; therefore, it is unlikely that the development of the Project would be affected more than in existing conditions by wildfire smoke.

The Project would be constructed in compliance with the latest California Fire Code as well as the California Building Code, which contain regulations for safeguarding life and property from fire (ICC 2019; CBSC 2018). During design of Project structures, the establishing and ongoing maintenance of fuel modification zones may be required to minimize wildfire risk to Project buildings. With implementation of these regulatory requirements, the Project would have less than significant impacts related to this threshold, and no mitigation is required.

**Threshold 4.18-c** *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, 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?*

**Less Than Significant Impact.** As discussed previously, the Project Site is located within a VHFHSZ; however, the Project does not include any off-site infrastructure improvements that would have the potential to exacerbate fire risk temporarily or ongoing during operation. Minor improvements to High Street would occur as part of the Project, such as the modification of curbs, street parking, and street landscaping, but this work does not have the potential to exacerbate fire risks. As mentioned above, the Project may require the establishment and maintenance of fuel modification zones around proposed structures, which would result in ongoing less than significant impacts associated with vegetation clearing. Less than significant impacts would result from the Project relative to this threshold, and no mitigation is required.

**Threshold 4.18-d** *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, 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 change?*

**Less Than Significant Impact.** As discussed previously, the Project is located within a VHFHSZ. Portions of the Project Site are within the 500-year floodplain, which is considered by the Federal Emergency Management Agency (FEMA) to be at minimal risk of flood loss. As discussed in Section 4.9, Hydrology and Water Quality, structures proposed as part of the Project would be required to be elevated outside of the 100-year floodplain, which would lessen Project impacts when compared to existing conditions. Furthermore, design of each Project phase would include drainage improvements to capture and convey stormwater, which would ensure that flooding would not occur.

The Project Site's susceptibility to landslides is discussed in more detail in Section 4.6, Geology and Soils, which concludes that the Project Site is not at substantial risk to landslides. According to the California Earthquake Hazards Zone Application (EQ Zapp) maintained by the California Geological Survey (CGS), the Project Site is not located within a zone of potential earthquake-induced landslides (CGS 2022a). Also, there are no recorded landslide incidents within or near the Project Site identified in the CGS Landslide Inventory (CGS 2022b).

For the reasons discussed above, the Project would have less than significant impacts related to this threshold, and no mitigation is required.

#### **4.18.5 CUMULATIVE IMPACTS**

As noted previously, the Project and much of the City are located within a VHFHSZ. Therefore, the Project in combination with other cumulative projects would collectively increase the number of buildings and occupants within VHFHSZ's. However, the Project and other cumulative projects would be required to comply with the City and/or County codes and requirements related to building construction, access, fire flow, and fuel modification, which would minimize the risk of wildfire hazards related to the Project and cumulative projects. Specifically, the Project would be constructed in compliance with the latest California Fire Code as well as the California Building Code, which contain regulations for safeguarding life and property from fire (ICC 2019; CBSC 2018). Therefore, with consideration of standard regulatory requirements, there would be no significant cumulative impacts related to wildfire.

#### **4.18.6 MITIGATION PROGRAM**

##### **Conditions of Approval**

No conditions of approval are applicable to this resource topic.

##### **Mitigation Measures**

No significant impacts pertaining to wildfire were identified; therefore, no mitigation measures are required.

#### **4.18.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Less than significant impact.

#### 4.18.8 REFERENCES

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## SECTION 5.0 ALTERNATIVES TO THE PROJECT

### 5.1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires that an environmental impact report (EIR) describe a range of reasonable alternatives to a proposed project that would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant environmental impacts identified for the Project. The Project has no significant environmental impacts, and therefore under CEQA Guidelines Section 15126.6(f), no alternatives other than the No Project Alternative are required to be discussed. Nevertheless, this section includes discussion of two alternatives in order to foster informed decisionmaking and public participation. EIRs are also required to evaluate the comparative merits of the alternatives that are carried forward for consideration. This chapter of the EIR describes and evaluates project alternatives as required in the CEQA Guidelines. This chapter also identifies the Environmentally Superior Project Alternative as required by CEQA Guidelines Section 15126.6(e)(2).

#### 5.1.1 PROJECT OBJECTIVES

The City has identified the following objectives for the Project:

- To redevelop the Project Site to create a vibrant master-planned Civic Center Campus to serve current and future Moorpark residents;
- To promote the revitalization of the downtown area of Moorpark with new civic buildings and a mix of other uses within the Project Site that would complement current uses and future planned development in the area;
- To develop the Project Site in a manner that avoids significant impacts to cultural and historic resources, including the Tanner Building.

