

Draft Environmental Impact Report

Latigo Hillcrest Project

City of Thousand Oaks, California



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ACRONYMS LIST

AAQS	Ambient Air Quality Standards
AB	Assembly Bill
ACM	asbestos containing materials
AF	Acre-Feet
AFY	Acre-Feet Per Year
APN	Assessor's Parcel Number
AQMD	Air Quality Management District
AQMP	Air Quality Management Plan
ATP	Active Transportation Plan
BMP	Best Management Practice
C&D	construction and demolition
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFE	Corporate Average Fuel Economy Standards
CalAm	California American Company
CAL FIRE	California Department of Forestry and Fire Protection
Cal OES	California Office of Emergency Service
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
CALGreen	California Green Building Code
CalOES	California Office of Emergency Service
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CCCA	California Clean Air Act
CCL	Contaminant Candidate List
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEAP	Climate and Environmental Action Plan
CEC	California Education Code
CEPA	California Environmental Protection Agency
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFP	California Fully Protected
CFR	Code of Federal Regulations
CGP	Construction General Permit
CHP	California Highway Patrol
CHRIS	California Historical Resources Information System
CII	Commercial, Industrial and Institutional
CIWMB	California Integrated Waste Management Board
CMWD	Calleguas Municipal Water District
CNDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CO	Carbon Monoxide
CO ₂	Carbon Dioxide
CO ₂ e	CO ₂ equivalents
COS	critically overcrowded schools

COSCA	Conejo Open Space Conservation Agency
COUNTY	County of Los Angeles
CPA	Clean Power Alliance
CPTED	Crime Prevention Through Environmental Design
CRECs	Controlled Recognized Environmental Conditions
CRHR	California Register of Historical Resources
CRPD or District	Conejo Recreation & Park District
CRPR	California Rare Plant Rank
CRS	Community Rating System
CVUSD or District	Conejo Valley Unified School District
CWA	Clean Water Act
cy	cubic yard
DOF	Department of Finance
DOT	Department of Transportation
DMA	Disaster Mitigation Act of 2000
DP	Development Permit
DPM	Diesel Particulate Matter
DPMN	Development Permit Minor Modification, GDR Grading Design Review
EIR	Environmental Impact Report
EOP	Emergency Operations Plan
EPA	United States Environmental Protection Agency
EPCRA	Emergency Planning Community Right-to-Know Act
ESA	Environmental Site Assessment
EV	Electric Vehicle
EVSE	Electrical Vehicle Supply Equipment
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FFSA	The Federal Fire Safety Act
FHSZ	Fire Hazard Severity Zones
g/L	grams per liter
gal	gallon(s)
GHG	Greenhouse Gas
gpd	gallons per day
GWh	gigawatt hours
HCA	Housing Crisis Act
HCTP	Hill Canyon Treatment Plant
HMGP	Hazard Mitigation Grant
HMTA	Hazardous Materials Transportation Act
hp	Horsepower
HRECs	Historical Recognized Environmental Conditions
HSC	Health and Safety Code
HVAC	Heating, Ventilation and Air Conditioning
IRA	Inflation Reduction Act
IWMA	Integrated Waste Management Act
kBTU/year	British thermal units per year
kWh	kilowatt hours
LBP	lead based paint
LCFS	Low Carbon Fuel Standard

LEV	Low-Emission Vehicle
LID	Low Impact Development
LOS	Level of Service
LPC	Landscape Plan Check
LUST	Leaking Underground Storage Tank
MBTA	Migratory Bird Treaty Act
MCLs	Maximum Contaminant Levels
MHMP	Multi-Hazard Mitigation Plan
MND	Mitigated Negative Declaration
MPO	Metropolitan Planning Organization
MPOs	metropolitan planning organizations
MRZ	Mineral Resource Zone
MT	metric tons
MTCO _{2e}	metric tons of CO ₂
NAAQS	National Ambient Air Quality Standards
NAHC	California Native American Heritage Commission
NHM	Los Angeles Natural History Museum
NHPA	National Historic Preservation Act
NHTSA	National Highway Traffic Safety Administration
NMFS	National Marine Fisheries Service
NO ₂	Nitrogen Dioxide
NOA	Notice of Availability
NOC	Notice of Completion
NOP	Notice of Preparation
NO _x	Nitrogen Oxides
NPDES	National Pollution Discharge Elimination System
NPDWR	National Primary Drinking Water Regulations
NPPA	Native Plant Protection Act
NRHP	National Register of Historic Places
NRPA	National Recreation and Park Association
NSDWR	National Secondary Drinking Water Regulations
O ₃	Ozone
OEHHA	Office of Environmental Health Hazard Assessment
OES	Office of Emergency Services
OTP	Oak Tree Permit
Pb	Lead
PCB	polychlorinated biphenyls
PCE	perchloroethylene
PCR	Public Resources Code
PHEV	plug-in hybrid electric vehicles
PM	Particulate Matter
PM-10	Particulate Matter
PM-2.5	Fine Particulate Matter
POST	Peace Officer Standards and Training
ppb	parts per billion
ppm	parts per million
PRC	California Public Resources Code
PRC	Public Resources Code
PTP	Protected Tree Permit
RCRA	Resource Conservation and Recovery Act

RECs	Recognized Environmental Conditions
RFS	Renewable Fuel Standard
RHNA	Regional Housing Needs Allocation
RHNA	Regional Housing Needs Assessment
ROC	Reactive Organic Compounds
ROG	Reactive Organic Gases
RPD	Residential Planned Development
RTP	Regional Transportation Plan
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RWQCBs	Regional Water Quality Control Boards
SAFE	Safer Affordable Fuel-Efficient
SARA	Superfund Act and Reauthorization
SB	Senate Bill
SCAG	Southern California Association of Government
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SCS	Sustainable Communities Strategy
SDWA	Safe Drinking Water Act
SERC	State Emergency Response Commission
sf	square feet
SHRC	State Historic Resource Commission
SO ₂	Sulfur Dioxide
SoCalGas	Southern California Gas Company
SRA	State Responsibility Area
SRRE	Source Reduction and Recycling Element
SSC	Species of Special Concern
SUMJ	Special Use Permit Major Modification
SUP	Special Use Permit
SVLRC	Simi Valley Landfill and Recycling Center
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TACs	Toxic Air Contaminants
TAZ	traffic analysis zone
TCE	trichloroethylene
TNW	Traditional navigable waters
TOC	Toxic Air Contaminant
TOMC	Thousand Oaks Municipal Code
tpd	tons per day
TTM	Tentative Tract Map
UFC	Uniform Fire Code
URF	Unit Risk Factor
USACE	United States Army Corps of Engineers
USC	United States Code
USDOT	U.S. Department of Transportation
USEPA	United States Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USP	Uniform Sign Permit
UWMP	Urban Water Management Plan
VCAPCD	Ventura County Air Pollution Control District
VCEHD	Ventura County Environmental Health Division

VCFC	Ventura County Fire Code
VCFD	Ventura County Fire Department
VCOG	Ventura Council of Governments
VCSD	Ventura County Sheriff Department
VCTC	Ventura County Transportation Commission
VCTM	Ventura County Transportation Model
VCWPD	Ventura County Watershed Protection District
VEC	Vapor Encroachment Conditions
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compound
WDR	Waste Discharge Requirements
WEAP	Worker Environmental Awareness Plan
WOE	Weight of Evidence
yr	year
ZEV	zero-emission vehicles
µg/m ³	micrograms per cubic meter

ES EXECUTIVE SUMMARY

ES.1 INTRODUCTION

This Executive Summary encapsulates the contents and findings of the Draft Project Environmental Impact Report (Draft EIR, or EIR), which has been prepared by the City of Thousand Oaks (City) as lead agency to assess the environmental consequences of the proposed mixed use Latigo Hillcrest Project (project). The City is the lead agency for the proposed project under the California Environmental Quality Act (CEQA).¹

This Executive Summary Section is provided pursuant to CEQA and the State CEQA Guidelines² Section 15123:

- (a) An EIR shall contain a brief summary of the proposed action and its consequences. The language of the summary should be as clear and simple as reasonably practical.
- (b) The summary shall 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 including issues raised by agencies and the public; and
 - (3) Issues to be resolved, including the choice among alternatives and whether or how to mitigate significant effects.
- (c) The summary should normally not exceed 15 pages.

ES.2 PROJECT OVERVIEW

This Draft Environmental Impact Report (Draft EIR, or EIR) evaluates the anticipated environmental impacts of the Latigo Hillcrest Project (project), proposed by The Latigo Group, LCC, to be located on an 8.19-net acre (8.28-gross acre) site at 2150 West Hillcrest Drive, in the City of Thousand Oaks community of Newbury Park, California. The project consists of a four-story mixed-use development (with the fourth floor of each proposed building to be stepped back from adjacent roadways and public views), encompassing 629,937 gross square feet (sf) of building area, that would contain 333 multi-family residential units (including 30 very low-income affordable units), common areas and amenities, and 5,300 gross sf of commercial retail and restaurant space above semi-subterranean parking with a total of 462 parking spaces, and surface parking areas with a total of 119 parking spaces (581 total parking spaces).

The project site is bounded on the south by the right-of-way of U.S. Route 101 (101 Freeway, or freeway), on the west by Rancho Conejo Road and a Chevron automobile service station with a 7-Eleven convenience store), on the north by West Hillcrest Drive, and on the east by The Linden Apartments complex. Additional uses in the surrounding area include Amgen's business park uses to the north across West Hillcrest Drive [the closest Amgen Inc. (Amgen) structure is Amgen Building 29], further business park uses on the northwest corner of Hillcrest Drive and Rancho Conejo Boulevard, and additional multi-family residential uses to the east, the Hillcrest Park Apartment Homes.

¹ California Public Resources Code, Division 13, Environmental Quality, Section 21000 et seq., California Environmental Quality Act (CEQA).

² California Code of Regulations, Title 14, Guidelines for the Implementation of the California Environmental Quality Act, Section 15000 et seq., (State CEQA Guidelines).

General Environmental Setting

The project site is generally located in the western half of the City and is previously developed. The project site currently includes a 56,667-sf two-story office building (most recently known as Amgen Building 34) on the northcentral portion of the site, which has been vacant since 2021. The building is surrounded by paved parking lot areas internal circulation driveways, and landscaping. Demolition of existing uses would be required prior to construction. The site lies adjacent to the freeway and a major arterial (West Hillcrest Drive), and is surrounded by developed urban uses. The site is served by urban utility infrastructure, including electrical power, gas, water, sewer, stormwater drainage, and municipal trash pickup service. It is not located in proximity to any open, natural areas, and thus the project's environmental setting is very urban in nature.

Project Components

The project would create a mixed-use residential apartment community comprised architecturally of two buildings, which would appear at ground level as five (5) larger structures and one (1) leasing / amenity building. The northerly building, fronting on West Hillcrest Drive, would be mixed-use, with three (3) levels of apartments above a ground floor of mixed residential and commercial uses, assumed to be restaurants and retail establishments. Additional apartments without a commercial component, would be located in the middle and rear of the site in the second podium building (i.e., which appear as the four other larger buildings on site). The leasing building would house the leasing office, mail room and potentially other functional components. Some additional amenities would also be provided in the larger structures. One level of semi-subterranean parking would be provided for both buildings, in addition to surface parking areas.

The four-story project would be 55 feet tall at its highest point, and the fourth floor of each proposed building to be stepped back from adjacent roadways and public views. Both buildings would have a semi-subterranean garage podium level. Access is provided via two entry drives off Hillcrest Drive which partially encircle the southerly residential complex which appears as four separate structures connected by various walking paths, breezeways and bridges. The project would also include courtyards throughout the site and a swimming pool. The commercial spaces would be open to the public, as well as the outdoor open spaces proximate to those uses. Additional indoor amenities would be provided to the residents.

Table ES-1, Gross Floor Area and Land Use Summary, and Table ES-2, Apartment Breakdown by Size and Market Type, provide additional detail about the project.

Table ES-2
Gross Floor Area and Land Use Summary

Land Use Type	Building A (sf)	Building B (sf)	Leasing / Amenity Building (gross sf)	TOTAL(gross sf)
Commercial (Restaurant and/or Retail)	5,300	0	N/A	5,300
Residential	62,025	253,740	N/A	315,765
Balcony (residential private open space area)	5,569	18,662	N/A	24,231
Parking Structure/Garage	50,853	145,021	N/A	195,874
Common Area (includes Lobby, Amenity, Circulation)	27,457	59,010	2,300	88,767
Totals	151,204	476,433	2,300	629,937

Table ES-1
Apartment Breakdown by Size and Market Type

Land Use	Dwelling Units		Building Area, Excluding Balconies and Patios (net sf)
	Total Units (and estimated affordable component) ^a		
Multi-Family Apartments	1-BR	140 (16 of which would be affordable)	315,765 (not including common spaces, corridors, etc.) 62,025 in Building A 253,740 in Building B
	1-BR + Den	40 (0 of which would be affordable)	
	2-BR	125 (11 of which would be affordable)	
	3-BR	28 (3 of which would be affordable)	
	Total	333 (30 of which would be affordable)	

^a The affordable units would set aside for deed restricted, Very Low-Income Households.

Amenities for the residents would include outdoor landscaped open space areas, including a dog park and walking paths. Indoor amenities include a fitness room, game room, swimming pool and club rooms, co-working space³, a bike room, e-bike room, and other facilities.

The project would provide the following green features:

- EV Accommodations:
 - **226 EV Capable** parking spaces (40% of overall Parking) with pre-wiring installed for future Level 2 EV Charging (10% required per Cal Green).
 - **141 EV Ready** parking spaces (25% of overall Parking) equipped with low power Level 2 EV charging 120-240 volt 30 Amp receptacles (25% required per Cal Green).
 - **57 EV Chargers** (10% of overall Parking) equipped with Level 2 EVSE Supply Equipment (5% required per Cal Green) available on day one.
 - Indoor/Outdoor bike parking with electric bicycle charging stations.
- Central location with two bus transit stops within 0.5 miles.
- Mixed-use development provides the opportunity to live and dine within the project, without driving to alternative locations.
- On-site outdoor areas and amenity spaces including community collaborative workspaces allows residents to work and play without driving to alternative locations.
- Proximity to Amgen campus and other businesses and employment locations in the Rancho Conejo Industrial Park reduces vehicle miles traveled and is convenient for pedestrian and bicycle travel.

Project Objectives

The project objectives are as follows:

- Provide a mixed-use community on the 8.19-net acre site, located near the intersection of West Hillcrest Drive and Rancho Conejo Boulevard (an area with business and shopping opportunities in the immediate vicinity, and a multi-family residential development to the east), to create a more cohesive, interactive urban environment in this portion of the City.
- Revitalize an underutilized property to achieve City planning objectives to a greater extent than the existing vacant commercial Amgen administrative building and surface parking areas,

³ The co-working space would be equipped with bring-your-own computer stations for use by residents only.

- consistent with the 2021-2029 Housing Element which identifies the site as a target site for housing.
- Provide market rate units and units affordable to very low-income households to help alleviate the state’s housing crisis and support the City’s RHNA goals, consistent with the Draft Preferred Land Use Map for the Thousand Oaks 2045 General Plan which identifies the subject property for Mixed Use Low which allows up to 30 du/acre.
 - Include green features and use green and healthy development principles that serve to reduce project impacts on the environment, including greenhouse gas emissions.
 - Reduce vehicle miles traveled by locating housing close to job centers in the Rancho Conejo Industrial Park, and away from wildland urban interface areas, which are natural hazard areas.

ES.3 SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION MEASURES

Table ES-3 Summary of Significant Environmental Impacts and Mitigation Measures, summarizes the project’s significant environmental impacts, and the mitigation measures identified to mitigate potentially significant impacts. The table notes the impact for each issue both before and after the implementation of mitigation.

Table ES-1
Summary of Significant Environmental Impacts and Mitigation Measures

Description of Impact	Significance Before Mitigation	Proposed Mitigation Measures	Significance After Mitigation
AIR QUALITY (SEE SECTION 4.1)			
<u>Conflict with Air Quality Management Plan (4.1.3.1)</u> The project would not generate growth exceeding the Ventura County Air Pollution Control District's (VCAPCD's) most recently Air Quality Management Plan (AQMP) population forecasts and thus would not conflict with the AQMP.	Less than Significant	None.	Less than Significant
<u>Emission of Criteria Pollutants (4.1.3.2)</u> With the project construction program committing to off-road construction equipment used on the site will meet the Tier 4 Final emission reduction standards, the project would not exceed VCAPCD construction thresholds for criteria pollutants (ROG and NOx). Compliance with VCAPCD Rule 55, to minimize construction fugitive dust emissions would also be required. During operations the project would not exceed the VCAPCD operational thresholds for projects, individually and cumulatively for any non-attainment pollutant and would not jeopardize attainment of the federal one-hour ozone standard.	Less than Significant	None.	Less than Significant
<u>Sensitive Receptors (4.1.3.3)</u> The nearest sensitive use is an apartment complex located adjacent to the eastern boundary of the subject property. A construction Health Risk Assessment (HRA) evaluating Toxic Air Contaminants (TACs) found that the prescribed construction program would avoid significant impacts at nearby sensitive receptors. The factors that VCAPCD identifies for potential Valley Fever impacts do not apply to the project site and proposed activities.	Less than Significant	None.	Less than Significant

Description of Impact	Significance Before Mitigation	Proposed Mitigation Measures	Significance After Mitigation
<p><u>Other Emissions/Odors (4.1.3.4)</u> Land uses typically associated with objectionable odors that potentially adversely affect a substantial number of people include manufacturing, industrial, agricultural, or sewage treatment processes, and typically are not associated with residential and commercial land uses such as the project. During construction, the application of certain materials may generate odors within various portions of the site that would be temporary in nature and are common to construction projects.</p>	<p>Less than Significant</p>	<p>None.</p>	<p>Less than Significant</p>
<p>BIOLOGICAL RESOURCES (SEE SECTION 4.2)</p>			
<p><u>Native Species (4.2.3.1)</u> There are no sensitive or special status plant species present within the project site. The coast live oak trees are not considered sensitive or special-status at the state level. Standard regulatory compliance with the Migratory Bird Treaty Act would assure no significant impacts to the Cooper's hawk (<i>Accipiter cooperii</i>), which is on the CDFW Watchlist, and could use mature trees on site for nesting. The pallid bat (<i>Antrozous pallidus</i>), a CDFW Species of Special Concern, is known to roost in vacant structures and could therefore potentially roost in the building on site, potentially resulting in a significant impact.</p>	<p>Potentially Significant</p>	<p>BIO-1 No earlier than three days prior to ground or vegetation disturbing activities, and separately three days prior to demolition activities if occurring 14 days or more after ground or vegetation disturbing activities, a City-approved qualified biologist shall inspect the outside and inside of the vacant structure for sign of roosting bats, such as presence of guano or direct observations. A report of the bat survey results shall be submitted to the City for review and approval prior to ground and/or vegetation disturbance activities. If evidence of bat roosting is observed, building demolition shall not be allowed until a qualified biologist can verify that the roost is no longer active. Separate ground or vegetation disturbing activities may commence if determined appropriate by the biologist, with or without an avoidance buffer if found necessary. If necessary, bats may be evicted and building demolished following submittal and approval of a Bat Avoidance</p>	<p>Less than Significant</p>

Description of Impact	Significance Before Mitigation	Proposed Mitigation Measures	Significance After Mitigation
		Plan by the California Department of Fish and Wildlife (CDFW).	
<p><u>Natural Communities (4.2.3.2)</u> There are no sensitive natural communities on the project site.</p>	Less than Significant	None.	Less than Significant
<p><u>Wetlands or Waters of the U.S. (4.2.3.3)</u> There are no wetlands or waters of the United States or California on the project site. The required project Storm Water Pollution Prevention Plan (SWPPP), will assure no significant adverse effect on the Arroyo Conejo Creek concrete channel south of the project site during construction. Project design is required to comply with the Ventura County's Low Impact Design (LID) Ordinance, which requires the implemented project to detain on-site stormwater from the majority of rain events (85%), and for overflows to be conveyed to designated stormwater drainages.</p>	Less than Significant	None.	Less than Significant
<p><u>Wildlife Movement (4.2.3.4)</u> As the site has been fully developed for decades, has fencing around its perimeter, and is surrounded by urban development, there is very little capacity for the property to serve as a wildlife corridor or habitat linkage.</p>	No Impact	None.	No Impact
<p><u>Policy Consistency (4.2.3.5)</u> An oak tree permit is granted with certain conditions, chief of which is replacement of the removed oaks at a ratio according to the Oak Tree Preservation and Protection Guidelines. Provided the project complies with the oak tree permit process and follows the conditions of the permit there would be no significant conflicts with local policies or ordinances protecting biological resources.</p>	Less than Significant	None.	Less than Significant

Description of Impact	Significance Before Mitigation	Proposed Mitigation Measures	Significance After Mitigation
<p><u>Habitat Plans (4.2.3.6)</u> There are no Habitat Conservation Plans, Natural Community Conservation Plans, or other habitat conservation plans that apply to the site, therefore, there would be no impact.</p>	No Impact	None.	No Impact
CULTURAL AND TRIBAL RESOURCES (SEE SECTION 4.3)			
<p><u>Historical Resources (4.3.3.1)</u> The project's Cultural Resources Assessment (CRA), which included a data search through the South Central Coastal Information Center (SCCIC), a part of the California Historical Resources Information System (CHRIS), a historical USGS map and aerial photograph database search, was negative for potential older historic. The project was determined to have no impact on historical resources.</p>	Less than Significant	None.	Less than Significant
<p><u>Archaeological Resources (4.3.3.2)</u> The CRA did not find the site sensitive for archeological resources. Existing California regulations (PRC 21083.2(i)) would require appropriate actions to be taken in the unlikely event that resources were to be discovered during ground disturbance activities.</p>	Less than Significant	None.	Less than Significant
<p><u>Paleontological Resources (4.3.3.3)</u> As cited by the Los Angeles Natural History Museum and the CRA, the older alluvial deposits and Monterrey Formation is a fossil-bearing rock unit that underlies the site, and fossils could potentially be impacted during grading.</p>	Potentially Significant	<p>PAL-1 Paleontological Monitoring Plan.</p> <p>Prior to construction, a company qualified to provide paleontological monitoring should be engaged by the applicant to provide monitoring services. The paleontological monitoring team should examine the project geotechnical report, the final project grading plan, and the site schedule to determine what subsurface activities may require paleontological monitoring of project site grading. Spot-</p>	Less than Significant

Description of Impact	Significance Before Mitigation	Proposed Mitigation Measures	Significance After Mitigation
		<p>check monitoring may be used within older alluvial deposits, however, if fossils are identified in older alluvial material, or if deeper fossil-bearing rock formations are encountered, then fulltime paleontological monitoring should take place to the end of site grading.</p> <p>The paleontological team will develop a construction phase paleontological monitoring plan (Monitoring Plan), which will include all available paleontological context for the project, including the Natural History Museum of Los Angeles County (NHM) record of findings, the geotechnical report, and the Phase I Cultural Resources Assessment, as well as guidelines on when spot-check and fulltime monitoring should be used, what the project discovery plan is for fossil resources, and what the communication plan is that should be followed in the case of discovery. The Monitoring Plan will also include a Worker Environmental Awareness Plan (WEAP) in order to educate grading and trenching teams on the purpose of monitoring and what paleontological monitors look for as to fossil resources. The WEAP training should discuss what actions should take place upon a fossil discovery.</p> <p>PAL-2 Paleontological Monitoring</p> <p>The paleontological monitor will collect any fossil material that is uncovered through grading that is found within a</p>	

Description of Impact	Significance Before Mitigation	Proposed Mitigation Measures	Significance After Mitigation
		<p>disturbed context, and can halt construction within 30-feet of a potentially significant fossil resource if necessary. Fossils collected from a disturbed context or that do not warrant additional assessment can be collected, without the need to halt grading. If fossils are not present within the older alluvial or bedrock material, and the project conditions warrant reduced monitoring, then a weekly spot-check system of monitoring can be arranged by the compliance team with the construction manager. However, if fossils are encountered, which cannot be removed during grading and that the monitor believes will need further assessment, then the project “discovery” protocol will be followed. Discovery situations that do not lead to further assessment, survey, evaluation, or data recovery can be described in the monitor’s daily Monitoring Report.</p> <p>All fossils recovered that may be of importance to California paleontology, will be cleaned, analyzed, and described within a final project Monitoring Report, which will be submitted to the NHM at the end of the project. All materials will be curated at the NHM or placed on public display by the owner. If important fossils are found during monitoring, a Curation Plan will be needed that is reviewed by the lead agency prior to the publication of the Monitoring Report. The costs of the Monitoring Report, the Curation Plan, and the processing, analysis, and curation of all</p>	

Description of Impact	Significance Before Mitigation	Proposed Mitigation Measures	Significance After Mitigation
		<p>fossils will be the responsibility of the applicant.</p> <p>PAL-3 Fossil Discovery Protocol</p> <p>If fossil materials are encountered by the project grading or trenching crews when the worksite is not being monitored, either because the project is not within sensitive rock units or because spot-check monitoring is taking place, then a Fossil Discovery Protocol should be followed by the grading/trenching team.</p> <p>If potentially significant fossil materials are encountered during project grading within native soils or original context, then all work in that area shall be halted or diverted away from the discovery to a distance of 30-feet until a senior paleontologist can evaluate the nature and/or significance of the find(s). If the senior paleontologist confirms that the discovery is potentially significant, then the lead agency and the applicant will be contacted and informed of the discovery. Construction will not resume in the locality of the discovery until consultation between the senior paleontologist, the applicant, the lead agency, and any other concerned parties (such as additional regulatory agencies), takes place and reaches a conclusion approved by the lead agency.</p> <p>If a significant fossil resource is discovered during earth-moving, complete avoidance of the find is preferred. However, if the</p>	

Description of Impact	Significance Before Mitigation	Proposed Mitigation Measures	Significance After Mitigation
		discovery cannot be avoided, further survey work, evaluation tasks, or data recovery of the significant fossil resource may be required by the lead agency. The lead agency may also require additional site monitoring based on the nature of the discovery. All costs for site monitoring, discovery assessment, discovery evaluation, or data recovery of will be the responsibility of the Applicant. Any reports generated by the discovery event will be submitted to the NHM at the conclusion of the project.	
<p><u>Human Remains (4.3.3.4)</u> Although not expected, human remains could inadvertently be found on the site where excavation below prior disturbance would occur. In the unlikely event that remains are inadvertently discovered, State of California Health and Safety Code Section 7050.5 would apply and assure the appropriate actions to address the issue.</p>	Less than Significant	None.	Less than Significant
<p><u>Tribal Cultural Resources Listed in or Eligible for the California Register (4.3.3.5)</u> Tribal cultural resources are not known to exist on the site, but given cultural resources were previously discovered in the vicinity, and the site will excavate unexposed portions of the site. Although no tribal cultural resources have been identified on the site, in the unexpected case of inadvertent discovery of resources as described in Section 4.3.3.2 Archaeological Resources, and 4.3.3.4, Human Remains, regulatory compliance (PRC 5020.1(k)) would assure less than significant impacts.</p>	Less than Significant	None.	Less than Significant
<p><u>Other Significant Tribal Cultural Resources (4.3.3.6)</u> Tribal cultural resources are not known to exist on the site, but given cultural resources were previously</p>	Less than Significant	None.	Less than Significant

Description of Impact	Significance Before Mitigation	Proposed Mitigation Measures	Significance After Mitigation
discovered in the vicinity, and the site will excavate unexposed portions of the site. In the unexpected case of inadvertent discovery of resources as described in Section 4.3.3.2 Archaeological Resources, and 4.3.3.4, Human Remains, regulatory compliance would assure less than significant impacts.			
ENERGY (SEE SECTION 4.4)			
<u>Unnecessarily Waste Energy (4.4.3.1)</u> The project would result in the consumption of energy, but compliance with state efficiency standards and EV and bicycle parking requirements, additional project green features (exceeding standard requirements) plus increasing residential density in an area with nearby employment and shopping and other project features, will result in energy efficient structures and a development that helps to reduce VMT and potentially reduce car dependency for residents.	Less than Significant	None.	Less than Significant
<u>Conflict with Energy Policy (4.4.3.2)</u> The project would comply with regulatory requirements for building efficiency and incorporate features that encourage a reduction in the use of gasoline-fueled vehicles. The project would not conflict with a State or local plan for renewable energy or energy efficiency.	Less than Significant	None.	Less than Significant
GREENHOUSE GAS EMISSIONS (SEE SECTION 4.5)			
<u>Generate Excessive Emissions or Conflict with GHG Policy (4.5.3.1)</u> The project would not conflict with currently available adopted plans for reducing GHG emissions applicable to the project, i.e., the 2022 California Air Resources Board (CARB) Scoping Plan. Potential impacts would be less than significant.	Less than Significant	None.	Less than Significant

Description of Impact	Significance Before Mitigation	Proposed Mitigation Measures	Significance After Mitigation
HAZARDS AND HAZARDOUS MATERIALS (SEE SECTION 4.6)			
<u>Transport, Use, or Disposal / Foreseeable Upset and Accident Conditions (4.6.3.1)</u> With regulatory compliance during construction and operation, potential transport, use, or disposal and foreseeable upset and accident conditions would be less than significant.	Less than Significant	None.	Less than Significant
<u>Listed Hazardous Materials Site (4.6.3.2)</u> Although the subject property is not a hazardous materials site and the nearby off-site Recognized Environmental Conditions (RECs) are unlikely to affect the site, the Phase I Environmental Site Assessment (ESA) recommends a mitigation measure requiring vapor testing prior to construction and implementation of building engineering controls if so indicated, which would reduce potential impacts to less than significant.	Potentially Significant	HAZ-1 Due to the project being in close proximity to two open cleanup sites as Recognized Environmental Conditions (RECs) with a potential Vapor Encroachment Condition (VEC), although the possibility of hazardous material migrating beneath the project site from the RECs is considered low, limited soil vapor testing in the areas of proposed buildings intended for human occupancy shall be required at the project site. The results of the soil vapor testing will be used to evaluate if potential VECs exist and whether engineer controls (vapor barrier) are needed for the proposed redevelopment of the project site.	Less than Significant
<u>Emergency Response or Evacuation Plans (4.6.3.3)</u> Construction and operation at the project site would not physically interfere with ability of emergency response vehicles on the existing street network or emergency evacuation routes.	Less than Significant	None.	Less than Significant
LAND USE AND PLANNING (SEE SECTION 4.7)			
<u>Divide a Community (4.7.3.1)</u> As infill redevelopment, the project would not have the capacity to divide a community and no impact would occur.	No Impact	None.	No Impact
<u>Conflict with Land Use Plan, Policy, or Regulation (4.7.3.2)</u> The project does not conflict with any land use plan,	Less than Significant	None.	Less than Significant

Description of Impact	Significance Before Mitigation	Proposed Mitigation Measures	Significance After Mitigation
policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.			
NOISE (SEE SECTION 4.8)			
<p><u>Temporary or Permanent Noise Increase (4.8.3.1)</u> In the absence of City thresholds for substantial temporary noise increases, a threshold of a 10 dB increases above ambient noise levels, provides an appropriate threshold. As the project’s temporary construction noise level increases would be greater than 10 dB, a significant impact would occur, and a reduction measure would be required. During operations, project-related traffic would be a noise source. However, the project-related traffic noise increase would be below the applicable City threshold of 1.5 dBA increase, resulting in a less than significant operational noise impact.</p>	Potentially Significant	<p>NOI -1 A 12-foot-high barrier shall be placed at the eastern boundary of the project site during construction to reduce the construction noise levels at the residences by 14 dBA to 62 dBA. The resulting predicted mitigated construction noise level of 62 dBA is close to the measured ambient noise levels and will temporarily increase the ambient noise level by approximately 2 to 4 dBA at the residences to the east, as shown on Table 6 of the EIR Noise and Vibration Study (Veneklasen 2023).</p>	Less than Significant
<p><u>Groundborne Vibration (4.8.3.2)</u> The Amgen Building 29 to the north across Hillcrest Drive contains a research laboratory, which the EIR analysis assumes may conduct operations that are vibrationally sensitive. Based on the analysis, construction equipment operating near the northern property line of the project must be limited to two units operating within the 190-foot distance from the Amgen buildings, while other equipment must be operated at 500 feet, to comply with the 65 VdB vibration threshold to avoid interference with vibration-sensitive use operations. During operations, the project would not include any sources of substantial vibration levels.</p>	Potentially Significant	<p>NOI-2 In order to avoid impacts to vibration-sensitive uses north of the project site, impact pile drivers shall not be used on site and alternative equipment and methods (such as cast-in-drilled-hole (CIDH) piles) shall be used to construct the deep foundation system for the proposed project buildings.</p> <p>NOI-3 In order to assure avoidance of potential building damage impacts, no more than two units of powered construction equipment shall be used at the same time within 20 feet from any residence on the east side of the site.</p>	Less than Significant
<p><u>Aircraft Noise (4.8.3.3)</u> The nearest airport, the Camarillo Airport, is approximately 8.5 miles from the project site. The site does not fall into the Airport Land Use Plan area, Influence Areas, or 65 dBA CNEL Noise</p>	Less than Significant	None.	Less than Significant

Description of Impact	Significance Before Mitigation	Proposed Mitigation Measures	Significance After Mitigation
Contour of the Camarillo Airport.			
POPULATION AND HOUSING (SEE SECTION 4.9)			
<u>Unplanned Population Growth (4.9.3.1)</u> Project-related growth in population, housing and employment would fall within SCAG projections, and the project would not result in indirect unplanned growth. With approval the project General Plan Land Use Amendment, the project would be consistent with the General Plan and a part of the growth projections for the City.	Less than Significant	None.	Less than Significant
<u>Displacement of People or Housing (4.9.3.2)</u> The project would not necessitate the construction of replacement housing elsewhere, and no impact would occur.	No Impact	None.	No Impact
PUBLIC SERVICES (SEE SECTION 4.10)			
<u>Impacts to Fire Protection Service facilities (4.10.3.1.1)</u> Based upon the project's close proximity to an existing Ventura County Fire Department (VCFD) fire station which would assure short response times, the adequacy of VCFD emergency personnel and facilities at this and other stations in the vicinity, as well as the regulatory review process which would assure final development plans meet fire-safety codes and pay facility fees, the project's potential fire protection service impacts would not result in the need for additional or altered facilities that may cause physical changes in the environment, and the project impact would be less than significant.	Less than Significant	None.	Less than Significant
<u>Physical Impacts to Policing Facilities (4.10.3.2.1)</u> As the project would not adversely affect Ventura County Sheriff Department (VCSD) response times and provide design features consistent with CPTED, the project's potential police protection service impacts would not result in the need for additional	Less than Significant	None.	Less than Significant

Description of Impact	Significance Before Mitigation	Proposed Mitigation Measures	Significance After Mitigation
or altered facilities that may cause physical changes in the environment, and the project impact would be less than significant.			
<u>Physical Impacts to School Facilities (4.10.3.3.1)</u> Potential impacts regarding the need for new or expanded school facilities would be less than significant and revenues received from development impact fees would provide the Conejo Valley Unified School district (CVUSD) funding for future school facility construction, operation, and maintenance to accommodate future enrollment.	Less than Significant	None.	Less than Significant
<u>Physical Impacts of Parks and Recreation Resources (4.10.3.4.1)</u> The project would not result in significant physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, in order to maintain acceptable service ratios or other performance objectives for parks. The project would also pay required fees.	Less than Significant	None.	Less than Significant
<u>Physical Impacts of Construction of Recreation Facilities (4.10.3.4.2)</u> The recreational amenities portions of the site amount to only a small portion of the overall site and project impacts and there are no substantial impacts unique to the recreational portions of the site.	Less than Significant	None.	Less than Significant
TRANSPORTATION (SEE SECTION 4.11)			
<u>Circulation System Policy Conflict (4.11.3.1)</u> The project would not result in conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities.	Less than Significant	None.	Less than Significant
<u>Vehicle Miles Traveled (4.11.3.2)</u> Neither the VMT per capita nor VMT per employee would exceed the citywide baselines used as	Less than Significant	None.	Less than Significant

Description of Impact	Significance Before Mitigation	Proposed Mitigation Measures	Significance After Mitigation
thresholds.			
<u>Transportation Hazards (4.11.3.3)</u> The project would not result in an increase of hazards or incompatible use.	Less than Significant	None.	Less than Significant
<u>Emergency Access (4.11.3.4)</u> The project would be served by the VCFD and VCSD and would not hinder or result in inadequate emergency access.	Less than Significant	None.	Less than Significant
UTILITIES AND SERVICE SYSTEMS (SEE SECTION 4.12)			
<u>New or Expanded Water Facilities (4.12.3.1.1)</u> The on-site water utility infrastructure mains would be included in the project site plan to be reviewed and approved by the City Department of Public Works. The design and review process would ensure that mains are of adequate capacity and design to provide water service to the proposed development.	Less than Significant	None.	Less than Significant
<u>Water Supply Availability (4.12.3.1.2)</u> The Calleguas Municipal Water District's (CMWD's) Urban Water Management Plan (UWMP) concluded that CMWD water supplies are sufficient to meet projected water demands under a normal, single dry year and five-year consecutive drought, and would have sufficient water supply to serve the project and reasonably foreseeable future development accounted for in the UWMP. Additionally, Ventura County District imposes conservation measures or demand management measures to encourage sustainable management of water resources and contains a Water Shortage Contingency Plan in instances where there are unforeseen water shortages. The water purveyor has the ability to provide additional water during multiple dry years with payment of required fees.	Less than Significant	None.	Less than Significant

Description of Impact	Significance Before Mitigation	Proposed Mitigation Measures	Significance After Mitigation
<p><u>Physical Impacts to Wastewater Treatment Facilities (4.12.3.2.1)</u> The on-site wastewater lateral connection would be included in the project site plan to be reviewed and approved by the City Department of Public Works. The design and review process would ensure that the wastewater lateral connections are of adequate capacity and design to provide wastewater service to the proposed development.</p>	Less than Significant	None.	Less than Significant
<p><u>Adequate Wastewater Treatment Capacity (4.12.3.2.2)</u> As the net project wastewater generation represents a negligible portion of the HCTP treatment capacity, leaving substantial remaining unused capacity, the project would result in less than significant impacts regarding adequate wastewater treatment capacity.</p>	Less than Significant	None.	Less than Significant
<p><u>Landfill Capacity (4.12.3.3.1)</u> Solid waste generated during project construction and demolition would not exceed daily permitted capacity of the local solid waste facilities, leaving ample remaining capacity. The project would result in negligible increase in operational solid waste generation, which also would not exceed daily permitted capacity, leaving substantial remaining capacity.</p>	Less than Significant	None.	Less than Significant
<p><u>Solid Waste Regulation (4.12.3.3.2)</u> The project would comply with all applicable federal, state, and local statutes and regulations, such as waste reduction during construction and operations.</p>	Less than Significant	None.	Less than Significant

ES.4 PROJECT ALTERNATIVES / ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The State CEQA Guidelines require that an EIR identify and evaluate a reasonable range of alternatives that are designed to avoid or substantially lessen one or more of the significant environmental impacts of the proposed project while meeting most of the basic project objectives. The Guidelines also require that the EIR identify the environmentally superior alternative (i.e., most reduced impacts), and if that alternative is a no project alternative, the EIR should identify the next environmentally superior alternative.

Based on an identification, description and analysis of a reasonable range of alternatives (see Chapter 5.0), and considering each issue area impact equivalent in importance, the ranking of alternatives in order of reduced impact compared to the project, is as follows:

- **1st No Project / Reuse of Existing Building Alternative**
 - Description – Existing office 56,667-sf two-story office building would be re-used as a commercial office building, with no residential component.
 - Comparison – Compared to the project, the alternative would have 4 equivalent, 15 reduced, and 4 increased impacts.
- **2nd No Project / Existing General Plan and Zoning (All Commercial) Alternative**
 - Description – No General Plan Amendment, 100 percent commercial project under current planning and zoning restrictions, with 25 percent lot coverage, surface parking and a total 267,450 sf in three stories with the following components: 44,575 sf of ground floor retail, 44,575 sf of ground floor restaurant, and 178,300 sf of commercial office at levels two and three (14 commercial office spaces, 179 retail spaces, and 585 restaurant spaces).
 - Comparison – Compared to the project, the alternative would have 9 equivalent, 10 reduced, and 5 increased impacts.
- **3rd Reduced Density Alternative**
 - Description – Similar to the proposed project but without the requested density bonus. Includes 246 dwelling units, comprising approximately 465,000 gross sf of residential building floor area, no affordable housing, and no change to the project’s commercial component (5,300 gross sf of commercial retail and restaurant space).
 - Comparison – Compared to the project, the alternative would have 10 equivalent, 8 reduced, and 5 increased impacts.
- **4th Biotech Research and Development Alternative**
 - Description – Requires General Plan Land Use Amendment from Commercial to Industrial and a Zone Change from C-3 zone classification to M-1, 50 percent lot coverage, three-story, 35-foot tall, research and development building(s). The building would be 534,900 gross sf, consisting of 401,175 sf of research and development use and 133,1745 sf of incidental office space.
 - Comparison – Compared to the project, the alternative would have 10 equivalent, 4 reduced and 5 increased impacts.

This straightforward accounting may over emphasize the benefit of the alternatives, since neither the project nor the alternatives would have a significant unavoidable impact, and most impacts (of the project and of the alternatives) are addressed by regulatory compliance alone, without the need for substantial mitigation measures. In addition, when considering the importance of the City, regional and statewide goals for GHG and VMT reduction and the provision of housing, including affordable housing (collectively “preferred

land use pattern” goals), the project itself would be considered preferred. The next best alternatives in the order of best satisfying the land use pattern goals would be the Reduced Density Alternative. As the project objectives are aligned with the City’s preferred land use pattern goals, none of the alternatives would satisfy the objectives as well as the project.

ES.5 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

There are no known controversies. There are no major issues to be resolved beyond the lead agency’s decision of whether to approve the project as requested, along with its project features, mitigation measures and conditions of approval. This decision will be resolved through the normal project entitlement and CEQA review process, which includes public review and comment.

ES.6 USES OF THE EIR AND REQUIRED APPROVALS

This EIR addresses the proposed approval and implementation (construction and operation) of the Latigo Hillcrest Project. Implementation of the project requires approvals that are expected to include, but may not be limited to, those shown in **Table ES-4, Project Required Approvals**.

Table ES-4
Project Required Approvals

Approval / Permit	Agency
<u>General Plan Land Use Amendment (LU) 2021-70169</u> : Amend the General Plan designation of Commercial to Commercial /Residential.	City of Thousand Oaks
<u>Zone Change (Z) 2022-70776</u> : Change the zoning designation of Community Shopping Center (C-3) to Specific Plan-24 (SP-24).	City of Thousand Oaks
<u>Specific Plan (SP) 2022-70778</u> : Adopt SP-24 to establish specific development standards for the subject development areas.	City of Thousand Oaks
<u>Development Agreement (DAGR) 2022-70777</u> : Specify public and private benefits and responsibilities related to the project.	City of Thousand Oaks
<u>Development Permit (DP) 2022-70773</u> : Allow construction of 333 residential units and 5,3000 sf of commercial space distributed across two, four-story, podium style buildings and associated grading, hardscaping, and landscaping.	City of Thousand Oaks
<u>Special Use Permit (SUP) 2022-70779</u> : Allow a California Department of Alcoholic Beverage Control (ABC) Type 47 License (On-sale General – Eating Place) to accommodate a potential future restaurant use.	City of Thousand Oaks
<u>Protected Tree Permit (PTP) 2022-70780</u> : Allow removal of seventeen (17) coast live oak (<i>Quercus agrifolia</i>) trees and encroachment into the protected zone of nine (9) coast live oak (<i>Quercus agrifolia</i>) trees.	City of Thousand Oaks
<u>Environmental Impact Report (EIR) 2022-70774</u> : Consider the Environmental Impact Report and Statement of Overriding Considerations prepared in accordance with the California Environmental Quality Act (CEQA) for the subject project.	City of Thousand Oaks

1.0 INTRODUCTION

This Draft Project Environmental Impact Report (Draft EIR, or EIR) has been prepared by the City of Thousand Oaks (City) to assess the environmental consequences of the Latigo Hillcrest Project (proposed project). The City is the lead agency for the proposed project pursuant to the California Environmental Quality Act¹ (CEQA).

The project site covers approximately 8.19-net acres of land located at 2150 West Hillcrest Drive, in the City of Thousand Oaks community of Newbury Park, California. The project consists of a four-story mixed-use development encompassing 629,937 gross square feet (sf) of building area, that would contain 333 multi-family residential units (including 30 very low-income affordable units), common areas and amenities, and 5,300 gross sf of commercial retail and restaurant space above a 581-space semi-subterranean parking structure.

1.1 STATUTORY AUTHORITY

Under CEQA and the State CEQA Guidelines,² public agencies are required to evaluate proposed development projects for the anticipated effect on the physical environment and identify any feasible measures that would avoid or lessen significant environmental effects. This is intended to provide disclosure of the environmental consequences of a project to the public and agency decision makers before action is taken to approve project permits.

With exceptions not applicable here, all projects within the State of California are required to undergo environmental review to analyze the environmental impacts associated with implementation of the project in accordance with CEQA. The preparation of an EIR provides information to assist a lead agency in making decisions on the project but does not control the lead agency's exercise of discretion. Specifically, as noted in the State CEQA Guidelines:³

- (a) An EIR is an informational document which will inform public agency decision makers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency shall consider the information in the EIR along with other information which may be presented to the agency.
- (b) While the information in the EIR does not control the agency's ultimate discretion on the project, the agency must respond to each significant effect identified in the EIR by making findings under Section 15091 and if necessary by making a statement of overriding considerations under Section 15093.

The information in an EIR may constitute substantial evidence in the record to support the agency's action on the project if its decision is later challenged in court.

1.2 TYPE OF ENVIRONMENTAL DOCUMENT

As provided for in CEQA, this EIR is considered a Project EIR prepared pursuant to CEQA Guidelines Section 15161, as it addresses a specific development project.

¹ California Public Resources Code, Division 13, Environmental Quality, Section 21000 et seq., California Environmental Quality Act (CEQA).

² California Code of Regulations, Title 14, Guidelines for the Implementation of the California Environmental Quality Act, Section 15000 et seq., (State CEQA Guidelines).

³ California Code of Regulations, Title 14, Division 6, Chapter 3, State CEQA Guidelines, Section 15121.

1.3 ORGANIZATION AND CONTENT

The content of this Draft EIR was determined pursuant to CEQA, the State CEQA Guidelines and City of Thousand Oaks policy and procedures, including the CEQA processes of early consultation and public review and comment. The organization of the EIR is as follows:

Executive Summary (ES), provides a summary of the existing setting, proposed project, identified significant impacts of the proposed project, and mitigation measures. Alternatives that were considered to avoid significant effects of the project are identified in the ES. In addition, the ES identifies areas of controversy known to the City, including issues raised by agencies and the public. The ES includes a list of the issues to be resolved, including the choice among alternatives and whether or how to mitigate significant effects of the project.

Chapter 1.0, Introduction (this chapter), includes information related to the purpose, scope of the EIR, environmental review process, and the organization and content of the EIR.

Chapter 2.0, Project Description, provides the precise location and boundaries of the proposed project, statement of objectives, a description of the technical, economic, and environmental characteristics of the project, considering the principal engineering proposals and supporting public service facilities. The project description identifies the intended uses of the EIR, including a list of agencies that are expected to use the EIR in their respective decision-making processes, indicating the related discretionary actions (permits and approvals) required to implement the proposed project, and any related environmental review and consultation requirements required by federal, state, or local laws, regulations, or policies.

Chapter 3.0, Cumulative Development, describes the CEQA requirements for cumulative analysis and provides a list of the past, present and reasonably foreseeable probable future projects in the project vicinity area utilized in the cumulative analysis in the EIR. Where applicable for individual analysis sections, general plan buildout or a list of related projects may be utilized (State CEQA Guidelines Sections 15130). Each analysis provides a cumulative impact analysis subsection that discusses cumulative assumptions and impacts relevant to the issue area being addressed.

Chapter 4.0, Impact Analysis, includes for each environmental issue area the existing conditions, regulatory setting, significance thresholds, impacts, mitigation measures, residual impacts (i.e., the level of significance after implementation of mitigation measures), and cumulative impact analysis. This portion of the EIR is organized by the applicable environmental topics resulting from the analysis undertaken in the scoping phase (see **Appendix A, Notice of Preparation, Early Consultation and Scoping Comments**). In lieu of an Initial Study, an EIR Section addressing Effects Determined Not Significant is included (pursuant to CEQA Guidelines Section 15128), which covers the Appendix G Checklist Questions for issues found less than significant and therefore not warranting further analysis. The EIR addresses the following CEQA Sections:

- 4.1 Air Quality
- 4.2 Biological Resources
- 4.3 Cultural, Tribal Cultural, and Paleontological Resources
- 4.4 Energy
- 4.5 Greenhouse Gas Emissions
- 4.6 Hazards and Hazardous Materials
- 4.7 Land Use and Planning
- 4.8 Noise and Vibration

- 4.9 Population and Housing
- 4.10 Public Services – Fire, Police, Schools, Parks and Recreation
- 4.11 Transportation
- 4.12 Utility and Service Systems – Water, Wastewater, Solid Waste
- 4.13 Effects Determined Not Significant

Chapter 5.0, Alternatives, describes and evaluates a range of reasonable alternatives to the proposed project or to the location of the proposed project, including an evaluation of the no project alternative. CEQA requires that the EIR explore potentially feasible alternatives that would avoid or substantially lessen any of the significant effects of the proposed project.

Chapter 6.0, Other CEQA Considerations, addresses several CEQA-required requirements: “Significant Environmental Effects that Cannot be Avoided if the Proposed Project Is Implemented,” which summarizes the significant effects of the proposed project; “Significant Irreversible Environmental Changes,” which evaluates potential uses of nonrenewable resources and potential irreversible changes that may occur during the course of the proposed project; and “Growth-Inducing Impacts,” which evaluates the potential for the proposed project to foster economic growth or population growth, either directly or indirectly, in the surrounding environment.

Chapter 7.0, Preparers, Organizations/Persons Consulted, and References, provides a list of agencies, service providers, organizations, and private individuals consulted during the preparation of this EIR; a list of key personnel writing, managing and providing technical analysis, including the private consulting firm preparing this EIR under contract with the City; and references that include sources, communications, and correspondence used in the preparation of this EIR.

Appendices, including Appendix A, which contains the Notice of Preparation (NOP), early consultation letters and Comments received during the NOP public circulation process. The remaining appendices are listed in the Table of Contents and include data and reports supporting the EIR analysis. These appendix materials have been attached and are incorporated as a part of this EIR.

1.4 ENVIRONMENTAL REVIEW PROCESS

An NOP concerning the EIR for the proposed project was circulated for a 30-day period that began on October 24, 2022 and ended on November 28, 2022. The NOP identified the topics anticipated to be addressed in the EIR. Copies of the NOP were made available during the review period, and the NOP was posted with the Office of Planning and Research’s State Clearinghouse Division and with the Ventura County Clerk.

A public scoping meeting was held, pursuant to state and City requirements as follows:

Date and Time: November 2, 2022 at 6:00 p.m.
Location: Via Video Conference (Zoom)

Comments in response to the NOP that pertain to the CEQA analysis of the project have been incorporated into the EIR. **Table 1-1, Comment Matrix – Comments Received in Response to the NOP**, provides a list of the comments and where the relevant issues are addressed in the EIR.

Table 1-1
Comment Matrix – Comments Received in Response to the NOP

Commenters	CEQA Issues(s)	Primary Location where Discussed (EIR Chapter/Section No.)
1. Federal Agencies and Native American Tribes		
1.1 Santa Ynez Band of Chumash Indians (November 28, 2022)	<ul style="list-style-type: none"> No comments or consultation requested. 	4.4 Cultural, Tribal Cultural, and Paleontological Resources
2. State and Regional Agencies		
2.1 Caltrans, District 7 (November 29, 2022)	<ul style="list-style-type: none"> Transportation Demand Management (TDM) strategies Use Caltrans Resources: ⁽¹⁾ 1) Caltrans Transportation Impact Study Guide (TISG), focuses on Vehicle Miles Traveled (VMT)] (2020) and 2) Interim Land Development and Intergovernmental Review (LD-IGR) Safety Review Practitioners Guidance (2020) Safety impact analysis considering recommended Caltrans tools Potential encroachment permit from Caltrans (U.S. 101 Freeway). 	4.11 Transportation Note: Transportation analysis follows City of Thousand Oaks approved methodology.
2.2 Ventura County Air Pollution Control District (VCAPCD) (November 23, 2022)	<ul style="list-style-type: none"> Consistency with Air Quality Management Plan (2016 or 2022 if adopted in time) Use Ventura County Air Quality Assessment Guidelines (The trips per day or VMT should be from a project-specific traffic study) but find updated mitigation Quantify emissions Recommends a Health Risk Assessment (HRA) of Freeway Toxic Air Contaminant (TAC) impacts on the project and provide mitigation if impacts are significant. Recommends citing residential uses away from freeway and/or other strategies to reduce exposure. Demolition must follow APCD's Rule 62.7, Asbestos- Demolition and Renovation (provides a recommended compliance measure) 	4.1 Air Quality 4.5 Greenhouse Gas Emission Note: Legal precedents have established that CEQA does not concern the environment's impact on the project. Thus an HRA for freeway impacts on the project is not part of the CEQA document. However, the City as part of their land use authority separate from CEQA have commissioned a Freeway HRA study. Additionally, a Construction HRA has been performed for CEQA, and is discussed in Section 4.1, Air Quality.
2.3 Ventura County Resource Management Agency, Environmental Health Division	<ul style="list-style-type: none"> Permits required from the Division are required for public swimming pools, commercial food facilities. Project tenants that handle, store, or transport hazardous materials, or that generate hazardous waste at or above the reportable thresholds must be reported to this Division's Certified Unified Program Agency (CUPA). Contact the CUPA for reporting and/or permitting requirements (https://vcrma.org/cupa) 	4.7 Hazards and Hazardous Materials

Commenters	CEQA Issues(s)	Primary Location where Discussed (EIR Chapter/Section No.)
3. General Public/Public Interest Groups		
3.1	Californians Allied for a Responsible Economy (CARE CA) <ul style="list-style-type: none"> • Requests complete CEQA analysis of environmental issues listed in NOP including, imposition of all feasible mitigation and study of a reasonable range of alternatives to the project selecting at least two environmentally superior alternatives • Project Description: Avoid overly narrow objectives • Air Quality: address public health risk impacts (HRA) of construction and operational phases. • Greenhouse Gas Emissions: EIR should explain and justify the threshold(s) used. Advocates “net zero” emissions goal • Mitigation measures must be effective and enforceable 	2.0 Project Description 4.1 Air Quality 6.0 Alternatives Note: CEQA requires that an EIR identify a reasonable range of alternatives, including the No Project Alternative and identify the environmentally superior alternative. If the No Project Alternative is the environmentally superior alternative, then the next environmentally superior alternative shall be identified.
3.2	Earth Justice <ul style="list-style-type: none"> • Requests building electrification 	2.0 Project Description 4.4 Energy 4.5 Greenhouse Gas Emissions Note: The project will mainly use electricity, but for example, the restaurant and commercial space may use gas.
Note: The Commenter Letters can be found in Appendix A; for convenience the letter from the Santa Ynez Band of Chumash Indians is also provided in Appendix E, Cultural and Tribal Cultural Resources . ⁽¹⁾ The referenced Caltrans documents are available at (citation from the letter): https://dot.ca.gov/-/media/dot-media/programs/transportation-planning/documents/sb-743/2020-05-20-approved-vmt-focused-tisg-a11y.pdf		

All NOP commenters who have provided contact information will be placed on the list for notification announcing availability of the Draft EIR and on the list of notification for future project hearings.

The public review period for this Draft EIR will be 45 days. Comments should be sent by 5:00 p.m. on the closing date indicated on the Notice of Completion (NOC) or Notice of Availability (NOA) to:

Contact: Justine Kendall, AICP, Associate Planner
 City of Thousand Oaks
 Community Development Department, Planning Division
 2100 Thousand Oaks Boulevard
 Thousand Oaks, CA 91362
jkendall@toaks.org

Following receipt of the comments on the Draft EIR, the City will provide responses to all significant CEQA/environmental issues raised in such comments that are relevant to the EIR. The written comments and responses will be incorporated into the Final EIR.

2.0 PROJECT DESCRIPTION

This Draft Environmental Impact Report (Draft EIR, or EIR) evaluates the anticipated environmental impacts of the Latigo Hillcrest Project (project), proposed by The Latigo Group, LCC, to be located on an 8.19-net acre (8.28-gross acre) site at 2150 West Hillcrest Drive, in the City of Thousand Oaks community of Newbury Park, California. The project consists of a four-story mixed-use development (with the fourth floor of each proposed building to be stepped back from adjacent roadways and public views), encompassing 629,937 gross square feet (sf) of building area, that would contain 333 multi-family residential units (including 30 very low-income affordable units), common areas and amenities, 5,300 gross sf of commercial retail and restaurant space above semi-subterranean parking structures containing a total of 462 structured parking spaces, and surface parking areas with a total of 119 parking spaces (581 total parking spaces).

2.1 PROJECT LOCATION, ACCESS AND SURROUNDING LAND USE

The 8.19-acre project site is bounded on the south by the right-of-way of U.S. Route 101 (101 Freeway, or freeway), on the west by Rancho Conejo Road and a Chevron automobile service station with a 7-Eleven convenience store), on the north by West Hillcrest Drive, and on the east by The Linden Apartments complex, as shown in **Figure 2-1, Regional Location** and **Figure 2-2, Vicinity Map**. Regional access to the project site now and with the proposed project would be via U.S. Route 101 (“101 Freeway”) using the Borchard Road / Rancho Conejo Boulevard exit and locally via driveways on West Hillcrest Drive. The project would be accessible by driveways on W. Hillcrest Drive.

Additional surrounding uses, also shown in Figure 2-2, include Amgen’s business park uses to the north across W. Hillcrest Drive [the closest Amgen Inc. (Amgen) structure is Amgen Building 29], further business park uses on the northwest corner of Hillcrest Drive and Rancho Conejo Boulevard, and additional multi-family residential uses to the east, the Hillcrest Park Apartment Homes.

2.2 GENERAL ENVIRONMENTAL SETTING

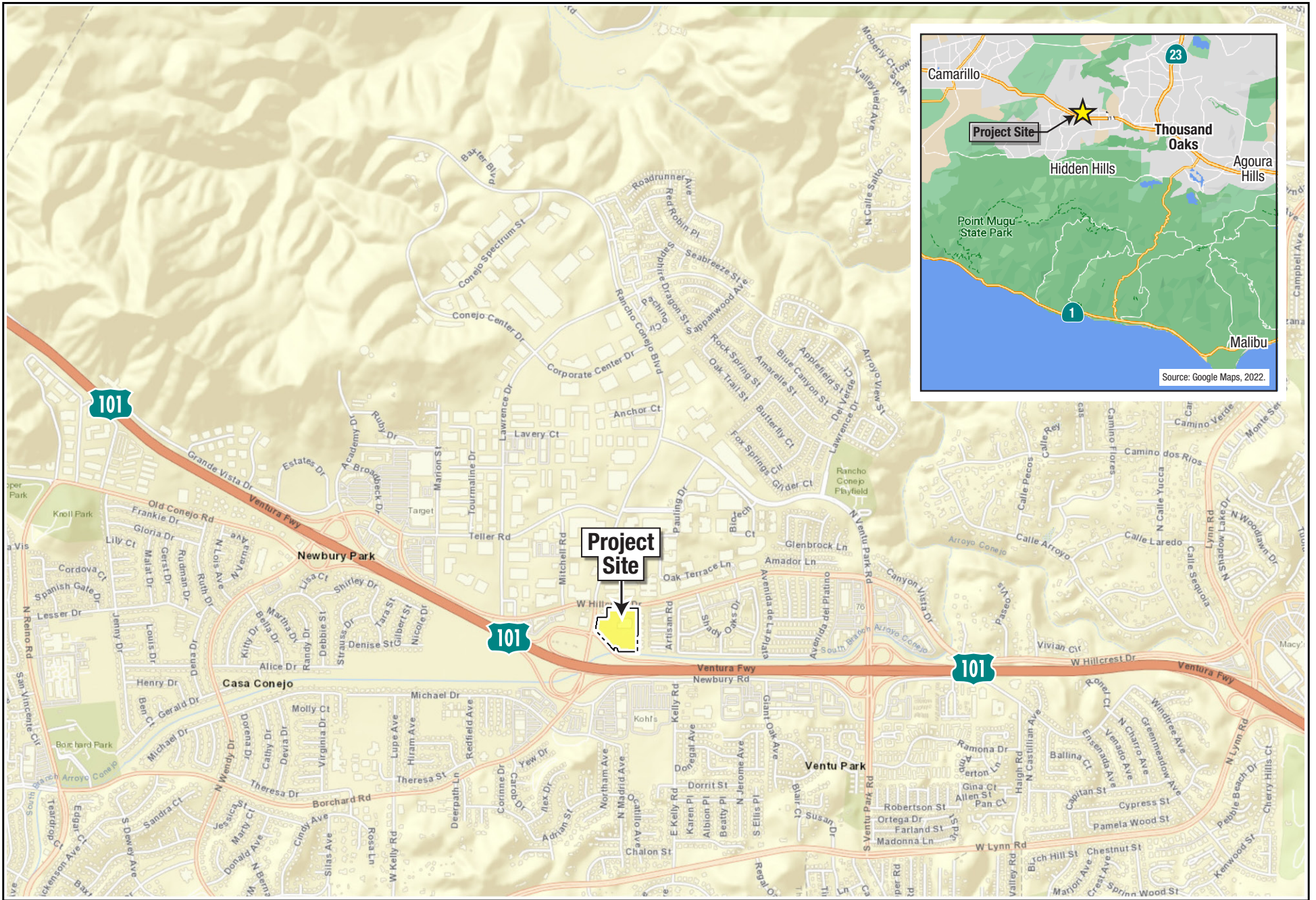
The project site is generally located in the western half of the City, and is previously developed with a commercial office building, surface parking areas, and landscaping. It lies adjacent to the freeway and a major arterial and is surrounded by developed urban uses. The site is served by urban utility infrastructure, including electrical power, gas, water, sewer, stormwater drainage, and municipal trash pickup service. It is not located in proximity to any open, natural areas, and thus the project’s environmental setting is very urban in nature.

2.2.1 Existing Uses, Plans, and Zoning

The City of Thousand Oaks General Plan is currently being updated and includes the Housing Element update and City’s efforts to accommodate its Regional Housing Needs Assessment (RHNA) goals. As the update is not yet complete, the currently adopted City of Thousand Oaks General Plan (General Plan) is applicable to the project site. The project site is currently designated Commercial on the General Plan Land Use and Circulation Elements Map.¹ Land use designations² for the surrounding area are Commercial to the west, south and southwest (across public rights-of-way), High Density Residential (15-30 dwelling units per acre (du/ac)) to the east, and Industrial to the north.

¹ City of Thousand Oaks, General Plan, Thousand Oaks General Plan Land Use and Circulation Element map, Updated through Resolution Number 2018-017, adopted April 24, 2018, Accessed September 23, 2022 at: <https://www.toaks.org/departments/community-development/planning/general-plan>

² City of Thousand Oaks, Online Mapping System, Zoning Layers, Accessed September 23, 2022 at: <http://map.toaks.org/Html5Viewer/Index.html?Viewer=public>



Source: ESRI World Street Background Imagery, 2022.

LATIGO HILLCREST – EIR

Regional Location





Source: Google Earth Pro, Mar. 8, 2020.

Zoning for the site is Community Shopping Center (C-3). Surrounding zoning is Highway Arterial Business (C-2) to the west (including the Chevron Automobile Service Station and 7-Eleven), Industrial Park (M-1) to the north, and Residential Planned Development (RPD-20 du/ac) to the east. Directly south of the freeway, the zoning is C-3 to the south, C-2 to the southeast and Single-Family Residential.

The commercially designated properties to the west have been developed with gas stations and commercial buildings, and south beyond the 101 Freeway are commercial shopping centers. The industrially designated properties to the north and northwest are developed for business park uses and the residentially designated property to the east is developed as an apartment building.

2.2.2 Existing Conditions on the Project Site

The project site is currently developed with a 56,667-sf two-story office building (most recently known as Amgen Building 34), which sits in the north-central portion of the site, surrounded by paved surface parking lot areas, internal circulation driveways, and landscaping. The current development was approved in 1982 through DP No. 1982-512, and existing office building was constructed in 1983.³ The office building was initially occupied by the Hewlett-Packard Company, followed by the City of Thousand Oaks as a City Hall, and finally, Amgen, since the mid-1990s. The property was previously a part of Specific Plan No. 16, as Planning Unit "U" but was removed and re-zoned C-3 in 2016.

Unpaved areas of the site include a 40-foot deep berm along Hillcrest Drive, various landscape planters distributed throughout the site, and two shallow drainage basins in the southern portion of the property. The building is currently unoccupied and has been vacant since 2021.

The existing site is approximately 33 percent impervious and does not include any water quality treatment devices. Stormwater generally drains from north to south over the site. Site elevations range from 659 feet above mean sea level (MSL) at the northeast corner along Hillcrest Drive to 641 MSL at the bottom of the existing shallow drainage basin on the south boundary. Existing grades across the site average approximately 1.0 to 3.0 percent slope.

2.3 PROJECT COMPONENTS AND CHARACTERISTICS

The project would create a mixed-use residential apartment community comprised architecturally of two buildings, which would appear at ground level as five (5) larger structures and one (1) leasing / amenity building. The northerly building, fronting on W. Hillcrest Drive, would be mixed-use, with three (3) levels of apartments above a ground floor of mixed residential and commercial uses, assumed to be restaurants and retail establishments. Additional apartments without a commercial component, would be located in the middle and rear of the site in the second podium building (i.e., which appear as the four other larger buildings on site). The leasing building would house the leasing office, mail room and potentially other functional components. Some additional amenities would also be provided in the larger structures. One level of semi-subterranean parking would be provided for both buildings, in addition to surface parking areas.

The four-story project would be 55 feet tall at its highest point, and the fourth floor of each proposed building to be stepped back from adjacent roadways and public views. Both buildings would have a semi-subterranean garage podium level. Access is provided via two entry drives off Hillcrest Drive which partially encircle the southerly residential complex which appears as four separate structures connected by various walking paths, breezeways and bridges. The project would also include courtyards throughout the

³ Ventura County Assessor - Property Characteristics and Values, Assessor Parcel Number 667-0-113-075, Accessed on October 13, 2022 at: <https://assessor.countyofventura.org/research/propertyinfo.asp?APN=6670113075>

site and a swimming pool.

The commercial spaces would be open to the public, as well as the outdoor open spaces proximate to those uses. Additional indoor amenities would be provided to the residents.

The project layout is depicted in **Figure 2-3, Project Site Plan**,⁴ and the full plan set utilized for this EIR is provided in **Appendix B, Project Site Plan Set and Specific Plan**. The project's massing and height profile is illustrated in **Figure 2-4, Project Massing and Fourth Floor Stepback Exhibit**. The project's gross area by land use type is provided in **Table 2-1, Gross Floor Area and Land Use Summary**.

Table 2-1
Gross Floor Area and Land Use Summary

Land Use Type	Building A (sf)	Building B (sf)	Leasing / Amenity Building (gross sf)	TOTAL(gross sf)
Commercial (Restaurant and/or Retail)	5,300	0	N/A	5,300
Residential	62,025	253,740	N/A	315,765
Balcony (residential private open space area)	5,569	18,662	N/A	24,231
Parking Structure/Garage	50,853	145,021	N/A	195,874
Common Area (includes Lobby, Amenity, Circulation)	27,457	59,010	2,300	88,767
Totals	151,204	476,433	2,300	629,937

In total, the project would contain up to 629,937 sf of floor area on an 8.19-net acre parcel, resulting in a floor area ratio of 1.76:1. The net floor area by land use for project is 315,765 sf of residential use, excluding private open space and common areas, and 5,300 sf of restaurant and retail use on 8.19 net acres. Additional details on the project residential component is provided in **Table 2-2, Apartment Breakdown by Size and Market Type**.

Table 2-2
Apartment Breakdown by Size and Market Type

Land Use	Dwelling Units		Building Area, Excluding Balconies and Patios (net sf)
	Total Units (and estimated affordable component) ^a		
Multi-Family Apartments	1-BR	140 (16 of which would be affordable)	315,765 (not including common spaces, corridors, etc.) 62,025 in Building A 253,740 in Building B
	1-BR + Den	40 (0 of which would be affordable)	
	2-BR	125 (11 of which would be affordable)	
	3-BR	28 (3 of which would be affordable)	
	Total	333 (30 of which would be affordable)	

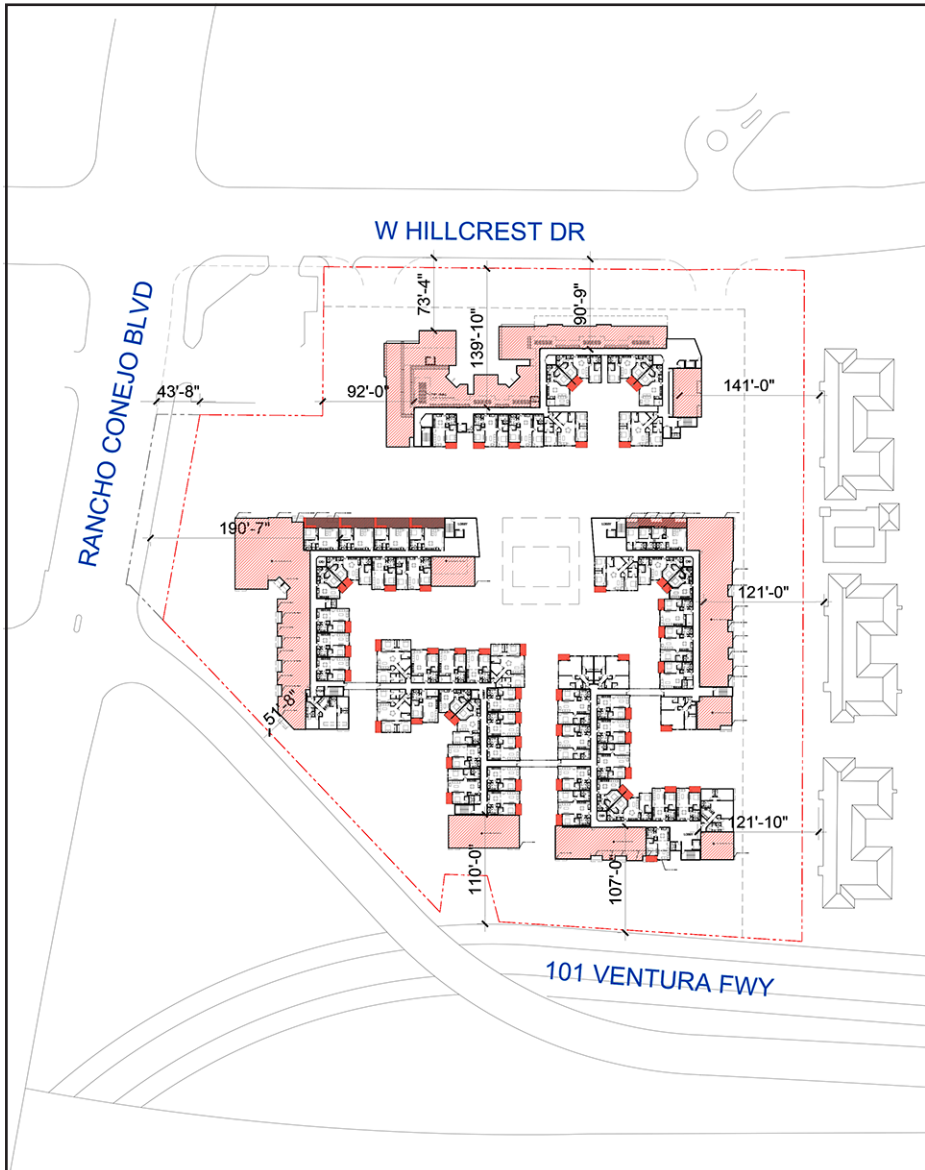
^a The affordable units would set aside for deed restricted, Very Low-Income Households.

Amenities for the residents would include outdoor landscaped open space areas, including a dog park and walking paths. Indoor amenities include a fitness room, game room, swimming pool and club rooms, and other facilities described below in **Table 2-3, Resident Amenities**. The working space would be equipped with bring-your-own computer stations for use by residents only.

⁴ Ktgy Architecture & Planning, 2150 Hillcrest Dr., Formal Application Re-Submittal 2, March 23, 2023.



Source: ktgy Architecture & Planning, Mar. 23, 2023. Aerial Source: Google Earth Pro, Mar. 8, 2020.



Source: ktgy Architecture & Planning, Mar. 23, 2023.

**Table 2-3
Resident Amenities**

Project Amenities	Floor Area (sf)	Location (Bldg. and Floor)
Co-Working Space	1,150	Bldg. A, L1
Bike Room	1,300	Bldg. A, L1
E-Bike Room	650	Bldg. A, A1
Building A - Amenity A (Club Lounge)	1,200	Bldg. A, L2
Building A - Amenity A (Club Mezz.)	700	Bldg. A, L3
Roof Deck A	1,500	Bldg. A, L4
Restroom and Showers	1,400	Bldg. B, L1
Leasing/Amenity Bldg.	2,300	Bldg. B, L1
Building A - Amenity A (Game Room)	3,000	Bldg. B, L1
Building B - Amenity B (Fitness)	3,000	Bldg. B, L1
Roof Deck B	1,300	Bldg. B, L4
Total	17,500	

Parking would be provided in a single level beneath the residential and commercial components, compliant with the State Density Bonus Law minimum parking requirements and the proposed Hillcrest Specific Plan, as shown in the project site plan set (Appendix B). Parking would include some electric vehicle (EV) ready spaces and some with chargers installed at the time of project final inspection, as specified in the Green Features list below.

2.3.1 Green Features

The project would provide the following green features to the project:

- EV Accommodations:
 - **226 EV Capable** parking spaces (40% of overall Parking) with pre-wiring installed for future Level 2 EV Charging (10% required per Cal Green).
 - **141 EV Ready** parking spaces (25% of overall Parking) equipped with low power Level 2 EV charging 120-240 volt 30 Amp receptacles (25% required per Cal Green).
 - **57 EV Chargers** (10% of overall Parking) equipped with Level 2 EVSE Supply Equipment (5% required per Cal Green) available on day one.
- Indoor/Outdoor bike parking with electric bicycle charging stations.
- Central location with two bus transit stops within 0.5 miles.
- Mixed-use development provides the opportunity to live and dine within the project, without driving to alternative locations.
- On-site outdoor areas and amenity spaces including community collaborative workspaces allows residents to work and play without driving to alternative locations.
- Proximity to Amgen campus and other businesses and employment locations in the Rancho Conejo Industrial Park reduces vehicle miles traveled and is convenient for pedestrian and bicycle travel.

2.3.2 Utilities and Public Services

The project site is currently served and would continue to be served by existing utility and public service providers. On-site infrastructure (sewer, water, natural gas, power, and communication systems) would be removed during construction and updated with construction of the buildings. Some of the infrastructure along the north and east sides of the property would remain in place and be protected during construction. Infrastructure to remain includes existing sewer and power facilities owned and operated by Amgen Inc., as well as existing water lines operated by California American Water.

Water System

The project's water demands would be served by connections to California American Water's existing 10-inch water main in Hillcrest Drive. This water main runs east-west and connects with the existing 6-inch line along the eastern site boundary, which runs north-south. Water connections would serve the project's demands for domestic water, fire protection for on-site hydrants and building sprinkler systems, building mechanical systems, and site irrigation.

Sewer System

Sanitary sewer service would be provided by the City of Thousand Oaks via gravity connection to an existing public sewer and manhole at the southwest corner of the property. This public sewer connects immediately to the City's 30-inch trunk main running adjacent to the project's south boundary. The project's on-site facilities would be exclusive of any connection to Amgen's existing private sewer lines and facilities along the north and eastern portions of the site. The project's sewer system would have its own on-site sewer lateral connection to the public system.

Drainage Plan

The project's drainage system would route surface drainage and runoff from building rooftops from the north side of the site to an existing 36-inch storm drain and outlet into Ventura County Watershed Protection's existing channel along the south project boundary. The drainage system would include a variety of drainage inlets, on-site pipe systems, and a buried detention pipe gallery near the existing 36-inch outlet. The project would also include a collection of stormwater quality BMPs and devices designed to clean runoff from the first flush storm event and satisfy the project's low impact development (known as "LID") and Municipal Separate Storm Sewer System (known as "MS4") requirements. Best Management Practices (BMPs) shown on the entitlement set's grading plan include bioswales, a bio-basin, and pervious pavers. Additional BMPs may be offered, but are not assumed in this EIR analysis and are not required to reduce impacts below applicable required standards. These additional BMPs could include measures, such as green roofs, roof drain filters, bioswales, bio-basins, pervious pavements, and other measures. These requirements and BMPs are discussed in more detail in the analysis section of the EIR.

Construction Program

Development of the project would occur in several phases, which are described below in **Table 2-4, Construction Assumptions**, as demolition, site preparation, grading, building construction, paving and architectural coating.

The project construction efforts would start with demolition of the existing office building (approx. 56,667 sf), parking lots and surrounding pedestrian hardscapes. Utilities and surface drainage features are to be replaced.

**Table 2-4
Construction Assumptions**

Phase	Duration (est. 5 days per week)	Equipment Type	(# of pieces)
Demolition	20 days	Concrete Saw	1
		Dozers	1
		Excavator (Tier 4 Final)	1
		Bobcats (Tier 4 Final)	1
Grading	65 days	Excavators (Tier 4 Final)	1
		Front-end Loader (Tier 4 Final)	1
		Rubber Tired Dozers (Tier 4 Final)	1
		Tractor/Loader/Backhoe (Tier 4 Final)	1
Building Construction	655 days	Cranes (Tier 4 Final)	2
		Forklifts (Tier 4 Final)	4
		Generator Sets	2
		Welders	2
Paving	20 days (overlap with Building Construction)	Pavers	2
		Paving Equipment	2
		Rollers	2
Architectural Coating	145 days (overlap with Building Construction)	Air Compressors	1
Source: CalEEMod defaults, with adjustments for project-specific data from RCI Builders, December, 2022. ^a The project would use off-road construction equipment that meets or exceeds USEPA Tier 4 Final emissions reduction standards and certification requirements. ^b Paving and Architectural Coating phases would overlap with Building Construction phase activities. Additional Key Assumptions: <ul style="list-style-type: none"> • Approx. 6,500 cubic yards debris parking and building = 8,140 tons of demolition debris • Approx. 48,100 cy export soil. • Use of 50 g/liter VOC paint (inside and out – compliant with APCD Rule) • Assumes average of 18 cy dump trucks for export (demo used default 16 cy trucks) Durations may not add to exactly three years, due to possible downtime.			

Site demolition would also involve the removal of a number of existing trees adjacent to the existing buildings, in the existing parking lots, as well as select trees along the project's perimeter. The project would encroach into the protected zone of eleven (11) and remove seventeen (17) coast live oak trees. The proposed tree replacement program would plant three trees for each tree removed, consisting of two 24-inch box and one 36-inch box trees in compliance with the City's Oak Tree Preservation and Protection Guidelines. The total number of replacement oaks would be thirty-four 24-inch box trees and seventeen 36-inch box trees. Sheet L5-2 of the project plan set shows the proposed location of 47 on-site replacement trees, a mix of 20 valley oak (*Quercus lobata*) and 16 coast live oak trees (*Quercus agrifolia*), and 11 California sycamore trees (*Platanus racemosa*).⁵ For those four replacement trees unable to be located on site, the applicant will compensate for the removal of the tree by providing the dollar value of each tree as a cash donation to Conejo Open Space Conservation Fund to be used toward open space land acquisition. The new on-site landscaping will include a total of approximately 69 new ornamental trees, in addition to the 11 retained oaks and the 47 replacement trees (see Appendix B, Sheets L5-1, L5-2 and L5-3 of the site plan set). The protected tree permit will provide the specific conditions that the project must follow in order to comply with the ordinance and obtain the permit.

Once demolition activities are complete, site construction would continue with rough grading of the site. Site excavation would involve removal and recompaction of existing soils per the recommendations of the project's soils engineer. The project would require excavation of soils (earth, dirt) for the building

⁵ Ktgy Architecture & Planning, 2150 Hillcrest Dr., Formal Application Re-Submittal 2, March 23, 2023. (Appendix B).

foundations and one level of semi-subterranean parking garage in each of the two buildings as well as subgrade cut for proposed driveways, surface parking lots, and site hardscapes. Raw rough grade quantities (exclusive of allowances for removals, soil shrinkage, subsidence, and infrastructure spoils) are estimated at approximately 52,800 cubic yards of cut and 4,700 cubic yards of fill, resulting in an export of approximately 48,100 cubic yards. The construction and demolition export is anticipated to be taken to the Simi Valley Landfill and Recycling Center and operational waste is anticipated to go to the Calabasas Landfill.⁶

Construction is anticipated to begin in 2023 and to be completed in 2026, within a period of up to three (3) years. Table 2-4 provides estimates of type and numbers of equipment use by construction phase, which are used for assumptions in this EIR when analyzing the impacts of construction. During any given phase or construction day, some mix of the cited list of equipment would be in use, but the entire list in each phase would not necessarily be in use at the same time.

Additional construction assumptions are discussed in the Air Quality, Greenhouse Gas Emissions and Energy Report (**Appendix C**), and in the corresponding EIR Sections.

2.4 PROJECT BACKGROUND

2.4.1 Prescreening

On April 27, 2021, the City Council adopted Resolution No. 2021-006, “A Resolution of the City Council of the City of Thousand Oaks Declaring Intention to Consider an Amendment to the Land Use Element of the General Plan and Allowing Concurrent Processing of Entitlement Applications for Land Use Located at 2150 W Hillcrest Dr (LU 2021-70168/ RCA 2021-70169: Latigo Hillcrest LLC)”. As part of that Resolution, the City Council approved RCA 2021-70168, allocating 246 residential dwelling units of Citywide Measure E residential capacity to Latigo Hillcrest and initiated LU 2021-70169, allowing staff to process the application to amend the Land Use Element of the General Plan. Measure E units are only required to be allocated to sufficiently allow for the base density of the property (in this case, 30 du/acre). Any units added to the project due to activation of state density bonus law are not required to be contemplated by Measure E.

A Pre-screen Application for Latigo Hillcrest, following the initiation of the general plan amendment and Measure E allocation, was submitted in March 2022. Based on comments received from City staff, the project was redesigned and submitted in August 2022. Additional minor modifications resulted in the March 23, 2022 version in Appendix B.

2.5 PROJECT OBJECTIVES

The project objectives are as follows:

- Provide a mixed-use community on the 8.19-net acre site, located near the intersection of West Hillcrest Drive and Rancho Conejo Boulevard (an area with business and shopping opportunities in the immediate vicinity, and a multi-family residential development to the east), to create a more cohesive, interactive urban environment in this portion of the City.

⁶ Conservatively, the air quality analysis assumes all waste is taken 20 mile distance to a landfill. The Simi Valley Landfill and Recycling Center is within 20 miles; the Calabasas Landfill is much closer. Thus, the assumption for air quality is more conservative to estimate emissions from waste hauling.

- Revitalize an underutilized property to achieve City planning objectives to a greater extent than the existing vacant commercial Amgen administrative building and surface parking areas, consistent with the 2021-2029 Housing Element which identifies the site as a target site for housing.
- Provide market rate units and units affordable to very low-income households to help alleviate the state’s housing crisis and support the City’s RHNA goals, consistent with the Draft Preferred Land Use Map for the Thousand Oaks 2045 General Plan which identifies the subject property for Mixed Use Low which allows up to 30 du/acre.
- Include green features and use green and healthy development principles that serve to reduce project impacts on the environment, including greenhouse gas emissions.
- Reduce vehicle miles traveled by locating housing close to job centers in the Rancho Conejo Industrial Park, and away from wildland urban interface areas, which are natural hazard areas.

2.6 REQUIRED APPROVALS / USES OF THE EIR

This EIR addresses the proposed approval and implementation (construction and operation) of the Latigo Hillcrest Project. Implementation of the project requires approvals that are expected to include, but may not be limited to, those shown in **Table 2-5, Project Required Approvals**.

Table 2-5
Project Required Approvals

Approval / Permit	Agency
<u>General Plan Land Use Amendment (LU) 2021-70169</u> : Amend the General Plan designation of Commercial to Commercial /Residential.	City of Thousand Oaks
<u>Zone Change (Z) 2022-70776</u> : Change the zoning designation of Community Shopping Center (C-3) to Specific Plan-24 (SP-24).	City of Thousand Oaks
<u>Specific Plan (SP) 2022-70778</u> : Adopt SP-24 to establish specific development standards for the subject development areas.	City of Thousand Oaks
<u>Development Agreement (DAGR) 2022-70777</u> : Specify public and private benefits and responsibilities related to the project.	City of Thousand Oaks
<u>Development Permit (DP) 2022-70773</u> : Allow construction of 333 residential units and 5,3000 sf of commercial space distributed across two, four-story, podium style buildings and associated grading, hardscaping, and landscaping.	City of Thousand Oaks
<u>Special Use Permit (SUP) 2022-70779</u> : Allow a California Department of Alcoholic Beverage Control (ABC) Type 47 License (On-sale General – Eating Place) to accommodate a potential future restaurant use.	City of Thousand Oaks
<u>Protected Tree Permit (PTP) 2022-70780</u> : Allow removal of seventeen (17) coast live oak (<i>Quercus agrifolia</i>) trees and encroachment into the protected zone of nine (9) coast live oak (<i>Quercus agrifolia</i>) trees.	City of Thousand Oaks
<u>Environmental Impact Report (EIR) 2022-70774</u> : Consider the Environmental Impact Report and Statement of Overriding Considerations prepared in accordance with the California Environmental Quality Act (CEQA) for the subject project.	City of Thousand Oaks

3.0 CUMULATIVE PROJECTS

3.1 CEQA REQUIREMENTS

The California Environmental Quality Act (CEQA)¹ and the State CEQA Guidelines² require that an Environmental Impact Report (EIR) address cumulative impacts, where the project's impacts are "cumulatively considerable." A project's impact is cumulatively considerable when the incremental effects of an individual project are significant when viewed in connection with the effects of past, present and reasonably foreseeable probable future projects. Where a proposed project's incremental effect is not cumulatively considerable, an EIR need only briefly describe its basis for reaching this conclusion.

State CEQA Guidelines section 15355 defines the term "cumulative impacts" as two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The following clarifications are also provided:

- (a) The individual effects may be changes resulting from a single project or a number of separate projects.
- (b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.³

State CEQA Guidelines section 15130 provides as follows:

- (a) An EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable, as defined in section 15065(a)(3). Where a lead agency is examining a project with an incremental effect that is not "cumulatively considerable," a lead agency need not consider that effect significant, but shall briefly describe its basis for concluding that the incremental effect is not cumulatively considerable.
 - (1) As defined in Section 15355, a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. An EIR should not discuss impacts which do not result in part from the project evaluated in the EIR.
 - (2) When the combined cumulative impact associated with the project's incremental effect and the effects of other projects is not significant, the EIR shall briefly indicate why the cumulative impact is not significant and is not discussed in further detail in the EIR. A lead agency shall identify facts and analysis supporting the lead agency's conclusion that the cumulative impact is less than significant.
 - (3) An EIR may determine that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant. A project's contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the

¹ California Public Resources Code, Division 13, Environmental Quality, Section 21000 et seq., California Environmental Quality Act (CEQA).

² California Code of Regulations, Title 14, Guidelines for the Implementation of the California Environmental Quality Act, Section 15000 et seq., (State CEQA Guidelines).

³ California Public Resources Code, Title 14, Division 6, Chapter 3, Section 15355.