### 5.2 SELECTION OF ALTERNATIVES

The range of alternatives and methods for selection is governed by CEQA and applicable CEQA case law. As stated in the CEQA Guidelines Section 15126.6(a), the lead agency is responsible for selecting a range of alternatives and must disclose its reasoning for selecting those alternatives. This chapter includes the range of project alternatives that have been selected by the City as lead agency for examination, as well as its reasoning for selecting these alternatives.

As stated in Section 15126.6(a) of the CEQA Guidelines, there is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. This rule is described in Section 15126.6(f) of the CEQA Guidelines and requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. As defined in Section 15126.6(f), the rule of reason limits alternatives analyzed to those that would avoid or substantially lessen one or more of the significant effects of a project. Of those alternatives, an EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project. Other relevant provisions in the CEQA Guidelines state that EIRs do not need to consider every conceivable alternative to a project, nor are they required to consider alternatives that are infeasible.

### **5.2.1 ALTERNATIVE CONSIDERED BUT NOT CARRIED FORWARD**

The CEQA Guidelines require that an EIR identify alternatives that were considered by the lead agency but rejected as infeasible along with a brief explanation of the reasons underlying this determination. Among the factors that may be used to eliminate alternatives from detailed consideration in the EIR are:

1. Failure to meet most of the basic project objectives,
2. Infeasibility, or
3. Inability to avoid significant environmental impacts (CEQA Guidelines Section 15126.6(c)).

In accordance with 15126.6(c) of the CEQA Guidelines, alternatives were considered by the City but rejected from further analysis due to one or more of the above reasons. A description of each alternative and the rationale for it being rejected from further consideration is provided below.

#### **Alternative Site**

Pursuant to Section 15126.6(f)(2) of the CEQA Guidelines, the City considered the potential for alternative locations to the Project Site. As stated in Section 15126.6(f)(2)(A), the first step in analyzing alternative sites is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need to be considered in the EIR. Given that there are no significant and unavoidable impacts associated with the Project, an alternative sites alternative would not substantially lessen or avoid the impacts of the Project; therefore, this alternative was omitted from further consideration.

### **5.2.2 ALTERNATIVES TO THE PROJECT**

Pursuant to Section 15126.6 of the CEQA Guidelines, the City selected a reasonable range of alternatives to the Project that would feasibly attain most of the basic objectives of the Project but would avoid or substantially lessen one or more of the effects of the Project. The two alternatives carried forward for detailed consideration are described below in sufficient detail to allow for meaningful evaluation, analysis, and comparison of the alternatives with the Project.

#### **No Project Alternative**

As required by CEQA Guidelines Section 15126.6(e)(1), a No Project Alternative was considered. Under the No Project Alternative, the Project Site would continue to operate as the existing City Civic Center with none of the improvements that are proposed under the Project. In existing conditions, the Project Site contains a variety of existing land uses that would continue to operate under the No Project Alternative. The eastern portion of the Project Site contains the existing Civic Center, which is oriented toward Moorpark Avenue. The existing Civic Center consists of a city hall, a community center/active adult center, a city library, portable structures, and parking areas. The southern portion of the Project Site contains the United States (U.S.) Post Office and is generally located between West High Street to the north and the Union Pacific Railroad and Metrolink tracks to the south. The western portion of the Project Site is undeveloped, generally rectangular-shaped vacant land oriented in an east/west direction along the north side of West High Street. In conjunction with previous nearby residential development, the western portion of the Project Site has been subject to grading and is relatively flat with no distinguishing



topographical features. The northern portion of the Project Site is developed with the existing city hall buildings.

The No Project Alternative is economically, logistically, legally, and politically feasible as it involves the continued operation of existing uses within the Project Site; however, the No Project Alternative would not meet the project objectives that are outlined above in Section 5.1.1, Project Objectives. Specifically, the No Project Alternative would not achieve Objective #1, which is to redevelop the Project Site to create a vibrant master-planned Civic Center Campus. Instead, the No Project Alternative would maintain the existing facilities within the Project Site which have been determined to be in need of repair. Also, since it would not involve any improvements, the No Project Alternative would not help to revitalize the downtown area of Moorpark, which is identified as Objective #2. The No Project Alternative would also be inconsistent with Objective #3, which is to develop the Project Site in a manner that avoid significant impacts to cultural and historic resources, including the Tanner Building since this alternative would not involve any development.