- cumulative impact. The lead agency shall identify facts and analysis supporting its conclusion that the contribution will be rendered less than cumulatively considerable.
- (b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by standards of practicality and reasonableness and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact. The following elements are necessary to provide an adequate discussion of significant cumulative impacts:
- (1) Either:
 - (A) A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or
 - (B) A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or areawide conditions contributing to the cumulative impact. Any such planning document shall be referenced and made available to the public at a location specified by the lead agency.
 - (2) When utilizing a list, as suggested in paragraph (1) of subdivision (b), factors to consider when determining whether to include a related project should include the nature of each environmental resource being examined, the location of the project and its type. Location may be important, for example, when water quality impacts are at issue since projects outside the watershed would probably not contribute to a cumulative effect. Project type may be important, for example, when the impact is specialized, such as a particular air pollutant or mode of traffic.
 - (3) Lead agencies should define the geographic scope of the area affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used.
 - (4) A summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available; and
 - (5) A reasonable analysis of the cumulative impacts of the relevant projects. An EIR shall examine reasonable, feasible options for mitigating or avoiding the project's contribution to any significant cumulative effects.
- (c) With some projects, the only feasible mitigation for cumulative impacts may involve the adoption of ordinances or regulations rather than the imposition of conditions on a project-by-project basis.
- (d) Previously approved land use documents such as general plans, specific plans, and local coastal plans may be used in cumulative impact analysis. A pertinent discussion of cumulative impacts contained in one or more previously certified EIRs may be incorporated by reference pursuant to the provisions for tiering and program EIRs. No further cumulative impacts analysis is required when a project is consistent with a

general, specific, master or comparable programmatic plan where the lead agency determines that the regional or areawide cumulative impacts of the proposed project have already been adequately addressed, as defined in section 15152(f), in a certified EIR for that plan.

- (e) If a cumulative impact was adequately addressed in a prior EIR for a community plan, zoning action, or general plan, and the project is consistent with that plan or action, then an EIR for such a project should not further analyze that cumulative impact, as provided in Section 15183(j).

3.2 CUMULATIVE PROJECT ASSUMPTIONS FOR THIS EIR

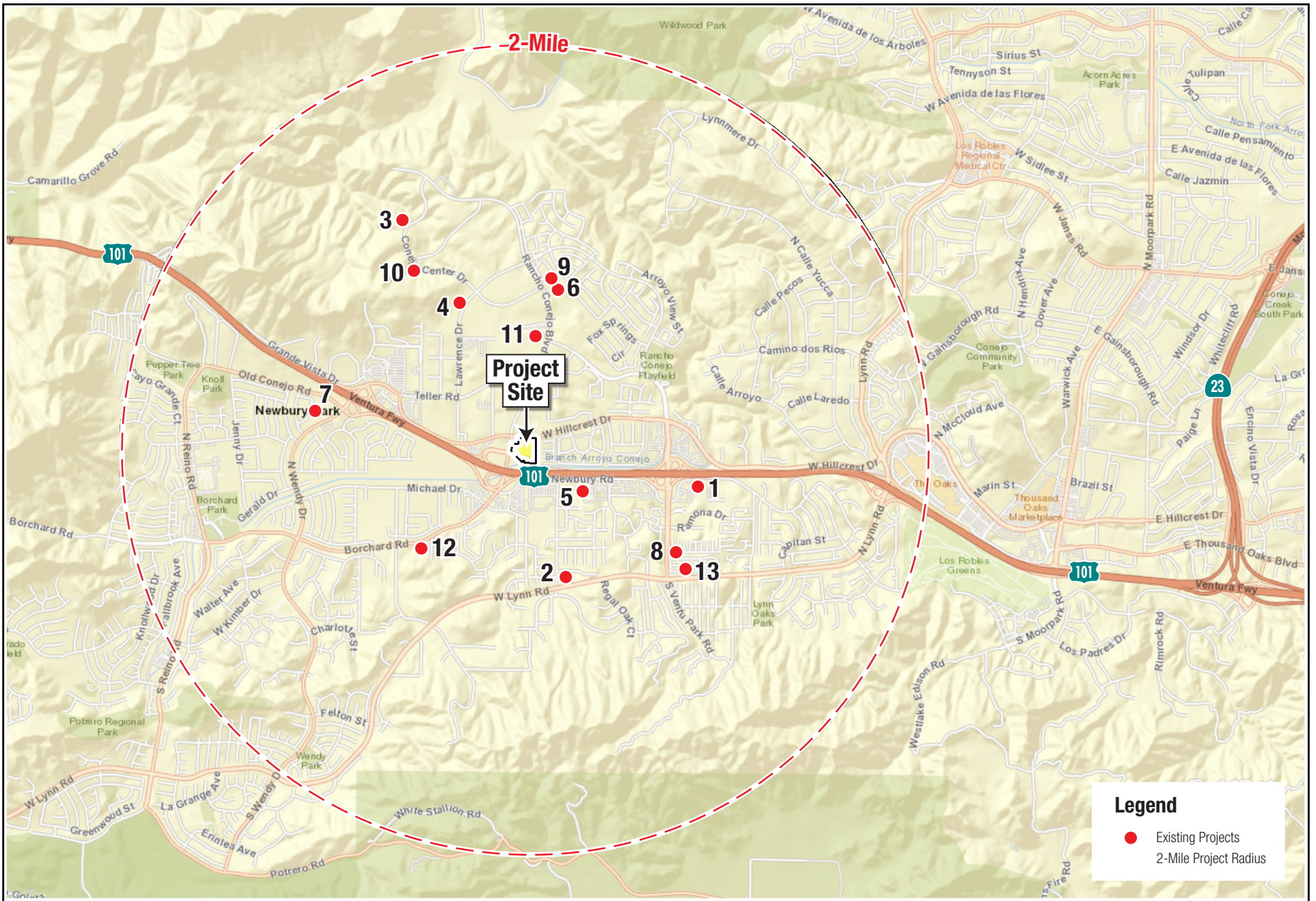
The term “cumulative impacts” refers to two or more individual effects which, when considered together, are considerable, or which compound or increase other environmental impacts. For use in evaluation of cumulative impacts for this EIR, the following list in **Table 3-1, Cumulative Projects**, summarizes the past, present, and reasonably foreseeable probable future projects in the project vicinity area. The cumulative project locations are depicted in **Figure 3-1, Cumulative Projects Map**.

Table 3-1
Cumulative Projects

Map Number	Project Address/Location, Name (if available) and Case Numbers	Description	Commercial Size (lots or sf) / Residential Unit Count (d.u.)	Status (at the time of the NOP)
1	1312 Newbury Rd.: 2015-70672 SUP; 2016-70026 OTP; 2016-70481 OTP	Allow the construction of a new drive-through carwash facility.		Under Construction
2	Northeast corner of Lynn and Kelley Rds. (APN: 660-0-121-010); 2018-70479 RPD, 2018-70478 TTM, 2018-70480 OTP	Allow the subdivision of 1 parcel into 11 lots of record; 11 single-family dwelling units; and pruning of 1 oak tree.	11 single-family du	Approved
3	1691, 1711, 1721, 2000 Rancho Conejo Blvd.; 2751 Conejo Center Dr., and APNs: 667-0-340-030 through 667-0-340-195; 2019-70439 DP; 2019-70440 VTTM; 2019-70441 VTTM; 2019-70442 USP; 2019-70443 LPC; 2019-70444 MND	Allow the construction of an industrial development consisting of 15 buildings totaling 754,222 sf on 49.83 acres.	754,222 sf of industrial building	Pending
4	1300 Lawrence Dr.: 2019-70897 SUMN	Allow the construction of 120,094 sf industrial warehouse on 6.6 acre site.	120,094 sf warehouse	Pending
5	1872 Newbury Rd.: 2020-70273 RPD, 2020-70277 DP, 2020-70275 Z, 2020-70276 SP, 2020-70278 OTP, 2020-70279	Allow the creation of a new Specific Plan to construct a mixed-use development consisting of 218 multifamily	218 multi-family du 120-room hotel	Approved

Map Number	Project Address/Location, Name (if available) and Case Numbers	Description	Commercial Size (lots or sf) / Residential Unit Count (d.u.)	Status (at the time of the NOP)
	MND,2020-70272 LLA, 2020-70240 LLA	residential units (inclusive of 26 affordable units); a 120-room hotel; the preservation, rehabilitation, and adaptive reuse of a designated landmark; 554 parking spaces; and associated landscaping and hardscaping. The project is also associated with an oak tree permit, zone change and a General Plan Land Use Element Amendment.		
6	1300 Rancho Conejo Blvd.: 2020-70606 DPMN	Allow the demolition of 5,600 sf of existing industrial building and construction of a 7,700 sf addition, including an interior and exterior remodel, hardscape, drainage, parking lot improvements, and removal and replacement of existing landscaping to accommodate proposed building modifications, site improvements, and on-site bio-retention basins.	7,700 sf addition to existing industrial	Approved
7	701 N Wendy Dr.: 2020-70727 DPMN	Allow a new 9,990 sf building with a fenced outdoor play area to be utilized as a daycare; a new 1,800 sf drive-through building pad; two outdoor dining areas; relocation of an existing trash enclosure; and parking modifications.	9,990 sf new daycare building 1,800 sf drive-through restaurant	Approved
8	1617 Susan Dr.: 2020-70731 GDR; 2021-70081 LD; 2021-70204 OTP	Allow the creation of a three-lot single family home subdivision	3 single-family du	Pending
9	West of the intersection of Corporate Center Dr. and Rancho Conejo Blvd.	Allow the construction of a multifamily residential building with	26 multi-family du	Pending

Map Number	Project Address/Location, Name (if available) and Case Numbers	Description	Commercial Size (lots or sf) / Residential Unit Count (d.u.)	Status (at the time of the NOP)
	(APN: 667-0-173-025): 2020-70731 GDR; 2021-70081 LD; 2021-70204 OTP	26 units on a 1.6 acre site.		
10	2550 Conejo Center Dr.: 2021-70408 DP	Allow construction of a 21,440 sf waste-collection truck dispatch center with outdoor vehicle storage, maintenance facilities, associated parking, retaining walls, and a compressed natural gas (CNG) fueling station at 2498 and 2550 Conejo Center Drive	21,440 sf truck storage yard	Approved
11	1100 Rancho Conejo Blvd.: 2021-70408 DP	Allow the construction of a new life science campus of approximately 350,000 feet (a net increase of approximately 183,000 sft) consisting of 4 one- and two-story industrial buildings (ranging between approximately 26,000 to 130,000 sf with heights of up to 40.5 feet plus parapets up to 13 feet), parking, infrastructure, and installation of landscaping on approximately 19 acres with impacts to protected trees.	350,000 sf science campus 26,000 to 130,000 sf industrial building	Approved
12	2700 Borchard Rd.: 2022-70343 SUMJ	Allow the construction of a 4,500 sf expansion to existing religious assembly use.	4,500 sf religious facility	Pending
13	1651 W Lynn Rd.: 2022-70343 SUMJ	Allow the creation of a 19 lot single family home subdivision	19 single-family du	Pending
Source: City of Thousand Oaks, Department of Public Works, October 3, 2022. Key: DP = Development Permit, DPMN = Development Permit Minor Modification, GDR = Grading Design Review, LPC = Landscape Plan Check, MND = Mitigated Negative Declaration, OTP = Oak Tree Permit, PTP = Protected Tree Permit, RPD = Residential Planned Development, SUMJ = Special Use Permit Major Modification, SUMN = Special Use Permit Minor Modification, SUP = Special Use Permit, TTM = Tentative Tract Map, USP = Uniform Sign Permit.				



Source: ESRI World Street Background Imagery, 2022.

LATIGO HILLCREST – EIR

Cumulative Projects Map



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4.0 IMPACT ANALYSIS

Chapter 4.0 of the Draft Environmental Impact Report (EIR) has been prepared to assess the environmental consequences of the proposed Latigo Hillcrest project with regard to environmental issues identified through the Notice of Preparation (NOP) scoping process (see **Appendix A, Notice of Preparation, Early Consultation and Scoping Comments**).

Based upon this process, the following issues are addressed in this EIR, arranged by Section number:

- 4.1 Air Quality
- 4.2 Biological Resources
- 4.3 Cultural, Tribal Cultural, and Paleontological Resources
- 4.4 Energy
- 4.5 Greenhouse Gas Emissions
- 4.6 Hazards and Hazardous Materials
- 4.7 Land Use and Planning
- 4.8 Noise and Vibration
- 4.9 Population and Housing
- 4.10 Public Services – Fire, Police, Schools, Parks and Recreation
- 4.11 Transportation
- 4.12 Utility and Service Systems – Water, Wastewater, Solid Waste
- 4.13 Effects Determined Not Significant

The analysis within each of these sections discusses the existing conditions (including environmental setting and regulatory setting), thresholds of significance, project impacts and mitigation measures, residual impacts (i.e., the level of significance after implementation of mitigation measures), and cumulative impacts related to the proposed project. These EIR Sections provide citations to data sources, including plans and studies. A comprehensive list of sources is also provided in Section 7.3, References. All of the project plans and technical studies, most of which are included as Appendices to this EIR are otherwise cited and are hereby incorporated by reference.

Several conventions are used in the Chapter 4.0 Analysis Sections. Please note that we have bolded the first reference to a figure or a table in each section, to indicate that the figure or table should follow shortly thereafter. This facilitates locating the figure or table that is referenced. Acronyms are also defined anew within the text of each section and a master Acronym list follows the Table of Contents. In addition, acronyms are redefined starting again within each section's mitigation measures, so that when they are read independently there is no need to refer back.

4.1 AIR QUALITY

This Draft Environmental Impact Report (EIR) analysis section considers the potential for the Latigo Hillcrest project to result in impacts to air quality and identifies opportunities to avoid, reduce, or otherwise mitigate potential significant impacts where warranted.

This section describes the existing conditions at the proposed project site and surrounding area, summarizes the applicable regulatory framework that guides the decision-making process, identifies thresholds for determining if the proposed project would result in significant impacts, analyzes anticipated impacts (direct, indirect, and cumulative), provides mitigation measures to reduce impacts where warranted, and discusses residual impacts (i.e., level of significance after mitigation). The significance of project impacts has been determined in accordance with criteria based on Appendix G of the State California Environmental Quality Act (CEQA) Guidelines. Where applicable, additional regulatory agency guidelines or requirements are incorporated as additional considerations in evaluating environmental significance. Sources used in the analysis are cited herein where relevant to the analysis; a comprehensive list of references is provided in Section 7.0, Organizations and Persons Consulted and References, of this EIR. This evaluation is based upon the Air Quality and Greenhouse Gas Emissions and Energy Report¹, Construction Health Risk Assessment² provided in (Appendix C).

4.1.1 Existing Conditions

The environmental setting and regulatory setting establish existing conditions relevant to the project. The project impact analysis presented later in this section is based on these baseline conditions.

Environmental Setting

Project Setting

The City of Thousand Oaks (City) is located within Ventura County and the South Central Coast Air Basin (SCCAB or “Basin”) and is within the jurisdictional boundaries of the Ventura County Air Pollution Control District (VCAPCD). The proposed project site is located at 2150 West Hillcrest Drive, which is generally situated near the southeast corner of the intersection of Hillcrest Drive and Rancho Conejo Boulevard. Existing land uses adjacent to the site include gas stations/mini markets and a building materials commercial use to the west, industrial/business park uses to the north, an apartment complex to the east, and the U.S. Route 101 (“101 Freeway”) to the south.

The project site is an approximately 8.19-net acre (8.28-gross acre) infill property currently developed with an office structure and a paved parking lot that surrounds the existing structure and covers the majority of the site. Remnant landscaping is located around the existing structure, in parking lot planters, and along the perimeter of the site. The existing structure is not currently in use and has been vacant since 2021. This evaluation will not consider emissions associated with any previous use of the existing structure and will be based on an assumed baseline of zero existing operational emissions.

Local Climate and Meteorology

California’s weather is heavily influenced by a semi-permanent high-pressure system west of the Pacific coast. The Mediterranean climate of the region and the coastal influence produce moderate temperatures year round, with rainfall concentrated in the winter months. The sea breeze, which is the predominant wind,

¹ Envicom Corporation, Air Quality and Greenhouse Gas Emissions and Energy Report, Latigo Hillcrest Project, Thousand Oaks, California, April 2023. (Appendix C)

² Air Quality Dynamics, Latigo Hillcrest Mixed-Use Project: Construction Health Risk Assessment, April 3, 2023.

is a primary factor in creating this climate and typically flows from the west-southwest in a day-night cycle with speeds generally ranging from 5 to 15 miles per hour.

The project site is located in the South Central Coast Air Basin (or “the Basin”) and is under the jurisdiction of the VCAPCD. Air quality in the Basin is affected by the emission sources located in the region, as well as by three natural factors:

- A natural terrain barrier to emission dispersion north and east of the metropolitan Los Angeles area.
- A dominant on-shore flow transports and disperses air pollution by driving air pollution originating in industrial areas along the coast toward the natural terrain barrier, limiting horizontal dispersion. The effect of this onshore flow is a gradual degradation of air quality from coastal to inland areas.
- Atmospheric inversions limit dispersion of air pollution on a vertical scale. Temperature typically decreases with altitude. However, under inversion conditions temperature begins to increase at some height above the ground. The temperature increase continues through an unspecified layer after which the temperature change with height returns to standard conditions. The inversion layer is typically very stable and acts as a cap to the vertical dispersions of pollutants.

Air Quality Health Effects

The criteria pollutants for which federal and state standards have been promulgated and that are most relevant to air quality planning and regulation in the Basin are ozone, and fine suspended particulate matter (PM). These and other common criteria air pollutants are briefly described below.

- Ozone (O₃) is a gas that is formed when volatile organic compounds (VOCs)³ and Nitrogen Oxides (NO_x), both byproducts of internal combustion engine exhaust, undergo slow photochemical reactions in the presence of sunlight. Ozone concentrations are generally highest during the summer months when direct sunlight, light wind, and warm temperature conditions are favorable to the formation of this pollutant. Individuals exercising outdoors, children, and people with preexisting lung disease, such as asthma and chronic pulmonary lung disease, are considered to be the subgroups most susceptible to O₃ effects. Short-term exposures (lasting for a few hours) to O₃ at levels typically observed in southern California can result in breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes.
- Particulate Matter PM-10 and PM-2.5 consists of extremely small, suspended particles or droplets 10 microns and 2.5 microns or smaller in diameter, respectively, that can lodge in the lungs when inhaled. Some sources of particulate matter, like pollen and windstorms, are naturally occurring. However, in populated areas, most particulate matter is caused by road dust, diesel soot, combustion products, abrasion of tires and brakes, and construction activities. Inhaled particulate matter can contribute to respiratory problems and can cause permanent lung damage. Inhalable particulates can also have a damaging effect on health by interfering with the body’s mechanism for clearing the respiratory tract or by acting as a carrier of an absorbed toxic substance.
- Carbon Monoxide (CO) is a colorless, odorless gas produced by the incomplete combustion of fuels. CO concentrations tend to be the highest during the winter morning, with little to no wind, when surface-based inversions trap the pollutant at ground levels. Because CO is emitted directly from internal combustion engines, unlike ozone, motor vehicles operating at slow speeds are the

³ The Ventura County Air Quality Assessment Guidelines (October 2003) states that VOC is synonymous with reactive organic gases (ROG) and reactive organic compounds (ROC). These terms may be used interchangeably in this evaluation.

primary source of CO in the Basin. The highest ambient CO concentrations are generally found near congested transportation corridors and intersections. CO is a health concern because it competes with oxygen, often replacing it in the blood and reducing the blood's ability to transport oxygen to vital organs. Hence, conditions with an increased demand for oxygen supply can be adversely affected by exposure to CO. Individuals most at risk include patients with diseases involving heart and blood vessels, fetuses, and patients with chronic hypoxemia (oxygen deficiency) as seen in high altitudes.

- Nitrogen Dioxide (NO₂) is a nitrogen dioxide compound that is produced by the combustion of fossil fuels, such as in internal combustion engines (both gasoline and diesel powered), as well as point sources, especially power plants. The principal form of nitrogen oxide produced by combustion is nitric oxide (NO), but NO reacts quickly to form NO₂, creating the mixture of NO and NO₂ commonly called NO_x, a major contributor to O₃ formation. NO₂ also contributes to the formation of PM-10. High concentrations of NO₂ can cause breathing difficulties and result in a brownish-red cast to the atmosphere with reduced visibility. There is some indication of a relationship between NO₂ and chronic pulmonary fibrosis. Some increase of bronchitis in children (2-3 years old) has been observed at concentrations below 0.3 parts per million (ppm).

Table 4.1-1
Criteria Pollutant Sources and Health Effects

Pollutants	Sources	Primary Health Effects
Ozone (O ₃)	<ul style="list-style-type: none"> • Motor vehicles • Industrial emissions, • Consumer products <p>Note: These sources emit precursors, NO_x and Reactive Organic Gasses (ROG), that react with sunlight to form ozone in the atmosphere.</p>	<ul style="list-style-type: none"> • Respiratory symptoms • Worsening of lung disease leading to premature death • Damage to lung tissue
Particulate Matter (PM-10)	<ul style="list-style-type: none"> • Cars and trucks (especially diesels) • Fireplaces, woodstoves • Windblown dust from roadways, agriculture and construction 	<ul style="list-style-type: none"> • Premature death & hospitalization, primarily for worsening of respiratory disease
Particulate Matter (PM-2.5)	<ul style="list-style-type: none"> • Cars and trucks (especially diesels) • Fireplaces, woodstoves • Windblown dust from roadways, agriculture and construction 	<ul style="list-style-type: none"> • Premature death • Hospitalization for worsening of cardiovascular disease • Hospitalization for respiratory disease • Asthma-related emergency room visits, increased symptoms, increased inhaler usage
Carbon Monoxide (CO)	<ul style="list-style-type: none"> • Any source that burns fuel such as cars, trucks, construction and farming equipment, and residential heaters and stoves 	<ul style="list-style-type: none"> • Chest pain in patients with heart disease • Headache • Light-headedness • Reduced mental alertness
Nitrogen Dioxide (NO ₂)	<ul style="list-style-type: none"> • See Carbon Monoxide sources. 	<ul style="list-style-type: none"> • Lung irritation • Enhanced allergic responses
Sources: California Air Resources Board, Sources of Air Pollution, https://ww2.arb.ca.gov/resources/sources-air-pollution and Common Air Pollutants https://ww2.arb.ca.gov/resources/common-air-pollutants .		

Ambient Air Quality Standards

National and state Ambient Air Quality Standards (AAQS)⁴ are the air quality levels for common criteria pollutants that are considered safe, with an adequate margin of safety, to protect the public health and welfare of “sensitive receptors,” which include the elderly, young children, the acutely and chronically ill (e.g., those with cardio-respiratory disease, including asthma), and persons engaged in strenuous work or exercise. Healthy adults can tolerate occasional exposure to air pollutant concentrations considerably above these minimum standards before adverse effects are observed. Recent research has shown, however, that chronic exposure to ozone (or O₃), the primary ingredient in photochemical smog, may lead to adverse respiratory health, even at concentrations close to the ambient standard. **Table 4.1-2, Federal and State Ambient Air Quality Standards**, lists the current federal and state standards for regulated criteria air pollutants.

**Table 4.1-2
Federal and State Ambient Air Quality Standards**

Pollutant	Averaging Time	Federal Standards	California Standards
Ozone (O ₃)	1 Hour	-	0.09 ppm
	8 Hour	0.07 ppm	0.07 ppm
Carbon Monoxide (CO)	8 Hour	9.0 ppm	9.0 ppm
	1 Hour	35 ppm	20 ppm
Nitrogen Dioxide (NO ₂)	Annual	0.053 ppm	0.030 ppm
	1 Hour	0.10 ppm	0.18 ppm
Sulfur Dioxide (SO ₂)	Annual	-	-
	24 Hour	0.14 ppm	0.04 ppm
	1 Hour	0.075 ppm	0.25 ppm
Particulate Matter (PM-10)	Annual	-	20 µg/m ³
	24 Hour	150 µg/m ³	50 µg/m ³
Fine Particulate Matter (PM-2.5)	Annual	12 µg/m ³	12 µg/m ³
	24 Hour	35 µg/m ³	-
Lead (Pb)	30-Day average	-	1.5 µg/m ³
	3-Month Average	0.15 µg/m ³	-

ppm = parts per million;
µg/m³ = micrograms per cubic meter
Source: California Air Resources Board, 2016.

Local Air Quality Monitoring

The monitoring station located closest to Thousand Oaks and most representative of air quality at the project site is the monitoring station located at 2323 Moorpark Road, Thousand Oaks, approximately 3.5 miles northeast of the project site. **Table 4.1-3, Ambient Air Quality**, summarizes the air quality data measurements for the years 2016-2020 in the local airshed for the criteria pollutants of greatest concern in Ventura County.

⁴ California Air Resources Board. California and National Ambient Air Quality Standards. Accessed on February 2, 2023 at: https://www.arb.ca.gov/research/aaqs/aaqs2.pdf?_ga=2.111850244.1417595818.1550763932-1724706578.1550763932.

Table 4.1-3
Ambient Air Quality

Pollutant/Standard	2018	2019	2020	2021
Ozone (O₃)				
<i>Number of Days Standards Exceeded</i>				
1-Hour > 0.09 ppm (S)	0	0	1	0
8-Hour > 0.07 ppm (F)	1	1	7	1
<i>Maximum Observed Concentration</i>				
Max. 1-Hour Conc. (ppm)	0.080	0.082	0.097	0.077
Max. 8-Hour Avg. (ppm)	0.073	0.074	0.084	0.073
Nitrogen Dioxide (NO_x)				
<i>Number of Days Standards Exceeded</i>				
1-Hour > 0.18 ppm (S)	0	0	0	0
<i>Maximum Observed Concentration</i>				
Max. 1-Hour Conc. (ppm)	0.0430	0.0450	0.0420	35.0
Inhalable Particulates (PM-10)				
<i>Number of Days Standards Exceeded</i>				
24-Hour > 50 µg/m ³ (S)	6	4	--	3
24-Hour > 150 µg/m ³ (F)	0	0	0	0
<i>Maximum Observed Concentration</i>				
Max. 24-Hr. Conc. (µg/m ³)	110.5	127.9	90.5	103.7
Ultra-Fine Particulates (PM-2.5)				
24-Hour > 35 µg/m ³ (F)	1	0	1	0
Max. 24-Hr. Conc. (µg/m ³)	41.5	24.5	36.3	29.1
Source: California Air Resources Board, iADAM: Air Quality Data Statistics, Accessed at https://www.arb.ca.gov/adam/index.html				
Notes: S = state; F = federal; mg/m ³ = micrograms per cubic meter of air; -- = insufficient data reported				

Based on the data documented in Table 4.1-3, the air quality data and trends in the project vicinity are summarized below:

1. O₃ levels exceeded 1-hour federal or state standards on one day (in 2020), from 2018-2021, and exceeded 8-hour federal standards on 10 days from 2018-2021.
2. PM-10 levels exceeded the state 24-hour standard on 13 days in 2018-2021 (insufficient data was reported for 2020). The National 24-hour PM-10 standard was not exceeded from 2018-2021.
3. PM-2.5 levels exceeded federal 24-hour standards on two days from 2018-2021.
4. NO_x levels measured from 2018-2021 did not exceed National or state standards.

Regulatory Setting

Federal

Clean Air Act

The U.S. Environmental Protection Agency (USEPA) is responsible for enforcing the federal Clean Air Act (CAA), which regulates air quality in the United States. The USEPA is also responsible for establishing the National Ambient Air Quality Standards (NAAQS) as required under the CAA for seven criteria pollutants: CO, NO₂, O₃, PM-2.5, PM-10, SO₂, and lead (Pb). The USEPA establishes vehicle emission standards for vehicles sold in states other than California, which maintains stricter vehicle emission standards than the USEPA.

National Ambient Air Quality Standards

The NAAQS define clean air, and are established to protect the health of the most sensitive groups in our communities (referred to as sensitive receptors). These standards identify levels of air quality for six “criteria” pollutants: ozone (O₃), carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), particulate matter (both respirable particulate matter [PM-10] and fine particulate matter [PM-2.5]), and Pb.⁵ The standards are considered to be the maximum concentration of ambient (background) air pollutants determined safe (within an adequate margin of safety) to protect the public health and welfare. An air quality standard defines the maximum amount of a pollutant averaged over a specified period of time that can be present in outdoor air without any harmful effects on people or the environment. The EPA designates areas as attainment, nonattainment, or maintenance for each criteria pollutant based on whether the NAAQS have been achieved. As of December 31, 2021, the EPA designates Ventura County as a nonattainment area for O₃.

State

California Clean Air Act

The California Air Resources Board (CARB) is responsible for administering the California Clean Air Act (CCAA) and establishing the California Ambient Air Quality Standards (CAAQS). The CCAA requires air districts in the state to achieve and maintain the CAAQS. The CAAQS are often more stringent than national standards.⁶ CARB is responsible for setting emission standards for vehicles sold in California and for other emission sources, such as consumer products and certain off-road equipment. CARB oversees the functions of local air pollution control districts and air quality management districts, which, in turn, administer air quality activities at the regional and county levels. The CCAA requires CARB to designate areas within California as either attainment or nonattainment for each criteria pollutant based on whether the CAAQS have been achieved. Under state standards, Ventura County is designated as a nonattainment area for O₃, PM-10, and PM-2.5. Exceedances that are affected by highly irregular or infrequent events are not considered violations of a state standard and are not used as a basis for designating areas as nonattainment.

California Health and Safety Code

CARB supervises and supports the regulatory activities of local air quality districts as well as monitors air quality itself. The California Health and Safety Code requires CARB to establish and periodically review area designation criteria. These designation criteria provide the basis for CARB to designate areas of the state as “attainment,” “nonattainment,” or “unclassified” according to state standards. CARB will designate an area as nonattainment for a pollutant if monitoring data show that a CAAQS for a particular pollutant was violated at least once during the previous three years. The Health and Safety Code requires CARB to use the designation criteria to designate areas of California and to review designations annually.

CARB establishes policy and statewide standards and administers the state’s mobile source emissions control program. In addition, CARB oversees air quality programs established by state statute. CARB makes area designations for the following pollutants: O₃, CO, NO₂, SO₂, PM-10, PM-2.5, sulfates, lead, hydrogen sulfide, and visibility-reducing particles.

⁵ California Air Resources Board, National Ambient Air Quality Standards, Accessed July 12, 2021 at: <https://ww2.arb.ca.gov/resources/national-ambient-air-quality-standards>.

⁶ California Air Resources Board, California Ambient Air Quality Standards (CAAQS), accessed on February 1, 2023 at <https://ww2.arb.ca.gov/resources/california-ambient-air-quality-standards>.

Regional and Local

Southern California Association of Governments

The Southern California Association of Governments (SCAG) functions as the Metropolitan Planning Organization (MPO) for six counties including Ventura County wherein the project area is located.⁷ As the designated MPO, SCAG is federally mandated to research and plan for transportation, growth management, hazardous waste management, and air quality. Although SCAG is not an air quality management agency, it is responsible for several air quality planning issues. Specifically, as the designated MPO for the Southern California region, it is responsible, pursuant to Section 176(c) of the 1990 amendments to the Clean Air Act, for providing current population, employment, travel, and congestion projections for regional air quality planning efforts. With respect to air quality, SCAG has prepared the 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) as the basis for the transportation components of the Air Quality Management Plan (AQMP) that are utilized in the preparation of air quality forecasts and the consistency analysis included in the AQMP. Although SCAG has adopted a more recent RTP/SCS for the years 2020-2045, this evaluation will correctly be based on growth data from the 2016-2040 RTP/SCS which provides the data relied on in the current VCAPCD AQMP. Future AQMPs would account for updated growth projections from more recent RTPs and Regional Transportation Improvement Plans.

Ventura County Air Pollution Control District

In California, regional air pollution control districts have been established to oversee the attainment of air quality standards within air basins, as defined by the state. The districts have permitting authority over all stationary sources of air pollutants within their district boundaries, and act as the primary reviewer of environmental documents associated with air quality issues. The VCAPCD is the local air quality management agency. The local air quality management agency is required to monitor air pollutant levels to ensure that applicable air quality standards are met and, if they are not met, to develop strategies to meet the standards.

Air Quality Management Plan

Under state law, the VCAPCD is required to prepare a plan for air quality improvement for pollutants for which the District is in non-compliance. The 2022 Ventura County AQMP was adopted by the Ventura County Air Pollution Control Board on December 13, 2022. The 2022 AQMP presented Ventura County's strategy (including related mandated elements) to attain the 2015 federal 8-hour ozone standard of 70 parts per billion (ppb), as required by the federal Clean Air Act Amendments of 1990 and applicable U.S. Environmental Protection Agency clean air regulations. While the 2022 AQMP contains some additional local control measures, most of the emissions reductions that Ventura County needs to attain the federal 8-hour ozone standard and continue progress to the state ozone standard will come from the CARB's 2022 SIP and 2020 Reasonably Available Control Technology State Implementation Plan (2020 RACT SIP), which has been approved by the VCAPCD, and still in review by the USEPA. These SIPs contain comprehensive emission reduction programs that focus on reducing emissions from mobile sources, consumer products, and pesticides to substantially improve air quality.

Photochemical air quality modeling (including the photochemical modeling protocol, photochemical modeling performance analysis, unmonitored area analysis, and supporting analyses) completed as part of the supplemental Weight of Evidence (WOE) evaluation, indicated that Ventura County can expect to attain the 2015 federal 8-hour ozone standard by 2027, the attainment date for serious ozone nonattainment areas.

⁷ Southern California Association of Governments, About SCAG, Accessed February 1, 2023 at: <http://www.scag.ca.gov/about/Pages/Home.aspx>.

The 2022 AQMP updated plan presents Ventura County's: 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.

The 2022 AQMP control strategy consists of a local component implemented by the VCAPCD and a combined state and federal component implemented by the CARB and CEPA. The local strategy includes emission control measures carried forward from previous Ventura County AQMPs, plus new and further study emission control measures. It also includes a transportation conformity budget that sets the maximum amount of on-road motor vehicle emissions produced while continuing to demonstrate progress towards attainment. No control measures from previous AQMPs were deleted from the 2022 AQMP if deletion would slow the county's progress towards attaining either the federal 8-hour ozone standard or the state ozone standards, and several obsolete or ineffective measures were removed.⁸

Ventura County remains a nonattainment area for the 2015 federal 8-hour ozone standard. The Ventura County 8-hour ozone nonattainment area includes all of mainland Ventura County (including ocean areas out to three miles from the mainland shore) but excludes Anacapa and San Nicolas Islands. The VCAPCD's Ventura County Air Quality Assessment Guidelines⁹ continue to provide guidance for CEQA analysis.

4.1.2 Thresholds of Significance

Air quality impacts are considered significant if they cause clean air standards to be violated where they are currently met, or if they measurably contribute to an existing violation of standards. Substantial emissions of air contaminants for which there is no safe exposure, or nuisance emissions such as dust or odors, would also be considered a significant impact. Two sources were consulted during the development of thresholds of significance to evaluate the proposed project's potential impacts to air quality: Appendix G, Environmental Checklist Form, of the State CEQA Guidelines, and the VCAPCD's Ventura County Air Quality Assessment Guidelines.¹⁰ The proposed project may have a significant impact if it would (short title for impact headings shown in parentheses):

- Conflict with or obstruct implementation of the applicable air quality plan. (*Conflict with Air Quality Management Plan*)
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard. (*Emissions of Criteria Pollutants*)
- Expose sensitive receptors to substantial pollutant concentrations. (*Sensitive Receptors*)
- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. (*Other Emissions/Odors*)

VCAPCD Significance Thresholds for Ozone Precursors ROC and NO_x

In evaluating the project impacts against the CEQA thresholds above, the Ventura County Air Quality Assessment Guidelines suggest the following project threshold criteria be considered. Would the project:

- Generate daily emissions exceeding 25 pounds of Reactive Organic Compounds (ROC or ROG) or nitrogen oxides (NO_x).

⁸ Ventura County Air Pollution Control Board, 2022 Ventura County Air Quality Management Plan, Accessed March 6, 2022 at: <http://vcapcd.org/pubs/Planning/AQMP/2022/Final-2022-AQMP-with-appendices-20221130.pdf>

⁹ Ventura County Air Pollution Control District, Ventura County Air Quality Assessment Guidelines, October 2003.

¹⁰ Ventura County Air Pollution Control District, Ventura County Air Quality Assessment Guidelines, October 2003.

- Cause an exceedance or make a substantial contribution to an exceedance of an ambient air quality standard.
- Be inconsistent with goals and policies of the Ventura County AQMP.
- Directly or indirectly cause population growth that would exceed population forecasts in the most recently adopted AQMP.
- Generate fugitive dust emissions in such quantities as to cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public
- Create a human health hazard by exposing sensitive receptors to toxic air emissions.
- Create objectionable odors affecting a substantial number of people.

According to the VAPCD Guidelines, projects that generate more than 25 pounds per day of ROG and NO_x may jeopardize attainment of the federal and state ozone standard, resulting in significant impact on air quality. The 25 pounds per day threshold for ROG and NO_x are not intended to be applied to construction emissions since such emissions are temporary. The VCAPCD has not established quantitative thresholds for particulate matter, which includes fugitive dust) for either operation or construction.

There is no VCAPCD recommended threshold to indicate if a project would result in a significant San Joaquin Valley Fever impact; however, the lead agency should consider the risk factors noted by VCAPCD that may be applicable to the project or the project site to determine if project activities may create a significant Valley Fever impact. VCAPCD Guidelines provide recommendations for a lead agency to consider if a project is determined to represent a significant risk of causing Valley Fever. These VCAPCD recommendations focus on construction worker protections to prevent respiration of spores if present, some of which would be required for compliance with VCAPCD Rule 55 for dust suppression during construction.¹¹

Sensitive Receptors

Air quality impacts are analyzed relative to those persons with the greatest sensitivity to air pollution exposure. Such persons are called “sensitive receptors.” Sensitive receptors include the elderly, young children, the acutely and chronically ill (e.g., those with cardio-respiratory disease, including asthma), and persons engaged in strenuous work or exercise. As discussed in the Project Setting, surrounding development includes residential, commercial, and business park uses. The nearest sensitive use is an apartment complex located adjacent to the eastern boundary of the subject property.

4.1.3 Project Impacts and Mitigation Measures

The following project features are relevant to the analysis of Greenhouse Gas Emissions. This analysis evaluates impacts with reference to the design of the project, the regulatory setting, state and City information related to these resources. The project would include:

- No natural gas appliances for residences.
- Indoor/Outdoor bike parking with electric bicycle charging stations.
- Electric Vehicle (EV) Accommodations that meet or exceed requirements of the California Green Building Code (CALGreen) standards consisting of:
 - 226 EV Capable parking spaces (40 percent of overall Parking) with pre-wiring installed for future Level 2 EV Charging (10 percent required per CALGreen).
 - 141 EV Ready parking spaces (25 percent of overall Parking) equipped with low power Level 2 EV charging 120-240 volt 30 Amp receptacles (25 percent required per CALGreen)

¹¹ Ventura County Air Pollution Control District, Rule 55 – Fugitive Dust (Adopted 6/1-0/08), Accessed July 12, 2021 at: <http://vcapcd.org/Rulebook/Reg4/RULE%2055.pdf>.

- 57 EV Chargers (10 percent of Overall Parking) equipped with Level 2 Electrical Vehicle Supply Equipment (EVSE) (5 percent required per CALGreen) available at initial occupancy.

The air pollutant emissions analysis is based on the project's emissions of criteria pollutants as estimated using CalEEMod Version 2020.4.0.¹²

4.1.3.1 Conflict with Air Quality Management Plan

A significant impact may occur if the proposed project would conflict with, or obstruct implementation of, the Ventura County AQMP. According to the VCAPCD Guidelines, project consistency with the AQMP can be determined by comparing the actual population growth in the county with the projected growth rates used in the AQMP.

AQMP Consistency

The VCAPCD Guidelines state that project consistency with the AQMP can be determined by comparing the actual population growth in the county with the projected growth rates used in the AQMP. Therefore, a demonstration of consistency with the population forecasts used in the most recently adopted AQMP should be used for assessing project consistency with the AQMP.

The Ventura County 2022 population is estimated at 833,652 a 0.9 percent growth decrease from 2021.¹³ The AQMP estimates that the population will increase to 905,574 by 2025.¹⁴ The project would construct 333 residential units. Based on the County's average household size of 2.75 persons,¹⁵ the project would house approximately 916 residents. If all project residents were new to Ventura County, the addition of the project's residents would increase the projected County population to 834,568, which would be within the County's anticipated population growth forecast for 2025. The project's anticipated buildout year is 2026, and thus the population housed by the project would be an even smaller proportion of the County's anticipated population growth forecast for 2026 compared to the anticipated population growth for 2025.

The VCAPCD Guidelines also state that "if there are more recent population forecasts that have been adopted by the Ventura Council of Governments (VCOG) where the total county population is lower than that included in the most recently adopted AQMP population forecasts, lead agencies may use the more recent VCOG forecasts for determining AQMP consistency." According to the SCAG Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (2020-2045 RTP/SCS), the projected population for Ventura County for the years 2020 and 2030 are 877,000 and 906,000, respectively. By interpolation, the County's 2026 population would be 894,400 based on the 2020-2045 RTP/SCS. The project-related population growth over current levels would also be within the more recently adopted population forecasts.

Therefore, the project would not generate growth exceeding the most recently adopted AQMP population forecasts and thus would not be inconsistent with the AQMP. The project's potential to conflict with or obstruct implementation of the AQMP resulting in environmental impacts would be less than significant.

¹² A 2022 version of CalEEMod was recently made available, but the VCAPCD does not yet recommended its use for projects in Ventura County, based upon Envicom Corporation email communication with Nicole Collazo, Air Quality Specialist and CEQA reviewer, VCAPCD Planning Division, February 23, 2023.

¹³ California Department of Finance (DOF), E-1: City/County/State Population Estimates with Annual Percent Change January 1, 2021 and 2022, Accessed at: https://dof.ca.gov/wp-content/uploads/Forecasting/Demographics/Documents/E-1_2022PressRelease.pdf.

¹⁴ Ventura County APCD, email communication to Envicom Corporation regarding VCAPCD AQMP Consistency Population Forecasts, Aug 26, 2019.

¹⁵ U.S. Census, 2010 (Table DP-1); ACS, 2015-2019 (Table B11001, B11003).

Mitigation Measures

No mitigation measures would be required.

Residual Impacts

Impacts would be less than significant before mitigation.

4.1.3.2 Emissions of Criteria Pollutants

The proposed project may have a significant impact if it would 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. The following evaluation is primarily based on the project's emissions of air pollutants as estimated using the California Emissions Estimator Model (CalEEMod), which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant emissions associated with both construction and operations from a variety of land use projects. The model was developed for the California Air Pollution Officers Association (CAPCOA) in collaboration with the California Air Districts and quantifies direct emissions from construction and operation activities (including vehicle use), as well as indirect emissions, such as from energy use, solid waste disposal, vegetation planting and/or removal, and water use. The CalEEMod output data sheets for the project are provided in Appendix C of this EIR.

Construction Emissions

The proposed project's estimated construction emissions were modeled using CalEEMod Version 2020.4.0 to identify maximum daily emissions for each pollutant during project construction. The output reports from CalEEMod are included as Appendix A to the Air Quality and Greenhouse Gas Emissions and Energy Report (in Appendix C of the EIR). Construction emissions were modeled based primarily on the size of the project site and the proposed land use type and floor space, and the estimated duration of construction activities and types of equipment to be used.

Maximum daily pollutant emissions from construction activities include emissions from worker trips, hauling trips, construction vehicle emissions and fugitive dust from Site Preparation, Grading, Paving, Building construction, and Architectural Coating phases. Project details that were applied to CalEEMod are reported in the CalEEMod output sheets, including the proposed number of residential units, floor areas of residential and residential amenity spaces, commercial use floor space, parking garage spaces, and surface parking lot spaces.

The project's conceptual construction equipment fleet list and approximate duration of each construction activity phase used in estimating construction emissions using CalEEMod is shown in **Table 4.1-4, Conceptual Construction Equipment Fleet**.

Additional project-specific construction data used in the model include:

- 48,100 cubic yards (cy) soil export.
- 18 cy capacity soil export dump trucks.
- 8,140 tons building and pavement demolition debris removal.
- Off-road Construction Equipment meeting USEPA Tier 4 Final standards.
- VCAPCD Rule 55 construction fugitive dust control measures - watering exposed soils twice daily.

- VCAPCD Rule 74.2 limiting architectural coatings applied to residential and commercial use interior and exterior surfaces to 50 g/L VOC content.
- Paving and Architectural Coating phases would overlap with Building Construction phase activities.

To reduce potential emissions of ozone precursors during construction, off-road construction equipment used on the site will meet the Tier 4 Final emission reduction standards of USEPA as a project design feature, and in compliance with VCAPCD Rule 74.2 (Architectural Coatings), which became effective July 1, 2021, the project would use paints with a maximum VOC content of 50 grams per liter (g/L) for residential and commercial interior and exterior surfaces. The project's estimated maximum daily construction emissions, as calculated by CalEEMod are summarized in **Table 4.1-5, Construction Emissions**.

**Table 4.1-4
Conceptual Construction Equipment Fleet**

Phase	Duration (est. 5 days per week)	Equipment Type ^a	(# of pieces)
Demolition	20 days	Concrete Saw	1
		Dozers	1
		Excavator (Tier 4 Final)	1
		Bobcats (Tier 4 Final)	1
Grading	65 days	Excavators (Tier 4 Final)	1
		Front-end Loader (Tier 4 Final)	1
		Rubber Tired Dozers (Tier 4 Final)	1
		Tractor/Loader/Backhoe (Tier 4 Final)	1
Building Construction	655 days	Cranes (Tier 4 Final)	2
		Forklifts(Tier 4 Final)	4
		Generator Sets	2
		Welders	2
Paving	20 days ^b	Pavers	2
		Paving Equipment	2
		Rollers	2
Architectural Coating	145 days ^b	Air Compressors	1

Source: CalEEMod defaults, with adjustments for project-specific data from RCI Builders, December, 2022.

^a The Project would use off-road construction equipment that meets or exceeds USEPA Tier 4 Final emissions reduction standards and certification requirements.

^b Paving and Architectural Coating phases would overlap with Building Construction phase activities.

**Table 4.1-5
Construction Emissions**

	Maximum Daily Emissions (lbs/day) ^a					
	ROG	NO _x	CO	SO ₂	PM-10	PM-2.5
Construction Emissions ^{b, c}	21.03 ^d	13.87	48.38	0.10	5.80	1.81
VCAPCD Thresholds	25	25	-	-	-	-
Exceeds Threshold? Yes/No	No	No	-	-	-	-

Source: CalEEMod output, March 29, 2023.

^a Maximum daily emissions for all years of construction. Summer or Winter season, whichever is greatest.

^b The Project would use off-road diesel-powered equipment that meets USEPA Tier 4 Final emissions standards.

^c Includes watering of exposed surfaces twice daily for dust suppression as required by VCAPCD Rule 55.

^d Exterior and commercial paints with 50 g/L VOC content (APCD Rule 74.2).

As shown in Table 4.1-5, based on the duration of construction activities and the equipment to be utilized on site, the project's short-term construction-related emissions of ROG or NO_x would not exceed the VCAPCD guideline of 25 lbs/day and therefore would not trigger the need for mitigation measures. Additionally, VCAPCD Rule 55 requires projects to minimize construction fugitive dust emissions, which includes but is not necessarily limited to the following best management practices:

- Apply water to disturbed soils of the site at least twice daily during construction.
- Require the use of a gravel apron and/or rumble pad at truck exit points to reduce mud and dirt trackout onto area roadways.
- All soil materials transported off-site shall be securely covered during transit.
- Apply non-toxic soil stabilizers according to manufacturers' specifications to all graded areas that remain inactive for ten days or more).
- Limit traffic speeds on all unpaved portions of the site to 15 mph or less by providing worker notification, signage, or other means.

Operational Emissions

During operations, the proposed uses would result in emissions of criteria pollutants from area sources (i.e., consumer products, architectural coatings, and landscaping equipment), energy sources (electricity and natural gas usage), and mobile sources (vehicle use), which were also calculated using CalEEMod. As the existing structure on the site has been vacant since 2021, this analysis assumes that baseline operational emissions under existing conditions is zero.

Project details that were applied to CalEEMod for determining operational emissions are reported in the CalEEMod output sheets, including the proposed number of residential units, floor areas of residential and residential amenity spaces, commercial use floor space, parking garage spaces, and surface parking lot spaces.

Project-specific operations data used in the model as reported in the attached CalEEMod output sheets include:

- VCAPCD Rule 74.2 limiting architectural coatings applied for residential and commercial use structures to 50 g/L VOC content.
- Hill Canyon Wastewater Treatment Plant details.
- 1,788 total average daily trips per the project's Traffic, Circulation and Vehicle Miles Traveled (VMT) Study (Traffic Study) (provided in **Appendix H**).¹⁶

No adjustments were made in the CalEEMod that account for how the project would increase the density of use within the infill site, would be adjacent to and near commercial uses and employment centers (destination accessibility), will include below market rate housing, and provides a co-work amenity space to encourage telecommuting/alternate work schedules. Also, no adjustments were made in CalEEMod regarding reduced water use due to requirements to provide high efficiency plumbing fixtures to promote water conservation. Additionally, the project would not include natural gas appliances in the proposed residences, would provide EV facilities onsite (as noted in the introduction to Section 4.1.3), including parking spaces with EV chargers installed, and others that are EV-capable or EV-ready) as well as indoor/outdoor bike parking with electric bicycle charging stations. These features would further reduce potential operational emissions below those calculated by CalEEMod. As such, the estimated operational

¹⁶ Stantec, 2150 Hillcrest Drive Traffic, Circulation and Vehicle Miles Traveled (VMT) Study, March 23, 2023.

emissions calculated by CalEEMod are conservatively high, and actual operational emissions would be lower as a result of reductions that would occur due to features of the project site, surroundings, and proposed development.

Table 4.1-6, Maximum Daily Operational Emissions, summarizes the estimated emissions of criteria pollutants during operations of the proposed project. Table 4.1-6 also shows the applicable VCAPCD significance thresholds and summarizes if the project's emissions would exceed applicable thresholds.

Table 4.1-6
Maximum Daily Operational Emissions

Emissions Sources	Emissions (Pounds/Day)					
	ROG	NO _x	CO	SO ₂	PM-10	PM-2.5
Summer Emissions						
Area	10.97	0.32	27.51	0.00	0.15	0.15
Energy	0.11	0.94	0.40	0.00	0.08	0.08
Mobile ^a	4.62	4.57	38.96	0.08	9.66	2.62
Total	15.70	5.82	66.87	0.09	9.89	2.85
Winter Emissions						
Area	10.97	0.32	27.51	0.00	0.15	0.15
Energy	0.11	0.94	0.40	0.00	0.08	0.08
Mobile ^a	4.47	5.04	41.54	0.08	9.66	2.84
Total	15.55	6.30	69.45	0.09	9.89	2.85
Maximum Total	15.70	6.30	69.45	0.09	9.89	2.85
VCAPCD Thresholds	25	25	-	-	-	-
Significant Impact? Y/N	No	No				
Source: CalEEMod output, March 29, 2023.						
Totals may differ from sums due to rounding.						
^a CalEEMod default trip rates were adjusted per the project's Traffic Study.						

As shown in Table 4.1-6, during operations the project would not exceed the thresholds that the VCAPCD has determined for projects that will individually and cumulatively jeopardize attainment of the federal one-hour ozone standard. Therefore, the project would not 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.

Mitigation Measures

No mitigation is necessary as compliance with applicable requirements and the incorporation of Tier-4 final construction equipment as a project design feature will result in emissions below applicable thresholds.

Residual Impacts

Operational impacts would be less than significant without the need for mitigation measures. Construction impacts would be less than significant with incorporation of the project design feature, as noted above. Impacts would thus be less than significant without the need for mitigation.

4.1.3.3 Sensitive Receptors

The proposed project may have a significant impact if it would expose sensitive receptors to substantial pollutant concentrations. Air quality impacts are analyzed relative to those persons with the greatest

sensitivity to air pollution exposure. Such persons are called “sensitive receptors.” Sensitive receptors include the elderly, young children, the acutely and chronically ill (e.g., those with cardio-respiratory disease, including asthma), and persons engaged in strenuous work or exercise. As discussed in the Project Setting, surrounding development includes residential, commercial, and business park uses. The nearest sensitive use is an apartment complex located adjacent to the eastern boundary of the subject property.

Toxic Air Contaminants

Construction Health Risk

Exhaust particulates emitted from diesel powered equipment contains carcinogenic compounds, or toxic air contaminants (TACs). A Health Risk Assessment (HRA) has been conducted by Air Quality Dynamics to evaluate the potential effects of diesel emissions generated at the site during construction.

The HRA evaluated both carcinogenic risks and noncarcinogenic hazards for the maximum exposed residential receptors adjoining the project site. The HRA focused on quantifying the impacts of diesel particulate matter (DPM), which is an identified toxic air contaminant, pursuant to California Code of Regulation Section 93001. To assess localized impact within the vicinity of the project site, the HRA identified construction phases, calendar year, and number of days associated with each project.

Cancer Risk

Health risks associated with exposure to carcinogenic compounds can be defined in terms of the probability of developing cancer as a result of exposure to a chemical at a given concentration. Under a deterministic approach (i.e., point estimate methodology), the cancer risk probability is determined by multiplying the chemical’s annual concentration by its Unit Risk Factor (URF). The URF is a measure of the carcinogenic potential of a chemical when a dose is received through the inhalation pathway. It represents an upper-bound estimate of the probability of contracting cancer as a result of continuous exposure to an ambient concentration of one $\mu\text{g}/\text{m}^3$ over a 70 year lifetime.¹⁷

The State of California has established a threshold of .000010 URF level that poses no significant risk for exposures to carcinogens regulated under Proposition 65. The threshold is also consistent with the VCAPCD regarding maximum incremental cancer risk. To effectively quantify the dose through inhalation, the HRA followed the OEHHA recommendation to incorporate several discrete exposure sensitivity factors to account for variables such as age groups and pregnancy. **Table 4.1-7, Carcinogenic Risk/Maximum Exposed Residential Receptor**, shows the carcinogenic risk by age group.

Table 4.1-7
Carcinogenic Risk/Maximum Exposed Residential Receptor

Age Group	Risk
Third Trimester	0.00000012
0 to 2 years	0.00000029
2 to 9 years	0.00000023
Total	0.00000032
Note: The value 0.00000012 denotes cases of cancer of 0.12 out of one hundred thousand (100,000) individuals exposed. The individual risk values by age group are rounded values. The total risk value represents the actual summation of risk for the identified occupancy.	

¹⁷ The URF and corresponding cancer potency factor for DPM utilized in the assessment was obtained from the Consolidated Table of OEHHA/ARB Approved Risk Assessment Health Values, Accessed January 2023 at: <https://ww2.arb.ca.gov/resources/documents/consolidated-table-oehha-carb-approved-risk-assessment-health-values>.

The total cancer risk for the maximum exposed residential receptor is 0.0000032 URF, which is below the significant threshold 0.000010 URF.

Noncancer Risk

To evaluate the potential noncancer effects of DPM exposure, the hazard index approach was used. This method quantifies noncarcinogenic impacts using pollutant concentration (or dose) divided by the pollutant's toxicity value. Values that total or exceed 1.0 (i.e., unity), are presumed to be a health hazard, and thus is used as the threshold for a potential significant impact. The calculated hazard index value for the maximum exposed residential receptor was 0.0038, which is well below the threshold level of 1.0 identified above.

According to the HRA, the carcinogenic risk and noncarcinogenic risk for the maximum exposed residential receptor are both predicted to be below the significance thresholds, and impacts would be less than significant.

Operational Health Risk

During operations, multifamily-residential and commercial uses are typically not associated with substantial diesel truck use, and emissions of TACs associated with diesel exhaust during operations would be less than significant.

Carbon Dioxide Hot Spots

A carbon monoxide (CO) hotspot is a localized concentration of CO that is above the state or national 1-hour or eight hour CO ambient air standards. Localized CO "hotspots" can occur at intersections with heavy peak hour traffic that could cause local CO concentration to exceed federal or state AAQS. According to the VCAPCD Guidelines, a CO hotspot screening analysis should be conducted for any project with indirect emissions greater than the applicable ozone project significance thresholds that may significantly impact roadway intersections that are currently operating at, or are expected to operate at, Levels of Service E, or F. As shown in Tables 5 and 6, the project's emissions of ozone precursors ROG or NO_x would not exceed the VCAPCD significance thresholds. Additionally, the project's Traffic Study did not identify any roadway intersections currently or anticipated to operate at Levels of Service E or F. As such, pursuant to VCAPCD Guidelines, a CO hotspot screening analysis for this project would not be warranted and potential impacts would be less than significant.

San Joaquin Valley Fever

San Joaquin Valley Fever (formally known as Coccidioidomycosis) is an infectious disease caused by the fungus *Coccidioides immitis*. Infection is caused by inhalation of *Coccidioides immitis* spores that have become airborne when dry, dusty soil or dirt is disturbed by wind, construction, farming, or other activities. The Valley Fever fungus tends to be found at the base of hillsides, in virgin, undisturbed soil and is found in the southwestern United States. In its primary form, symptoms appear as a mild upper respiratory infection, acute bronchitis, or pneumonia. The most common symptoms are fatigue, cough, chest pain, fever, rash, headache, and joint aches, although 60 percent of people infected are asymptomatic and do not seek medical attention. In the remaining 40 percent, symptoms range from mild to severe. There is no recommended threshold for a significant San Joaquin Valley Fever impact; however, according to the VCAPCD the following factors may indicate a project's potential to create significant Valley Fever impacts:

- Disturbance of the top soil of undeveloped land (to a depth of about 12 inches).
- Dry, alkaline, sandy soils.

- Virgin, undisturbed, non-urban areas.
- Windy areas.
- Archaeological resources probable or known to exist in the area (Native American midden sites).
- Special events (fairs, concerts) and motorized activities (motocross track, All Terrain Vehicle activities) on unvegetated soil (non-grass).
- Non-native population (i.e., out-of-area construction workers).

According to the VCAPCD Guidelines, the lead agency should consider the factors above that are applicable to the project or the project site. Based on these or other factors, if a lead agency determines that a project may create a significant Valley Fever impact, the VCAPCD recommends that the lead agency consider the Valley Fever mitigation measures listed in the VCAPCD Guidelines to minimize fugitive dust as well as minimizing worker exposure. The VCAPCD Guidelines provides the following list of measures to be considered if the lead agency determines a project site poses a risk of San Joaquin Valley Fever:

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

The proposed project site is an infill property that is fully developed with buildings and a paved parking lot and planters with remnant landscaping. As such, development of the project would not disturb top soil of undeveloped land, or occur within virgin, undisturbed, non-urban areas. The project site also does not include archaeological resources (Native American midden sites), and the project would not host special events or motorized activities on unvegetated soil during operations. Additionally, the project would be required by VCAPCD Rule 55 to implement measures to minimize fugitive dust during construction, including application of water to exposed soils, which would minimize dust from dry soils or during windy days, which would further reduce the potential for a substantial risk of San Joaquin Valley Fever effects.

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

Mitigation Measures

No mitigation measures would be necessary for any sensitive receptor issue when incorporating the use of Tier 4 final equipment during grading as a project design feature.

Residual Impacts

Impacts would be less than significant, employing the stated project design features.

4.1.3.4 *Other Emissions/Odors*

A significant impact may occur if the proposed project would result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. Odors can cause a variety of responses, depending on factors such as frequency (how often), intensity (strength), duration (in time), offensiveness (unpleasantness), location, and sensory perception.

Land uses typically associated with objectionable odors that can potentially adversely affect a substantial number of people include certain types of agriculture, sewage treatment plants, landfills, green waste facilities, recycling facilities, petroleum refineries, chemical manufacturing, rendering plants, and certain types of food manufacturing which are not associated with residential and commercial land uses such as the project.

During construction, the application of certain materials (i.e., asphalt, paints, etc.) may generate odors that are common to construction projects. These odors would be temporary, intermittent, and mostly confined to the immediately vicinity of construction equipment or the surface in question. Such odors would dissipate into the air and if they reached sensitive receptor sites would be diluted to well below any concentrations that would cause an air quality concern. Further, odors produced by materials would begin to wane immediately after application and cease when the materials dry, and odors produced by machinery would only be present while machinery is operating. For operations, the project will include enclosure for trash and recyclable bins, to be emptied on a regular basis, and therefore would not generate objectionable odors that adversely affect a substantial number of people. As such, odor impacts of the project during construction and operation would be less than significant.

Mitigation Measures

No mitigation measures would be necessary.

Residual Impacts

Impacts would be less than significant without the need for mitigation measures.

4.1.4 Cumulative Impacts

Under CEQA, a project's impact is cumulatively considerable when the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. In considering the effects of probable future projects, Chapter 3.0, Cumulative Projects, considers buildout of the current City of Thousand Oaks General Plan to be the overall cumulative project set, with specific known or reasonably foreseeable projects listed in Table 3-1 and shown geographically in Figure 3-1. For the issue of air quality, development within the air basin is the most applicable cumulative project set.

As discussed in Section 4.1.3.1, the project would be consistent with the projected growth in the City and thus would not conflict with the AQMP. As evaluated in Section 4.3.3.2, the project would not result in a cumulatively considerable increase in air pollutants for which the VCAPCD has adopted relevant thresholds of significance. Other projects in the Basin may also be required to implement construction phase mitigation to assure less than significant impacts; however, the level of impacts cannot be known in advance and would be subject to City CEQA review. Operational impacts would be less than significant and would not

contribute to a cumulatively significant impact. Since the criteria pollutant analysis is prepared in a cumulative context, the air districts have determined that the impact conclusions apply to cumulative impacts as well (i.e., this Section 4.1.4).

As evaluated in Section 4.1.3.3, as the construction program will follow VCAPCD guidance on Valley Fever protocols (though the fungus *Coccidioides immitis* is not known to be present), impacts would be avoided and would not add a cumulatively considerable impact, since there are no related projects adjacent to the site that could in combination with the proposed project generate substantial concentrations of pollutants or odors affecting the sensitive receptors adjacent to the project's eastern and southern boundary. In terms of construction-phase health risk effects, the project HRA found that using the same assumptions for the construction program as the CalEEMod modeling, the project would have a less than significant impact on neighboring sensitive use during construction (i.e., residential apartments located east of the project's eastern boundary). No other related projects are anticipated to be developed near the project site or sensitive receptor site in the same timeframe; thus, no significant cumulative impact would occur.

Based on the above, the Latigo Hillcrest mixed-use development would not result in a cumulatively considerable contribution to air quality impacts, and cumulative impacts would be less than significant.

4.2 BIOLOGICAL RESOURCES

This Draft Environmental Impact Report (EIR) analysis section considers the potential for the Latigo Hillcrest project to result in impacts to biological resources and identifies opportunities to avoid, reduce, or otherwise mitigate potential significant impacts where warranted.

This Section describes the existing conditions at the proposed project site and surrounding area, summarizes the applicable regulatory framework that guides the decision-making process, identifies thresholds for determining if the proposed project would result in significant impacts, analyzes anticipated impacts (direct, indirect, and cumulative), provides mitigation measures to reduce impacts where warranted, and discusses residual impacts (i.e., level of significance after mitigation). The significance of project impacts has been determined in accordance with criteria based on Appendix G of the State California Environmental Quality Act (CEQA) Guidelines. Where applicable, additional regulatory agency guidelines or requirements are incorporated as additional considerations in evaluating environmental significance. Sources used in the analysis are cited herein where relevant to the analysis; a comprehensive list of references is provided in Chapter 7.0, Organizations and Persons Consulted and References, of this EIR. This evaluation is based upon the Oak Tree Report¹ (“oak tree report”) prepared by TREES, etc., provided in **Appendix D, Biological Resources**. In addition, a general biological field reconnaissance was conducted by Envicom Corporation on November 15, 2022 wherein the site was walked and native plant and animal species present were recorded, along with a review of the exotic landscaping plants present.

4.2.1 Existing Conditions

The project proposes to construct a four-story mixed-use development encompassing 629,937 gross square feet (sf) of building area, that would contain 333 multi-family residential units (including 30 very low-income affordable units), common areas and amenities, and 5,300 gross sf of commercial retail and restaurant space above a semi-subterranean parking structure, on an 8.19-net acre (8.28-gross acre) site at 2150 W. Hillcrest Drive, in the Newbury Park area of the City of Thousand Oaks. The project site is bounded on the south by the right-of-way of U.S. Route 101 (freeway or 101 Freeway), on the west by Rancho Conejo Road and a Chevron automobile service station (with a 7-Eleven convenience store), on the north by West Hillcrest Drive, and on the east by The Linden Apartments complex. The site is currently developed with an approximately 56,667 square-foot, two-story commercial office building constructed in 1983, surrounded by a large parking lot and interspersed landscaping. There are currently 28 coast live oak trees (*Quercus agrifolia*) on site, which are protected under Chapter 4, Article 42 of the Thousand Oaks Municipal Code (TOMC), “Oak Tree Preservation and Protection.”

Environmental Setting

Vegetation and Plant Communities

The project site does not contain any areas of vegetation that were not created as part of the existing development’s landscaping. The site and all of the land adjacent to it were cleared of native vegetation and used for agricultural use as early as 1945.² By 1977 a patchwork of development surrounded the site, but the site itself remained vacant until development of the building in 1983. The southern portion of the site remained vacant until the parking lot was built in 2002-2003.³ Consequently, vegetation present on the site is almost exclusively comprised of landscaping plants that were installed at various stages of the site’s commercial usage. Species recorded such exotic landscaping plants as pride of madeira (*Echium*

¹ TREES, etc., Oak Tree Report, Second Revision Date: March 27, 2023

² Aerial photo flight C-9800, Frame 1-121, October 24, 1945, available from https://mil.library.ucsb.edu/ap_indexes/FrameFinder/

³ Aerial photo flights: TG-7700, Frame 30-10, February 1, 1977; NAPP-2C, Frame 6868-25, June 1, 1994; NAPP-3C, Frame 12467-58, June 12, 2002.

candicans), London plane tree (*Platanus x acerifolia*), cotoneaster (*Cotoneaster* sp.), magnolia (*Magnolia grandiflora*), eucalyptus (*Eucalyptus* sp.), Hawthorn berry (*Crataegus* sp.), and English ivy (*Hedera helix*). The native coast live oaks present at the site were planted as part of the development landscaping and are not remnants of original native vegetation on site. Other native species planted on site include:

- A small number of wartleaf ceanothus (*Ceanothus papillosus*), which are not a locally native species and were installed as landscaping plants;
- Weedy species located within a shallow, engineered swale/drainage feature at the south and southwest periphery of the site. The drainage appears to be subject to frequent disturbance, presumably for maintenance, and contains primarily non-native herbaceous and grass species, such as Italian thistle (*Carduus pycnocephalus*), smilo grass (*Stipa miliacea*), and Dallis grass (*Paspalum dilatatum*), but also includes a small amount of native needlegrass (*Stipa* sp.), giant horseweed (*Erigeron canadensis*), cliff aster (*Malacothrix saxatilis*), and some small coyote brush (*Baccharis pilularis*);
- A laurel sumac seedling (*Malosma laurina*); and
- A small toyon (*Heteromeles arbutifolia*).

The site is surrounded on all sides by development and there are no natural areas within at least a half mile. There is one small patch of native vegetation west/southwest of the project site on the opposite side of Rancho Conejo Boulevard, approximately 230 feet from project site. The vegetation is on a slope heading down to a parking lot located within the confines of the freeway on- and off-ramps. The slope is thickly covered with California buckwheat (*Eriogonum fasciculatum*) and California sagebrush (*Artemisia Californica*). The project would not impact this patch of vegetation. The nearest natural landform with native vegetation is a small, isolated open space area approximately 0.6 miles southwest from the site. The project site is within one mile of larger expanses of open space to the northwest, northeast, and south.

Special-Status Plant Species

Special-status species are those plants and wildlife listed, proposed for listing, or candidates for listing as threatened or endangered by U.S. Fish and Wildlife Service (USFWS) under the Federal Endangered Species Act (FESA); listed or candidates for listing as rare, threatened, or endangered by CDFW under the California Endangered Species Act (CESA) or Native Plant Protection Act; animals considered “Fully Protected” by the California Fish and Game Code (CFGC); wildlife listed as “Species of Special Concern” (SSC) by the CDFW; or any plants which are ranked based on California Native Plant Society’s (CNPS) California Rare Plant Rank (CRPR) classification system, including 1B, 2, 3, and 4.

A literature search was conducted using standard references to determine the potential presence of special-status species at the site. These references included the California Natural Diversity Database (CNDDDB) and CNDDDB’s Biogeographic Information and Observation System. CNDDDB records indicate that several special-status plant species occur within a five-mile radius of the site. The nearest occurrence is a record from 2003 that shows occurrences of southern tarplant (*Centromadia parryi* ssp. *Australis*) approximately 0.4 miles west of the site on the opposite side of the 101 Freeway in an undeveloped parcel that is routinely mowed. The project site would not be expected to host this plant. The small earthen swale along the southern edge of the subject property could possibly provide some marginally suitable habitat for this species but given the small amount of potentially suitable habitat available, the site’s long history of use and disturbance, and the developed condition of the surrounding area it is not expected to host this species. Also, no senesced plants that could have potentially been this species were observed during the biologist’s November survey of the site. In addition, the site is located within the recorded range (within one mile accuracy) of one CRPR 4 species, the Plummer’s mariposa lily (*Calochortus plummerae*), but this species was not observed on site and would be unlikely to occur given the context. The occurrence is most likely

from one of the open space areas that are within one mile of the project site. All other records of special-status species are recorded in areas of open space, which are all well away from the site and separated by extensive urban development. As the site is entirely developed and disturbed, is not adjacent to any areas of open space, and is surrounded by development on the east, west, north, and the 101 Freeway to the south, there is effectively no potential for any special-status plant species to occur on site.

Protected Trees

Oak trees are protected within City limits by Chapter 4, Article 42 of the TOMC. Landmark trees, which include other native species such as California sycamore (*Platanus racemosa*) and toyon (*Heteromeles arbutifolia*), are protected by Article 43 of the TOMC. The tree report recorded a total of 28 coast live oaks on site, 17 of which are identified for removal. Two of the trees identified for removal are noted to be in poor health. One of the trees to be protected on site is in poor health (No. 19).

The peer review confirmed the basic findings of the oak tree report with some corrections, and states that there are also several California sycamore trees planted around the existing building and to the west of it, which would qualify for protection as landmark trees. However, the field survey and follow up literature consultation confirmed the trees in question are London plane trees (*Platanus x acerifolia*) which are similar in appearance to sycamores, especially the older trees noticed by the peer review, but are not a native species and not protected. Confirmation was based on the lack of stipules and irregularly toothed margins of the mature leaves. The toyon found on site was immature and did not meet the size necessary for protection under Article 43 of the TOMC which is eight inches in diameter at 4.5 feet above natural grade at the base of the tree.

Wildlife

Wildlife species observed on site during Envicom's general biological November 2022 field reconnaissance were those that are common to urbanized areas, including eastern fox squirrel (*Sciurus niger*), dark-eyed junco (*Junco hyemalis*), Anna's hummingbird (*Calypte anna*), American crow (*Corvus brachyrhynchos*), mourning dove (*Zenaida macroura*), and yellow-rumped warbler (*Setophaga coronata*). No special status wildlife species were observed. There were multiple occurrences within CNDDDB records of special status species within a five-mile radius of the project site, but none on or close to the project site. The only special-status wildlife species known to occur in the region that may forage at the project site or roost in large trees located on site is the Cooper's hawk (*Accipiter cooperii*).⁴ This species is known to forage and/or roost in highly urbanized areas. Several large eucalyptus and other non-native trees are located on the site, which may provide potential nesting opportunities for Cooper's hawks. No other special-status wildlife species have potential to occur as the vegetation on site does not provide suitable habitat for special-status species recorded in the area.

Wildlife Movement and Habitat Linkages

Wildlife migration corridors are physical connections that allow wildlife to move between areas of suitable habitat within fragmented landscapes. Movement corridors for wildlife are necessary for species to access essential resources, such as food and water sources, breeding habitat, and dispersal and migration. Such corridors also facilitate the mixing of genes between populations which is critical for the long-term survival of many species. Habitat linkages are migration corridors that contains contiguous areas of native vegetation between source and receiver areas, and therefore provide enough forage and cover for temporary habitation.

⁴ California Department of Fish and Wildlife, Watch List.

As the site has been developed for over 40 years, is fenced around the perimeter, bordered by the 101 Freeway right-of-way on the south, and is surrounded by urban development on the remaining three sides, there are no wildlife corridors or habitat linkages within the boundaries of the project site.

Waters and Wetlands

There are no naturally occurring water courses or bodies within the project boundaries. A swale/drainage feature is located at the south and southwestern borders of the site, presumably installed to catch runoff from the parking lot. This feature would not be considered a stream or creek, and would not be considered a water of the U.S. The Arroyo Conejo Creek flows past the southern property line of the project site within a concrete channel. The edge of the channel is approximately 20 feet south of the property line, the centerline of the channel approximately 45 feet south of the line.

Regulatory Setting

Federal

Endangered Species Act

The Federal Endangered Species Act (FESA) and implementing regulations, Title 16 United States Code (USC) Section 1531 et seq. (16 USC 1531 et seq.), Title 50 Code of Federal Regulations (CFR) Section et seq. (50 CFR Section 17.1 et seq.), includes provisions for the protection and management of federally listed threatened or endangered plants and animals and their designated critical habitats. FESA defines an “Endangered species” as “any species which is in danger of extinction throughout all or a significant portion of its range” and a “Threatened species” as “any species which is likely to become an Endangered species within the foreseeable future throughout all or a significant portion of its range.” FESA also provides the framework for protection of “Candidate species”, species for which there is sufficient supporting scientific information for listing. There are two classes of candidate species. The first class is composed of species that have been proposed for listing. The second class is composed of species for which there is sufficient information on biological vulnerability and threat(s) to list, but the listing process has not begun or is in some preliminary stage.

Under Section 9(a)(1)(B) of FESA, it is unlawful to “take” any listed species. “Take” is defined as “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” Further, the USFWS, through regulations, has interpreted the terms “harm” and “harass” to include certain types of habitat modification as forms of “take.” A “take” is determined on a case-by-case basis and often varies from species to species. If a project requires a permit from a federal agency and the project could affect a federally listed plant or animal species, the property owner and/or the federal agency must consult with the USFWS.

Section 7 of FESA requires a permit to take Threatened or Endangered species during lawful project activities on federal land or involving a federal action; Section 10 of FESA provides a method for permitting incidental take resulting from a state or private action. The administering agency is the USFWS for terrestrial, avian, and most aquatic species; marine and anadromous species (e.g., steelhead) are administered by the National Marine Fisheries Service (NMFS). Section 9(a)(2)(b) of FESA also addresses the protections afforded to listed plants. FESA also discusses recovery plans and the designation of critical habitat for listed species.

Fish and Wildlife Coordination Act

Section 7 of the Fish and Wildlife Coordination Act, 16 U.S.C. 742, et seq., 16 U.S.C. Section 1531, et seq., and 50 C.F.R. Section 17 require consultation if any project facilities could jeopardize the continued

existence of an Endangered species. Applicability depends on federal jurisdiction over some aspect of the project. If consultation under Section 7 is required for the project, the administering agency would be the United States Army Corps of Engineers (USACE) in coordination with the NMFS.

Migratory Bird Treaty Act of 1918 and Bald and Golden Eagle Protection Act

The Migratory Bird Treaty Act (MBTA) (16 USC Sections 703-711) includes provisions for protection of migratory birds, including the non-permitted take of migratory birds, under the authority of the USFWS and California Department of Fish and Wildlife (CDFW). The MBTA defines “take” as “to pursue, hunt, capture, collect, kill or attempt to pursue, hunt, shoot, capture, collect or kill, unless the context otherwise requires.” Most birds are considered migratory under the MBTA. The Bald and Golden Eagle Protection Act (16 U.S. Code Section 668) prohibits the take or commerce of any part of these species. The USFWS administers both Acts and reviews federal agency actions that may affect species protected by the Acts.

Clean Water Act

The Clean Water Act was originally enacted in 1948 named the federal Water Pollution Control Act. In 1972, the act was significantly overhauled and expanded where it officially became the Clean Water Act (CWA) of 1972. The CWA has allowed the Environmental Protection Agency (USEPA) to implement pollution controls and developed national water quality criteria recommendations. The United States Army Corps of Engineers (USACE) and the United States Environmental Protection Agency (USEPA) regulate the discharge of dredged or fill material into “waters of the U.S.,” including wetlands, under Section 404 of the Clean Water Act (CWA), 33 U.S.C. Section 1344. Waters of the U.S. are defined as “rivers, creeks, streams, and lakes extending to their headwaters and any associated wetlands.” Wetlands are defined as “areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions.” Activities in waters of the US. regulated under Section 404 include fill for development, water resource projects (such as dams and levees), infrastructure developments (such as highways and airports) and mining projects. Section 404 of the CWA requires a permit before dredged or fill material may be discharged into waters of the U.S., unless the activity is exempt from Section 404 regulation (e.g., certain farming and forestry activities).

Section 401 of the CWA, 33 U.S.C. Section 1341, requires an applicant for a federal license or permit to conduct an activity that may result in a discharge of a pollutant into waters of the U.S. to obtain a certification from the state in which the discharge originates or would originate stating that it will comply with the applicable effluent limitations and water quality standards. In California, before the USACE will issue a Clean Water Act Section 404 permit, an applicant must obtain a “water quality certification” under Section 401 from the State Water Resources Control Board (SWRCB) or one of the nine Regional Water Quality Control Boards (RWQCBs).

Plant Protection Act of 2000

The Plant Protection Act of 2000 prevents importation, exportation, and spread of pests that are injurious to plants, and provides for the certification of plants and the control and eradication of plant pests. The Act consolidates requirements previously contained within multiple federal regulations including the federal Noxious Weed Act, the Plant Quarantine Act, and the federal Plant Pest Act.⁵

⁵ Los Angeles County Department of Regional Planning. 2020. Draft Environmental Impact Report for Santa Monica North Area Plan and Community Standards District Update. Section C.4 Biological Resources. May.

State

The CESA and implementing regulations in CFGC Sections 2050 to 2098, include provisions for the protection and management of plant and animal species listed as Endangered or Threatened, or designated as Candidates for such listing. CESA defines an “Endangered species” as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.” The state defines a “Threatened species” as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an Endangered species in the foreseeable future in the absence of the special protection and management efforts.” The state defines a “Candidate species” as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the commission has formally noticed as being under review by the department for addition to either the list of Endangered species or the list of Threatened species, or a species for which the commission has published a notice of proposed regulation to add the species to either list.”

The Act includes a consultation requirement “to ensure that any action authorized by a state lead agency is not likely to jeopardize the continued existence of any Endangered or Threatened species...or result in the destruction or adverse modification of habitat essential to the continued existence of the species” (Fish and Game Code Section 2090). Plants of California declared to be Endangered, Threatened, or Rare are listed within the California Code of Regulations (CCR) Title 14 Section 670.2.⁶ Animals of California declared to be Endangered or Threatened are listed at 14 CCR Section 670.5. CCR Title 14 Section 15000, *et seq.* describes the types and extent of information required to evaluate the effects of a project on the biological resources of a project site.

Fish and Game Code of California

The Fish and Game Code of California provides specific protection and listing for several types of biological resources. These include:

- Fully Protected species,
- Streams, rivers, sloughs, and channels,
- Significant Natural Areas, and
- Designated Ecological Reserves.

Fully Protected Species are listed in Section 3511 (Fully Protected birds), Section 4700 (Fully Protected mammals), Section 5050 (Fully Protected reptiles and amphibians), and Section 5515 (Fully Protected fishes). The Fish and Game Code of California prohibits the taking of species designated as Fully Protected. Under the Fish and Game Code, Fully Protected species “may not be taken or possessed at any time and no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to take any Fully Protected species,” although take may be authorized for necessary scientific research. This language makes the “Fully Protected” designation the strongest and most restrictive regarding the “take” of these species.

The Fish and Game Code, Section 1602, requires a Streambed Alteration Agreement for any activity that may “substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, wastes or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or

⁶ The “Rare” designation is discussed under the Native Plant Protection Act (NPPA) of 1977 heading.

lake.” Typical activities that require a Streambed Alteration Agreement include excavation or fill placed within a channel, vegetation clearing, structures for diversion of water, installation of culverts and bridge supports, cofferdams for construction dewatering, and bank reinforcement. A Streambed Alteration Agreement includes measures to protect the affected resource.

The term “stream,” which includes creeks and rivers, is defined in the CCRs as “a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having a surface or subsurface flow that supports or has supported riparian vegetation” (14 CCR, Section 1.72). In addition, the term “stream” can include ephemeral streams, dry washes, watercourses with subsurface flows, canals, aqueducts, irrigation ditches, and other means of water conveyance if they support aquatic life, riparian vegetation, or stream-dependent terrestrial wildlife. “Riparian” is defined as “on, or pertaining to, the banks of a stream;” therefore, riparian vegetation is defined as “vegetation which occurs in and/or adjacent to a stream and is dependent on, and occurs because of, the stream itself.”

The Fish and Game Code Sections 1930 to 1940 designate Significant Natural Areas. These areas include refuges, natural sloughs, riparian areas, and vernal pools and significant wildlife habitats. An inventory of Significant Natural Areas is maintained by the CDFW Natural Heritage Division and is part of the California Natural Diversity Database (CNDDDB). Fish and Game Code Section 1580 lists Designated Ecological Reserves. Designated Ecological Reserves are significant wildlife habitats to be preserved in natural condition for the general public to observe and study.

The Fish and Game Code Sections 2081(b) and (c) allow the CDFW to issue an incidental take permit for a state listed Threatened and Endangered species only if specific criteria are met. These criteria can be found in Title 14 CCR, Sections 783.4(a) and (b). No Section 2081(b) permit may authorize the take of “fully protected” species and “specified birds.” If a project is planned in an area where a species or specified bird occurs, an applicant must design the project to avoid all take; the CDFW cannot provide take authorization under this act.

The Fish and Game Code Section 3503 specifies it is unlawful to take, possess, or needlessly destroy the nest of any bird, except as otherwise provided by this code. Section 3503.5 specifies it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey), to take, possess, or needlessly destroy the nest of any such bird, except as otherwise provided by this code.

Porter-Cologne Water Quality Control Act

In 1969, the California Legislature enacted the Porter-Cologne Water Quality Control Act (Porter-Cologne Act) to preserve, enhance and restore the quality of the state’s water resources. The Act established the SWRCB and nine RWQCBs as the principal state agencies with the responsibility for controlling water quality in California. “Waters of the State” are defined by the Porter-Cologne Act as “any surface water or groundwater, including saline waters, within the boundaries of the State.” The RWQCB protects all waters in its regulatory scope but has special responsibility for isolated wetlands and headwaters. These water bodies have high resource value, are vulnerable to filling, and may not be regulated by other programs, such as Section 404 of the CWA. Waters of the state are regulated by the RWQCB under the State Water Quality Certification Program, which regulates discharges of dredged and fill material under Section 401 of the CWA and the Porter-Cologne Act. Projects that require an USACE permit, or fall under other federal jurisdiction, and have the potential to impact waters of the state are required to comply with the terms of the Water Quality Certification Program. If a project does not require a federal license or permit but does involve activities that may result in a discharge of harmful substances to waters of the state, the RWQCB has the option to regulate such activities under its state authority in the form of Waste Discharge Requirements (WDRs) or Certification of WDRs.

California Environmental Quality Act, Public Resources Code Section 2100 *et seq.*

CEQA requires public agencies to analyze and publicly disclose the environmental impacts to biological resources from projects they approve and adopt feasible alternatives and mitigation measures to mitigate for the significant impacts they identify. The administering agency for CEQA in this case is the County of Ventura.

Public Resources Code Section 21083.4

In 2004, CEQA was amended with the passage of SB 1334, adding Section 21083.4 to the Public Resource Code, which requires a county to determine whether a project within its jurisdiction may result in a conversion of oak woodlands that will have a significant effect on the environment. PRC Section 21083.4 requires a county to mitigate for significant environmental effects resulting from the conversion of oak woodlands. To meet the requirements of PRC Section 21083.4, a county may prepare an oak conservation element for a general plan, an oak protection ordinance, or an oak woodlands management plan, or amendments thereto, using funds awarded pursuant to the Oak Woodlands Conservation Act (California Fish and Game Code Section 1360, *et seq.*).

Native Plant Protection Act of 1977

The Native Plant Protection Act of 1977 (NPPA) and implementing regulations in Fish and Game Code, Section 1900, *et seq.*, designates rare and endangered native plants and provides specific protection measures for identified populations. The NPPA directs the CDFW to “preserve, protect, and enhance rare and endangered plants in this State.” The NPPA gave the California Fish and Game Commission the power to designate native plants as Endangered or Rare, and to require permits for collecting, transporting, or selling such plants. In 1984 the CESA expanded on the original NPPA and enhanced legal protection for plants by creating the categories of “Threatened” and “Endangered” species. Plants that were listed as “Endangered” under the NPPA are protected as “Endangered” species under the CESA, but the CESA does not provide protection for species listed as “Rare” under the NPPA. There are currently 64 species, subspecies, and varieties of plants that are protected and designated as “Rare” under the NPPA. A native plant is “Rare” when “although not presently threatened with extinction, it is in such small numbers throughout its range that it may become endangered if its present environment worsens.” The NPPA prohibits take of plants that are protected as Endangered or Rare but includes some exceptions for agricultural and nursery operations; emergencies; and after properly notifying CDFW for vegetation removal from canals, roads, and other sites, changes in land use, and in certain other situations.

California Department of Fish and Wildlife Special Animals List

“Special Animals” is a general term that refers to all the taxa the CNDDDB tracks, regardless of their legal or protection status. The CDFW considers the taxa on this list to be those of greatest conservation need. The species on this list generally fall into one or more of the following categories: (1) officially listed or proposed for listing under CESA or FESA; (2) state or federal candidate for possible listing; (3) taxa which meet the criteria for listing, even if not currently included on any list, as described in CEQA Guidelines Section 15380; (4) taxa considered by the CDFW to be a Species of Special Concern; (5) taxa that are biologically rare, very restricted in distribution, declining throughout their range, or have a critical, vulnerable stage in their life cycle that warrants monitoring; (6) populations in California that may be on the periphery of a taxon’s range, but are threatened with extirpation in California; (7) taxa closely associated with a habitat that is declining in California at an alarming rate (e.g., wetlands, riparian, old growth forests, desert aquatic systems, native grasslands, vernal pools, etc.); and (8) taxa designated as a special status, sensitive, or declining species by other state or federal agencies, or a non-governmental organization (NGO).

Species of Special Concern

“Species of Special Concern” are broadly defined as animals not listed under FESA or CESA, but which are nonetheless of concern to the CDFW, because they are declining at a rate that could result in listing or historically occurred in low numbers and known threats to their persistence currently exist. This designation is intended to result in special consideration for these animals by the CDFW, land managers, consulting biologists, and others, and is intended to focus attention on the species to help avert the need for costly listing under FESA and CESA and cumbersome recovery efforts that might ultimately be required. This designation is also intended to stimulate collection of additional information on the biology, distribution, and status of poorly known at-risk species, and focus research and management attention on them. Although these species generally have no special legal status, they are given special consideration under CEQA during project review.

The CDFW also maintains a “watch list” of taxa that have previously been designated as SSC, or which do not yet meet the criteria for SSC status, but for which there is a concern and a need for additional information in order to clarify status.

California Native Plant Society

The California Native Plant Society (CNPS) publishes and maintains an Inventory of Rare and Endangered Vascular Plants of California, which is currently in its 8th edition. The inventory assigns plants to the following Rare Plant Ranks:

- 1A – Presumed extirpated in California and either rare or extinct elsewhere.
- 1B – Rare, threatened, or endangered in California and elsewhere.
- 2A – Presumed extirpated in California, but more common elsewhere.
- 2B – Rare, threatened, or endangered in California, but more common elsewhere.
- 3 – Plants for which more information is needed – a review list.
- 4 – Plants of limited distribution – a watch list.

Additional endangerment codes are assigned to each taxon as follows:

- Seriously endangered in California (over 80 percent of occurrences threatened/high degree of immediacy of threat)
- Fairly endangered in California (20 – 80 percent occurrences threatened).
- Not very endangered in California (< 20 percent of occurrences threatened, or no current threats known).

Plants assigned to Rare Plant Ranks 1A, 1B, 2A, 2B, and 3 of the CNPS Inventory consist of plants that may qualify for listing and are given special consideration under CEQA during project review. Although plants assigned to Rare Plant Rank 4 have little or no protection under CEQA, they are usually included in the project review process. The ranking system has been known as the CNPS List, however in state publications has been referred to as the “California Rare Plant Rank” (CRPR) since 2010 as the ranking and list are a product of collaboration between the CNPS and other entities.