### ***Comparison of the Effects of the No Project Alternative to the Project***

#### Aesthetics

The No Project Alternative would maintain the existing buildings, landscaping, and lighting within the Project Site. Therefore, the No Project Alternative does not have potential to result in a substantial adverse effect on a scenic vista or to substantially damage scenic resources. Furthermore, the No Project Alternative would not alter the visual character of the Project Site as it would not result in new buildings or other structures. Night lighting would remain the same as in existing conditions. Therefore, the No Project Alternative would have fewer impacts than the Project related to this resource topic.

#### Agriculture and Forestry Resources

As described in Section 4.0.1, Effects Not Found To Be Significant, of this EIR, the Project Site contains no designated farmland as shown in the Farmland Mapping and Monitoring Program mapping, nor is the Project Site zoned for or used for agriculture or forestry purposes. Therefore, because this alternative would be located on the same site as the Project, the No Project Alternative would be consistent with the Project and would have no impacts related to agriculture and forestry resources. The No Project Alternative would have no impacts, consistent with the Project.

#### Air Quality

The No Project Alternative would maintain the existing land uses within the Project Site; therefore, the number of vehicle trips coming and going from the Project Site and resultant air quality emissions would be the same as in existing conditions. When compared to the Project, which would increase daily trips resulting from the Project Site, the No Project Alternative would result in fewer operational air quality emissions than the Project.

The No Project Alternative would not require any construction, which would avoid construction emissions, ground disturbance, and grading that would result under the Project. Therefore, the No Project Alternative would have fewer construction air quality emissions.

## Biological Resources

Although heavily disturbed from previous grading and stockpiling activities, the western portion of the Project Site remains undeveloped and supports a Mediterranean grass grassland vegetation type. Various special status plant species have been recorded off-site in the greater vicinity of the Project Site, including Plummer's mariposa lily (*Calochortus plummerae*), southern tarplant (*Centromadia parryi* ssp. *australis*), California Orcutt grass (*Orcuttia californica*), and Lyon's pentachaeta (*Pentachaeta lyonii*). Burrowing owl (*Athene cunicularia*) is a special status wildlife species that may occur on the western portion of the Project Site. White tailed kite (*Elanus leucurus*) is a California Fully Protected species and has potential to nest in the trees adjacent to the western portion of the Project Site. The No Project Alternative would not develop the western portion of the Project Site, which would thereby avoid potential impacts to the plant species noted above and to burrowing owl and white tailed kite. Also, indirect impacts that would result from construction activities within the Project Site such as impacts resulting from noise and vibration would be avoided by the No Project Alternative. Finally, the No Project Alternative would have no impacts related to nesting birds, which would be fewer impacts than the Project. Neither the Project nor the No Project Alternative would impact jurisdictional waters, and neither of these alternatives would conflict with any adopted plans or policies relating to biological resources. Therefore, overall the No Project Alternative would have fewer impacts than the Project related to this resource topic.

## Cultural Resources

The Project Site does not contain any historic built environment resources over 45 years old; however, the California Register of Historical Resources (CRHR)-listed Tanner Corner building is located adjacent to the Project Site at 601 Moorpark Avenue, which is an historical resource under CEQA. Given that the No Project Alternative would not include any construction activities near the Tanner Corner building, the No Project Alternative would not have any impacts related to this cultural resource. Specifically, the No Project Alternative would have fewer potential impacts related to vibration and aesthetic-compatibility with the Tanner Corner building. Also, the No Project Alternative would not involve ground disturbance so there would be no chance of uncovering unanticipated archaeological or historical resources and human remains like there is with the Project. Therefore, the No Project Alternative would have fewer impacts than the Project related to this resource topic.

## Energy

The Project Site is currently partially developed, and thus requires energy in baseline conditions for heating, lighting, and electronic devices. The No Project Alternative would not require any construction activities, and would maintain the number of buildings and other facilities requiring energy within the Project Site. Therefore, the No Project Alternative would have fewer impacts than the Project, which would increase energy demands above existing conditions due to the intensification of uses within the Project Site that would occur with the Project. Therefore, the No Project Alternative would have fewer impacts than the Project related to this resource topic.