Sensitive Vegetation Communities

Sensitive vegetation communities are natural communities and habitats that are either unique, of relatively limited distribution in the region, or of particularly high value to wildlife. These resources have been defined by federal, state, and local conservation plans, policies or regulations. The CDFW ranks sensitive

communities as “threatened” or “very threatened” and keeps records of occurrences of some sensitive communities in its CNDDDB. Sensitive vegetation communities are also identified by the CDFW on its List of Vegetation Alliances and Associations (Natural Communities List). Impacts to sensitive natural communities and habitats identified in local or regional plans, policies, regulations, or by federal or state agencies must be considered and evaluated (CEQA Guidelines Appendix G). The County's General Plan, considers plant communities that are ranked as G1 or S1 (critically imperiled globally or sub-nationally [California]), G2 or S2 (imperiled), or G3 or S3 (vulnerable to extirpation or extinction) through NatureServe’s Natural Heritage Program and the CNDDDB (CDFW, Vegetation Classification and Mapping Program, List of California Vegetation Alliances, as amended); and oak woodlands, pursuant to Section 21083.4 of the California Public Resources Code (PRC) to be a locally important.

Local

Thousand Oaks Municipal Code

Chapter 4, Article 42 of the TOMC regulates the protection and preservation of native oak trees within City limits. Oak trees protected by Article 42 include, but are not limited to, Valley Oaks (*Quercus lobata*), California Live Oaks (*Quercus agrifolia*), and Scrub Oaks (*Quercus berberidifolia*). Article 43 of the TOMC regulates protection and preservation of “Landmark Trees,” which are certain native tree species that have reached a particular size, or any tree designated as such by the City. The following trees are protected under Articles 42 and 43 of the TOMC:⁷

- Oak trees that are larger than 2 inches in size when measured at breast diameter height (DBH) (4-1/2 feet) above the trees natural grade. If the tree has multiple trunks, the aggregate total diameter of all trunks shall exceed two inches in diameter.
- California Sycamore (*Platanus racemosa*) which exceeds 12 inches in diameter measured at DBH above the natural grade at the base of the tree.
- California Bay Laurel (*Umbellularia californica*) which exceed 8 inches in diameter measured at DBH above the natural grade at the base of the tree.
- California Black Walnut (*Juglans californica*) which exceeds 8 inches in diameter measured at DBH above the natural grade at the base of the tree.
- Toyon (*Heteromeles arbutifolia*) which exceeds 8 inches in diameter measured at DBH above the natural grade at the base of the tree.
- For multiple trunks of landmark trees, the sum of the diameters at DBH must exceed the required diameters listed above plus 2 inches.
- All designated historic trees.

Permission to remove an oak or landmark tree is procured through a permit process.

4.2.2 Thresholds of Significance

The potential biological resource impacts of the project have been analyzed in relation to the following threshold criteria, which are based upon the State CEQA Guidelines Appendix G Checklist. The proposed project could be considered to have a significant impact if the project would [or has the potential to] (short title for impact headings shown in parentheses):

⁷ City of Thousand Oaks, Municipal Code Section 9-4.4205 and Section 9-4.4302.

- 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 CDFW or USFWS. (*Native Species*)
- Have a substantial adverse effect on any sensitive natural communities (e.g., riparian habitat, coastal sage scrub, oak woodlands, non-jurisdictional wetlands) identified in local or regional plans, policies, regulations or by CDFW or USFWS. (*Natural Communities*)
- Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means. (*Wetlands or Waters of the U.S.*)
- 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. (*Wildlife Movement*)
- Conflict with any local policies or ordinances protecting biological resources, including the Thousand Oaks Oak Tree and Landmark Tree Preservation and Protection regulations. (*Policy Consistency*)
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved state, regional, or local habitat conservation plan. (*Habitat Plans*)

4.2.3 Project Impacts and Mitigation Measures

The project proposes to construct a four-story mixed-use development with 333 multi-family residential units and 5,300 gross sf of commercial retail and restaurant space on the ground floor above two semi-subterranean parking structures. The entirety of the 8.19-net acre site will be redeveloped with areas outside of the building footprints landscaped or hardscaped.

4.2.3.1 *Native Species*

The proposed project may have a significant impact if it would result in adverse impacts, either directly or through habitat modifications, to any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.

Special Status Plant Species

As discussed in Section 4.2.1 there are no sensitive or special status plant species present within the project site. The coast live oak trees are not considered sensitive or special-status at the state level; potential impacts from removal of oak trees according to local ordinance are discussed in Section 4.2.3.5.

Special Status Wildlife Species

As discussed in Section 4.2.1 there are no known sensitive or special status wildlife species present within the project site, and no recorded occurrences of such wildlife at the project site. Sensitive and special status wildlife species recorded within a five-mile radius would not be expected to be present at the project site. Sensitive terrestrial species would be unlikely to be present as the property is separated from open space and natural areas by development, roads, and freeways. There is also no native habitat present at the site, and very few species of native plants. Sensitive wildlife species with specific habitat or food needs would therefore be unlikely to be present. However, the site does contain several mature trees which could potentially be utilized by the Cooper's hawk (*Accipter cooperii*), which is on the CDFW Watchlist. This species could use mature trees on site for nesting. In addition, the pallid bat (*Antrozous pallidus*), a CDFW Species of Special Concern, is known to roost in vacant structures and could therefore potentially roost in

the building on site. Project compliance with the Migratory Bird Treaty Act (MBTA) would reduce potential impacts to Cooper's hawk and other bird species that may potentially nest at the site to less than significant levels. The MBTA requires a nesting bird survey to be conducted no more than three days prior to initiation of ground-disturbing activities if occurring during nesting season (generally between February 1 and August 31). A qualified biologist would survey the area within the disturbance footprint plus a 100-foot buffer (300-foot for raptors), where feasible, during a time of day when birds are active. If bird nests are found, an avoidance buffer appropriate for the species and the proposed work activity (ranging up to 300 feet for raptors), is demarcated by the biologist. Active nests are then monitored at a minimum of once per week and no ground disturbance or vegetation removal is allowed to occur within the buffer until the biologist confirms that breeding/nesting has ended, and all the young have fledged. Complying with the MBTA would ensure no significant impacts to sensitive or special-status birds would occur.

To reduce potential impacts to pallid bats to less than significance, it will be necessary to implement Mitigation Measure BIO-1, requiring a pre-disturbance survey of the building for roosting bats.

Mitigation Measures

BIO-1: No earlier than three days prior to ground or vegetation disturbing activities, and separately three days prior to demolition activities if occurring 14 days or more after ground or vegetation disturbing activities, a City-approved qualified biologist shall inspect the outside and inside of the vacant structure for sign of roosting bats, such as presence of guano or direct observations. A report of the bat survey results shall be submitted to the City for review and approval prior to ground and/or vegetation disturbance activities. If evidence of bat roosting is observed, building demolition shall not be allowed until a qualified biologist can verify that the roost is no longer active. Separate ground or vegetation disturbing activities may commence if determined appropriate by the biologist, with or without an avoidance buffer if found necessary. If necessary, bats may be evicted and building demolished following submittal and approval of a Bat Avoidance Plan by California Department of Fish and Wildlife (CDFW).

Residual Impacts

Implementation of mitigation measure BIO-1 would reduce potential impacts to pallid bats to less than significant levels by requiring pre-disturbance and/or demolition surveys to avoid significantly affecting roosting bats and avoiding unmitigated impacts.

4.2.3.2 *Natural Communities*

The proposed project may have a significant impact if it would result in a substantial adverse effect on any sensitive natural communities (e.g., riparian habitat, coastal sage scrub, oak woodlands, non-jurisdictional wetlands) identified in local or regional plans, policies, regulations or by CDFW or USFWS.

As explained in Section 4.2.1, there are no sensitive natural communities on the project site. The 28 coast live oak trees present on site were planted as part of the landscaping palette for the existing commercial development, are not within a natural context or from naturally occurring regeneration, and do not constitute an oak woodland. As such, there would be no impacts to sensitive natural plant communities.

Mitigation Measures

No mitigation measures would be necessary.

Residual Impacts

Impacts would be less than significant without the need for mitigation measures.

4.2.3.3 Wetlands or Waters of the U.S.

The proposed project may have a significant impact if it would result in a substantial adverse effect on federally protected wetlands (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) or waters, as defined by § 404 of the federal Clean Water Act or California Fish & Game Code § 1600, et seq., through direct removal, filling, hydrological interruption, or other means.

There are no wetlands or waters of the United States or California on the project site. Arroyo Conejo Creek runs in a concrete channel behind (south of) the project site. Theoretically, the project could impact the creek through the release of sediment into the creek from erosion occurring on site, particularly during the earth-moving phase of construction. However, standard regulatory requirements will ensure soil is kept on site during construction and that there is no opportunity for erosion from stormwater runoff during operations. Specifically, the project will be required to submit a Storm Water Pollution Prevention Plan (SWPPP) to the City prior to permitting which will detail the BMPs employed on site to ensure any runoff generated during construction is contained on site, ensuring eroded soil or effluent does not enter the creek. In addition, prior to construction permitting, the final plans must demonstrate that the site is designed according to Ventura County's Low Impact Design (LID) Ordinance, which requires the site to detain stormwater from the majority of rain events (85%), and for overflows to be conveyed to designated stormwater drainages. Compliance with these measures will ensure potential erosion on site is contained, and potential impacts to the creek would therefore be less than significant.

Mitigation Measures

No mitigation measures would be necessary.

Residual Impacts

Impacts would be less than significant without the need for mitigation measures.

4.2.3.4 Wildlife Movement

The proposed project may have a significant impact if it would substantially interfere 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.

As explained in 4.2.1 as the site has been fully developed for decades, has fencing around its perimeter, and is surrounded by urban development, there is very little capacity for the property to serve as a wildlife corridor or habitat linkage, and therefore, there would be no impacts.

Mitigation Measures

No mitigation measures would be necessary.

Residual Impacts

Impacts would be less than significant without the need for mitigation measures.

4.2.3.5 Policy Consistency

The proposed project may have a significant impact if it would conflict with any local policies or ordinances protecting biological resources, including the Thousand Oaks Oak Tree and Landmark Tree Preservation and Protection regulations.

In order to remove the 17 protected coast live oak trees and encroach into the protected zone of 11 coast live oak trees, the applicant must obtain a Protected Tree Permit, which is one of the entitlements required for the project. Removal of coast live oak trees requires approval by the Planning Commission (or higher approval body). A Protected Tree Permit is granted with certain conditions, chief of which is replacement of the removed oaks at a ratio according to the Oak Tree Preservation and Protection Guidelines. Where on-site replacement is not possible, in-lieu fees may be utilized.

The proposed tree replacement program would plant three trees for each tree removed, consisting of two 24-inch box and one 36-inch box trees in compliance with the Guidelines. The total number of replacement oaks would be thirty-four 24-inch box trees and seventeen 36-inch box trees. Sheet L5-2 of the project plan set shows the proposed location of 47 on-site replacement trees, a mix of 20 valley oak and 16 coast live oak trees, and 11 California sycamore trees.⁸ For those four replacement trees unable to be located on site, the applicant will compensate for the removal of the tree by providing the dollar value of each tree as a cash donation to Conejo Open Space Conservation Fund to be used toward open space land acquisition. The new on-site landscaping will include a total of approximately 69 new ornamental trees, in addition to the 11 retained oaks and the 47 replacement trees (see Appendix B, Sheets L5-1, L5-2 and L5-3 of the site plan set). The protected tree permit will provide the specific conditions that the project must follow in order to comply with the ordinance and obtain the permit.

Mitigation Measures

No mitigation measures would be required.

Residual Impacts

Impacts would be less than significant without the need for mitigation measures.

4.2.3.6 Habitat Plans

The proposed project may have a significant impact if it would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

There are no Habitat Conservation Plans, Natural Community Conservation Plans, or other habitat conservation plans that apply to the site; therefore, there would be no impacts.

Mitigation Measures

No mitigation measures would be necessary.

Residual Impacts

Impacts would be less than significant without the need for mitigation measures.

⁸ Ktgy Architecture & Planning, 2150 Hillcrest Dr., Formal Application Re-Submittal 2, March 23, 2023. (Appendix B)

4.2.6 Cumulative Impacts

Under CEQA, a project's impact is cumulatively considerable when the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

As described within this EIR Section, all project impacts were found to be either of no effect, less than significant, or less than significant with mitigation measures. The lack of project impacts to biological resources is primarily due to the fact that the project is a fully developed site surrounded by urban development, not located in close proximity to any natural open space. As such, the project would not add a significant contribution to area impacts to biological resources, and its impact would not be cumulatively considerable. Regulatory compliance would assure less than significant impacts to oak trees and potentially nesting birds. A project mitigation measure is provided to ensure no significant impacts to potentially occurring bats. Any future projects with the potential for environmental impacts would be assessed for potentially needed mitigation measures through the City's project and CEQA review procedures. For projects with potential impacts, mitigation measures and compliance with City ordinances and state and federal regulations will be employed to reduce environmental impacts. Based on the project's less than cumulatively considerable contribution, as well as the City review procedures for future projects, cumulative impacts are determined to be less than significant.

4.3 CULTURAL, TRIBAL CULTURAL, AND PALEONTOLOGICAL RESOURCES

This Draft Environmental Impact Report (EIR) analysis section considers the potential for the Latigo Hillcrest project to result in impacts to cultural resources and identifies opportunities to avoid, reduce, or otherwise mitigate potential significant impacts where warranted.

This section describes the existing conditions at the proposed project site and surrounding area, summarizes the applicable regulatory framework that guides the decision-making process, identifies thresholds for determining if the proposed project would result in significant impacts, analyzes anticipated impacts (direct, indirect, and cumulative), provides mitigation measures to reduce impacts where warranted, and discusses residual impacts (i.e., level of significance after mitigation). The significance of project impacts has been determined in accordance with criteria based on Appendix G of the State California Environmental Quality Act (CEQA) Guidelines. Where applicable, additional regulatory agency guidelines or requirements are incorporated as additional considerations in evaluating environmental significance. Sources used in the analysis are cited herein where relevant to the analysis; a comprehensive list of references is provided in Chapter 7.0, Organizations and Persons Consulted and References, of this EIR. This evaluation is based upon the Cultural Resources Assessment prepared by Envicom Corporation¹ and provided in (**Appendix E**).

4.3.1 Existing Conditions

The environmental setting and regulatory setting establish existing conditions relevant to the project. The project impact analysis presented later in this section is based on these baseline conditions.

Environmental Setting

Site Overview

The project site consists of an approximately 8.19-net acre lot located at 2150 West Hillcrest Drive east of Rancho Conejo Boulevard, consisting of Assessor's Parcel Number (APN) 667-0-113-075 (previously APN 667-0-113-025).² It is bounded by Hillcrest Drive to the north, multi-family residences (Linden Apartments) to the east, U.S. Route 101 (freeway or 101 Freeway) to the south, and Rancho Conejo Boulevard to the west.

Existing Land Use

Prior to Latigo LLC's purchase of the site, it was in commercial use. The site was developed with a two-story former office building associated with Amgen, two surface asphalt parking lots, and landscaping/street trees, under City of Thousand Oaks Development Permit No. 1982-512, approved in 1982. Existing surrounding land uses include a gas station on the southeast corner of West Hillcrest Drive east of Rancho Conejo Boulevard, commercial uses (including a 7-Eleven convenience store) west of Rancho Conejo Boulevard, business park uses to the north across Hillcrest Drive and on the northwest corner of Hillcrest Drive and Rancho Conejo Boulevard, multi-family residential uses (i.e., Linden Apartments) immediately to the east and single family homes further to the east, the south branch of the Arroyo Conejo channelized drainage to the south and U.S. Route 101 (freeway or 101 Freeway) right-of-way further to the south (see Chapter 2.0, Project Description, Figure 2-1, Regional Location and Figure 2-2, Vicinity Map).

¹ Envicom Corporation, Cultural Resources Phase I Assessment, November 11, 2022.

² GIS Online Map of City of Thousand Oaks, date accessed on August 16, 2022; at: <http://map.toaks.org/Html5Viewer/Index.html?Viewer=public>

Historical Setting

The project's Cultural Resources Assessment investigated the history of the site based on historic aerial photographs, USGS maps, and historic Google Earth satellite images. The 1900 Triunfo Pass USGS map showed some roads and houses within the project region. Maps leading up to the 1943 Triunfo USGS map showed no development onsite, and a lack of development around the project region in the first half of the 1900s. The Cultural Resource Report noted that the project region saw an increase in local development in the 1967 Newbury Park USGS map, which can be attributed to the development of 101 Freeway. The historic aerial photographs from 1985 shows the project site developed with the existing two-story building and parking lot configuration.

Archaeological and Paleontological Setting

The project site is located in the Transverse Ranges Geomorphic Province consisting of roughly east-west trending Santa Monica, San Gabriel, and San Bernardino Mountains. The project is located in an area that is underlain by older alluvial material and the Monterey Formation, which are known for fossil resources. Monterey Formation is prevalent in California, and in many areas in Southern California, Monterey siliceous rocks are from the late middle Miocene and upper Miocene age.³

Regulatory Setting

Federal

First authorized by the Historic Sites Act of 1935, the National Register of Historic Places (NRHP) (National Register) was established by the National Historic Preservation Act of 1966 (NHPA), as “authoritative guide to be used by Federal, State, and local governments, private groups and citizens to identify the Nation’s cultural resources and to indicate what properties should be considered for protection from destruction or impairment.” The National Register recognizes properties that are significant at the national, state, and local levels.

To be eligible for listing in the National Register, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Districts, sites, buildings, structures, and objects of potential significance must also possess integrity of location, design, setting, materials, workmanship, feeling, and association. Four criteria have been established to determine the significance of a resource:

- It is associated with events that have made a significant contribution to the broad patterns of our history;
- It is associated with the lives of persons significant in our past;
- It embodies the 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
- It yields, or may be likely to yield, information important in prehistory or history.

State

California Environmental Quality Act

CEQA is the principal statute that governs the review of potential projects before they are approved to continue and is codified in the California Public Resources Code (PRC) Division 13: Environmental Quality. CEQA requires the lead agency to determine if a proposed has a significant impact on the

³ United States Department of the Interior, *The Monterey Formation of California and the Origins of its Siliceous Rocks*, 1948.

environment, including impacts on historical or unique archaeological resources. As defined in PRC Section 21084.1, an historic resource is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources (CRHR). 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. PRC section 21084.1 also states unless the preponderance of the evidence demonstrates that the resource is not historically or culturally significant. Resources listed under the NRHP are in the CRHR and considered historic resources under CEQA. If it is determined that an archaeological site is a historic resource, then provisions of PCR Section 21084.1 and 15064.5 of *CEQA guidelines* apply

PRC Section 20183.2(a) the lead agency shall determine whether a project may have significant effect on archaeological resources PRC Section 20183.2(g) defines “unique archaeological resources” as:⁴

“An archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- (1) 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.”

PRC Section 20183.2(i) states that, as part of the objectives, criteria, and procedures required by Section 21082 or as part of conditions imposed for mitigation, a lead agency may make provisions for archaeological sites inadvertently discovered during construction. These provisions may include an immediate evaluation of the find. If the find is determined to be a unique archaeological resource, contingency funding and a time allotment sufficient to allow recovering an archaeological sample or to employ one of the avoidance measures may be required under the provisions set forth in this section. Construction work may continue on other parts of the building site while archaeological mitigation takes place.

If a project accidentally discovers an archaeological resource during construction, then provisions must need to be made, including immediate evaluation of the find to determine if it is a unique archaeological resource based on the criteria defined above. If found to be a unique archaeological resource, Section 21083.2 (i) requires contingent funding and time sufficient to allow recovery of the resource or employ avoidance measures. Construction is allowed to continue on other parts of the building a while archaeological mitigation takes place. The state maintains the California Historical Resources Information System (CHRIS), which houses a wide range of documents and materials relating to historical resources (e.g., buildings, structures, objects, historic and archaeological sites, landscapes, districts). The CHRIS operates structurally through the California Office of Historic Preservation, nine Information Centers, and the State Historical Resources Commission. The Information Center that covers the project site area is the South Central Coastal Information Center (SCCIC), which is located at California State University Fullerton.

California Register of Historical Resources

The CRHR was created by Assembly Bill 2881, which was established in 1992. The register is an authoritative guide to the state’s significant historical and archaeological resources used by state and local

⁴ California Public Resources Code, Division 13. Environmental Quality, Chapter 2.6 General, Sec. 20183.2(g)

agencies, private groups, and citizens in identifying the existing historical resources of the state. The CRHR consists of historic resources that are: (a) automatically listed; (b) listed following procedures and criteria adopted by State Historic Resource Commission (SHRC); and (c) nominated by and application and listed after a public hearing process.⁵ Resources that are automatically listed to the register are California Registered Landmarks from No. 770 onward, California Points of Historic Interest reviewed and recommended by SHRC, and California Historic Resources listed in, or formerly eligible for NRHP. To be eligible for the CRHR, a prehistoric or historic-period property must be significant at the local, state, or federal level under one or more of the following 4 criteria:⁶

1. 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. Associated with the lives of persons important to local, California or national history.
3. 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. Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation.

To be considered a resource eligible for the CRHR, it must meet one of the criteria above and still retain enough structural integrity or character to be recognized as said resource. Designation to the CRHR requires a formal nomination and review process. Historic surveys are conducted to identify properties that are eligible for historic designation, but do not designate or list properties onto the CRHR. Historic significance is defined as the importance of a property to the history, architecture, archaeology, engineering, or culture of a community, state, or nation.

Although cultural resource consultants often are the first professionals to evaluate newly discovered or re-examined cultural resources for significance and eligibility for listing on the CRHR (or the NRHP), the lead agency for a project has the final determination of eligibility of a cultural resource within the context of the project that is triggering the evaluation process. The lead agency can either concur with the recommendation of a cultural resource consultant, object to the recommendation, or determine that more work must be done by the Project proponent.

California Health and Safety Code

California Health and Safety Code Section 7050.5 states that if human remains are in any location other than a dedicated cemetery, then no further excavation or disturbance of the site or nearby area with reasonable suspected overlies adjacent to the remains until the county coroner makes his determination within two working days of time notification. In the event of the remains being Native American origin, the coroner shall contact California Native American Heritage Commission (NAHC) and relinquish jurisdiction.

California Public Resources Code

California PRC Section 5097.5 states a person shall not knowingly and willfully excavate upon, remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological, or historical feature, situated on public lands, except with the express

⁵ California Code of Regulations Title 14 Natural Resources, Division 3. Department of Parks and Recreation, Chapter 11.5. California Register of Historic Resources

⁶ California State Parks, Office of Historic Preservation, California Register of Historic Resources

permission of the public agency having jurisdiction over the lands. If human remains are determined to be Native American are recovered, then requirements of Section 5097.9 shall apply.

PRC Section 5097.98 states whenever the commission receives notification of discovery of Native American human remains from a county coroner, it shall notify those persons it believes to be the most likely descended from the deceased Native American. No further disturbances to the site shall be made until the descendants inspect the site and make recommendations to the owner or person responsible for excavation work means for treatment or disposition. The descendants have 48 hours to complete their inspection and make notification after being granted access to the site.

Senate Bill 18

Senate Bill 18 (SB 18) is a state-mandated program intended to establish between local city and county governments and Native American Tribal Groups, meaningful and ongoing government-to-government consultation as part of the planning process. The purpose of SB 18 is to protect and preserve the cultural places of California Native Americans, both on private and on public lands by providing notice of General and Specific Plan adoptions or amendments. Local city and county governments are required to consult with California Tribal Groups about proposed local land use planning decisions, and on the adoption or substantial amendment of general plans, specific plans, or the dedication of open spaces with the purpose of protecting cultural places. Negotiation can result in the development or modification of treatment and management plans for cultural resources. For the purposes of California Government Code Sections 65351, 64352.3, and 65562.5, “consultation” is the meaningful and timely process of seeking, discussing, and carefully considering the views of others, in a manner that is cognizant of all parties’ cultural values and, where feasible, seeking agreement.

Assembly Bill 52

Assembly Bill 52 (AB 52) was implemented regarding the analysis of tribal cultural resource impacts that required an update to Appendix G of the CEQA Guidelines. Section XVII was added to appendix G checklist called “Tribal Cultural Resources”. As defined by Section 21074, CEQA Guidelines:

- (a) “Tribal cultural resources” are either of the following:
 - (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 California Register of Historical Resources.
 - (B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
 - (2) 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 for the purposes of this paragraph, the lead agency shall consider the significance of the resources to a California Native American Tribe.
- (b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
- (c) A historical resource described in Section 21084.1, a unique archeological 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 tribal cultural resource if it conforms with the criteria of subdivision (a).

AB 52 requires public agencies to consult with tribes during the CEQA process and provides resources on how to conduct a tribal consultation in compliance with CEQA.

Regional and Local

City of Thousand Oaks General Plan

The City of Thousand Oaks General Plan’s cultural resource section within the Conservation Element 2013 Update ensures the proper management and protection of cultural resources that will contribute to the City’s pride, aesthetic, and as a link to past, present, and future. The Conservation Element puts fourth policies and implementation measures to better protect cultural resources:⁷

Policies

CO-33: All information or maps on file with the City pertaining to the location of previously recorded archaeological sites within the Thousand Oaks Planning Area shall remain confidential unless specifically authorized to be released to the public by local Native American organizations.

CO-34: Management of cultural resources such as archaeological sites, historic structures, or places shall emphasize resource protection and preservation.

CO-35: The preferred method for protecting any previously recorded archeological site shall be by deed restriction as permanent “open space”, in order to prevent any future development or use that otherwise adversely impact these resources.

CO-36: Decisions pertaining to the disposition archaeological, historical and cultural resources shall be made in concert with recognized public agencies, groups or individuals having jurisdiction, expertise or interest in these matters, including but not limited to the State Office of Historic Preservation, Thousand Oaks Cultural Heritage Board representatives and affected properties owners.

Implementation Measures

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

Ventura County Landmarks and Points of Historical Interest List

CEQA Guidelines Section 15064.5(a)(2) states a resource included in a local register of historic resources shall be presumed historically or culturally significant. Landmarks are structures, natural features, sites or areas having historical, archeological, cultural, or aesthetic significance. Points of interest can be sites of historic events, sites of a historical resource or structure that no longer exists, or natural features or area having historical significance. Ventura County’s local register is the Ventura County Historical Landmarks and Points of Interest List which is managed by Ventura County Cultural Heritage Board. The following criteria, based solely on the NRHP guidelines, are used to determine eligibility of an improvement, natural feature or site for Ventura County Landmark Designation:⁸

⁷ City of Thousand Oaks, General Plan, Conservation Element 2013 Update, Chapter 8, Section M.

⁸ Ventura County Cultural Heritage Board, Ventura County Historical Landmarks and Points of Interest, Third Edition, May 2016.

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

4.3.2 Thresholds of Significance

The potential cultural resources and tribal cultural resources impacts of the project have been analyzed in relation to the following thresholds below, which are based upon the State CEQA Guidelines Appendix G Checklist.

Cultural Resources

The proposed project could result in a significant impact to cultural resources if the project would (short title for impact headings shown in parentheses):

- Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5. (*Historical Resources*)
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5. (*Archaeological Resources*)
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. (*Paleontological Resources*)
- Disturb any human remains, including those interred outside of formal cemeteries. (*Human Remains*)

Although paleontological resources are addressed under “Geology and Soils” in the State CEQA Guidelines, the topic is added here to Section 4.3 Cultural Resources and Tribal Cultural Resources as no other checklist topics under geology and soils were found to warrant EIR analysis (see Section 4.13, Effects Determined Not Significant), and because the Cultural Resources Assessment that supports this Section 4.3 includes research and recommendations on paleontological resources.

Tribal Cultural Resources

The proposed project could result in a significant impact to tribal cultural resources if the proposed project has the potential to 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 the local register of historical resources as defined in Public Resources Code §5020.1(k). (*Tribal Cultural Resources Listed in or Eligible for the California Register*)
- 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 §5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (*Other Tribal Cultural Resources*)

4.3.3 Project Impacts and Mitigation Measures

The following analysis is based upon Envicom Corporation’s Cultural Resources Assessment for the project, which included a pedestrian survey of the project site, and records research that included review of historical aerial photographs, a cultural resource record search conducted by the SCCIC, Native American cultural resources record search conducted by the NAHC, and a paleontological resources/sensitivity search by the Los Angeles Natural History Museum (NHM). The pedestrian survey covered the project site, the searches and photography review were conducted for the project site plus a 0.25-mile radius buffer area (together constituting the “project study area”). The City has received no request for Tribal Consultation under AB-52 or SB 18. Consultation is required upon request by a California Native American tribe that has previously requested that the City provide it with notice of such projects, and that is traditionally and culturally affiliated with the geographic area of a proposed project.

4.3.3.1 *Historical Resources*

A project may have a significant impact if it would cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5. As discussed in the regulatory setting, the project site is currently developed with an existing office building, and was vacant prior to that time.

The Cultural Resources Assessment conducted an historical map database search using 13 historic USGS maps, between the years 1900 and 1981. The assessment shows development change on and around the project site. The 1943 Triunfo USGS map shows a lack of regional development in the area before World War II, which is considered to be the end date of the period of older historical importance for the Southern California region. Local development was not shown to incrementally increase until 1967 which could be contributed to the completion of U.S. 101 Freeway (U.S. 101). After review of satellite images, historic maps, and aerial images, it is determined that the project site was first occupied after 1951 with minute potential for historic cultural resources. None of the building developed are associated with pre-World War II sensitive time period and no further assessment or monitoring of the site for older cultural resources is recommended. The site was once used by the City of Thousand Oaks briefly as a temporary City Hall, but only briefly. There is no historical significance to the site related to that use. The findings were thus negative for potential of older historic resources being found within the project development site; therefore, the project would result in no impact on a historical resource.

Mitigation Measures

No mitigation measures would be required.

Residual Impacts

Impacts would be less than significant without the need for mitigation.

4.3.3.2 *Archaeological Resources*

A project may have a significant impact if it would cause a substantial adverse change in the significance of an archaeological resource as defined in CEQA Guidelines Section 15064.5 and discussed in the regulatory setting.

The pedestrian field survey of the project site was conducted for on August 11, 2022. Ground visibility was excellent; however, the project site is a fully developed urban parcel with a large building surrounding mostly by paving and some landscaping, and none of landscaping was determined to be original. No early historic or prehistoric artifacts or features were observed on the site surface, and thus the field survey determined the site was negative for cultural resources. Given the site's development, the finding is immaterial for cultural resource determination.

As stated above, the Cultural Resources Assessment requested SCCIC and NAHC record searches. Both the SCCIC and NAHC record searches were negative for cultural resources within the project development site. The SCCIC search found 11 cultural reports within the 0.25-mile study buffer, but a review of the search did not result in the identification of any specific cultural resources of concern. Thus, the site is not considered sensitive for cultural resources, and no significant impact is anticipated. Further, compliance with existing regulations (PRC 21083.2(i)) would require appropriate actions to be taken in the unlikely event that resources were to be discovered during ground disturbance activities. A condition of approval will be incorporated into the resolution to be adopted to approve the project, which reminds applicants of the statutory requirements. As such, impacts would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Residual Impacts

Impacts would be less than significant without mitigation.

4.3.3.3 *Paleontological Resources*

A project may have a significant impact if it would directly or indirectly destroy a unique paleontological resource, site or feature.

Record search findings for the study area (i.e., the project site plus a 0.25-mile buffer area) were received from the NHM on July 24, 2022. The NHM determined there are no fossil resources identified from the project site. However, the NHM determined the project site is located within an area known to be sensitive for paleontological resources, meaning significant fossils have been discovered in the project region and in the rock unit underlying the site. The NHM recommended a full paleontological assessment, which is their general recommendation for all projects located within sensitive fossil-bearing rock units such as the older alluvial deposits and Monterey Formation that underlie the project site. However, due to the paved and urban condition of the site, the study would not yield any informative results. It is therefore recommended that the project site be monitored for fossils during the excavation phase of construction. Implementation of mitigation measures **PAL-1** through **PAL-3** would reduce potential impacts regarding paleontological resources to less than significant through preparation of a paleontological monitoring plan, monitoring during excavation, and reporting under an established discovery protocol that would be enacted should buried materials of potential paleontological significance be accidentally discovered.

Mitigation Measures**PAL-1:** Paleontological Monitoring Plan.

Prior to construction, a company qualified to provide paleontological monitoring should be engaged by the applicant to provide monitoring services. The paleontological monitoring team should examine the project geotechnical report, the final project grading plan, and the site schedule to determine what subsurface activities may require paleontological monitoring of project site grading. Spot-check monitoring may be used within older alluvial deposits, however, if fossils are identified in older alluvial material, or if deeper fossil-bearing rock formations are encountered, then fulltime paleontological monitoring should take place to the end of site grading.

The paleontological team will develop a construction phase paleontological monitoring plan (Monitoring Plan), which will include all available paleontological context for the project, including the Natural History Museum of Los Angeles County (NHM) record of findings, the geotechnical report, and the Phase I Cultural Resources Assessment, as well as guidelines on when spot-check and fulltime monitoring should be used, what the project discovery plan is for fossil resources, and what the communication plan is that should be followed in the case of discovery. The Monitoring Plan will also include a Worker Environmental Awareness Plan (WEAP) in order to educate grading and trenching teams on the purpose of monitoring and what paleontological monitors look for as to fossil resources. The WEAP training should discuss what actions should take place upon a fossil discovery.

PAL-2: Paleontological Monitoring.

The paleontological monitor will collect any fossil material that is uncovered through grading that is found within a disturbed context, and can halt construction within 30-feet of a potentially significant fossil resource if necessary. Fossils collected from a disturbed context or that do not warrant additional assessment can be collected, without the need to halt grading. If fossils are not present within the older alluvial or bedrock material, and the project conditions warrant reduced monitoring, then a weekly spot-check system of monitoring can be arranged by the compliance team with the construction manager. However, if fossils are encountered, which cannot be removed during grading and that the monitor believes will need further assessment, then the project “discovery” protocol will be followed. Discovery situations that do not lead to further assessment, survey, evaluation, or data recovery can be described in the monitor’s daily Monitoring Report.

All fossils recovered that may be of importance to California paleontology, will be cleaned, analyzed, and described within a final project Monitoring Report, which will be submitted to the NHM at the end of the project. All materials will be curated at the NHM or placed on public display by the owner. If important fossils are found during monitoring, a Curation Plan will be needed that is reviewed by the lead agency prior to the publication of the Monitoring Report. The costs of the Monitoring Report, the Curation Plan, and the processing, analysis, and curation of all fossils will be the responsibility of the applicant.

PAL-3: Fossil Discovery Protocol.

If fossil materials are encountered by the project grading or trenching crews when the worksite is not being monitored, either because the project is not within sensitive rock units or because spot-check monitoring is taking place, then a Fossil Discovery Protocol should be followed by the grading/trenching team.

If potentially significant fossil materials are encountered during project grading within native soils or original context, then all work in that area shall be halted or diverted away from the discovery to a distance of 30-feet until a senior paleontologist can evaluate the nature and/or significance of the find(s). If the senior paleontologist confirms that the discovery is potentially significant, then the lead agency and the applicant will be contacted and informed of the discovery. Construction will not resume in the locality of the discovery until consultation between the senior paleontologist, the applicant, the lead agency, and any other concerned parties (such as additional regulatory agencies), takes place and reaches a conclusion approved by the lead agency.

If a significant fossil resource is discovered during earth-moving, complete avoidance of the find is preferred. However, if the discovery cannot be avoided, further survey work, evaluation tasks, or data recovery of the significant fossil resource may be required by the lead agency. The lead agency may also require additional site monitoring based on the nature of the discovery. All costs for site monitoring, discovery assessment, discovery evaluation, or data recovery of will be the responsibility of the Applicant. Any reports generated by the discovery event will be submitted to the NHM at the conclusion of the project.

Residual Impacts

Impacts would be less than significant after mitigation because mitigation measures PAL-1 through PAL-3 require a monitoring plan, monitoring and a discovery protocol for any potentially significant fossils that may be found. As such, the measures assure appropriate observance and handling of resources, in the unlikely event any are found, which would avoid a substantial adverse change in the resource and thus avoid a significant impact.

4.3.3.4 *Human Remains*

A project may have a significant impact if it would disturb any human remains, including those interred outside of formal cemeteries. The Cultural Resource Assessment did not find the project site sensitive for archeological resources or human remains. Although not expected, human remains could inadvertently be found on the sites where excavation below prior disturbance would occur. In the unlikely event that remains are inadvertently discovered, State of California Health and Safety Code Section 7050.5 would apply and assure the appropriate actions to address the issue. A condition of approval will be incorporated into the resolution to be adopted to approve the project, which reminds applicants of the statutory requirements. Thus, with regulatory compliance, project impacts related to the disturbance of unknown human would remain less than significant.

Mitigation Measures

No mitigation measures would be required.

Residual Impacts

Impacts would be less than significant without mitigation.

4.3.3.5 Tribal Cultural Resources Listed in or Eligible for the California Register

A project may have a significant impact if it would cause a substantial change in the significance of a tribal cultural resource that is listed or eligible for listing in the CRHR, or in the local register of historical resources as defined in the Public Resources Code Section 5020.1(k). The Cultural Resources Assessment included an NAHC record search, which was negative for cultural resources, including tribal cultural resources. However, cultural resources have been discovered in the larger project study area. Although no tribal cultural resources have been identified on the site, in the unexpected case of inadvertent discovery of resources as described in Section 4.3.3.2 Archaeological Resources, and 4.3.3.4, Human Remains, regulatory compliance would assure less than significant impacts.

Mitigation Measures

No mitigation measures would be required.

Residual Impacts

Impacts would be less than significant without mitigation.

4.3.3.6 Other Significant Tribal Cultural Resources

A project may have a significant impact if it would cause a substantial adverse change in the significance of other tribal cultural resources (i.e., those not listed or eligible for listing in the CRHR) determined by the lead agency, in its discretion and supported by substantial evidence, to be pursuant to criteria set forth in subdivision (c) of Public Resources Section 5024.1, which defines historical resources. In applying the criteria set forth in subdivision (c) of Public Resources Code § 5024.1 (i.e., the eligibility criteria for listing on the California Register of Historic Resources), the lead agency shall consider the significance of the resource to a California Native tribe. As noted above, no eligible or listed CRHR tribal cultural resources were identified, the City has received no request for Tribal Consultation under AB-52. In the unexpected case of inadvertent discovery of resources as described in Section 4.3.3.2 Archaeological Resources, and 4.3.3.4, Human Remains, regulatory compliance would assure less than significant impacts.

Mitigation Measures

No mitigation measures would be required.

Residual Impacts

Impacts would be less than significant without mitigation.

4.3.4 Cumulative Impacts

Under CEQA, a project's impact is cumulatively considerable when the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. In considering the effects of probable future projects, Chapter 3.0, Cumulative Projects, considers buildout of the current City of Thousand Oaks General Plan to be the overall cumulative project set, with specific known or reasonably foreseeable projects listed in Table 3-1 and shown in Figure 3-1. With regard to the issues of cultural, tribal cultural

and paleontological resources, the study area evaluated (i.e., the project site plus a 0.25-mile radius buffer area) is considered the relevant geographic area of cumulative project effects.

Historic Resources

The project Cultural Resources Assessment found the project site and surrounding area was generally undeveloped during the World War II era, which is currently considered the endpoint for potentially significant older historical resources in the Southern California region (notwithstanding unusual buildings that would meet the National Register criteria cited in Regulatory Setting, and none were identified). As the proposed project would not contribute any impact to historic resources and none were identified in the surrounding study area, no cumulative historic resources impacts would occur.

Archaeological and Tribal Cultural Resources, and Human Remains

SCCIC research of the project area identified 11 cultural reports within the 0.25-mile study area buffer, but a review of the search did not result in the identification of any specific cultural resources of concern. Based on this and other research and evaluation reported in the project Cultural Resources Assessment, the project site is not considered sensitive for archaeological or tribal cultural resources or human remains. With regulatory compliance reflecting state law for unexpected discovery protocols for archaeological finds, including tribal cultural finds, and human remains no substantive contribution to cumulative impacts would occur, and there would be no significant cumulative impact. Other related projects would be subject to the same regulatory compliance.

Paleontological Resources

Record search findings for the project study area from the NHM were negative for fossil resources identified in the project study area; however, the site is underlain by the Monterey Formation, which can be fossil bearing. As a result, a project mitigation measure has included to reduce paleontological potential impacts to less than significant through preparation of a paleontological monitoring plan, monitoring during excavation, and reporting under an established discovery protocol that would be enacted should buried materials of potential paleontological significance be accidentally discovered. Other projects in the area, as they are reviewed by the City for CEQA compliance, will be assessed for potential paleontological resources and where appropriate, similar mitigation measures would be applied, where deemed necessary. As such, cumulative impacts to paleontological resources would be less than significant.

4.4 ENERGY

This Draft Environmental Impact Report (EIR) analysis section considers the potential for the Latigo Hillcrest project to result in impacts to energy and identifies opportunities to avoid, reduce, or otherwise mitigate potential significant impacts where warranted.

This section describes the existing conditions at the proposed project site and surrounding area, summarizes the applicable regulatory framework that guides the decision-making process, identifies thresholds for determining if the proposed project would result in significant impacts, analyzes anticipated impacts (direct, indirect, and cumulative), provides mitigation measures to reduce impacts where warranted, and discusses residual impacts (i.e., level of significance after mitigation). The significance of project impacts has been determined in accordance with criteria based on Appendix G of the State California Environmental Quality Act (CEQA) Guidelines. Where applicable, additional regulatory agency guidelines or requirements are incorporated as additional considerations in evaluating environmental significance. Sources used in the analysis are cited herein where relevant to the analysis; a comprehensive list of references is provided in Section 7.0, Organizations and Persons Consulted and References, of this EIR. This evaluation is based upon the project Air Quality and Greenhouse Gas Emissions and Energy Report¹ (**Appendix C**). The air pollutant emission impacts associated with the generation of electricity and burning of fuels have been accounted for in Section 4.1, Air Quality, and Section 4.5, Greenhouse Gas Emissions.

4.4.1 Existing Conditions

The project site is currently developed with a 56,667 sf two-story office building surrounded by paved parking areas and landscaping on an 8.19 acre site. The building is currently unoccupied and has been vacant since 2021. The project site is bounded on the south by the right-of-way of U.S. Route 101 (freeway or 101 Freeway), on the west by Rancho Conejo Road and a service station and convenience store, on the north by West Hillcrest Drive, and on the east by The Linden Apartments complex.

Environmental Setting

Project Construction and Operations

The project would demolish the existing office building and associated paving, resulting in an estimated 8,140 tons of demolition debris to be hauled from the site. The project would construct a mixed-use development with a total of 333 multi-family residential apartment units, 5,300 sf of commercial use, and associated amenities. A total of 30 of the proposed residential units would be designated as affordable housing units for Very Low-Income Households. The development would primarily consist of two structures of up to four stories over semi-underground parking garages. During construction, grading of the site and excavation for the underground garage levels would require export of approximately 48,100 cubic yards (cy) of soil material.

The residential units and amenities of the proposed structures would consist of approximately 428,763 sf of floor space. The ground level and semi-underground parking garage structures would provide a combined total of approximately 462 parking spaces within the two parking garages. An additional 119 parking spaces would be provided as surface parking lot spaces. The project's amenity spaces would include lobbies, a fitness room, game room/lounge, and a co-working room, as well as roof deck areas. The project would also include courtyards throughout the site and a swimming pool.

¹ Envicom Corporation, Air Quality and Greenhouse Gas Emissions and Energy Report, Latigo Hillcrest Project, Thousand Oaks, California, April 2023.

Project Energy Use

During construction on-site equipment and hauling/transport/vendor vehicles would consume primarily diesel fuel, and worker vehicles would consume primarily gasoline. Temporary tie-ins to the electrical grid will provide electrical power. Energy provided to the project during operations would be delivered by Southern California Edison (SCE) for electricity and Southern California Gas Company (SoCalGas) for natural gas. Although SCE delivers electricity through its infrastructure, the City has been a participant in the regional Clean Power Alliance (CPA) since 2019. The CPA allows residents and businesses to choose to receive energy generated from renewable sources from CPA, delivered by SCE infrastructure. The default for new connections in the City is participation in the CPA.

Electricity

Southern California Edison provides electricity service to 180 incorporated cities and 15 counties, covering 50,000 square miles of service area and 15 million people.² The service area extends north to Mono County and south to Riverside County and is the sole provider for Ventura County. All electricity transmission and distribution facilities within Thousand Oaks are owned and operated by SCE.