## Geology and Soils

The No Project Alternative would occur on the same site as the Project. The Project Site contains no presence of active faulting and the Project Site does not occur within an Earthquake Fault Zone as defined by the State of California in the Alquist-Priolo Earthquake Fault Zoning Act. Like all of Southern California, the City of Moorpark is subject to ground shaking hazards associated with earthquake events in the region. Also, according to mapping prepared by the California

Department of Conservation, the Project Site is located within a liquefaction zone. There is no landslide, settlement, or subsidence hazards are known to be present at the Project Site. Given that the No Project Alternative would not develop any new structures within the Project Site, the No Project Alternative would not expose any new structures or people to geologic hazards. However, it is worth noting that the No Project Alternative would maintain buildings within the Project Site that were developed in the 1980's prior to current structural and seismic requirements were put in place. Therefore, although the No Project Alternative would not expose new structures or people to geologic hazards, this alternative would not result in the construction of new buildings with foundations and structures built to current code. Also, the No Project Alternative would not result in any of the temporary erosion potential during construction that the Project would result in. However, the No Project Alternative would not result in any of the operational water quality best management practices that would be implemented as part of the Project. Therefore, the No Project Alternative would have fewer impacts than the Project related to this resource topic.

### Greenhouse Gas Emissions

Neither the Project nor the No Project Alternative would conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The No Project Alternative would maintain the operation of existing uses within the Project Site; therefore, there would be no change in the number of vehicles trips, energy usage, and associated greenhouse gas emissions as in existing conditions. Since the Project would increase daily vehicle trips and would increase density of development within the Project Site, the Project would result in increased operational greenhouse gas emissions. Given that the No Project Alternative would involve no construction, the No Project Alternative would have fewer construction greenhouse gas emissions than the Project, which would involved phased construction activities. Therefore, the No Project Alternative would have fewer impacts than the Project related to this resource topic.

### Hazards and Hazardous Materials

Neither the Project nor the No Project Alternative would involve the routine use, transport, handling, or storage of hazardous materials on-site. Also, neither alternative would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, nor would either alternative occur on a Cortese List property or impair an adopted emergency response or evacuation plan.

Given the age of the existing facilities, it is possible asbestos and lead-based paint could be present in the building materials that would be removed during demolition, which would require specialized removal and disposal. Also, polychlorinated biphenyl (PCB)-containing lighting ballasts and mercury containing thermostats or fluorescent light tubes occur within the Project Site. The No Project Alternative would avoid impacts related to hazardous materials abatement that would occur under the Project.

The Project Site is located within a Very High Fire Hazard Severity Zone; therefore, both the Project and the No Project Alternative would both expose people and structures to potential wildfires and the effects from wildfire. The No Project Alternative would not build any new buildings or expose any new persons to wildfire above existing conditions; however, the No Project Alternative would also no involve the construction of new buildings in accordance with the latest building and fire codes which are more stringent than the requirements that were in place when the existing buildings were originally constructed.

Therefore, the No Project Alternative would have fewer impacts than the Project related to this resource topic.

### Hydrology and Water Quality

Neither the Project nor the No Project Alternative would impair implementation of a water quality control plan or sustainable groundwater management plan. Also, neither the Project nor the No Project Alternative would substantially decrease groundwater supplies or interfere substantially with groundwater recharge, although the Project would result in an increase in impervious surface coverage and decrease in groundwater infiltration than the No Project Alternative would result in.

The No Project Alternative would not result in any temporary erosion or other stormwater impacts that construction of the Project would result in. However, the No Project Alternative would not result in any of the operational water quality best management practices that would be implemented as part of the Project.

Therefore, overall, the No Project Alternative would have fewer impacts than the Project related to this resource topic.

### Land Use and Planning

Neither the Project nor the No Project Alternative would physically divide an established community. Both the Project and the No Project Alternative would be consistent with land use and zoning designations for the Project Site. Therefore, the No Project Alternative would have fewer land use and planning impacts than the Project.

### Mineral Resources

The No Project Alternative would occur on the same site as the Project. Consistent with the Project, the No Project Alternative would not result in the loss of availability of a known mineral resource or of a locally-important mineral resource recovery site, given the Project Site is already developed and does not contain any known mineral resources. Therefore, the No Project Alternative would have no impacts, consistent with the findings for the Project.

### Noise

The No Project Alternative would not require demolition or construction activities; therefore, the No Project Alternative would have fewer impacts related construction noise and vibration when compared to the Project. Similarly, given that the No Project Alternative would not develop structures in close proximity to the Tanner Corner building, there would be no vibratory impacts for the No Project Alternative, whereas the Project requires mitigation to avoid significant impacts to this structure.