Power provided in the City is primarily procured from the CPA, which contracts with private firms to procure energy from producers that meet certain qualifications. Member cities and counties can choose a default rate option for the community, called Lean Power, Clean Power, and 100 Percent Green Power, which reflects the amount of renewable energy being delivered, but each end user is able to change the selection or opt out of the program. The default rate for Thousand Oaks customers is 100 Percent Green Power, which is electricity derived from solar and wind energy generators. The Lean Power and Clean Power options use a combination of other sources, but do not include energy derived from coal or natural gas.

Statewide electricity consumption is estimated to have been more than 279,000 gigawatt hours (GWh) in 2020. Demand is expected to grow at an average rate of about 1.6 percent annually through 2035. This increase in demand reflects population growth as well as increased electrification of transportation and transition to electricity away from natural gas. Total consumption at this rate is expected to reach approximately 340,000 GWh by 2035.³

Natural Gas

SoCalGas is the provider of consumer gas service for the majority of Southern California, with a service area of approximately 24,000 square miles. SoCalGas distributed approximately 5.1 billion therms of natural gas in 2021, with 46 percent of that to residential customers. Gas consumption statewide is projected to plateau or fall. End-user total gas consumption in 2035 is projected to be nearly the same as current consumption totals, or possibly less, despite an increase in population.⁴

Table 4.4-1, Ventura County Energy Consumption, details the amount of energy consumed by the County compared to the amount distributed by the utility providers. The County is the smallest geographic area for which current data is available.

² Southern California Edison, About Us, Who We Are, Available at: <https://www.sce.com/about-us/who-we-are>. Accessed February 14, 2023

³ California Energy Commission, 2021 Integrated Energy Policy Report, February 17, 2022.

⁴ Ibid.

Table 4.4-1
Ventura County Energy Consumption

Energy Source	SCE/SoCal Gas Distribution ¹	Ventura County Consumption	County Percentage of Total Consumption ²
Electricity (GWh)	81,128.9	5,242.3	6.5%
Natural Gas (millions of therms)	5,100.8	175.7	3.4%

Source: California Energy Commission, California Energy Consumption Database, 2021 data

⁽¹⁾Figures are described as distribution but technically represent energy consumed by the utilities. As energy providers consumption reflects energy distributed to consumers, hence “distribution.” The figures are taken from “Energy Consumption by Entity.”

⁽²⁾Total Consumption refers to all energy distributed by the utilities in 2021.

Transportation Fuel

The burning of primarily gasoline fuel for transportation is a concern primarily in relation to GHG emissions, as passenger vehicles account for roughly 25 percent of all GHG emissions in California⁵, and 15 percent of all GHG emissions nationwide.⁶ Gasoline is the most consumed transportation fuel in California, with 97 percent of all gasoline consumed by passenger vehicles. According to the California Department of Tax and Fee Administration 13.8 billion gallons of gasoline were sold in 2021, and 3.1 billion gallons of diesel fuel in 2021, the majority of the diesel fuel being used for medium and heavy-duty commercial vehicles.⁷

Regulatory Setting

Federal

Construction Equipment Emission Standards

The United States Environmental Protection Agency (USEPA) sets emission standards for construction equipment (discussed in greater detail in Section 4.5, Greenhouse Gas Emissions); however, these standards have also resulted in more efficient equipment. The first three set of standards, Tier 1 through Tier 3, implemented between 1994 and 2008, mandated emission reductions to be met through engine design, which generally resulted in more fuel efficient equipment. Tier 4 standards, phased-in between 2008-2015, were designed such that they could be met through the use of control technologies such as exhaust gas aftertreatment. This allowed Tier 3 engines to be converted to Tier 4. However, manufacturers have continued to increase efficiency in construction equipment engines as it serves both to meet standards and reduce costs to the end user, making a more competitive product.

Energy Independence and Security Act

The Energy Independence and Security Act (EISA) from 2007 modified the Corporate Average Fuel Economy Standards (CAFE), which sets fuel economy standards for vehicles (discussed in Section 4.5, Greenhouse Gas Emissions). The EISA also established the Renewable Fuel Standard which required the amount and types of renewable fuels used in transportation fuel to be increased by a minimum of 36 billion gallons by 2022. The EISA also set efficiency standards for lighting products and appliances. Effectively all projects conform to these efficiency standards as commercial and consumer products must abide by the standards.

⁵ California Air Resources Board (2022). California Greenhouse Gas Emission Inventory - 2022 Edition. Data available at: <https://ww3.arb.ca.gov/cc/inventory/data/data.htm>

⁶ USEPA, Fast Fact, U.S. Transportation Sector Greenhouse Gas Emissions 1990-2020, May 2022.

⁷ California Department of Tax and Fee Administration. Fuel Taxes Statistics & Reports. Available at: <https://www.cdtfa.ca.gov/taxes-and-fees/spftrpts.htm>. Accessed on February 15, 2023.

State

Senate Bill 350

Senate Bill 350 (SB 350), the Clean Energy and Pollution Reduction Act of 2015, set a goal to increase the procurement of electricity from renewable sources from 33 percent to 50 percent by the end of 2030. SB 100, the 100 Percent Clean Energy Act of 2018, updated the goals of SB 350 to achieve a 50 percent renewable resources target by December 31, 2026, and achieve a 60-percent target by December 31, 2030.

Senate Bill 1020

Senate Bill 1020, adopted 2022, requires that eligible renewable energy resources and zero-carbon resources supply 90 percent of all retail sales of electricity to California end-use customers by December 31, 2035, 95 percent by December 31, 2040, and 100 percent by December 31, 2045, and 100 percent of electricity procured to serve all state agencies by December 31, 2035. The bill authorizes CARB and the California Energy Commission to implement the policy through existing statutes and authority.

California Code of Regulations Title 24

Title 24 is also known as the Building Standards Code and contains 12 parts, including Part 6 which is known as the Building Energy Efficiency Standards or Energy Code. The Standards contain energy and water efficiency requirements for newly constructed buildings, additions to existing buildings, and alterations to existing buildings. The Standards include a prescriptive option, allowing builders to comply by using methods known to be efficient, and a performance option, allowing builders freedom in their designs provided the building achieves the same overall efficiency as an equivalent building using the prescriptive option. Efficiency is gauged according to an "energy budget" for the structure, which measures energy consumption per square foot of floor space.

The 2019 Standards introduced photovoltaic power system requirements for residential uses, as well as improvements for attics, walls, water heating, and lighting. On August 11, 2021, the CEC adopted the 2022 Energy Code. In December of 2022 it was approved by the California Building Standards Commission for inclusion into the California Building Standards Code. The 2022 Energy Code establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and more. Buildings whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Energy Code. As such, the proposed project would be subject to the 2022 standards or later, as applicable. Compliance with the standards is confirmed by the local agency during the plan check process prior to permitting.

California Green Building Standards Code

The California Green Building Standards Code is Part 11 of the Building Standards Code, Title 24, commonly referred to as the California Green Building Code (CALGreen). The 2019 CALGreen Code became effective on January 1, 2020, and encourages sustainable construction practices and environmentally friendly building design by focusing on the following construction components:

1. Planning and design.
2. Energy efficiency.
3. Water efficiency and conservation.
4. Material conservation and resource efficiency.
5. Environmental air quality.

The 2022 CALGreen Code took effect on January 1, 2023 and includes both voluntary and mandatory energy efficiency standards for commercial and residential buildings. The 2022 code differs from the 2019 code by offering new voluntary prerequisites such as battery storage system controls and heat pump space, and water heating, to encourage building electrification. The voluntary provisions of the CALGreen Code generally forecast provisions that are likely to become mandatory as part of the next updated Energy Code, which will take effect in 2025. As part of Title 24, applicable CALGreen Code requirements are enforced through the building permit process.

Regional and Local

City of Thousand Oaks General Plan

The City's General Plan Conservation Element 2013 Update includes the following climate change policy, which relates to energy use:

CO-39 Support efforts to reduce greenhouse gas emissions, consistent with the intent of the State of California's California Global Warming Solutions Act of 2006 (Assembly Bill 32).

Implementation Measures:

- Prepare Greenhouse Gas Analyses for development projects which require the preparation of Environmental Impact Reports or Mitigated Negative Declarations.
- Reduce energy use and utilize sustainable energy sources at City facilities where feasible, in accordance with City-adopted Energy Action Plan.

Although the City does not have an adopted Climate Action Plan (CAP), the City is now developing its Climate and Environmental Action Plan (CEAP), which will detail the strategies and actions that the City will pursue to protect the environment and address the challenges of climate change. The CEAP is being developed in parallel with the City's General Plan update.

Thousand Oaks Energy Action Plans

The City has adopted a Sustainability Plan for Municipal Operations (2018) and a Municipal Energy Action Plan (2019). The Sustainability Plan contains 150 strategies identified to improve sustainability, efficiency and resilience in City operations, and generate long-term cost savings. This plan pertains to City operations and facilities and would not apply directly to the proposed project. The Municipal Energy Action Plan facilitates the Sustainability Plan by analyzing City facility energy use for the purposes of attaining the goals of the Sustainability Plan. It concerns City facilities and does not apply to the proposed project.

4.4.2 Thresholds of Significance

The potential energy impacts of the project have been analyzed in relation to the following threshold criteria, which are based upon the State CEQA Guidelines Appendix G Checklist. The proposed project could be considered to have a significant impact with regard to Energy if the project would (short title for impact headings shown in parentheses):

- Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. (***Unnecessarily Waste Energy***)
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency. (***Conflict with Energy Policy***)

4.4.3 Project Impacts and Mitigation Measures

The following project features are relevant to the analysis of Energy. This analysis evaluates impacts with reference to the design of the project, the regulatory setting, state and City information related to these resources. The project would include:

- No natural gas appliances for residences.
- Indoor/Outdoor bike parking with electric bicycle charging stations.
- Electric Vehicle (EV) Accommodations that meet or exceed requirements of the CALGreen standards consisting of:
 - 226 EV Capable parking spaces (40 percent of overall Parking) with pre-wiring installed for future Level 2 EV Charging (10 percent required per CALGreen).
 - 141 EV Ready parking spaces (25 percent of overall Parking) equipped with low power Level 2 EV charging 120-240 volt 30 Amp receptacles (25 percent required per CALGreen).
 - 57 EV Chargers (10 percent of Overall Parking) equipped with Level 2 Electrical Vehicle Supply Equipment (EVSE) (5 percent required per CALGreen) available at initial occupancy.

Pertinent to the evaluation below, the proposed project's estimated construction and operational emissions were modeled using California Emission Estimator Model (CalEEMod) Version 2020.4.0. The output reports from CalEEMod are included as an attachment to the Air Quality and Greenhouse Gas Emissions and Energy Report (Appendix C). Construction emissions were modeled based primarily on the size of the project site and the proposed land use type and floor space, and the estimated duration of construction activities and types of equipment to be used.

Project details that were applied to CalEEMod for determining operational emissions include the proposed number of residential units, floor areas of residential and residential amenity spaces, commercial use floor space, parking garage spaces, and surface parking lot spaces. Project-specific operations data used in the model include 1,788 average daily trips based upon the project's Traffic, Circulation and Vehicle Miles Traveled (VMT) Study (Traffic Study) (provided in **Appendix H**).⁸ No adjustments were made in the CalEEMod model to account for how the project would increase the density of use within the infill site, would be adjacent to or near commercial uses and employment centers, or how it provides a co-work amenity space to encourage telecommuting/alternate work schedules. All of these factors serve to encourage further reductions in VMT. Thus, without accounting for these energy saving features, the project energy usage calculations are conservatively high.

4.4.3.1 *Unnecessarily Waste Energy*

The proposed project may have a significant impact if it would result in a wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

Construction

During construction, the project would consume fuels associated with the on-site use of equipment, off site hauling of materials and supplies, and worker transportation. The California Code of Regulations requires drivers of diesel-fueled commercial motor vehicles with gross vehicle weight ratings greater than 10,000 pounds not to idle the vehicle's primary diesel engine longer than five minutes at any location.⁹ Compliance

⁸ Stantec, 2150 Hillcrest Drive Traffic, Circulation and Vehicle Miles Traveled (VMT) Study, March 23, 2023.

⁹ California Code of Regulations, Section 2485, Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling.

with this regulation would prevent unnecessary consumption of energy from use of diesel fuel during construction.

Electricity use during construction would primarily be associated with water use for dust suppression, operation of a mobile office trailer, and nighttime lighting. When not in use, electric equipment and devices would be powered off to avoid unnecessary energy consumption. Night lighting of the project site during construction would also be limited to that needed for safety and security purposes. Electricity necessary to supply water to the construction site is estimated to be 1,028 kilowatt-hours (kWh) for dust suppression during grading activities.¹⁰ Electricity use for a mobile office trailer is conservatively estimated at 7,819 kWh.¹¹ Electricity consumption of nighttime lighting is not calculated as the contribution of security LED lighting (assuming solar security lights are not used) would be nominal and likely accounted for within the overestimate of the mobile office. Total electricity consumption during construction is therefore estimated at 8,847 kWh. These activities would cease upon completion of the project, and the overall demand for electricity during construction would be negligible when compared to the project operational phase. Natural gas is not typically used during construction.

The project's demand for transportation fuels during construction is provided in **Table 4.4-2, Project Construction Energy Use**. The fuel consumption that is necessary to power off-road equipment is based on the quantity and type of equipment that would be used for each construction phase, the duration of use each day, the total construction period duration, and the hourly construction equipment fuel consumption factors. On-road equipment includes haul trucks and vendor trucks, which are powered by diesel fuel, as well as vehicles associated with construction worker commuter trips, which are assumed to be primarily powered by gasoline. The fuel demand for construction worker commuter trips is based on the estimated number of workers for each phase of construction and the average distance that workers travel from CalEEMod.

As shown in Table 4.4-2, project construction activities would result in the consumption of 168,926 gallons of diesel fuel and 100,468 gallons of gasoline.

The project's projected consumption of energy during construction is commensurate with the task of demolishing the existing 56,667 sf building and parking lots, removing 8,140 tons of demolition debris, grading the 8-acre site, excavating and exporting 48,100 cy of soil material, and constructing approximately 629,937 sf of floor space (including garages). As discussed in Section 4.2, Air Quality, the project will utilize all Tier 4 Final construction equipment, which will have more fuel-efficient engines than older Tier 1 or 2 equipment, and if new rather than retrofitted may be more fuel efficient than Tier 3 equipment. Provided construction progresses in a reasonably efficient manner, and vehicles conform with the anti-idling rule as required, energy consumption during construction will be as efficient as possible utilizing conventional means and equipment. Therefore, impacts related to the wasteful, inefficient, or unnecessary consumption of energy resources during construction would be less than significant.

Operations

During operations, the project would consume energy for vehicle trips, water conveyance, solid waste disposal systems, lighting, and to operate electronic equipment and devices and heating, ventilation and air conditioning (HVAC) systems. The project's estimated energy use during operations is summarized in **Table 4.4-3, Project Operations Energy Use**.

¹⁰ Calculated at a rate of 3,020 gallons per acre. Source: Air & Waste Management Association, Air Pollution Engineering Manual, 1992.

¹¹ CalEEMod estimate for energy consumption of one 1,300 sf mobile home over entire construction period. An actual construction mobile office would typically be 700 square-feet or less in size.

Table 4.4-2
Project Construction Energy Use

Energy Source	Quantity Demanded during Construction
Electricity^a	
Electricity Total	8,847 kWh
Transportation Fuels^b	
<i>Gasoline</i>	
On-road Worker Trips	78,878 gal
Gasoline Total	78,878 gal
<i>Diesel</i>	
On-road Haul Trucks	13,189 gal diesel
On-road Vendor Trucks ^c	45,861 gal diesel
Off-road Construction Equipment ^d	107,728 gal diesel
Diesel Total	166,779 gal diesel
Source: Mobile Fuel Use Worksheet and Construction Electricity Consumption Worksheet, provided as part of Appendix C.	
<p>^a Electricity for construction includes water Usage for fugitive dust control at 3,020 gal per acre and use of Mobile office.</p> <p>^b On-road mobile source fuel use based on vehicle miles traveled (VMT) from CalEEMod and fleet-average fuel consumption in gallons per mile from EMFAC2021 web based data.</p> <p>^c Vendor trucks assumed to be diesel</p> <p>^d All emissions from off-road construction equipment were assumed to be diesel. Off-road mobile source fuel usage based on a fuel usage rate of 0.05 gallons of diesel per horsepower (HP)-hour, based on South Coast Air Quality Management District (SCAQMD) CEQA Air Quality Handbook, Table A9-3E.</p>	

Table 4.4-3
Project Operations Energy Use

Energy Source	Quantity Demanded during Operations per Year
Electricity^a (SCE/CPA)	2.4 million kWh / 2,418 MWh
Natural Gas^a (SoCalGas)	3.7 million kBtu / 37,243 therms
Transportation Fuels^{b, c}	
<i>Gasoline</i>	162,060 gallons
<i>Diesel</i>	40,243 gallons
Source: CalEEMod Annual output sheets, provided as part of Appendix C.	
<p>kWh = kilowatt-hours MWh = Megawatt-hours kBtu = kilo-British Thermal Units</p> <p>^a Project gasoline and diesel use during operations are calculated based on the VMT estimated by CalEEMod Annual Output. It is assumed that light-duty vehicles use gasoline, while heavy-duty (Gross Vehicle Weight Rating > 8,500 pounds) use diesel. CalEEMod calculates light-duty vehicles account for approximately 91 percent of project VMT. Calculations shown in Mobile Fuel Use Worksheet, provided as part of Appendix C. Project gasoline and diesel use are calculated based on fuel consumption factors for calendar year 2023 from EMFAC2021 (25.56 miles per gallon for gasoline-fueled vehicles and 10.18 miles per gallon for diesel-fueled vehicles).</p>	

As estimated by CalEEMod and shown in Table 4.4-3 the project's total electricity demand would be approximately 2,417,869 kilowatt hours per year (kWh/year) or 2,418 megawatt hours per year (MWh/year). The County consumed 5,242,300 MWh in 2021. The project would represent approximately 0.05 percent of the yearly electricity demand, which is a negligible amount of total demand in the County. Therefore, the project would not result in substantial increase in electricity demand. Total project demand for natural gas would be approximately 37,243 therms per year as estimated by CalEEMod outputs. According to the California Energy Commission, the County consumed 175.7 million therms of natural gas in 2021. The project would represent approximately 0.02 percent of the County's consumption rate, which is a negligible amount. Actual natural gas consumption would be less as residential units will not be equipped with natural gas appliances, and CalEEMod assumes natural gas connections as a default that is

not adjustable. Therefore, the project would not result in a substantial increase in demand for natural gas. The project will be required to comply with the 2022 California Energy Code and California Green Building Standards Code (CALGreen Code), which establish planning and design standards for sustainable development, energy efficiency, water conservation, and material conservation. The CalEEMod model used estimates energy use according to the 2019 codes, and therefore overestimates building energy consumption. Through compliance with applicable energy efficiency regulations the project's potential impacts regarding wasteful or inefficient use of energy supplies would be less than significant.

According to the CARB on-road vehicle emissions factor model EMFAC2021(v1.0.2) Emissions Inventory, the average fuel economy for light duty vehicles operating in the County of Ventura for the year 2023 is approximately 25.56 miles per gallon for gasoline-fueled vehicles and approximately 10.18 miles per gallon for all categories of diesel-fueled vehicles. CalEEMod estimates the project would generate approximately 4,551,934 VMT annually, 91 percent of which would comprise light-duty vehicles with a gross vehicle weight rating (GVWR) of up to 8,500 pounds, and approximately 9 percent of which would comprise heavy-duty vehicles (GVWR > 8,500 pound). Light-duty vehicles are considered to be gasoline powered and heavy-duty vehicles are considered to be diesel-fueled. As such, during operations the project would generate approximately 4,142,260 annual VMT with gasoline-fueled vehicles, and approximately 409,674 annual VMT with diesel-fueled vehicles. Based on the State's projected fleet fuel mileage for the year 2023, during operations the project's demand for transportation fuels would be approximately 162,060 gallons of gasoline, and approximately 40,243 gallons of diesel fuel, annually. According to the California Department of Tax and Fee Administration 13.8 billion gallons of gasoline were sold in California in 2021, and 3.1 billion gallons of diesel fuel, the majority of that being used for medium and heavy-duty commercial vehicles.¹² The project's contribution to demand would equal .0001 percent of current demand for gasoline, and .0001 percent of the current demand for diesel fuel.

The project will be subject to the 2022 Energy Code and 2022 CALGreen Code, which incorporate some of the most stringent building energy efficiency standards in the nation.¹³ Conformance to these codes will ensure the project's buildings are designed to not require an excessive amount of energy to function and do not unnecessarily waste energy. The siting of the multifamily building in a location near employment and shopping in a traditionally suburban locale will increase the opportunity for residents to live in close proximity to their workplace, thus reducing citywide VMT. Energy code provisions requiring EV ready and EV charging stations will allow residents to use or transition to electric vehicles and bicycle parking spaces will make use of bicycles for transportation a more convenient option for residents. Additional project features cited earlier will add to the energy efficiency of the project.

In summary, the project would result in the consumption of energy in the forms of electricity, natural gas, and transportation fuels at rates that represent only a negligible amount of current demand in the County. The project would be required to comply with federal, State, and local regulations aimed to reduce the inefficient, wasteful, and unnecessary consumption of energy. Conformance to these codes will ensure the project's buildings are designed to not require an excessive amount of energy to function and do not unnecessarily waste energy. The siting of the multifamily building in a location near employment and shopping in a traditionally suburban locale will increase the opportunity for residents to live in close proximity to their workplace, thus reducing citywide VMT and mobile energy consumption, and exceeding State EV parking requirements will encourage adoption of EVs. Therefore, the project's energy requirements and its energy use efficiencies would result in a less-than-significant impact related to the wasteful, inefficient, and unnecessary consumption of energy.

¹² California Department of Tax and Fee Administration. Fuel Taxes Statistics & Reports. Available at: <https://www.cdtfa.ca.gov/taxes-and-fees/spftrpts.htm>. Accessed on March 22, 2023.

¹³ American Council for an Energy-Efficient Economy, State Energy Efficiency Scorecard, 2022.

Mitigation Measures

No mitigation measures would be necessary.

Residual Impacts

Impacts would be less than significant, without the need for mitigation measures.

4.4.3.2 Conflict with Energy Policy

The proposed project may have a significant impact if it would conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

State and local policy efforts to increase energy efficiency and reduce reliance on fossil fuels are generally focused on: increasing the efficiency of buildings; transitioning away from fossil fuel energy sources; electrification of vehicles; and reduction of VMT. The project does not conflict with any policies with those or a related focus as it is a mixed-use urban infill project that will comply with the most recent standards of efficiency. The City will review project plans to verify compliance with Title 24 standards prior to issuing a building permit, which include the 2022 Energy Code and the 2022 CALGreen Code. These standards require projects to provide energy saving features, establish minimum standards for energy efficient construction practices, and require increased energy efficiency. In addition, the project proposes a mixed-use development with residential and commercial uses on an infill site and would provide bicycle storage areas with electric bike (e-bike) charging stations to encourage active transportation and reduce VMT. To reduce use of transportation fuels, the project would include EV accommodations (parking spaces that are EV-capable or EV-ready, as well as spaces with EV charging equipment installed) that exceed requirements of CALGreen. As the project would comply with regulatory requirements for building efficiency and incorporate features that encourage a reduction in the use of gasoline-fueled vehicles, the project would not conflict with a State or local plan for renewable energy or energy efficiency.

Mitigation Measures

No mitigation measures would be necessary.

Residual Impacts

Impacts would be less than significant, without the need for mitigation measures.

4.4.4 Cumulative Impacts

Under CEQA, a project's impact is cumulatively considerable when the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. In considering the effects of probable future projects, Chapter 3.0, Cumulative Projects, considers buildout of the current City of Thousand Oaks General Plan to be the overall cumulative project set, with specific known or reasonably foreseeable projects listed in Table 3-1 and shown geographically in Figure 3-1.

With regard to energy, the service areas of the SCE/SoCalGas utilities would be considered the relevant geographic area of cumulative projects to determine the cumulative service impacts that in turn may result in new or physically altered facilities, the construction of which could cause significant environmental impacts. While the geographic context for transportation-related energy use is more difficult to define, it is meaningful to consider the project in the context of statewide consumption. Growth within these geographies is anticipated to increase the demand for electricity, natural gas, and transportation energy, as well as the need for energy infrastructure, such as new or expanded energy facilities.

The project's contribution to demand for electricity, natural gas, and transportation fuels will be comparatively less than any residential project which provides the same number of units at a lesser density or within a less urban context. For example, a single-family subdivision with a minimum lot size of 5,000 sf would require 38 acres to provide 333 units. Within the service area of the utility providers, residential densities vary greatly. However, within the Southern California Association of Governments (SCAG) area, the majority of land zoned for residential uses is zoned for detached single-family housing, which typically has a maximum density of just 8 units per acre. Within the City of Thousand Oaks, single-family zoning accounts for 91 percent of residential land.¹⁴ This land use pattern of most residential land being allocated to single-family housing is typical statewide and thus within the utility providers' service areas. Meeting energy and climate goals in the state requires more efficient use of land and more residential density. The most efficient means to provide new housing is through multi-family infill development, which describes the project. As new residential buildings must be constructed in order to meet housing goals as mandated by the state an increase in housing units and a related increase in energy demand is inevitable and unavoidable. Therefore, a residential project providing new units in the most efficient manner as recognized by the state, represents the optimum scenario for new housing, meaning its contributions to energy demand cannot reasonably be cumulatively considerable with regard to impacts unless the project is demonstrated to waste energy or conflict with energy policy. The project is an infill development increasing residential density in the City and does not waste energy or conflict with energy policy, therefore its contributions to energy demand impacts are not cumulatively considerable.

¹⁴ Stephen Menendian, Samir Gambhir, Chih-Wei Hsu; Single-Family Zoning in Greater Los Angeles, March 2, 2022.

4.5 GREENHOUSE GAS EMISSIONS

This Draft Environmental Impact Report (EIR) analysis section considers the potential for the Latigo Hillcrest project to result in impacts to greenhouse gas emissions (GHG) and identifies opportunities to avoid, reduce, or otherwise mitigate potential significant impacts where warranted.

This section describes the existing conditions at the proposed project site and surrounding area, summarizes the applicable regulatory framework that guides the decision-making process, identifies thresholds for determining if the proposed project would result in significant impacts, analyzes anticipated impacts (direct, indirect, and cumulative), provides mitigation measures to reduce impacts where warranted, and discusses residual impacts (i.e., level of significance after mitigation). The significance of project impacts have been determined in accordance with criteria based on Appendix G of the State California Environmental Quality Act (CEQA) Guidelines. Where applicable, additional regulatory agency guidelines or requirements are incorporated as additional considerations in evaluating environmental significance. Sources used in the analysis are cited herein where relevant to the analysis; a comprehensive list of references is provided in Chapter 7.0, Organizations and Persons Consulted and References, of this EIR. This evaluation is based upon the project Air quality and Greenhouse Gas and Energy Report,¹ provided in **Appendix C**.

4.5.1 Existing Conditions

The project site is currently developed with a 56,667 sf two-story office building surrounded by paved parking areas and landscaping on an 8.19 acre parcel. The building is currently unoccupied and has been vacant since 2021. The project site is bounded on the south by the right-of-way of U.S. Route 101 (freeway or 101 Freeway), on the west by Rancho Conejo Road and a service station and convenience store, on the north by West Hillcrest Drive, and on the east by The Linden Apartments complex.

Environmental Setting

Emissions of GHGs from human activity are implicated in global climate change. Climate change refers to long-term shifts in temperatures and weather patterns. Climate change can occur due to natural phenomenon, however, GHGs from human activity are the most significant driver of climate change since the mid-20th century.²

The temperature of the planet depends on the balance between energy entering and leaving the planet's system. When sunlight reaches the planet's surface it can either reflect back into space or be absorbed by it. Energy that is absorbed warms the planet; energy that is reflected back to space does not result in warming. Once absorbed, the planet releases some of the energy back into the atmosphere as infrared radiation. The composition of the planet's atmosphere determines how much of that reflected energy is retained. GHGs prevent infrared radiation from leaving the atmosphere and instead absorb the energy, slowing or stopping it from dissipating into space. This further warms the planet beyond the extent of solar radiation by itself. This process is known as the "greenhouse effect." The composition of Earth's atmosphere allows it to retain temperatures that support life, unlike other known planets.

Concentrations of carbon dioxide (CO₂) in the earth's atmosphere are naturally regulated by many processes that are part of what's called the global carbon cycle. The carbon cycle is the continual movement of carbon between the atmosphere and the earth's land and oceans. This process is dominated by natural processes like plant photosynthesis, which actively absorbs carbon from the atmosphere. Over the last 8,000 years the

¹ Envicom Corporation, Air Quality and Greenhouse Gas Emissions and Energy Report, Latigo Hillcrest Project, Thousand Oaks, California, April 2023.

² IPCC (Intergovernmental Panel on Climate Change), Climate change 2021: The physical science basis Working Group I, contribution to the IPCC Sixth Assessment Report, 2021.

overall climate and temperature of the earth had been relatively stable as the amount of CO₂ in the atmosphere was fairly constant. Beginning around 1950 emissions from human activity created a dramatic increase in atmospheric CO₂ as it exceeded the absorptive capacity of natural processes. The buildup of GHGs in the atmosphere, primarily CO₂ released from the burning of fossil fuels, began in the mid 1800s as large-scale industrialization took place across the globe. Atmospheric concentrations of GHGs have continued to increase and concentrations of CO₂ in the atmosphere in 2021 were about 44% greater than concentrations in 1850.

This buildup of GHGs in the atmosphere has resulted in a warming planet. Human activities are estimated to have increased the earth's global average temperature by about 1.8 degrees Fahrenheit (1 degree Celsius) since the pre-industrial period. The average rate of temperature growth per decade has been 0.14 degrees Fahrenheit (0.08 degrees Celsius) since 1880; however, the average rate of increase since 1981 has been more than twice as fast, at 0.32 degrees Fahrenheit (0.18 degree Celsius) per decade.³ This increase (or growth) in the global average temperature is referred to as global warming. Human-induced global warming is proceeding at a much faster rate than previous natural periods of global warming. For example, as the earth moved out of the last glacial period, or last "ice age," the average temperature rose about 5 degrees Celsius in total over a period of 5,000 years, at a rate of roughly 1 degree each thousand years.⁴ In contrast, human activity has caused the planet to warm by 1.1 degrees Celsius in less than 150 years.

Climate change is the term used to describe changes in the long-term average weather patterns of the planet due to global warming. Climate change impacts such as rising ocean levels, accelerated melting of ice caps, and an increase in the frequency and duration of heat waves are already occurring globally. Future potential impacts from climate change include: substantial ecosystem and biodiversity loss, including mass extinctions; more extreme weather events including more frequent heavy precipitation and heatwaves; extreme drought; loss of arctic sea ice, and; a rise in sea-levels as much as three meters.⁵ All of these changes would most likely result in additional negative impacts that sustain human life, such as the direct loss of natural resources humans rely on such as timber and seafoods, a reduction in crop yields and livestock productivity, an increase in pests and disease, the loss of arable land, and a reduction in the availability of clean water.

The 2022 fourth edition of Indicators of Climate Change in California, from the California Environmental Protection Agency (CalEPA) indicates that annual average air temperatures in California have increased by about 2.5 degrees Fahrenheit since 1895, temperatures at night have increase almost three times more than daytime temperatures, and Southern California has warmed at a faster rate than Northern California. This increase in temperature has led to a reduction in the precipitation of snow and an increase in rainfall, leading to a greater scarcity of available water. In fact, the period between 2000 to 2021 has been the driest 22-year period over the past 1,000 years, which is referred to as an era of "megadrought."

For purposes of planning and regulation, Section 15364.5 of the California Code of Regulations (CCR) defines GHGs as including CO₂, CO, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. In California, CO₂ is the primary GHG emitted, accounting for 80 percent of total GHG emissions in 2020.⁶ Because the warming potential of the identified GHGs differ, GHG emissions are typically expressed in terms of CO₂ equivalents (CO₂e), providing a common expression for the combined volume and warming potential of the GHGs generated by a particular emitter. The total GHG emissions

³ NOAA National Centers for Environmental Information, Monthly Global Climate Report for Annual 2021, published online January 2022.

⁴ IPCC (Intergovernmental Panel on Climate Change), Climate change 2021: The physical science basis. Working Group I, contribution to the IPCC Sixth Assessment Report, 2021.

⁵ Ibid.

⁶ California Air Resources Board, California Greenhouse Gas Emissions for 2000-2020, October 26, 2022.

from individual sources are generally reported in metric tons (MT) and are expressed as MT of CO₂ (MTCO₂e).

Fossil fuel combustion in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) is the single largest source of GHG emissions, accounting for nearly 37 percent of GHG emissions in California.⁷ Passenger vehicles are the single largest source of CO₂ emissions in California, accounting for 25 percent of emissions. The combination of total transportation emissions plus oil and gas refinery emissions amount to approximately 47 percent of all statewide GHG emissions. Electricity production is the next largest producer of GHGs at approximately 16 percent.

Project Construction and Operations

The project would demolish the existing office building and associated paving, resulting in an estimated 8,140 tons of demolition debris to be hauled from the site. The project would construct a mixed-use development with a total of 333 multi-family residential apartment units, 5,300 sf of commercial use, and associated amenities. A total of 30 of the proposed residential units would be designated as affordable housing units for Very Low-Income Households. The development would primarily consist of two structures of up to four stories over semi-underground parking garages. During construction, grading of the site and excavation for the underground garage levels would require export of approximately 48,100 cubic yards (cy) of soil material.

The residential and amenity uses of the proposed structures would consist of approximately 427,458 sf of floor space. The ground level and semi-underground parking garage structures would provide a combined total of approximately 462 parking spaces within two parking garages. An additional estimated 119 parking spaces would be provided as surface parking lot spaces along the project's on-site driveways. The project's amenity spaces would include lobbies, a fitness room, game room/lounge, and a co-working room, as well as roof deck areas. The project would also include a swimming pool and courtyards throughout the site.

Project GHG Emissions

During construction, on-site equipment, vendor vehicles, and worker vehicles would consume fossil fuels and produce GHG emissions. Temporary tie-ins to the electrical grid will provide electrical power and some of that power may come from fossil fuels. Energy provided to the project during operations would be delivered by Southern California Edison (SCE) for electricity and Southern California Gas Company (SoCalGas) for natural gas. Although SCE delivers electricity through its infrastructure, the City has been a participant in the regional Clean Power Alliance (CPA) since 2019. The CPA allows residents and businesses to choose to receive energy generated from renewable sources from CPA, delivered by SCE infrastructure. The default for new connections in the City is participation in the CPA.

Regulatory Setting

Federal

Clean Air Act

The U.S. Environmental Protection Agency (EPA) is responsible for implementing federal policy to address GHGs. In *Massachusetts v. EPA* (549 US 497 [2007]) the U.S. Supreme Court found that CO₂ and other greenhouse gases (GHGs) are pollutants under the Clean Air Act (CAA) and could be regulated by the EPA. The Court did not require the EPA to regulate GHG emissions, but indicated the agency must decide whether GHGs cause or contribute to air pollution that is reasonably anticipated to endanger public health

⁷ Ibid.

or welfare. On December 7, 2009, the EPA administrator made two findings regarding GHGs under Section 202(a) of the CAA:

Endangerment Finding: The Administrator finds that the current and projected concentrations of the six key well-mixed greenhouse gases (CO₂, methane [CH₄], nitrous oxide [N₂O], hydrofluorocarbons [HFCs], perfluorocarbons [PFCs], and sulfur hexafluoride [SF₆]) 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 greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution that threatens public health and welfare.

These findings did not impose any requirements; however, the action was a prerequisite for implementing GHG emissions standards for vehicles and other sectors.⁸ Subsequently these findings were used to modify existing Corporate Average Fuel Economy (CAFE) standards.

In March 2020, the U.S. Department of Transportation (USDOT) and the EPA issued the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule, which further amended existing CAFE standards and tailpipe CO₂ emissions standards for passenger cars and light trucks and established new standards covering model years 2021 through 2026.

Corporate Average Fuel Economy Standards

First enacted by Congress in 1975, the purpose of the Corporate Average Fuel Economy (CAFE) standards was to reduce energy consumption by increasing the fuel economy of passenger cars and light trucks. On April 1, 2010, the National Highway Traffic Safety Administration (NHTSA) and EPA issued a joint final rule establishing a new national program to regulate passenger cars and light trucks in order to improve fuel economy and reduce GHG emissions. In 2012, NHTSA established final passenger car and light truck CAFE standards for model years 2017-2021, which the agency projected would require an average combined fleet-wide fuel economy of 40.3-41.0 mpg in model year 2021. As part of the same rulemaking action the EPA issued GHG standards which were projected to require an average of 163 grams/mile of CO₂ in model year 2025. In March 2022 the NHTSA finalized CAFE Standards for model years 2024-2026 which require an industry-wide fleet average of approximately 49 mpg for passenger cars and light trucks in model year 2026, by increasing fuel efficiency by 8% annually in 2024 and 2025, and 10% in 2026. Relative to model year 2021 average standards are increased nearly 10 miles per gallon.

Energy Independence and Security Act

The Energy Independence and Security Act of 2007 addressed the reduction of national GHG emissions by requiring mandatory Renewable Fuel Standard (RFS) that requires fuel producers to use at least 36 billion gallons of biofuel in 2022; creating and revising standards for regional efficiency for heating and cooling products, energy conservation, energy efficiency labeling for consumer electronic products and other standards; required greater efficiency for light bulbs by phasing out incandescent light bulbs and requiring new efficiency standards; and required energy savings in government and public institutions and various programs for research in alternative energy and other programs.

⁸ United States Environmental Protection Agency, Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act, Accessed February 13, 2023 at: <https://www.epa.gov/climate-change/endangerment-and-cause-or-contribute-findings-greenhouse-gases-under-section-202a>.

Federal Regulation of Power Plant Carbon Emissions

In 2015, the EPA promulgated the Clean Power Plan rule which addressed carbon dioxide emissions from existing coal- and natural-gas-fired power plants. For authority, the Agency cited Section 111 of the CAA, which, although known as the New Source Performance Standards program also authorized regulation of certain pollutants from existing sources. The Clean Power Plan was immediately challenged in the courts and in 2016 the Supreme Court stayed enforcement of the plan. In 2019 the EPA under the Trump administration repealed the Clean Power Plan and replaced it with the Affordable Clean Energy rule. On January 19, 2021, the federal D.C. Circuit Court ruled the Affordable Clean Energy rule violated the CAA, and the rule was vacated. The basis for the ruling concurrently vacated the EPA's repeal of the Clean Power Plan, though it did not reinstate the rule. The EPA under the Biden administration indicted in a memorandum dated February 12, 2021, that as a practical matter the administration would not seek to reinstate the Clean Power Plan. Subsequently, in *West Virginia v. EPA*, 2022, the Supreme Court ruled that Congress would need to explicitly give authority to the EPA to regulate emissions from existing power plants, as the Clean Power Plan sought to do, and found that Congress had not done so, and therefore invalidated that aspect of the Clean Power Plan.

The Inflation Reduction Act (IRA), signed into law August 16, 2022, explicitly defined GHGs- carbon dioxide, hydrofluorocarbons, methane, nitrous oxide, perfluorocarbons, and sulfur hexafluoride- as air pollutants under the Clean Air Act. However, the bill only gives the EPA the explicitly authority to regulate GHGs within seven new sections added to the Clean Air Act and therefore does not directly address the *West Virginia v. EPA* ruling. The IRA aims to reduce GHG emissions to 40% below 2005 levels by 2030 primarily through the use of incentives and investments in clean energy. There is currently no replacement to the Clean Power Plan.

Construction Equipment Emission Standards

The EPA sets emission standards for construction equipment. Tier 1 standards were adopted in 1994 for new nonroad diesel engines over 50 hp, to be phased-in from 1996 to 2000. In 1998 Tier 1 standards were then applied to all equipment under 350 hp. Tier 2 and Tier 3 standards for all equipment were then introduced with phase-in schedules from 2000 to 2008. The Tier 1-3 standards are met through advanced engine design, meaning emission reductions generally cannot be obtained through the use of exhaust gas aftertreatment.

In 2004 EPA signed the final rule introducing Tier 4 emission standards, which are phased-in over the period of 2008-2015. The Tier 4 standards require that emissions of PM and NOx be further reduced from existing standards by about 90%. Tier 4 emission reductions can be achieved through the use of control technologies, including exhaust gas aftertreatment. Tier 4 standards also included reductions in sulfur content in nonroad diesel fuels, which was not present in previous standards.

These standards cover mobile nonroad diesel engines of all sizes, the sort of equipment used in construction, agricultural and industrial uses. Tier 1 standards were phased-in from 1996 to 2000, Tier 2 from 2001 to 2006, and Tier 3 standards were phased-in from 2006 to 2008. Equipment must meet the standards in place when they were built. However, rules governing the replacement or modification of equipment are geared toward retiring older equipment.

State

State efforts to address climate change generally fall into three categories, Climate Policy, Land Use Planning (directed at improving patterns of land to reduce GHG emissions) and Energy Production Policy (directed at renewable energy sources).

Climate Policy

GHG Emission Targets

Executive order S-3-05 issued by Governor Arnold Schwarzenegger in 2005 created GHG emissions target for the state and required the California EPA (CalEPA) to report progress every two years. Executive Order B-30-15 signed by Governor Jerry Brown in 2015 replaced the 2005 targets with a new target of GHG emissions 40 percent below 1990 levels by 2030. Governor Brown followed this in 2018 with Executive Order B-55-18 which established a state goal to achieve carbon neutrality no later than 2045.

California Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006, provided authorization to CARB to develop regulations and market mechanisms to reach the GHG emissions goals established in 2005. California Senate Bill 32 (SB 32), the California Global Warming Solutions Act of 2006: emissions limit, was passed in 2016 as a follow-up to AB 32, changing the GHG emissions target to match the 2015 executive order.

Assembly Bill 1279, known as the California Climate Crisis Act, was enacted September 16, 2022. It codifies previous executive orders by requiring California to achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045, and to achieve and maintain net negative GHG emissions thereafter. It also requires that statewide anthropogenic GHG emissions be reduced to at least 85 percent below 1990 levels by 2045.

Climate Change Scoping Plan

As required by AB 32, CARB was tasked with preparing a scoping plan that identified strategies for reducing GHG emissions. The first Climate Change Scoping Plan was adopted in December 2008 and gets updated every 5-years. So far there have been three updates on the Scoping Plan. Each update builds upon the existing strategies and recommendations from the previous plan and identifies opportunities to leverage existing and new funds.

The 2022 Climate Change Scoping Plan was finalized in December 2022 and is focused on the goal of obtaining carbon neutrality by 2045 or earlier. This is the first updated Scoping Plan that has added carbon neutrality as a science-based guide where it identifies technologically feasible, cost effective and equity-focused path to carbon net zero. The 2022 Scoping Plan specifically:⁹

- Identifies a path to reduce GHG emissions by 85 percent below 1990 emissions no later than 2045.
- Identifies technologically feasible, cost-effective means to achieve carbon neutrality by 2045.
- Focuses on strategies for reducing California’s dependency on petroleum to provide consumers with clean energy options that address climate change, improve air quality, and support economic growth and clean sector jobs.
- Integrates equity and protecting California’s most impacted communities as a driving principle throughout the document.
- Incorporates the contribution of natural and working lands to the state’s GHG emissions, as well as its role in achieving carbon neutrality.
- Relies on the most up to date science, including the need to deploy all viable tools to address the existential threat that climate change presents, including carbon capture and sequestration as well a direct air capture.

⁹ California Air Resources Board, 2022 Scoping Plan for Achieving Carbon Neutrality, November 16, 2022.

The Scoping Plan also includes Key Residential and Mixed-Use Project Attributes that Reduce GHGs in Appendix D that provides approaches for determining whether a proposed residential or mixed-use residential development would align with the State’s climate goals, absent a locally or regionally adopted CEQA-qualified CAP.

The Cap-and-Trade Program

The goal of the Cap-and-Trade Program, which appears in Sections 95800 to 96023 of Title 17 of the CCR, is intended to reduce GHG emissions from major sources (covered entities) by setting a firm cap on statewide GHG emissions while employing market mechanisms to cost-effectively achieve the emission-reduction goals. The statewide cap for GHG emissions from major sources, which is measured in MT CO₂e, commenced in 2013 and will decline over time, achieving GHG emission reductions throughout the program’s duration. Each covered entity will be required to surrender one permit to emit for each ton of GHG emissions they emit. Some covered entities will be allocated some allowances and will be able to buy additional allowances at auction, purchase allowances from others, or purchase offset credits. The Cap-and-Trade Program relies on data collected through the Mandatory Reporting of GHG Emissions Regulation to identify major sources of GHG emissions in California. Starting in 2012, major GHG-emitting sources, such as electricity generation and large stationary sources (including refineries, cement production facilities, oil and gas production facilities, glass manufacturing facilities, and food processing plants) that emit more than 25,000 MT CO₂e per year were required to comply with the Cap-and-Trade Program. The program expanded in 2015 to include fuel distributors (natural gas and propane fuel providers and transportation fuel providers) to address emissions from transportation fuels and from combustion of other fossil fuels not directly covered at large sources in the program’s initial phase.

Vehicle Emissions

California has the authority to set its own vehicle emission standards through the application of waivers to the Clean Air Act. AB 1493 passed in 2002 required the California Air Resources Board (CARB) to adopt regulations to reduce GHG emissions from passenger vehicles beginning in 2009. These were the first greenhouse gas vehicle standards adopted in the nation and were later largely adopted as the federal standards.

Executive Order S-01-07 (January 18, 2007) requires a 10 percent or greater reduction in the average fuel carbon intensity for transportation fuels in California regulated by CARB. The Low Carbon Fuel Standard (LCFS) was identified by CARB as a Discrete Early Action item under AB 32, and the final resolution (09-31) was issued on April 23, 2009. In 2009, CARB approved for adoption the LCFS regulation, which became fully effective in April 2010 and is codified at Title 17, California Code of Regulations, Sections 95480-95490. The LCFS will reduce GHG emissions by reducing the carbon intensity of transportation fuels used in California by at least 10 percent by 2020. In September 2018, the standards were amended by CARB to require a 20 percent reduction in carbon intensity by 2030, aligning with California’s 2030 targets set by SB 32.

In 2012, the CARB adopted the Advanced Clean Cars Program, which is aimed at reducing both smog-causing pollutants and GHG emissions from cars and light-duty trucks model years 2017-2025. The set of regulations focus on increasing the number of plug-in hybrid cars and zero-emission vehicles (ZEVs) in the vehicle fleet and on making fuels such as electricity and hydrogen readily available for these vehicle technologies. The components of the Advanced Clean Cars Program are the Low-Emission Vehicle (LEV) regulations that reduce criteria pollutants and GHG emissions from light- and medium-duty vehicles, and the ZEV regulation, which requires manufacturers to produce an increasing number of pure ZEVs (meaning battery electric and fuel cell electric vehicles), with provisions to also produce plug-in hybrid electric

vehicles (PHEV) in the 2018 through 2025 model years. The new standards will reduce GHG emissions by 34 percent in 2025.¹⁰

Executive Order B-16-12 signed in 2012 directed the state government to accelerate the market for ZEVs in California through fleet replacement and electric vehicle infrastructure. The Executive Order set the following targets:

- By 2015, all major cities in California will have adequate infrastructure and be ZEV ready.
- By 2020, the state will have established adequate infrastructure to support one million ZEVs in California.
- By 2025, there will be 1.5 million ZEVs on the road in California.
- By 2050, virtually all personal transportation in the state will be based on ZEVs, and GHG emissions from the transportation sector will be reduced by 80 percent below 1990 levels.

Executive Order N-79-20 was signed by Governor Gavin Newsom in 2020, calling for the elimination of internal combustion passenger vehicles within the State by 2035.

The Low Carbon Fuel Standard (LCFS) is a market-based program that created by the CARB as part of an AB 32 measure called Discrete Early Action Item to reduce GHG emissions throughout the state 20% by 2030 and 80% by 2050. The market-based program provides credit generation opportunities to incentivize production and use of low carbon fuels. LCFS is codified in the California Code of Regulations (CCR) at Title 17 Sections 95480-95490. Section 95480 states the purpose of LCFS is to implement a low carbon fuel standard which will reduce the full fuel-cycle, carbon intensity of the transportation fuel pool used in California, pursuant of the AB 32.

CARB Construction Fleet Standards require construction fleet owners in California to report the sale or purchase of new or used equipment to CARB on an ongoing basis and provide data on the fleet annually. The equipment fleet must meet an average emissions rate established by CARB that relates to the size of the fleet. In addition, it is no longer possible to add a Tier 1 or Tier 2 vehicle to a fleet, all engines added to a fleet must be Tier 3 or 4.¹¹

Center for Biological Diversity v. California Department of Fish and Wildlife

On November 30, 2015, the California Supreme Court released its opinion on *Center for Biological Diversity v. California Department of Fish and Wildlife*, commonly referred to as the Newhall Ranch Case. Due to the importance of the Supreme Court as the top entity within the California Judiciary, and because of the relative lack of judicial guidance regarding how GHG issues should be addressed in CEQA documents, the opinion provides important legal guidance to agencies charged with preparing EIRs and evaluating impacts related to GHG emissions. The Supreme Court provided the following guidance regarding potential alternative approaches to GHG impact assessments at the project level for lead agencies:

- The lead agency may use a project's compliance with performance-based standards, such as high building efficiency, adopted to fulfill a statewide plan to reduce or mitigate GHG emissions to assess consistency with AB 32 to the extent that the project features comply with or exceed the regulation. A significance analysis would then need to account for the additional GHG emissions, such as transportation emissions, beyond the regulated activity. Transportation emissions are in

¹⁰ California Air Resources Board, Facts About the Advanced Clean Cars Program, November 9, 2011.

¹¹ California Air Resources Board, Guide to Off-Road Vehicle & Equipment Regulations, Accessed February 13, 2023 at: https://ww2.arb.ca.gov/sites/default/files/offroadzone/pdfs/offroad_booklet.pdf.

part a function of the location, size, and density or intensity of a project, and thus can be affected by local governments' land use decision making. Additionally, the lead agency may use a programmatic effort including a general plan, long range development plan, or a separate plan to reduce GHG emissions (such as a CAP or a SB 375 metropolitan regional transportation impact SCS) that accounts for specific geographical GHG emission reductions to streamline or tier project level CEQA analysis pursuant to CEQA Guidelines Section 15183.5(a) through (b) for land use and PRC Section 21155.2 and 21159.28 and CEQA Guidelines Section 15183.5(c) for transportation.

- The lead agency may rely on existing numerical thresholds of significance for GHG emissions (such as the Bay Area Air Quality Management District's (BAAQMD) proposed threshold of significance of 1,100 MT CO₂E in annual emission for CEQA GHG emission analysis on new land use projects). The use of a numerical value provides what is "normally" considered significant but does not relieve a lead agency from independently determining the significance of the impact for the individual project (CEQA Guidelines Section 15064.7).¹²

CEQA Guidelines Section 15064.4

The CEQA Guidelines Section 15064.4(a) states that a lead agency "shall make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project." The agency then has the discretion to use quantitative or qualitative means to determine an impact. In addition, the lead agency "should focus its analysis on the reasonably foreseeable incremental contribution of the project's emissions to the effects of climate change." This is discussed further in Section 4.5.2 below.

Land Use Planning

Senate Bill 375

Senate Bill 375, the Sustainable Communities and Climate Protection Act, passed in 2008, directed CARB to set regional targets for reducing GHG emissions in each of the 18 metropolitan planning organization (MPO) regions. Each MPO was required to develop a Sustainable Communities Strategy (SCS) to reduce greenhouse gas emissions from driving. The state required that each MPO add an SCS component to the Regional Transportation Plan (RTP), which regulates transportation financing in each region. The RTP and SCS must complement each other and accommodate the Regional Housing Needs Allocation (RHNA). The bill modified the RHNA requirements to align with production of the RTP/SCS. The purpose of the RTP/SCS and RHNA is for each MPO to arrive at a mix of transportation and land use strategies that will direct the region's growth in such a way that emissions from car trips meet the GHG reduction targets. In addition, SB 375 offers CEQA streamlining incentives for residential projects that conform to the SCS, allocates funding to transportation projects that are consistent with the SCS, and creates penalties for jurisdictions that fail to meet their RHNA obligations.

Senate Bill 743

Senate Bill 743, passed in 2013, established that CEQA transportation impacts would no longer be measured by level of service (LOS), but rather by vehicle miles traveled (VMT). This eliminated vehicle delay as an environmental impact and complemented the purposes of SB 375.

¹² Kaatz, Joe, Energy Policy Initiative Center, University of San Diego, *Center for Biological Diversity et al., v. California Department of Fish and Wildlife*, and the Newhall Land and Farming Company: The Burden of CEQA Land Use GHG Emission Reduction Analysis at the Local Level. January 20, 2016.

Senate Bill 379

Senate Bill 379, adopted in 2015, required cities and counties to include climate adaptation and resiliency strategies in the safety elements of their general plans. The bill required the climate adaptation safety element update to include a set of goals, policies, and objectives based on a vulnerability assessment, as well as implementation measures.

Energy Production Policy***Senate Bill 350***

Senate Bill 350, the Clean Energy and Pollution Reduction Act of 2015, set a goal to increase the procurement of electricity from renewable sources from 33 percent to 50 percent by the end of 2030. Senate Bill 100, the 100% Clean Energy Act of 2018, updated the goals of SB 350 to achieve a 50-percent renewable resources target by December 31, 2026, and achieve a 60-percent target by December 31, 2030.

Senate Bill 1020

Senate Bill 1020, adopted in 2022, requires that eligible renewable energy resources and zero-carbon resources supply 90 percent of all retail sales of electricity to California end-use customers by December 31, 2035, 95 percent by December 31, 2040, and 100 percent by December 31, 2045, and 100 percent of electricity procured to serve all state agencies by December 31, 2035. The bill authorizes CARB and the California Energy Commission to implement the policy through existing statutes and authority.

Regional**SCAG Regional Transportation Plan/Sustainable Communities Strategy**

The Southern California Association of Governments, known as SCAG, functions as the MPO for six counties, including Ventura County, wherein the project site is located. As the designated MPO, SCAG is required by federal law to prepare and update a long-range regional transportation plan, keep up with CAA requirements, monitor system performance, and develop a sustainable communities strategy to achieve GHG reduction targets set by the CARB.

On September 1, 2020, SCAG’s Regional Council adopted an updated RTP/SCS known as the 2020-2045 RTP/SCS, or Connect SoCal.¹³ The 2020-2045 RTP/SCS is a long-range visioning plan that builds upon and expands land use and transportation strategies of the 2016-2040 RTP/SCS to increase mobility options and achieve a more sustainable growth pattern, consistent with SB 375. The plan projects growth in employment, population, and households at the regional, county, city, town and neighborhood levels. These projections take into account economic and demographic trends, as well as feedback from SCAG’s component jurisdictions. The 2020-2045 RTP/SCS “Core Vision” centers on maintaining and better managing the transportation network for moving people and goods, while expanding mobility choices by locating housing, jobs and transit closer together and increasing investment in transit and complete streets.¹⁴ The 2020-2045 RTP/SCS continues efforts to better align transportation investments and land use decisions to improve mobility and reduce GHGs by bringing housing, jobs and transit closer together. SCAG has determined that the 2020-2045 RTP/SCS would achieve the applicable GHG emissions reduction target for automobiles and light trucks of 19 percent per capita reduction by 2035, relative to 2005 levels, as established by CARB for the region.

¹³ Southern California Association of Governments, 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments, Adopted September 3, 2020.

¹⁴ Southern California Association of Governments, A Plan Summary for Connect SoCal, Adopted September 3, 2020.

Ventura County Air Pollution Control District

Ventura County Air Pollution Control District (VCAPCD) ensures protection for public health and agriculture from adverse effects of air pollution by identifying air pollution problems and developing a comprehensive program to achieve and maintain state and federal air quality standards. VCAPCD provides significance thresholds that can be used in evaluating GHG impacts for projects. *Greenhouse Gas Thresholds of Significance Options for Land Use Development Projects in Ventura County* is used for evaluating GHG impacts in Ventura County under CEQA.¹⁵ This letter notes that the most common approach for determining the significance of GHG emissions for land use projects is a tiered approach involving: (1) applicability of any CEQA exemptions; (2) project consistency with a local climate action plan; and (3) application of an efficiency-based threshold and/or a bright line gap-based threshold based on capturing 90 percent of project GHG emissions.

Local

The City's General Plan Conservation Element 2013 Update includes the following climate change policy:

- CO-39 Support efforts to reduce greenhouse gas emissions, consistent with the intent of the State of California's California Global Warming Solutions Act of 2006 (AB 32).

Implementation Measures:

- Prepare Greenhouse Gas Analyses for development projects which require the preparation of Environmental Impact Reports or Mitigated Negative Declarations.
- Reduce energy use and utilize sustainable energy sources at City facilities where feasible, in accordance with City-adopted Energy Action Plan.

Although the City does not have an adopted Climate Action Plan (CAP), the City is now developing its Climate and Environmental Action Plan (CEAP), which will detail the strategies and actions that the City will pursue to protect the environment and address the challenges of climate change. The CEAP is being developed in parallel with the City's General Plan update.

4.5.2 Thresholds of Significance

The potential GHG impacts of the project have been analyzed in relation to the following threshold criteria, which are based upon the State CEQA Guidelines Appendix G Checklist. The proposed project may be considered to have a significant impact to GHG Emissions impact if the project would (short title for impact headings shown in parentheses):

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with an applicable plan, policy or regulation adopted to reduce GHG emissions. (***Generate Excessive Emissions or Conflict with GHG Policy***)

Because individual projects do not generate sufficient GHG emissions that would substantially affect climate change; the issue of climate change typically involves an analysis of whether a project's contribution toward an impact is cumulatively considerable. As defined by CEQA Guidelines Section 15355, "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (also see 4.5.4, Cumulative Impacts, later in this Section 4.5).

¹⁵ Ventura County Air Pollution Control District Greenhouse Gas Thresholds of Significance Options for Land Use Development Projects in Ventura County, Revised November 8, 2011.

The CEQA Guidelines Section 15064.4(a) states that a lead agency shall have discretion to determine, in the context of a particular project, whether to:

- 1) Quantify greenhouse gas emissions resulting from a project; and/or
- 2) Rely on a qualitative analysis or performance-based standards.

Additionally, the Section 15064.4(b) states that “In determining the significance of a project’s greenhouse gas emissions, the lead agency should focus its analysis on the reasonably foreseeable incremental contribution of the project’s emissions to the effects of climate change,” and that the following factors should be considered:

- 1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting.
- 2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
- 3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions (see, e.g., section 15183.5(b)). Such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project’s incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project. In determining the significance of impacts, the lead agency may consider a project’s consistency with the State’s long-term climate goals or strategies, provided that substantial evidence supports the agency’s analysis of how those goals or strategies address the project’s incremental contribution to climate change and its conclusion that the project’s incremental contribution is not cumulatively considerable.

CEQA Guidelines Section 15064.4 does not establish a threshold of significance for GHG emissions. Lead agencies have the discretion to establish significance thresholds for their respective jurisdictions, and in establishing those thresholds, a lead agency may appropriately look to thresholds developed by other public agencies or suggested by other experts (see CEQA Guidelines Section 15064.7(c)). Pursuant to CEQA Guidelines Section 15064.7(b), “Thresholds of significance to be adopted for general use as part of the lead agency’s environmental review process must be adopted by ordinance, resolution, rule, or regulation, and developed through a public review process and be supported by substantial evidence.” To date, the City, as lead agency, has not established a quantitative threshold for evaluating the significance of GHG emissions for general use as part of the City’s environmental review process.

In 2011, VCAPCD staff provided a report entitled “Greenhouse Gas Thresholds of Significance Options for Land Use Development Projects in Ventura County” to the Ventura County Air Pollution Control Board by way of a letter dated November 8, 2011. This letter notes that the most common approach for determining the significance of GHG emissions for land use projects is a tiered approach involving: (1) applicability of any CEQA exemptions; (2) project consistency with a local climate action plan; and (3) application of an efficiency-based threshold and/or a bright line gap-based threshold based on capturing 90 percent of project GHG emissions. This passage refers to and cites sections from a 2008 California Air Pollution Control Officers Association (CAPCOA) white paper titled CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act that provides “a common platform of information and tools to address climate change in CEQA analyses, including the evaluation and mitigation of GHG emissions from proposed projects and identifying significance threshold options.” The VCAPCD letter also states that, “Given that Ventura County is adjacent to the South Coast [Air Quality Management District]

AQMD jurisdiction and a part of the Southern California Association of Governments region, District staff believes it makes sense to set local GHG emission thresholds of significance for land use development projects at levels consistent with those set by the South Coast AQMD,” and concludes that “unless directed otherwise by [the Air Pollution Control] Board, District staff will continue to evaluate and develop suitable GHG threshold options for Ventura County with preference for GHG threshold consistency with the South Coast AQMD and the SCAG region.” However, to date, VCAPCD has not established quantitative significance thresholds for evaluating GHG emissions in CEQA analyses for non-industrial development projects.

In 2008 SCAQMD staff suggested a screening threshold of 3,000 MTCO₂e/year for residential, commercial, and mixed-use projects in the Interim CEQA Greenhouse Gas (GHG) Significance Threshold Draft Guidance Document. Since that time the SCAQMD has explored other options but no screening thresholds for residential or mixed-use projects have yet been adopted by SCAQMD or any other applicable local, regional, or State agency. As such, for this analysis, the potential significance of the project’s GHG emissions will be qualitatively evaluated based on the “extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions” (CEQA Guidelines Section 15064.4(b)). The project would be required by the City to comply with applicable regulations or requirements adopted to implement statewide, regional, or local plans for the reduction or mitigation of greenhouse gas emissions. The project’s consistency with such plans is discussed below.

4.5.3 Project Impacts and Mitigation Measures

The following project features are relevant to the analysis of GHG. This analysis evaluates impacts with reference to the design of the project, the regulatory setting, state and City information related to these resources. The project would include:

- No natural gas appliances for residences.
- Indoor/Outdoor bike parking with electric bicycle charging stations.
- Electric Vehicle (EV) Accommodations that meet or exceed requirements of the California Green Building Code (CALGreen) standards consisting of:
 - 226 EV Capable parking spaces (40 percent of overall Parking) with pre-wiring installed for future Level 2 EV Charging (10 percent required per CALGreen).
 - 141 EV Ready parking spaces (25 percent of overall Parking) equipped with low power Level 2 EV charging 120-240 volt 30 Amp receptacles (25 percent required per CALGreen)
 - 57 EV Chargers (10 percent of Overall Parking) equipped with Level 2 Electrical Vehicle Supply Equipment (EVSE) (5 percent required per CALGreen) available at initial occupancy.

Pertinent to the evaluation below, the proposed project’s estimated construction and operational emissions were modeled using California Emission Estimator Model (CalEEMod) Version 2020.4.0.¹⁶ The output reports from CalEEMod are included as an attachment to the Air Quality and Greenhouse Gas Emissions and Energy Report (Appendix C). Construction emissions were modeled based primarily on the size of the project site and the proposed land use type and floor space, and the estimated duration of construction activities and types of equipment to be used.

Project details that were applied to CalEEMod for determining operational emissions include the proposed number of residential units, floor areas of residential and residential amenity spaces, commercial use floor

¹⁶ A 2022 version of CalEEMod was recently made available, but the VCAPCD does not yet recommended its use for projects in Ventura County, based upon Envicom Corporation email communication with Nicole Collazo, Air Quality Specialist and CEQA reviewer, VCAPCD Planning Division, February 23, 2023.

space, parking garage spaces, and surface parking lot spaces. Project-specific operations data used in the model include 1,788 average daily trips per the project's Traffic, Circulation and Vehicle Miles Traveled (VMT) Study (Traffic Study) (provided by **Appendix H**).¹⁷ No adjustments were made in the CalEEMod model to account for how the project would increase the density of use within the infill site, would be adjacent to or near commercial uses and employment centers, and provides a co-work amenity space to encourage telecommuting/alternate work schedules. All of these factors serve to encourage further reductions in VMT.

4.5.3.1 Generate Excessive Emissions or Conflict with GHG Policy

The proposed project may have a significant impact if it would result in GHG emissions, either directly or indirectly, that may have a significant impact on the environment, or, if it would conflict with an applicable plan, policy or regulation adopted to reduce GHG emissions.

The project's estimated emissions are provided pursuant to CEQA Guidelines Section 15064.4(a) for informational and disclosure purposes only. However, no numeric threshold for determining the potential significance of GHG emissions, such as a mass emissions rate (bright line threshold), per capita emissions rate (efficiency threshold), or emissions reduction percentage below an unmitigated rate (performance threshold) to be generated by a mixed-use project with residential and commercial uses has been adopted by the City, the VCAPCD, the SCAQMD, nor any other State, regional, or local agency with jurisdiction of the project site. As such, there are no applicable numeric standards for determining if the project's estimated emissions shown in Table 9 would cause a cumulatively considerable contribution to an environmental impact under CEQA. Therefore, in accordance with CEQA Guidelines Section 15064.4(b)(3), the determination of the significance of the project's GHG emissions impact is based on a qualitative analysis considering the project's consistency with applicable statewide, regional, and local plans adopted for the purpose of reducing GHG emissions as discussed below under Plan Consistency.

The project's estimated annual GHG emissions were calculated using CalEEMod 2020.4.0. The CalEEMod output data for the proposed project, which also reports input data of project details that were used in the model, is provided as part of Appendix C.

Construction GHG Emissions Methodology and Analysis

During construction, the project would generate GHG emissions primarily from the use of internal combustion engines to power on-site equipment as well as off-site transportation of workers and materials. As estimated the project's construction activities would generate a total of approximately 2,396 MT CO₂e emissions. As construction emissions occur for a limited period of a project's lifetime GHG emissions from construction are amortized over a 30-year period as recommended by SCAQMD.¹⁸ The proposed project's amortized construction-related emissions would therefore be 79.9 MT CO₂e. The amortized construction emissions have been added to the project's annual operational GHG emissions as shown in the following discussion.

Operational GHG Emissions Methodology and Analysis

During operations, the project would generate GHG emissions from area sources, energy use, mobile, water use, and waste disposal. The project's estimated GHG emissions are shown in the CalEEMod output sheets for Annual emissions as part of Appendix C. Area sources include emissions from consumer product use (i.e., cleaning supplies, kitchen aerosols, cosmetics and toiletries), architectural coatings such as paints

¹⁷ Stantec, 2150 Hillcrest Drive Traffic, Circulation and Vehicle Miles Traveled (VMT) Study, March 23, 2023.

¹⁸ SCAQMD, Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold, October 2008.

(averaged on an annual basis assuming all surface areas are repainted once every 10 years), and landscape maintenance equipment (i.e., lawn mowers, leaf blowers, etc.). Energy sources include electricity and natural gas use. Electricity uses include operation of equipment for space heating/cooling, water heating, and ventilation, as well as appliances, electronics, other miscellaneous plug-in uses, and lighting. Natural gas usage includes building heating, water heating, cooking, and pool/spa heating. However, the project will not include gas appliances in the residential units.

Mobile sources include on-road motor vehicle use by residents, customers, guests, etc. Vehicle emission factors used in CalEEMod are based on EMFAC 2017. Beginning with CalEEMod Version 2020.4.0 (used for this analysis), N₂O emissions from vehicles are included in CalEEMod as EMFAC 2017 includes vehicle N₂O emissions. The number of trips generated by the project as well as the CalEEMod default vehicle fleet mix were used to calculate the CO₂e emissions associated with on-road motor vehicle use.

Project-specific operations data used in the model as reported in the attached CalEEMod output sheets (Appendix A) include:

- VCAPCD Rule 74.2 limiting architectural coatings applied for residential and commercial use structures to 50 g/L VOC content.
- Hill Canyon Wastewater Treatment Plant details.
- 1,788 average daily trips¹⁹ per the project's Traffic, Circulation and Vehicle Miles Traveled (VMT) Study.²⁰

The CalEEMod estimates for the project emissions are conservatively high, as several GHG-reduction project features were not incorporated into the modeling. No adjustments were made in the CalEEMod that account for how the project would increase the density of use within the infill site, be adjacent to and near commercial uses and employment centers (destination accessibility), include below market rate housing (30 very low-income affordable units), and provide a co-work amenity space to encourage telecommuting/alternate work schedules. Additionally, the project would provide EV facilities on site (parking spaces that are EV-capable or EV-ready, as well as spaces with EV charging equipment installed), and bicycle storage rooms equipped with electric bike chargers. These features would further reduce potential operational emissions below those calculated by CalEEMod. As such, the estimated operational emissions calculated by CalEEMod are conservatively high, and actual operational emissions would be lower as a result of reductions that would occur due to features of the project site, surroundings, and proposed development.

Table 4.5-1, Annual Greenhouse Gas Emissions, summarizes the estimated operational emissions as well as the amortized construction emissions based on the CalEEMod output files provided in Appendix C. The estimated GHG emissions shown in Table 4.5-1 represent a conservative evaluation as further reductions that would result from project features that would reduce energy and water use, encourage use of EVs or electric bicycles (e-bikes), or other transportation demand management (TDM) measures which may be required by the City as conditions of approval through the land use entitlement process have not been quantified. Additionally, as future tenants or employees of the project currently generate GHG emissions where they currently reside and/or are employed which cannot be known, the proposed project's estimated emissions shown in Table 4.5-1 conservatively do not reflect the net change in global, state, or regional GHG emissions that would result from the project.

¹⁹ Total project ADT applied to the apartment land use as the Traffic Study does not separate project ADT by land use after applying reductions for internal trips of residents accessing on-site commercial uses.

²⁰ Stantec, 2150 Hillcrest Drive Traffic, Circulation and Vehicle Miles Traveled (VMT) Study, March 23, 2023.

**Table 4.5-1
Annual Greenhouse Gas Emissions**

Generation Source	MT CO₂e/year
Project Emissions	
Area Sources	4.1
Energy Utilization	630.9
Mobile Source ^a	1,387.3
Solid Waste Generation	79.8
Water Consumption	92.4
Construction (Amortized)	79.9
Total Project Operational Emissions	2,274.4
Source: Air Quality and Greenhouse Gas Emissions and Energy Report, March 2023. (Appendix C)	
^a CalEEMod Version 2020.4.0 includes N ₂ O emissions from vehicles.	
Note: Totals may differ due to rounding.	

The project's estimated emissions shown in Table 4.5-1 are provided pursuant to CEQA Guidelines Section 15064.4(a) for informational and disclosure purposes. As mentioned, a 3,000 MTCO₂e/year threshold for operational emissions was suggested by SCAQMD staff in 2008, but no numeric threshold for determining the potential significance of GHG emissions, such as a mass emissions rate (bright line threshold), per capita emissions rate (efficiency threshold), or emissions reduction percentage below an unmitigated rate (performance threshold) to be generated by a mixed-use project with residential and commercial uses has been adopted by the City, the VCAPCD, the SCAQMD, nor any other State, regional, or local agency with jurisdiction of the project site. As such, there are no applicable numeric standards for determining if the project's estimated emissions shown in Table 9 would cause a cumulatively considerable contribution to an environmental impact under CEQA. Therefore, in accordance with CEQA Guidelines Section 15064.4(b)(3), the determination of the significance of the project's GHG emissions impact is based on a qualitative analysis considering the project's consistency with applicable statewide, regional, and local plans adopted for the purpose of reducing GHG emissions as discussed below under Plan Consistency.

The project proposes an in-fill development within an urbanized portion of the City on a site that is surrounded by existing uses, is accessed by existing streets, and is served by existing utilities. The proposed project would replace a vacant office building with a new mixed-use development within the City that would be adjacent to, or in close proximity to existing commercial uses and major employment center with office and light industrial uses such as Amgen. The site location is accessible to existing transit with bus stops for two Thousand Oaks Transit routes located within approximately 0.1 mile to the east and west.

The project would provide co-working space as an amenity to facilitate teleworking by residents. Additionally, the project would provide commercial use space, and would include courtyards and indoor recreation amenities such as a fitness room. These features would allow residents to live, work, shop, and recreate without driving to an alternative location. The project would also incorporate EV and e-bike charging facilities to encourage use of electric powered vehicles and bicycles for transportation. Beyond required compliance with California Code of Regulations Building Energy Efficiency Standards (Title 24, Part 6), and California Green Building Standards Code (Title 24, Part 11) that require energy efficient buildings and appliances, water use conservation, and rooftop solar PV panels, which would reduce GHG emissions.

The City is developing a CEAP as part of the General Plan update process. However, to date the City has not adopted a local CAP or other GHG reduction plan that addresses community-wide emissions that would meet the criteria of the CEQA Guidelines Section 15183.5(b). As such, to demonstrate the extent to which the project complies with such plans, this evaluation provides an analysis of the project's consistency with

the following plans that have been adopted on a regional and statewide scale, which include policies that would have the effect of reducing GHG emissions.

SCAG RTP/SCS

The SCAG 2020–2045 RTP/SCS, adopted September 3, 2020, is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. The RTP/SCS plans to accommodate future growth through intensification of residential and commercial land uses in urban areas to reduce VMT, which would reduce emissions of GHGs in the transportation sector, the largest contributing sector to statewide GHG emissions. Although the RTP/SCS strategies are directed at agencies and are not directly applicable to individual development projects, **Table 4.5-2, Project Consistency with SCAG RTP/SCS Strategies**, lists the relevant strategies identified in the SCAG 2020-2045 RTP/SCS that are intended to help achieve the State-mandated GHG emissions reduction targets and provides a discussion of how the project helps achieve the goals of these strategies.

Table 4.5-2
Project Consistency with SCAG RTP/SCS Strategies

Connect SoCal Strategies	Consistency Analysis
<p>Focus Growth Near Destinations & Mobility Options</p> <ul style="list-style-type: none"> • Emphasize land use patterns that facilitate multimodal access to work, educational and other destinations • Focus on a regional jobs/housing balance to reduce commute times and distances and expand job opportunities near transit and along center-focused main streets • Plan for growth near transit investments and support implementation of first/last mile strategies • Promote the redevelopment of underperforming retail developments and other outmoded nonresidential uses • Prioritize infill and redevelopment of underutilized land to accommodate new growth, increase amenities and connectivity in existing neighborhoods • Encourage design and transportation options that reduce the reliance on and number of solo car trips (this could include mixed uses or locating and orienting close to existing destinations) • Identify way to “right size” parking requirements and promote alternative parking strategies (e.g., shared parking or smart parking) 	<p>No Conflict. The project site is located near existing transit facilities, including bus stops for two Thousand Oaks Transit Routes located within approximately 0.10 miles of the site. The project would construct a mixed-use development adjacent to an industrial/office job center and would provide on-site employment opportunities near transit as well as the residential uses on the site and in the surrounding vicinity. The project would also include amenity co-working space to facilitate remote work for residents to reduce commuting, and would redevelop an underutilized infill site, replacing a vacant office building and parking lot. New housing units would be provided by the project, accommodating new growth and increasing amenities and connectivity within existing neighborhoods. Bicycle parking facilities with e-bike charging stations will be provided, which in combination with existing Class II bike lanes located along Hillcrest Drive and Rancho Conejo Boulevard (north of Hillcrest Drive) would support implementation of first/last mile strategies. As a mixed-use development providing residential and commercial uses in proximity to existing transit, shopping, dining, and employment opportunities, the project has been designed to reduce reliance on solo vehicle trips.</p>

Connect SoCal Strategies	Consistency Analysis
<p>Promote Diverse Housing Choices</p> <ul style="list-style-type: none"> • Preserve and rehabilitate affordable housing and prevent displacement • Identify funding opportunities for new workforce and affordable housing development • Create incentives and reduce regulatory barriers for building context-sensitive accessory dwelling units to increase housing supply • Provide support to local jurisdictions to streamline and lessen barriers to housing development that supports reduction of GHG emissions 	<p>No Conflict. The project would not eliminate existing housing, nor would it displace residents. The project would provide diverse housing choices by including residential apartment units consisting of one-bedroom, two-bedroom, and three-bedroom units. The project would also include approximately 12 percent very low income units (30 affordable units). The project would not impede SCAG’s ability to provide funding opportunities for new workforce and affordable housing development or to create incentives and reduce regulatory barriers for building accessory dwelling units or other housing.</p>
<p>Leverage Technology Innovations</p> <ul style="list-style-type: none"> • Promote low emission technologies such as neighborhood EVs, shared rides hailing, car sharing, bike sharing and scooters by providing supportive and safe infrastructure such as dedicated lanes, charging and parking/drop-off space • Improve access to services through technology – such as telework and telemedicine as well as other incentives such as a “mobility wallet,” an app-based system for storing transit and other multi-modal payments • Identify ways to incorporate “micro-power grids” in communities, for example solar energy, hydrogen fuel cell power storage and power generation 	<p>No Conflict. The project would be consistent with these strategies by providing EV chargers, EV-ready parking spaces, and EV-capable parking spaces to meet or exceed CALGreen requirements (see list at the beginning of Section 4.5.3). The project would also provide indoor/outdoor bicycle parking with electric bike charging stations, as well as an amenity/co-working space to facilitate telework and work from home uses. Although providing a community micro-power grid is not within the purview of the proposed project, it would provide rooftop solar panels to code that would supplement electricity supplies for the project.</p>
<p>Support Implementation of Sustainability Policies</p> <ul style="list-style-type: none"> • Pursue funding opportunities to support local sustainable development implementation projects that reduce GHG emissions • Support statewide legislation that reduces barriers to new construction and that incentivizes development near transit corridors and stations • Support local jurisdictions in the establishment of Enhanced Infrastructure Financing Districts, Community Revitalization and Investment Authorities, or other tax increment or value capture tools to finance sustainable infrastructure and development projects, including parks and open space • Work with local jurisdictions/communities to identify opportunities and assess barriers to implement sustainability strategies • Enhance partnerships with other planning organizations to promote resources and best practices in the SCAG region • Continue to support long range planning efforts by local jurisdictions • Provide educational opportunities to local decisions makers and staff on new tools, best practices and 	<p>No Conflict. The funding, support, and implementation of these sustainability policies and strategies is the responsibility of SCAG. Nevertheless, the project supports these sustainable development policies and strategies by providing a mixed-use, urban infill development in proximity to bus stops, an industrial/office job center including Amgen facilities, shopping and dining opportunities, indoor/outdoor bicycle storage with e-bike charging stations, amenity/co-working spaces, rooftop solar panels, and EV chargers, EV-ready, and EV-capable parking spaces to meet or exceed CALGreen standards as sustainability features.</p>

Connect SoCal Strategies	Consistency Analysis
policies related to implementing the Sustainable Communities Strategy	
<p>Promote a Green Region</p> <ul style="list-style-type: none"> • Support development of local climate adaptation and hazard mitigation plans, as well as project implementation that improves community resiliency to climate change and natural hazards • Support local policies for renewable energy production, reduction of urban heat islands and carbon sequestration • Integrate local food production into the regional landscape • Promote more resource efficient development focused on conservation, recycling and reclamation • Preserve, enhance and restore regional wildlife connectivity • Reduce consumption of resource areas, including agricultural land • Identify ways to improve access to public park space 	<p>No Conflict. The project would redevelop an infill property currently occupied by a vacant office building and an asphalt parking lot with remnant landscaping planter islands which would be removed by the project. New landscaping would be on-site to reduce urban heat island effects relative to existing conditions while also providing carbon sequestration. The project would install rooftop solar panels as required by code to support policies for renewable energy production. The project would be designed to meet or exceed Title 24 Building Energy Efficiency Standards and Green Building Standards. The project would include open space areas for resident use would not remove any existing park space, agricultural land, or other open spaces.</p>
<p>Source: Southern California Association of Governments, Connect SoCal (The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments), September 3, 2020.</p>	

Climate Change Scoping Plan

In 2008, the CARB adopted the Climate Change Scoping Plan: A Framework for Change (Scoping Plan), which established an overall framework for measures to reduce statewide GHG emissions for various sources/sectors to 1990 levels by 2020, consistent with the reduction targets of Assembly Bill 32 (AB 32). The Scoping Plan was updated in 2014, 2017, and most recently in 2022. The 2022 update to the Scoping Plan proposes CARB's strategy to achieve targets for carbon neutrality and reduce anthropogenic greenhouse gas (GHG) emissions by 85 percent below 1990 levels no later than 2045, as directed by Assembly Bill 1279. The Scoping Plan Scenario is embodied in Table 2-1 of the Plan, titled Actions for the Scoping Plan Scenario: AB 32 GHG Inventory sectors. This table delineates what actions are being taken to address GHG emission reductions in each sector addressed by the Plan. The identified Actions are not applicable at the individual development project level as they represent targets and regulations that the State is undertaking and regional and local agencies must address in their capacity through compliance or the adoption of specific regulation. On a technical basis, an individual development project at the local level can neither be in or out of compliance with the Actions as a private development project has no authority to implement the actions. Therefore, it is not necessary, nor technically possible, to demonstrate compliance with these Actions. However, as the project must comply with all applicable regulations in place throughout the various stages of approval, including the plan check phase which dictates construction and operational characteristics, it can be reasonably concluded the project would not conflict with any of the identified Actions.

Applicable at the project level, as the local jurisdiction currently does not have a CEQA-qualified CAP, are the Key Residential and Mixed-Use Project Attributes that Reduce GHGs found in Table 3 of Appendix D of the Scoping Plan. Consistency with these attributes is demonstrated in **Table 4.5-3, 2022 Scoping Plan Residential and Mixed-Use Project Attributes Consistency.**

Table 4.5-3
2022 Scoping Plan Residential and Mixed-Use Project Attributes Consistency

Priority Areas	Key Project Attribute	Project Consistency
Transportation Electrification	Provides EV charging infrastructure that, at minimum, meets the most ambitious voluntary standard in the California Green Building Standards Code at the time of project approval.	<p>Consistent. Per compliance with CALGreen code the project will provide: 226 EV Capable parking spaces (40% of overall Parking) with pre-wiring installed for future Level 2 EV Charging (10% required per CALGreen).</p> <p>141 EV Ready parking spaces (25% of overall Parking) equipped with low power Level 2 EV charging 120-240 volt 30 Amp receptacles (25% required per CALGreen)</p> <p>57 EV Chargers (10% of Overall Parking) equipped with Level 2 EVSE Supply Equipment (5% required per CALGreen) available at initial occupancy.</p> <p>Indoor/Outdoor bike parking with electric bicycle charging stations</p>
VMT Reduction	Is located on infill sites that are surrounded by existing urban uses and reuses or redevelops previously undeveloped or underutilized land that is presently served by existing utilities and essential public services (e.g., transit, streets, water, sewer)	Consistent. The project would construct a mixed-use residential development on an infill site replacing a vacant office building and a large parking lot that currently covers the majority of the property.
	Does not result in the loss or conversion of natural and working lands	Consistent. The project site is currently occupied by a vacant office building and a large parking lot. There are no natural or working lands within the confines of the project site.
	Consists of transit-supportive densities (minimum of 20 residential dwelling units per acre), or Is in proximity to existing transit stops (within a half mile), or Satisfies more detailed and stringent criteria specified in the region's SCS	Consistent. With 333 units on 8.19 net acres, the project has a density of 40.6 dwelling units per acre.
	Reduces parking requirements by: Eliminating parking requirements or including maximum allowable parking ratios (i.e., the ratio of parking spaces to residential units or square feet); or Providing residential parking supply at a ratio of less than one parking space per dwelling unit; or For multifamily residential development, requiring parking costs to be unbundled from costs to rent or own a residential unit.	Consistent. Parking spaces will not be assigned to units, residents will have the option to rent parking for an additional cost.

Priority Areas	Key Project Attribute	Project Consistency
	At least 20 percent of units included are affordable to lower-income residents	Reasonably consistent. The project will have 30 units, 9 % of total units, income-restricted for very low income tenants. The very low income level includes those earning 30% to 50% of the local area median income. The Density Bonus Law (California Government Code Sections 65915 – 65918) provides density bonuses and incentives to housing projects that provide income-restricted units. The most basic means of qualifying is by providing either 5% of units to very low income residents, or 10% of units to lower income residents. It only takes half as many very low income units to qualify as lower income units because very low income units are a greater cost burden to the project. The 9% of units set aside in the project considered in the context of the Density Bonus Law then would represent a similar cost burden as 18% lower income units. Regardless, a 20% set-aside of units for a private development is the upper end of what a private development can achieve without subsidies. The units must be income-restricted for 55 years, and any associated shortfalls must be accounted for in the rates of other units, which may or may not be feasible within the market. As such this attribute should be considered as a target goal rather than a bright line threshold, and the project’s set-aside for 30 very low income units will be a substantial increase in income-restricted units within the City.
	Results in no net loss of existing affordable units	Consistent. No residential units are being removed from the project site.
Building Decarbonization	Uses all-electric appliances without any natural gas connections and does not use propane or other fossil fuels for space heating, water heating, or indoor cooking	Consistent. Residential units will not be equipped with gas appliances or gas connections.
Source: CARB 2022 Scoping Plan, Appendix D, Table 3, November 2022.		

The project would be required to comply with applicable regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions, such as solar panels and EV parking space provision as well as energy conservation standards of Title 24 Building Energy Efficiency Standards (Part 6) and Green Building Standards (Part 11). As shown in Table 4.5-2, the project would further the goals of the 2020-2045 RTP/SCS, the implementation of which CARB has stated would

achieve the per capita reduction by 2035, relative to 2005 levels, as established by CARB for the region.²¹ The project would also conform to the Key Attributes as discussed in Table 4.5-3. Therefore, the project would not conflict with currently available adopted plans for reducing GHG emissions applicable to the project, and potential impacts would be less than significant.

Mitigation Measures

No mitigation measures are necessary.

Residual Impacts

Impacts would be less than significant without the need for mitigation measures.

4.5.4 Cumulative Impacts

Under CEQA, a project's impact is cumulatively considerable when the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. In considering the effects of probable future projects, Chapter 3.0, Cumulative Projects, considers buildout of the current City of Thousand Oaks General Plan to be the overall cumulative project set, with specific known or reasonably foreseeable projects listed in Table 3-1 and shown geographically in Figure 3-1. For the issue of GHG, the scope of related projects goes beyond this list, and is world-wide in scope.

The contribution of GHG emissions to global climate change is inherently a cumulative issue. The project would result in a net increase in GHG emissions; however, a single project's GHG emissions do not necessarily constitute a significant adverse environmental impact, as they would typically be small in comparison to state, national, and global GHG emissions. It is the accumulation of GHGs from several sources on a global scale that may result in climate change. Therefore, a project's potential GHG impacts are exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective.²² The California Natural Resources Agency 2009 Final Statement of Reasons for Regulatory Action regarding amendments to the State CEQA Guidelines²³ (Final Statement of Reasons) also clarified that the effects of GHG emissions should be analyzed in the context of CEQA's requirements for cumulative impact analysis. Section 15064.4(b) and (c) of the CEQA Guidelines also indicate the focus of GHG emissions impact analysis is to be provided in the context of a project's contribution to cumulative impacts.

Currently, there are no formally adopted CARB, SCAQMD, or City significance thresholds for the analysis of GHG emissions, although the project's estimated emissions do fall below the 2008 suggested threshold of 3,000 MTCO₂e/year. There are also no approved local or regional policies to assist in determining the significance of GHG emissions impacts at individual project or cumulative levels. However, CARB's Key Residential and Mixed-Use Project Attributes that Reduce GHGs is based on empirical research that shows the listed attributes result in reduced GHG emissions from residential and mixed-use development, and can be utilized in lieu of local policy standards. CARB states that mixed-use development projects that incorporate all of the key project attributes can be determined to be consistent with the Scoping Plan and other applicable policies, and GHG emissions associated with such projects may result in a less-than-significant GHG impact under CEQA. As the project incorporates all of the listed project attributes, with a reasonable measure of context applied to the income-restricted housing attribute, the project can be said to

²¹ California Air Resources Board, Executive Order G-20-239 Southern California Association of Governments' (SCAG) 2020 Sustainable Communities Strategy CARB Acceptance of GHG Quantification Determination, October 30, 2020.

²² CAPCO, CEQA and Climate Change, January 2008, Page 23.

²³ California Natural Resources Agency. 2009. Final Statement of Reasons for Regulatory Action. December.

align with the Scoping Plan and result in less than significant GHG impacts per CARB’s policy. Further, the above analysis demonstrates that the incorporation of project design features and project compliance with State, regional, and local policies and regulatory requirements would result in quantifiable GHG emissions reductions. Therefore, pursuant to the State CEQA Guidelines, Section 15064h(3), the City, as the lead agency for the project, has determined that the project’s contribution to cumulative GHG emissions and climate change would not be cumulatively considerable and cumulative impacts would be less than significant.