During operations, the Project has the potential to result in greater sound levels than the No Project Alternative due to the greater intensity of development within the Project Site, as well as the development that would occur under the Project within areas that are not currently developed with any uses. Also, given there would be additional vehicle trips associated with the Project, the No Project Alternative would have fewer impacts related to operational traffic noise than the Project.

Therefore, the No Project Alternative would have fewer impacts than the Project related to this resource topic.

### Population and Housing

Neither the Project nor the No Project Alternative would displace any existing people or housing. The Project would result in an increase of 75 residential units within the Project Site, which is not consistent with current plans' assumptions and the zoning for the Project Site that do not account for residential uses on the Project Site. Therefore, the No Project Alternative would have lesser impacts than the Project related to unplanned population growth.

### Public Services

The Project would increase demand for public services through the intensification of development with a diversity of new land uses within the Project Site, which would not occur under the No Project Alternative. Therefore, the No Project Alternative would have fewer impacts than the Project related to this resource topic.

### Recreation

The Project would increase demand for parks and recreational facilities and the Project would impact a small park within the Project Site; however, the Project would also construct a larger park within the Project Site. In contrast, the No Project Alternative would maintain existing demand for parks and recreational facilities and would not impact the park within the Project Site. Therefore, the No Project Alternative would have fewer impacts than the Project.

### Transportation

Neither the Project nor the No Project Alternative would conflict with a program plan, ordinance or policy addressing the circulation system. The Project would result in temporary impacts related to emergency access due to temporary lane closures during construction, which would not occur under the No Project Alternative. Also, the Project would result in an increase in vehicle miles traveled that would be avoided under the No Project Alternative. Therefore, the No Project Alternative would have fewer impacts than the Project related to this resource topic.

### Tribal Cultural Resources

The Project Site does not contain any known tribal cultural resources; however, there is potential for unknown tribal cultural resources to be encountered during ground disturbance within the Project Site. The No Project Alternative would not involve ground disturbance so there would be no chance of uncovering unknown tribal cultural resources like there is with the Project. Therefore, the No Project Alternative would have fewer impacts than the Project related to this resource topic.

### Utilities and Service Systems

The Project would increase demand for utilities through the intensification of development with a diversity of new land uses within the Project Site, which would not occur under the No Project Alternative. Therefore, the No Project Alternative would have fewer impacts than the Project.

### Wildfire

The Project Site is located within a Very High Fire Hazard Severity Zone; therefore, both the Project and the No Project Alternative would both expose people and structures to potential wildfires and the effects from wildfire. The No Project Alternative would not build any new buildings

or expose any new persons to wildfire above existing conditions; however, the No Project Alternative would also not involve the construction of new buildings in accordance with the latest building and fire codes which are more stringent than the requirements that were in place when the existing buildings were originally constructed.

Therefore, the No Project Alternative would have fewer impacts than the Project related to this resource topic.

### **No Commercial Alternative**

The No Commercial Alternative would consist of the phased development of a new City Civic Center within the Project Site, as described in Section 3.0 of this EIR, Project Description, with the exception that the No Commercial Alternative would not include the 13,000 square feet of commercial uses and the public park that are proposed as part of the Project in Phase 2. The same conditions of approval and mitigation measures as identified for the Project would be applicable to the No Commercial Alternative.

The No Commercial Alternative is feasible as it would involve the development of a new library, city hall, and residential uses, which would help the No Commercial Alternative to meet all of the project objectives that are outlined above in Section 5.1.1, Project Objectives.

### ***Comparison of the Effects of the No Commercial Alternative to the Project***

#### **Aesthetics**

The No Commercial Alternative would include similar development to the Project, with the exception of no development of commercial uses within the western portion of the Project Site. Therefore, the No Commercial Alternative would construct fewer structures that would have potential to impact scenic resources. Also, night lighting impacts of the No Commercial Alternative would be less than the Project given that the footprint of development would be less. Therefore, the No Commercial Alternative would have fewer impacts than the Project related to this resource topic.

#### **Agriculture and Forestry Resources**

As described in Section 4.0.1, Effects Not Found To Be Significant, of this EIR, the Project Site contains no designated farmland as shown in the Farmland Mapping and Monitoring Program mapping, nor is the Project Site zoned for or used for agriculture or forestry purposes. Therefore, because this alternative would be located on the same site as the Project, the No Commercial Alternative would be consistent with the Project and would have no impacts related to agriculture and forestry resources. The No Commercial Alternative would have no impacts, consistent with the Project.

#### **Air Quality**

The No Commercial Alternative would include similar development to the Project, with the exception of no development of commercial uses within the western portion of the Project Site. Therefore, the number of vehicle trips coming and going from the Project Site and resultant air quality emissions would be less for the No Commercial Alternative than for the Project, which would develop up to 13,000 square feet of commercial uses in the western portion of the Project Site. When compared to the Project, which would increase daily trips resulting from the Project Site, the No Commercial Alternative would result in fewer operational air quality emissions as it

would still increase daily trips and associated vehicular emissions but at a lower rate than the Project.

The No Commercial Alternative would require less construction, which would minimize the amount of construction emissions, ground disturbance, and grading that would result when compared to the Project, which would conduct construction over a greater area and period of time. The No Commercial Alternative would have fewer construction air quality emissions than the Project.

### Biological Resources

As noted above, the western portion of the Project Site is undeveloped and supports a Mediterranean grass grassland vegetation type with potential for Plummer's mariposa lily, southern tarplant, California Orcutt grass, Lyon's pentachaeta, burrowing owl, white tailed kite, and white tailed kite. Therefore, the No Commercial Alternative would reduce potential impacts to these plant and wildlife species. Also, indirect impacts that would result from construction activities within the Project Site such as impacts resulting from noise and vibration would be reduced by the No Commercial Alternative, which would be set back further from adjacent open space areas within and adjacent to the western portion of the Project Site. Finally, the No Commercial Alternative would have fewer impacts related to nesting birds since potential nesting vegetation within the western portion of the Project Site would not need to be removed under this alternative. Neither the Project nor the No Commercial Alternative would impact jurisdictional waters, and neither of these alternatives would conflict with any adopted plans or policies relating to biological resources. Therefore, overall the No Commercial Alternative would have fewer impacts than the Project related to this resource topic.

### Cultural Resources

The Project Site does not contain any historic built environment resources over 45 years old; however, the CRHR-listed Tanner Corner building is located adjacent to the Project Site at 601 Moorpark Avenue, which is an historical resource under CEQA. Given that the No Commercial Alternative would involve the same construction activities near the Tanner Corner building that are proposed under the Project, both alternatives would have the same impacts related to this cultural resource. The No Commercial Alternative would involve less ground disturbance so there would be less likelihood of uncovering unanticipated archaeological or historical resources and human remains as there would be with the Project. Therefore, the No Commercial Alternative would have fewer impacts than the Project related to this resource topic.

### Energy

The No Commercial Alternative would involve construction activities that would utilize energy, albeit less construction activities would be required for the No Commercial Alternative than for the Project. The No Commercial Alternative would increase operational energy usage above existing conditions; however, given that the No Commercial Alternative would develop 13,000 square feet less of commercial land uses than the Project, the No Commercial Alternative would require less operational energy than the Project. Therefore, for both construction and operations, the No Commercial Alternative would have fewer impacts than the Project related to this resource topic.

## Geology and Soils

The No Commercial Alternative would occur on the same site as the Project. The Project Site contains no presence of active faulting and the Project Site does not occur within an Earthquake Fault Zone as defined by the State of California in the Alquist-Priolo Earthquake Fault Zoning Act. Like all of Southern California, the City of Moorpark is subject to ground shaking hazards associated with earthquake events in the region. Also, according to mapping prepared by the California Department of Conservation, the Project Site is located within a liquefaction zone. There is no landslide, settlement, or subsidence hazards are known to be present at the Project Site. Given that the No Commercial Alternative would develop fewer new structures within the Project Site, the No Commercial Alternative would result in less exposure of new structures and people to geologic hazards. Also, the No Commercial Alternative would result in less temporary erosion potential during construction that the Project would result in given the western portion of the Project Site would not be developed under this alternative. However, the No Commercial Alternative would result in less operational water quality best management practices being implemented, since the western portion of the Project Site would not be redeveloped, so runoff would remain untreated from this portion of the Project Site as it is in existing conditions. Therefore, the No Commercial Alternative would have fewer impacts than the Project related to this resource topic.

## Greenhouse Gas Emissions

Neither the Project nor the No Commercial Alternative would conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The No Commercial Alternative would result in similar development to the Project with the exception of 13,000 square feet less of commercial land uses. Therefore, the No Commercial Alternative would increase operational greenhouse gas emissions from trips and from energy usage of new land uses on the Project Site above existing conditions, but at a lesser rate than the Project. Given that the No Commercial Alternative would involve a lesser degree of construction, the No Commercial Alternative would have fewer construction greenhouse gas emissions than the Project, which would involve phased construction activities. Therefore, the No Commercial Alternative would have fewer impacts than the Project related to this resource topic.

## Hazards and Hazardous Materials

Neither the Project nor the No Commercial Alternative would involve the routine use, transport, handling, or storage of hazardous materials on-site. Also, neither alternative would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, nor would either alternative occur on a Cortese List property or impair an adopted emergency response or evacuation plan.

Given the age of the existing facilities, it is possible asbestos and lead-based paint could be present in the building materials that would be removed during demolition, which would require specialized removal and disposal. Also, PCB-containing lighting ballasts and mercury containing thermostats or fluorescent light tubes occur within the Project Site. The No Commercial Alternative would have the same amount of impacts related to hazardous materials abatement that would occur under the Project since both alternatives would remove the same number of structures and building materials.

The Project Site is located within a Very High Fire Hazard Severity Zone; therefore, both the Project and the No Commercial Alternative would expose people and structures to potential wildfires and the effects from wildfire, albeit the No Commercial Alternative would result in 13,000



square feet less of development. Therefore, the No Commercial Alternative would have fewer impacts than the Project related to this resource topic.

### Hydrology and Water Quality

Neither the Project nor the No Commercial Alternative would impair implementation of a water quality control plan or sustainable groundwater management plan. Also, neither the Project nor the No Commercial Alternative would substantially decrease groundwater supplies or interfere substantially with groundwater recharge, although the Project would result in a greater increase in impervious surface coverage and decrease in groundwater infiltration than the No Project Alternative would result in.

The No Commercial Alternative would result in fewer temporary erosion and other stormwater impacts that construction of the Project would result in. However, the No Commercial Alternative would result in fewer operational water quality best management practices being implemented than would be implemented under the Project given the smaller development footprint.

Therefore, overall, the No Commercial Alternative would have fewer impacts than the Project related to this resource topic.

### Land Use and Planning

Neither the Project nor the No Commercial Alternative would physically divide an established community. Both the Project and the Commercial Alternative would be consistent with zoning and land use designations for the Project Site. Therefore, the No Commercial Alternative would have similar impacts as the Project related to this resource topic.

### Mineral Resources

The No Commercial Alternative would occur on the same site as the Project. Consistent with the Project, the No Commercial Alternative would not result in the loss of availability of a known mineral resource or of a locally-important mineral resource recovery site, given the Project Site is already developed and does not contain any known mineral resources. Therefore, the No Commercial Alternative would have no impacts, consistent with the findings for the Project.

### Noise

The No Commercial Alternative would require the same amount of demolition and a similar amount of construction activities as the Project. Therefore, the No Commercial Alternative would have fewer impacts related construction noise and vibration when compared to the Project. Similarly, given that the No Commercial Alternative would still develop the library and city hall buildings in proximity to the Tanner Corner building, there would be similar potential vibratory impacts for the No Commercial Alternative that there would also be for the Project.

During operations, the Project has the potential to result in greater sound levels than the No Project Alternative due to the greater intensity of development within the Project Site, as well as the development that would occur under the Project within areas that are not currently developed with any uses. Also, given there would be additional vehicle trips associated with the Project, the No Project Alternative would have fewer impacts related to operational traffic noise than the Project.

Therefore, the No Project Alternative would have fewer impacts than the Project related to this resource topic.

### Population and Housing

Neither the Project nor the No Commercial Alternative would displace existing people or housing. The Project would result in an increase of 75 residential units within the Project Site, which is not consistent with current plans' assumptions and the zoning for the Project Site that do not account for residential uses on the Project Site. Similar to the Project, the No Commercial Alternative would also include development of 75 residential units within the Project Site. Therefore, the No Commercial Alternative would have the same impacts as the Project related to unplanned population growth.

### Public Services

The Project would increase demand for public services through the intensification of development with a diversity of new land uses within the Project Site, which would occur to a lesser extent under the No Commercial Alternative. Therefore, the No Commercial Alternative would have fewer impacts than the Project related to this resource topic.

### Recreation

The Project would increase demand for parks and recreational facilities and the Project would impact a small park within the Project Site; however, the Project would also construct a larger park within the Project Site. Similarly, the No Commercial Alternative would increase demand for parks and recreational facilities through implementing similar development as what is proposed under the Project with the exception of the 13,000 square feet of commercial space and the public park which would not be developed. By not developing a public park on-site, the No Commercial Alternative would result in a greater impact related to recreation than the Project.

### Transportation

Neither the Project nor the No Commercial Alternative would conflict with a program plan, ordinance or policy addressing the circulation system. The Project would result in temporary impacts related to emergency access due to temporary lane closures during construction, which would also occur under the No Commercial Alternative albeit to a lesser extent since less development would occur. Also, the Project would result in an increase in vehicle miles traveled that would occur to a lesser extent under the No Commercial Alternative. Therefore, the No Commercial Alternative would have fewer impacts than the Project related to this resource topic.

### Tribal Cultural Resources

The Project Site does not contain any known tribal cultural resources; however, there is potential for unknown tribal cultural resources to be encountered during ground disturbance within the Project Site. The No Commercial Alternative would involve a lesser degree of ground disturbance so there would be less chance of uncovering unknown tribal cultural resources as there is with the Project. Therefore, the No Commercial Alternative would have fewer impacts than the Project related to this resource topic.

### Utilities and Service Systems

The Project would increase demand for utilities through the intensification of development with a diversity of new land uses within the Project Site, which would occur to a lesser extent under the No Commercial Alternative. Therefore, the No Commercial Alternative would have fewer impacts than the Project related to this resource topic.

### Wildfire

The Project Site is located within a Very High Fire Hazard Severity Zone; therefore, both the Project and the No Commercial Alternative would expose people and structures to potential wildfires and the effects from wildfire, albeit the No Commercial Alternative would result in 13,000 square feet less of development. Therefore, the No Commercial Alternative would have fewer impacts than the Project related to this resource topic.

## **5.3 ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

CEQA Guidelines Section 15126.6(e)(2) indicates that an analysis of alternatives to a project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR.

The CEQA Guidelines also state that should it be determined that the “no project” alternative is the environmentally superior alternative, the EIR shall identify another environmentally superior alternative among the remaining alternatives.

A comparative summary of the environmental impacts associated with each alternative is provided in Table 5-1, Comparison of Alternatives. As shown, the No Project Alternative would be the environmentally superior alternative, and the No Commercial Alternative would be the environmentally superior build alternative. Although the Project has no significant and unavoidable impacts, the No Project Alternative and the No Commercial Alternative would result in no new environmental impacts, and would avoid some of the Project’s less than significant impacts. However, the No Project Alternative would not fully attain any of the basic objectives of the Project nor would the No Project Alternative achieve the underlying purpose of the Project.

**TABLE 5-1  
 COMPARISON OF ALTERNATIVES**

<b>Impact Area</b>	<b>Project</b>	<b>No Project Alternative</b>	<b>No Commercial Alternative</b>
Aesthetics	Less Than Significant Impact	Reduced Impacts	Reduced Impacts
Agriculture	No Impacts	No Impacts	No Impacts
Air Quality	Less Than Significant Impact	Reduced Impacts	Reduced Impacts
Biological Resources	Less Than Significant Impact With Mitigation	Reduced Impacts	Reduced Impacts
Cultural Resources	Less Than Significant Impact With Mitigation	Reduced Impacts	Reduced Impacts
Energy	Less Than Significant Impact	Reduced Impacts	Reduced Impacts
Geology and Soils	Less Than Significant Impact With Mitigation	Reduced Impacts	Reduced Impacts
Greenhouse Gas Emissions	Less Than Significant Impact	Reduced Construction Impacts; Increased Operational Impacts	Reduced Impacts
Hazards and Hazardous Materials	Less Than Significant Impact	Reduced Impacts	Reduced Impacts
Hydrology and Water Quality	Less Than Significant Impact	Reduced Impacts	Reduced Impacts
Land Use and Planning	Less Than Significant Impact	Same Impacts	Same Impacts
Mineral Resources	No Impacts	No Impacts	No Impacts
Noise	Less Than Significant Impact	Reduced Impacts	Reduced Impacts
Population and Housing	Less Than Significant Impact	Reduced Impacts	Same Impacts
Public Services	Less Than Significant Impact	Reduced Impacts	Reduced Impacts
Recreation	Less Than Significant Impact	Reduced Impacts	Greater Impacts
Transportation	Less Than Significant Impact	Reduced Impacts	Reduced Impacts
Tribal Cultural Resources	Less Than Significant Impact With Mitigation	Reduced Impacts	Reduced Impacts
Utilities and Service Systems	Less Than Significant Impact	Reduced Impacts	Reduced Impacts
Wildfire	Less Than Significant Impact	Reduced Impacts	Reduced Impacts

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