4.6 HAZARDS AND HAZARDOUS MATERIALS

This Draft Environmental Impact Report (EIR) analysis section considers the potential for the Latigo Hillcrest project to result in impacts to cultural resources and identifies opportunities to avoid, reduce, or otherwise mitigate potential significant impacts where warranted.

This section describes the existing conditions at the proposed project site and surrounding area, summarizes the applicable regulatory framework that guides the decision-making process, identifies thresholds for determining if the proposed project would result in significant impacts, analyzes anticipated impacts (direct, indirect, and cumulative), provides mitigation measures to reduce impacts where warranted, and discusses residual impacts (i.e., level of significance after mitigation). The significance of project impacts has been determined in accordance with criteria based on Appendix G of the State California Environmental Quality Act (CEQA) Guidelines. Where applicable, additional regulatory agency guidelines or requirements are incorporated as additional considerations in evaluating environmental significance. Sources used in the analysis are cited herein where relevant to the analysis; a comprehensive list of references is provided in Section 7.0, Organizations and Persons Consulted and References, of this EIR. This evaluation is based upon the project Phase I Environmental Site Assessment (ESA) prepared by Stantec Consulting Services Inc. (Stantec)¹ and provided in (Appendix F).²

4.6.1 Existing Conditions

The environmental setting and regulatory setting establish existing conditions relevant to the project. The project impact analysis presented later in this section is based on these baseline conditions.

Environmental Setting

Site Overview

The project site consists of an approximately 8.19-net acre lot located at 2150 West Hillcrest Drive east of Rancho Conejo Boulevard, consisting of Assessor's Parcel Number (APN) 667-0-113-075 (previously APN 667-0-113-025).³

Existing Land Uses

The site is currently developed with a two-story office building, formerly associated with Amgen Inc., two surface asphalt parking lots, and landscaping/street trees. According to the Phase I ESA prepared by Stantec, there are no wells at the project site. Existing surrounding land uses include a gas station on the southeast corner of West Hillcrest Drive east of Rancho Conejo Boulevard, commercial uses (including a 7-Eleven convenience store) west of Rancho Conejo Boulevard, business park uses to the north across Hillcrest Drive and on the northwest corner of Hillcrest Drive and Rancho Conejo Boulevard, multi-family residential uses (i.e., Linden Apartments) immediately to the east, and single family homes further to the east, the south branch of the Arroyo Conejo channelized drainage to the south and U.S. Route 101 (freeway or 101 Freeway) right-of-way further to the south (see Section 2.0, Project Description, Figure 2-1, Regional Location and Figure 2-2, Vicinity Map).

¹ Stantec Consulting Services Inc, Phase I Environmental Site Assessment, March 3, 2022.

² Author, Title, Month day, 2022.

³ GIS Online Map of City of Thousand Oaks, date accessed on August 16, 2022; at: <http://map.toaks.org/Html5Viewer/Index.html?Viewer=public>

Historical Land Uses

The project's Phase I ESA investigated the history of the site based on historic aerial photographs, city directories, historic fire maps, historic topographic maps, and California Department of Conservation Geologic Energy Management Division website. Through the 1960's, the project site was used for agriculture based on Stantec's observations of the reviewed historic aerial photographs. The historic aerial photographs from 1985 shows the project site developed with the existing two-story building and parking lot configuration. No records show that the property was subjected to oil or gas wells or within the immediate vicinity. Additionally, no records of spills, leaks, or violations were reported on the Phase I ESA.

Hazardous Materials and Waste

The term "hazardous material" can have various definitions based on the different regulatory programs. The State of California's Health and Safety Code (HSC), Chapter 6.95, Section 25501(n)(1) as:

"[Any material] that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment..."⁴

Hazardous waste is the material generated, whether intentionally or unintentionally, as a byproduct of some process or condition. It is defined in California's HSC Section 25141(b) as:

"Shall identify waste or combinations of waste, that may do either of the following, as hazardous waste because of its quantity, concentration, or physical, chemical, or infectious characteristics: (1) Cause, or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness. (2) Pose a substantial present or potential hazard to human health or the environment, due to factors including, but not limited to, carcinogenicity, acute toxicity, bio accumulative properties, or persistence in the environment, when improperly treated, stored, transported, or disposed of, or otherwise managed."⁵

Under the United States Environmental Protection Agency (USEPA) hazardous materials are furthermore defined as:

"Waste with properties that make it dangerous or capable of having a harmful effect on the environment. Hazardous waste is generated from many sources ranging from industrial manufacturing process waste to batteries and may come in all forms including liquids, solids, gases, and sludges."⁶

The Resources Conservation and Recovery Act (RCRA) was passed in 1976 to help create and set up a framework for the proper management of hazardous waste. RCRA regulates materials known as "solid waste", and only materials that can be classified as hazardous wastes can be subjected to the additional regulations. Solid waste, under the RCRA, is not restricted to physically solid waste. The term encompasses liquids, semi-solids, and contained gaseous materials as "solid waste". Waste considered hazardous under RCRA is if it is specifically listed as hazardous waste or based on the characteristics that poses threat to humans or the environment:⁷

⁴ California Code, Health and Safety Code – HSC §25501

⁵ California Code, Health and Safety Code – HSC §25141

⁶ United States Environmental Protection Agency, What is Hazardous Waste? Date accessed August 12, 2022.

⁷ United States Environmental Protection Agency, Defining Hazardous Waste: Listed, Characteristic and Mixed Radiological Wastes.

- Corrosivity: Capable of corroding other materials, aqueous wastes with a pH of 2 or less or greater than or equal to 12.5.
- Ignitability: Hazardous due to the ability of being ignited by an open flame and liquids with flash points below 60 °C.
- Reactivity: Unstable under normal conditions where it may react with water, may give off toxic gases, or capable of detonation under normal conditions or when heated.
- Toxicity: Have harmful effects when ingested or absorbed.

Regulatory Setting

Federal

U.S. Environmental Protection Agency

The UPEA is the main federal agency that is responsible for enforcing regulations regarding hazardous waste and material. UPEA enforces the hazardous materials by working in conjecture with other federal, state, or local agencies to enforce the handling, storage, and cleanup requirements. The primary federal regulations and laws is the RCRA of 1976, Comprehensive environmental response, compensation and liability act (CERCLA) of 1980, and the Superfund Act and Reauthorization Act (SARA) of 1986. Further discussion of relevant regulations from the following acts are below.

Resource Conservation and Recovery Act

The RCRA give the authority to the USEPA to control hazardous waste from generation to disposal of hazardous waste. This means the USEPA is the authority to control generation, transportation, treatment, storage, and disposal of hazardous waste. This gives a framework for the national hazardous waste management system. Included in the RCRA is the authority to management non-hazardous solid waste as well. Amendments added to the RCRA in 1986 gave the USEPA power to address environmental problems that could result from underground storage tanks that could be potentially storing hazards such as petroleum.

USEPA and the states verify compliance through a comprehensive compliance monitoring program. Under this program, inspections of facilities, reviewing records, and taking enforcement action when necessary to ensure hazardous waste is safety handled and managed. Office of Enforcement and Compliance Assurance (OECA) is responsible for implementing the compliance monitoring program. Office of Compliance establishes policies that define expectations for RCRA Subtitle C inspections and other compliance monitoring activities.⁸ Additionally, RCRA has a compliance assistance program that provide persons with the proper tools to meet the regulatory requirements.

Comprehensive Environmental Response, Compensation and Liability Act

CERCLA provides a “superfund” that is for cleanup to uncontrolled or abandoned hazardous waste sites, in addition to accidents spills, and other emergency releases of pollutants and contaminants into the environment. CERCLA gives the USEPA the power to seek out responsible parties to assure their cooperation in the cleanup. When a responsible party cannot be found, the USEPA cleans up the “orphan sites”. SARA allowed the continued cleanup activities to continue and authorized the Emergency Planning Community Right-to-Know Act (EPCRA) in Title III.

⁸ U.S Environmental Protection Agency, Compliance Monitoring Strategy for the Resource Conservation and Recovery Act (RCRA) Subtitle C Program, December 2021.

Emergency Planning and Community Right-to-Know Act

EPCRA was authorized by Title III of SARA and enacted by Congress for community safety. The law is designed to let local communities protect human health and the environment from chemical hazards. For implementation of this law, each state had to appoint a State Emergency Response Commission (SERC). Under SERC, states are further divided up into Emergency Planning Districts and to name a Local Emergency Response Planning Committee for each district. EPCRA requires industry to report storage, use, and release of hazardous substances to multiple levels of the government. That information is then used to prepare and protect communities in the area from potential risk. The increased public knowledge and access to the information is a key component to EPCRA to enhance public safety.

Hazardous Materials Transportation Act

The Hazardous Materials Transportation Act (HMTA), according to §5103(a), entitled the Secretary of Transportation to designate hazardous material of any form or quantity that may pose an unreasonable risk to health and safety.⁹ HMTA regulations are subdivided into 4 basic areas: procedures and/or policies, material designations, packaging requirements, and operational rules. HMTA is enforced through the use of compliance orders [49 U.S.C 1808(a)], civil penalties [49 U.S.C 1809(b)], and injunctive relief (49 U.S.C 1810). Department of Transportation (DOT) regulations governs that safe transportation of all hazardous materials via all modes. DOT regulations govern every aspect of the movement of hazardous materials from all stages including packaging, handling, labeling, marking, placarding, operational standards, and highway routing.

Federal Disaster Mitigation Act

The Disaster Mitigation Act of 2000 amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act). The allowed for the framework for state, local, tribal, and territorial government to participate in the mitigation planning of non-emergency disaster assistance.¹⁰ This legislation encouraged state and local governments to devise their own Hazard Mitigation Plan, in which the requirements and procedures are found in the Code of Federal Regulations, Stafford Act Title 44, Chapter 1, Part 201. Hazard Mitigation Grant Program (HMGP) provides funding from the Federal Emergency Management Agency (FEMA) for state, local, tribal, and territorial governments for the development and adoption of hazard mitigation plans. To receive this funding, the community must apply for the grant on behalf of homeowners and/or businesses with an already existing hazard mitigation plan.¹¹

National Hazardous Materials Route Registry

The National Hazardous Materials Route Registry is a listing of all designated and restricted roads and preferred highway routes for transportation of highway route controlled quantities of class 7 radioactive materials and non-radioactive hazardous materials, reported by the States and Tribal governments.¹² United States Code Section 5112 of title 49 permit States and Tribal governments to designate highway routes for hazardous materials within their jurisdiction. The states and Tribal governments are responsible for the establishing, maintaining, and enforcing the hazardous materials routes.

⁹ United States Code, 2011 Edition, Title 49, Subtitle III, Chapter 51- Transportation of Hazardous Materials, date accessed August 12, 2022.

¹⁰ U.S Department of Homeland Security, FEMA Hazard Mitigation Planning, Regulations and Guidance, accessed on August 15, 2022.

¹¹ U.S Department of Homeland Security, FEMA Hazard Mitigation Planning, Hazard Mitigation Grant Program (HMGP), accessed on August 15, 2022.

¹² Federal Register, National Hazardous Materials Route Registry, June 17, 2021.

State

California Office of Emergency Services

California Office of Emergency Services (CalOES) is responsible for to protect the public health and safety and environment of California through establishing and managing statewide standards of businesses and area plans relating to the handling and release or threatened release of hazardous materials. The CalOES is the responsible coordination of the overall state agency response to major disasters in support of local government. Since California faces numerous hazards risk such as wildfires, droughts, flood, earthquakes, CalOES takes a proactive approach to address those issues to mitigate impacts.

California Government Code Section 65962.5 and the Cortese List

The provisions in Government Code Section 65962.5 are commonly referred to as the “Cortese List,” after the legislator who authored the legislation. Many changes have occurred since the section was enacted. As several agencies, boards and departments are responsible for varying areas of hazardous waste oversight, and web-based interfaces can provide more up-to-date data, the California Environmental Protection Agency (CalEPA) website now directly refers those requesting a copy of the “Cortese list” to the appropriate information resources contained on the websites of the boards or departments. The following appear as an active link list on the CalEPA website entitled “Cortese List Data Resources,” providing direct access to each database:¹³

- List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database.
- List of Leaking Underground Storage Tank Sites from the State Water Board’s GeoTracker database.
- List of solid waste disposal sites identified by the Water Board with waste constituents above hazardous waste levels outside the waste management unit (PDF).
- List of “active” CDO and CAO from Water Board (MS Excel, 1,453 KB). This list also contains data on sites that discharge non-hazardous wastes. Those seeking clarification about the nature of the discharge are directed to contact the applicable Regional Water Board.
- List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC.

There are no Cortese-listed sites identified at the project site.

California Fire Code:

California Fire Code is located in the 2019 California Building Standards Code (CCR, Title 24) Part 9. The California Fire Code gets updated every three in the new Triennial Editions of Title 24. California Fire Code is the primary method of authorizing and enforcing procedures and mechanisms to ensure safe handling and storage of any substance that poses a threat to public health and/or safety. It uses a hazard classification system to properly determine the correct procedures to protect people and the environment. The fire code issue permits based on hazard classification:

“The issuance of a permit based on construction documents and other data shall not prevent the fire code official from requiring the correction of errors in the construction documents and other data. Any addition to or alteration of approved construction documents shall be approved in advance by the fire code official, as evidenced by the issuance of a new or amended permit”¹⁴

¹³ CalEPA website entitled “Cortese List Data Resources, Accessed December 28, 2022 at: <https://calepa.ca.gov/sitecleanup/corteselist/>

¹⁴ California Code of Regulations, Title 24 Part 9 California Fire Code, 2019 Triennial Edition.

Senate Bill 1082

This bill grants to either DTSC or the State Water Resources Control Board (SWRCB) and Regional Water Quality Control Boards (RWQCBs) the sole authority to implement and enforce the requirements of Article 6 (commencing with Section 66264.90) of Chapter 14 of, and Article 6 (commencing with Section 66264.90) of Chapter 15 of, Division 4.5 of Title 22 of the California Code of Regulations and of Article 5 (commencing with Section 2530) of Chapter 15 of Division 3 of Title 23 of the California Code of Regulations. Develop a consolidated enforcement and inspection program designed to ensure effective, efficient, and coordinated enforcement of the laws implemented by DTSC or SWRCB and RWQCBs, as those laws relate to facilities conducting off-site hazardous waste treatment, storage, or disposal activities, and to facilities conducting on-site treatment, storage, and disposal activities which are required to receive a permit under the federal act.¹⁵

Regional and Local

Los Angeles Regional Water Quality Control Board

The Los Angeles Regional Water Quality Control Board (LARWQCB) and the Los Angeles Regional Board's Basin Plan is designed to preserve and enhance water quality and protect the beneficial uses of all regional water. The LARWQCB is part of the Site Cleanup Program (SCP) which regulates and oversees the investigation and cleanup of 'non-federally owned' sites where recent or historical unauthorized releases of pollutants to the environment, including soil, groundwater, surface water, and sediment have occurred.¹⁶ SCP covers all pollutants from solvents, petroleum fuels, and heavy metals. The California Water Code provides authority for SWRCB and the RWQCB to require investigation and cleanup sites with unauthorized pollutant releases.

Ventura County Environmental Health Division

The Ventura County Environmental Health Division's (VCEHD), administered by the County Environmental Health Division, is to protect the health and well-being of the environment through ensuring conformance with State Laws and County ordinances to hazardous materials, food waste, underground fuel tanks, and vector control. VCEHD is also the CUPA for the County that implements state and federal laws and regulations with County ordinances. VCEHD conducts routine inspections and investigations to confirm regulations are being followed. The health division also provides advice and information to the public, businesses, and government agencies to help follow protocols.

2015 Ventura County Multi-Hazard Mitigation Plan

This 2015 Multi-Hazard Mitigation Plan (MHMP) is written to (1) address the local mitigation planning requirements of the Disaster Mitigation Act of 2000 (DMA) for Unincorporated Ventura County and other local participants (Section 1.5 [City of Thousand Oaks]); and (2) address the 510 Floodplain Management Planning activities of the Community Rating System (CRS) for the Ventura County Watershed Protection District (VCWPD) on behalf of Unincorporated Ventura County and the City of Oxnard. This section provides an introduction to hazard mitigation planning as well as a brief description of DMA 2000 and CRS. This section also identifies the other local participants, provides a brief narrative about Unincorporated Ventura County and the other local participants, and describes the various sections and appendices of the 2015 MHMP. The 2015 MHMP supersedes the 2010 MHMP.

¹⁵ California Water Boards, Land Disposal Program, Senate Bill (SB) 1082, Oversight Agency Designation Facilities Subject to Corrective Action (SB 1082).

¹⁶ California Water Boards, Site Cleanup Program.

Thousand Oaks General Plan and Municipal Code

Within the Thousand Oaks General Plan, the safety element has the following goals, and associated policies that are relevant to geological hazards, hazards and hazardous materials, and emergency evacuation:¹⁷

Goal S-3: Provide minimum standards to safeguard life or limb, health, property and the public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, demolition, and maintenance of all buildings and structures within the City and certain equipment specifically regulated therein (Municipal Code Section 8-1.02).

Goal S-7: Protect life, property, and the environment from the effects of releases of hazardous materials into the air, land or water.

Policy E-3: Strive to locate businesses that utilize hazardous materials in areas which will minimize risk to the public or the environment.

Policy E-4: Coordinate with the Ventura County Environmental Health Department and the Regional Water Quality Control Board to encourage cleanup of sites that have been impacted by hazardous materials releases -- especially those that have impacted groundwater.

Goal S-9: Provide for the preparation and implementation of plans for the protection of persons and property within the City in the event of an emergency or a disaster and provide for the coordination of the emergency or disaster functions of the City with all other public agencies and affected private persons, corporations, and organizations (Municipal Code Section 4-4.01).

4.6.2 Thresholds of Significance

The potential hazards and hazardous materials impacts of the project have been analyzed in relation to the following thresholds, which are based upon the State CEQA Guidelines Appendix G Checklist. The proposed project may have a significant impact to hazards and hazardous materials if the project would (short title for impact headings shown in parentheses):

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous material. (*Transport, Use, or Disposal / Foreseeable Upset and Accident Conditions*)
- 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. (*Transport, Use, or Disposal / Foreseeable Upset and Accident Conditions*)
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. (*See below*)
- Be located on a site which is included on a list of hazardous materials sites compiled in pursuant to Government Code Section 65962.5 and, as a result, it would create a significant hazard to the public or the environment. (*Listed Hazardous Materials Site*)
- 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, the project would: Result in a safety hazard or excessive noise for people residing or working in the project area. (*See below*)

¹⁷ City of Thousand Oaks, Thousand Oaks General Plan, Safety Element 2014

- Impair implementation of or physically interferes with an adopted emergency response plan or emergency evacuation plan. (***Emergency Response or Evacuation Plans***)
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildfires. (*See below*)

Several issues listed above are not applicable, or are addressed under other topical EIR Sections, and thus, do not require further analysis in this EIR Section, for the following reasons:

A significant impact may occur if the project would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The nearest school to the project site is Environmental Academy of Research Technology & Earth Sciences (EARTHs Academy), which is located approximately 0.5 miles away from the proposed project site. As the site is not within one-quarter mile of an existing school, no impact would occur, and no further analysis below is necessary.

A significant impact may occur if the project is 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. The project site is located approximately nine linear miles east of Camarillo Airport and is not located within its Planning Boundary or Airport Influence Area. There are no airport-related building height restrictions on the site. In addition, the project would not place structures within a designated flight path and would not result in a safety hazard to people working or residing within the project area regarding aircraft operations in the vicinity. Therefore, no impact would occur, and no further analysis is required.

A proposed project could result in a potential impact if it would expose people or structures to a significant risk of loss, injury or death involving wildland fire hazards. The project site is not located in a Very High Fire Hazard Severity Zone (VHFHSZ) within a State Responsibility Area (SRA).¹⁸ Further, the project site is not located adjacent to VHFHSZ designated areas. The project will require design review by the Ventura County Fire Department for fire safety regulations and design features, which will reduce fire hazards to a less than significant level as described in Section 4.10, Public Service. Therefore, no impact would occur, and no further analysis is required.

4.6.3 Project Impacts and Mitigation Measures

Analysis of the issues in this EIR Section are based on cited sources, as well as the previously referenced project Phase I ESA, found in Appendix F. Preparation of the ESA including a pedestrian survey of on-site conditions and examination of relevant records to determine potential environmental conditions and requirements. Based on Stantec's review of historic aerial photographs, City directories, topographic maps, and City permit records, the subject property appears to have been used for agricultural purposes in the 1950s to 1960s, after which several structures were recorded on the site in the mid-1960s, followed by the site being vacant in the 1970s, and finally the addition of the present-day structure was added by the mid-1980s.

4.6.3.1 Transport, Use, or Disposal / Foreseeable Upset and Accident Conditions

The proposed project may have a significant impact if it would result in a substantial hazard to the public or the environment through routine transport, use, or disposal of hazardous materials or foreseeable upsets and accident conditions.

¹⁸ CAL FIRE, Wildland Hazard & Building Codes, Fire Hazard Severity Zones in State Responsibility Area. Accessed on August 10, 2022 at <https://egis.fire.ca.gov/FHSZ/>

Demolition

In the Phase I ESA prepared by Stantec, there was no hazardous materials such as asbestos, lead-based paint (LBP), lead, mercury, polychlorinated biphenyls (PCB), chlorofluorocarbons, and radioactive sources, identified in their interior observation through interviews and records review. Using the historic aerial photographs data, the existing building was built between 1978 and 1985.

While asbestos and LBP bans were starting up in the 1970s and 1980s, not all asbestos materials were banned. Thus, it is assumed that the existing building on the project site could have asbestos and LBP from the original construction, which occurred between 1978 and 1985. According to §61.145 Standard for demolition and renovation under the Code of Federal Regulations (CFR) Title 40, Chapter I, Subchapter C, Part 61, Subpart M, National Emission Standard for Asbestos, the owner must thoroughly inspect the affected facility or part of the facility where the demolition or renovation operation will occur for the presence of asbestos.¹⁹ The City of Thousand Oaks Municipal Code Title 8 Building Regulations Sec. 8-1.06, 105.3.4 states that:

“To obtain a demolition permit, the applicant shall first file a written application for demolition permit, and associated preliminary site inspection, and pay all fees as set by resolution of the City Council. A construction and debris recycling plan and associated fee may also be required by the Public Works Department. Demolition permits shall not be issued until the preliminary site inspection has been conducted and all necessary approvals are obtained from Building, Planning, Public Works and other agencies as required.”²⁰

This is a standard regulatory requirement that assures that if there are hazardous materials within the existing building, Thousand Oaks Municipal Code and CFR Title 40 limit the affects demolition has by creating needed surveys and regulations to follow before demolition of the project site. The proper disposal of hazardous materials will occur for asbestos since the Department of Industrial Relations requires licensed companies to remove asbestos from a site. To obtain a Demolition Permit, a debris recycling plan needs to be approved by the City Public Works Department for the waste generated from the demolition of an existing building. As required by the regulations, the project owner must provide a hazardous waste plan, approved by the City Public Works Department before that department will issue a demolition permit. This will ensure proper disposal of hazardous materials, in this case materials potentially containing asbestos and LBP. With regulatory compliance, demolition impacts considering potential transport, use, or disposal and foreseeable upset and accident conditions, would be less than significant.

Construction

During construction, flammable and otherwise hazardous substances would be transported and used on site for the construction activities, including but not limited to fuels for equipment and generators, oil, grease, paints, and solvents. The transport, temporary storage, and use of these materials is common, standard practice for construction sites. The federal, state, and local regulations that dictates the appropriate transports, use, and disposal of these hazardous materials is outlined in Regulatory Setting, above. The 101 Freeway segment from State 34/Lewis Road (Camarillo) to Interstate 405 (Sherman Oaks) is listed on the National Hazardous Materials Route Registry as “A6E-7.0”²¹, designation I²² and the project site is situated

¹⁹ Codes of Federal Regulations (CFR) Title 40, Chapter I, Subchapter C, Part 61, Subpart M National Emission Standard for Asbestos, amended on August 8, 2022

²⁰ City of Thousand Oaks Municipal Code, Sec. 8-1.06. Amendments: Chapter 1, Division II, Section 105 Permits.

²¹ A6E-7.0 is the name for segment of U.S. from State 34/Lewis Road. [Camarillo] to Interstate 405 [Sherman Oaks, Los Angeles].

²² Federal Motor Carrier Safety Administration, National HM Route Registry – California, published December 22, 2021, date accessed on August 16, 2022: at

right off the exit 47A for Rancho Conejo Blvd, so there would be minimal driving time for the transport of such materials outside the designated hazardous materials route. Prior to beginning major construction activities, including demolition of the existing structure, the project would be required to obtain National Pollutant Discharge Elimination System (NPDES) coverage under the General Permit for Storm Water Discharges Associated with Construction Activity (known as the Construction General Permit, or CGP) from the State Water Resource Control Board (SWRCB). If grading for the proposed project encounters the water table below the site, coverage under the Los Angeles RWQCB Groundwater from Construction and General Dewatering Permit (NPDES No. CAG994004, Order R4-2013-0095) would be required prior to any discharge to stormwater infrastructure or nearby receiving waters. To obtain coverage under the CGP, the proposed project will be required to prepare and submit a SWPPP which will include a list of BMPs to reduce or eliminate any discharges of sediment or pollutants from the site during construction activities. The proposed project would be required to comply with the terms of the CGP throughout construction activities. With the described regulatory compliance, construction impacts considering potential transport, use, or disposal and foreseeable upset and accident conditions, would be less than significant.

Operation

Operation of the proposed project is a mixed-use development which would consist of residential and commercial use along with other amenities such as recreation space. Standard residential activities are not a significant threat with the transport or use of hazardous materials. Residential use does not produce or generate hazardous materials compared to other land use elements; thus, residential land use would be less than significant.

The amount of transport, use, and/or storage of hazardous materials during project operation is dependent on the businesses/facilities that lease the commercial space of the proposed development, which is currently unknown, and may change throughout different years. Business that may lease the space that contains hazardous waste are, but not limited to, medical offices, dry cleaners, retail stores selling household hazardous use products. The commercial use section of the development is not expected to generate, use, or transport hazardous materials in quantities large enough to become a significant threat to public well-being and the environment. As mentioned in Regulatory Setting, City of Thousand Oaks General Plan Policy E-3 discourages locating businesses that would be a potential hazardous risk in locations that could harm people or the environment such a next to a residential zone. If the commercial use development were to generate large enough quantities of hazardous materials, they would have to register with the DTSC as small quantity generators then comply with all applicable regulations of storage and transport of hazardous materials under RCRA and other federal, state, or local laws and regulations. Businesses would also have to submit Hazardous Materials Business Plans to CUPA with regular updates. Compliance with all federal, state, and local regulations will minimize the effect of hazardous materials on public safety and environment. Any businesses generating enough large quantity of hazardous materials would also involve transport of those materials to the project site. As mentioned above, the project site is immediately off of exit 47A of the 101 Freeway, which is designated as a National Hazardous Materials Route, so there will be less than significant impact. With regulatory compliance operational impacts, considering potential transport, use, or disposal and foreseeable upset and accident conditions, would be less than significant.

Mitigation Measures

With regulatory compliance, no mitigation measures would be required.

https://www.google.com/maps/d/u/0/viewer?hl=en_US&app=mp&mid=1Yyz6yA9I9I5DQ5Gb2U1X7f_8enM&ll=34.18388353256777%2C-118.88331862527073&z=13

Residual Impacts

Impacts would be less than significant without the need for mitigation.

4.6.3.2 *Listed Hazardous Materials Site*

The proposed project may have a significant impact if it would be located on a site that is included on a list of hazardous sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the environment.

Although there are no Cortese sites identified at the project site, there are multiple open Leaking Underground Storage Tank (LUST) cleanup sites adjacent to the project site, as listed on the SWRCB's Geotracker database and in the project Phase I ESA. Three LUST Cleanup Sites associated at 518 Rancho Conejo Boulevard are closed cases, with the most recent case closed on September 9, 2012. All three cases were due contaminants such as gasoline, waste oil, hydraulic fluid, and lubricant leaking into soil and/or groundwater (uses other than drinking water).²³ Pacific Water Conditioning at 905 Pauling Drive was also listed due to potential concern of gasoline contaminating soil and marked as a closed case in 1998. Additionally, Smith Pipe at 772 Rancho Conejo Boulevard was another case due to gasoline potentially contaminating soil, closed in 1990.

The Phase I ESA compiled data on both open LUST cleanup sites that are identified as Recognized Environmental Conditions (RECs), a term that indicates the presence or likely presence of any hazardous substances or petroleum products in, on, or at a subject property.²⁴

1. Due to any release to the environment,
2. Under conditions indicative of a release to the environment; or
3. Under conditions that pose a material threat of a future release to the environment.

The purpose of the Phase I ESA is to identify RECs, historical recognized environmental conditions (HRECs), and controlled recognized environmental conditions (CRECs) at the subject property.

The closest REC site is on the northwest corner of West Hillcrest Drive and Rancho Conejo Boulevard, at 652 Mitchell Road and is listed as a Semtech Corporation/Former Semtech Facility Remediation System, cleanup site on the SWRCB Geotracker and in the Phase I ESA, with a status of "Open- Site Assessment as of 12/26/2000." The listed contaminants for the Mitchell Road site are listed as freon, nitrite, other inorganic/salt, perchloroethylene (PCE), and trichloroethylene (TCE) in groundwater, soil, and soil vapor. The site is currently being remediated in accordance with a 2017 LARWQCB-approved work plan. While there is a potential Vapor Encroachment Condition (VEC) to the Latigo Hillcrest site, Stantec's assessment is that soil and ground water plumes are stabilized and unlikely to migrate to the Latigo Hillcrest project site.

Another nearby site listed REC on the SWRCB's Geotracker and in the Phase I as an active cleanup is 2427/2421 West Hillcrest Drive (just west of the above-noted REC site), which is listed under Gallium Arsenide Pilot/Conexant Systems Inc/Rockwell – Newbury Park/Skyworks Solution Inc./Rockwell International. This REC site is northwest of the project site at higher elevation. Soil investigations reveal that Vapor Organic Compounds (VOCs) in compacted soil exist in the Central Plant Area (former underground storage tank wells) between buildings 886 and 887. A French drain system is treating shallow

²³ State Water Resource Control Board, Geotracker, Accessed on December 16, 2022 at: https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0611146179

²⁴ Stantec Consulting Services Inc, Phase I Environmental Site Assessment, March 3, 2022.

groundwater that has been impacted to prevent flooding of the basement in building 887. The Phase I ESA indicates the cleanup site is undergoing active remediation with low potential for VOCs to migrate to the Latigo Hillcrest project site.

Although the subject property is not a hazardous materials site and the nearby RECs are unlikely to affect the site, the Phase I ESA recommends a mitigation measure requiring vapor testing prior to construction and implementation of building engineering controls if so indicated, which would reduce potential impacts to less than significant.

Mitigation Measures

HAZ-1: Due to the project being in close proximity to two open cleanup sites as Recognized Environmental Conditions (RECs) with a potential Vapor Encroachment Condition (VEC), although the possibility of hazardous material migrating beneath the project site from the RECs is considered low, limited soil vapor testing in the areas of proposed buildings intended for human occupancy shall be required at the project site. The results of the soil vapor testing will be used to evaluate if potential VECs exist and whether engineer controls (vapor barrier) are needed for the proposed redevelopment of the project site.

Residual Impacts

The project impacts have been evaluated and mitigation measures have been designed to address the low potential for off-site RECs to affect the project site. The mitigation measure will assure that no VOCs will affect the proposed project, thus reduce the project site hazards to acceptable levels in accordance with regulations. Impacts would therefore be less than significant after mitigation.

4.6.3.3 Emergency Response or Evacuation Plans

The proposed project may have a significant impact if it would impair implementation of, or physically interfere with an adopted emergency plan or emergency evacuation plan.

The project is located next to the 101 Freeway, which provides regional access to the project site and is the designated evacuation route in Thousand Oaks and Newbury Park area based on the Thousand Oaks General Plan Safety Element and the National Hazardous Materials Route Registry. Demolition, construction, and operation would not result in closure of the freeway. Further, although the project would add residential to a commercial site for a mixed-use development, the development would fall within the City's anticipated growth projections (see Section 4.9, Population and Housing), which are utilized for planning purposes, including the Safety Element. As such, the project development would not significantly hinder or impair the ability for people to take the 101 Freeway as an evacuation route. Additionally, construction at the project site would not physically interfere with ability of emergency response vehicles on the existing street network.

Mitigation Measures

No mitigation measures would be necessary.

Residual Impacts

Impacts would be less than significant without the need for mitigation measures.

4.6.4 Cumulative Impacts

Under CEQA, a project's impact is cumulatively considerable when the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. In considering the effects of probable future projects, Chapter 3.0, Cumulative Projects, considers buildout of the current City of Thousand Oaks General Plan to be the overall cumulative project set, with specific known or reasonably foreseeable projects listed in Table 3-1 and shown in Figure 3-1. Hazards and hazardous materials transport, use, disposal and accidental upset conditions issues surrounding a proposed project must consider location and proximity to existing or nearby hazards. As such, nearby projects in the cumulative project plan set would be most relevant to cumulative impact analysis for these issues. The closest related projects in Table 3-1 are a proposed drive-through car wash proposed south of the freeway, approximately 0.33 miles from the site (aerial distance); a proposed project encompassing a 350,000 square-foot (sf) science campus (the recently reviewed and approved campus at 1100 Rancho Conejo would not include any hazardous substances); and a 26,000 to 130,000 sf industrial building. None of these projects would include hazardous materials or involve the substantial usage, transport or disposal of hazardous materials in a way that would affect off-site properties, such as the proposed project site. Minor use of hazardous material would be subject to regulatory requirements described herein. As noted in the project analysis above, two local RECs in connection with past projects in the area have a low potential to impact the Latigo Hillcrest site, but this effect would be reduced to below significance with HAZ-1. The proposed project would have no significant impacts, and when viewed in connection with the effects of relevant cumulative projects, would not result in a significant impact. Cumulative impacts with regard to the transport, use, or disposal of hazardous materials, foreseeable upset and accident conditions, and listed hazardous materials sites would be less than significant.

All development, including the proposed project and of the proposed cumulative projects, is subject to review by the City planning division and the Department of Public Works to determine potential design issues related to emergency access. Development of emergency response and evacuation plan are prepared at the City and regional levels, considering projected growth. The proposed project development would fall within the City's Population and Housing Projections (see Section 4.9, Population and Housing) utilized by SCAG and used in local and regional planning efforts, and thus is within anticipated growth for the City that is utilized for planning. As such, cumulative impacts with regard to of emergency response and evacuation plan would be less than significant.

4.7 LAND USE AND PLANNING

This Draft Environmental Impact Report (EIR) analysis section considers the potential for the Latigo Hillcrest project to result in impacts related to land use and planning and identifies opportunities to avoid, reduce, or otherwise mitigate potential significant impacts where warranted.

This section describes the existing conditions at the proposed project site and surrounding area, summarizes the applicable regulatory framework that guides the decision-making process, identifies thresholds for determining if the proposed project would result in significant impacts, analyzes anticipated impacts (direct, indirect, and cumulative), provides mitigation measures to reduce impacts where warranted, and discusses residual impacts (i.e., level of significance after mitigation). The significance of project impacts has been determined in accordance with criteria based on Appendix G of the State California Environmental Quality Act (CEQA) Guidelines. Where applicable, additional regulatory agency guidelines or requirements are incorporated as additional considerations in evaluating environmental significance. Sources used in the analysis are cited herein where relevant to the analysis; a comprehensive list of references is provided in Chapter 7.0, Organizations and Persons Consulted and References, of this EIR.

4.7.1 Existing Conditions

The environmental setting and regulatory setting establish existing conditions relevant to the project. The project impact analysis presented later in this section is based on these baseline conditions.

Environmental Setting

Thousand Oaks General Plan has the current project site has a “commercial” land use designation and is zoned C-3 (Community Shopping Center).

Regulatory Setting

Federal

No applicable federal Regulations related to land use and planning apply to this project.

State

Planning and Zoning (Government Code Sections 65000-66301)

Title 7 of the California Government Code Division 1, Sections 65000-66301 is planning and zoning. Section 65300 states that each planning agency shall prepare and the legislative body of each county and city shall adopt a comprehensive, long term general plan. The state knows that the capacity of Californian cities and counties varies between physical size and characteristics. General plans give cities and counties opportunities to coordinate its own planning for federal and state programs with the local land use planning process. General plan needs to include all these following elements:¹

A land use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, greenways, as defined in Section 816.52 of the Civil Code, and other categories of public and private uses of land.

¹ California Legislative Information, Government Code, Title 7, Division 1, Chapter 3, Article 5, Section 65302(a); accessed on August 26, 2022 at: https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=1.&title=7.&part=&chapter=3.&article=5.

Government Code Section 65302(c) states that a housing element is required. Section 65580 in the Government Code is about the housing element and what is required. The intent of the housing element is to ensure that counties and cities contribute to the attainment of the state's housing goal. The housing element is required to be updated every 8 years.

Specific Plans (Government Code Section 63450)

Specific plans help implement General Plans within a particular defined area. These plans must be consistent with the applicable General Plan and can provide more detail than a General Plan. They do not need to address all issues mandated for inclusion in a General Plan if these are addressed adequately in the General Plan.

Housing Elements (Government Code Section 65302(c))

According to the Thousand Oaks 2021-2029 Housing Element, which is discussed further below, the current residential zoning does not adequately supply the remaining Regional Housing Needs Allocation (RHNA) of 685 units.

Density Bonus Law (Government Code Section 65915)

California Government Code Section 65917 provides requirements for cities and counties to allow density bonuses for eligible projects involving affordable housing. A density bonus generally defined is an increase over the otherwise maximum allowable gross residential density. A residential or mixed-use project density bonus increases with the amount of affordable housing units provided. Definitions of the levels of affordability relate to the income category of the renter. In addition to the increase in allowable units, the applicant may receive incentives, concessions, or waivers or reductions of development standards.

Regional and Local

Southern California Association of Government

The Southern California Association of Government (SCAG) is the federally recognized metropolitan planning organization (MPO) for 191 cities and more than 38,00 square miles for the Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties. SCAG has developed long-range transportation plans, RHNA, among other responsibilities.

Connect SoCal 2020, the 2020-2024 Regional Transportation Plan/Sustainable Communities Strategy is the long-range plan that balances mobility and housing needs with economic and environmental goals. The plan is taking the input of organizations such as local government, county transportation commissions, Tribal governments, non-profit organizations, businesses, and local stakeholders within the range of jurisdiction. Population growth has slowed, but at the same time, there is a long-term structural housing and affordability crisis in California. Connect SoCal 2020 had the goal to identify land use and transportation strategies to help residents have more choices.²

² Southern California Association of Governments, 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments, Adopted September 3, 2020.

Thousand Oaks General Plan

The Thousand Oaks General Plan currently shows the project site with a “Commercial” land use designation³ and it is zoned C-3 (Community Shopping Center).⁴ The plan is currently undergoing an update. As discussed in the Notice of Preparation for the City of Thousand Oaks 2045 General Plan Update Draft Environmental Impact Report, the City has endorsed the Preferred Land Use Map⁵ that shows the project site to be designated Mixed-Use Low⁶ (adoption is expected later in 2023). Mixed-Use designated parcels could have retail stores, restaurants, commercial uses, residential in multi-family buildings, or attached single family units, and public facilities.

Thousand Oaks 2021-2029 Housing Element

The City has adopted an updated Housing Element that is pending state HCD certification. The population of Thousand Oaks is projected by SCAG to increase to approximately 144,713 in 2045.⁷ This increase would equal 13,611 new residents which would make up 0.456 percent of the regional population growth. The total RHNA allocation for Thousand Oaks is 735 extremely low/very low-income units, 493 low-income units, 532 moderate income units, 860 above moderate-income units. The City’s existing zoning capacity is 685 units short of meeting the RHNA allocation.

Thousand Oaks Zoning Regulations

City of Thousand Oaks zoning classifications are defined in the City of Thousand Oaks Municipal Code (TOMC). A Zone Change is necessary to change the property’s zone from “Community Shopping Center” to “Specific Plan No. 24” on the City’s zoning map, to allow the proposed mixed-use development project.

Measure E Ordinance

Measure E Ordinance in Thousand Oaks was passed in 1996 that requires voter approval for any amendment to the Land Use Element of the City’s General Plan that increases residential land use density beyond the City’s General plan or increases the amount of commercial acreage beyond the City’s General Plan.⁸

Guidelines For Development Within the Corridors of the Route 101 and 23 Freeways

Thousand Oaks City Council Resolution No. 91-172 established guidelines for development within the corridors of the route 101 and 23 freeways, which are applicable to property located wholly or partially within 1,000 feet of the centerline of either freeway.⁹ The various guidelines pertain site planning; architectural design; walls, barriers, and berms; and landscape planting.

³ City of Thousand Oaks, Thousand Oaks General Plan, Land Use and Circulation Elements, adopted April 24, 2018.

⁴ City of Thousand Oaks, Online Map, Accessed on December 7, 2022 at <http://map.toaks.org/Html5Viewer/Index.html?Viewer=public>

⁵ City of Thousand Oaks, Community Development Department, Notice of Preparation and Public Scoping Meeting for the City of Thousand Oaks 2045 General Plan Update Draft Environmental Impact Report, June 7, 2022

⁶ City of Thousand Oaks, Preferred Land Use Map, December 15, 2021, Accessed on December 7, 2022 at https://static1.squarespace.com/static/5e3204de238f5a218cce2c5a/t/61bba23aa70aa54604109b74/1639686725641/TO_PrefAlt_ToPost_211215.pdf

⁷ City of Thousand Oaks, 2021-2029 Housing Element, January 2022. Note: SCAG’s final adopted (September 3, 2020) Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, Demographics and Growth Forecast Technical Report, Table 13 and Table 14, shows the City of Thousand Oaks 2045 population slightly lower, at 147,000.

⁸ City of Thousand Oaks, Measure E; accessed on August 26, 2022 at: <https://www.toaks.org/departments/community-development/planning/measure-e>

⁹ City of Thousand Oaks, Resolution No. 91-172, Adopted July 23, 1991.

Oak and Landmark Tree Preservation and Protection

Article 42, Oak Tree Preservation and Protection of the City of Thousand Oaks Municipal Code protects trees from species in the genus oaks (*Quercus*) that exceed two inches in diameter, measured at four and a half feet above the tree's natural grade.¹⁰ Article 43, Landmark Tree Preservation and Protection protects trees valued for their size, age, or unique and irreplicable value to the community, including trees of the species California Sycamore (*Platanus racemosa*), California Bay Laurel (*Umbellularia californica*), California Black Walnut (*Juglans californica*), California Holly or toyon (*Heteromeles/Photinia arbutifolia*) that exceed certain specified sizes.¹¹ (See also Section 4.3, Biological Resources.)

Bicycle Facilities Master Plan

The City of Thousand Oaks approved its Bicycle Facilities Master Plan in November 2010. The Bicycle Facilities Master Plan recommends Class II bicycle lanes on the portions of Rancho Conejo Boulevard and Hillcrest Drive adjacent to the project site, connecting to existing Class II bicycle lanes in the vicinity.¹²

Proposed Hillcrest Specific Plan

The project will be subject to the Hillcrest Specific Plan (or Specific Plan), which is currently being developed for the project. The Specific Plan provides a project-specific vision and objectives and includes standards and requirements for design, operation and ongoing land use planning for the site. In CEQA terms, the Specific Plan provides project features, some of which serve to reduce or avoid impacts to the environment.

4.7.2 Thresholds of Significance

The potential land use and planning impacts of the project have been analyzed in relation to the following threshold below, which are based upon the State CEQA Guidelines Appendix G Checklist. The proposed project could be considered to have a significant impact with regard to land use and planning if the project would (short title for impact headings shown in parentheses):

- Physically divide an established community? (*Divide a Community*)
- Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (*Conflict with Land Use Plan, Policy, or Regulation*)

4.7.3 Project Impacts and Mitigation Measures

Design and implementation of the project, as well as zoning and land use enforcement going forward would be governed by the TOMC and General Plan, as well as the provisions of the Hillcrest Specific Plan (or Specific Plan). The objectives of the Specific Plan include:

- Ensure the scale of the development respects its surroundings and existing development pattern by reducing the mass and scale along Hillcrest Drive.
- Participate in alleviating the housing crisis by providing housing to help meet the City's RHNA allocation, including 30 dwelling units reserved for Very Low-Income households, consistent with the State Density Bonus Law.

¹⁰ City of Thousand Oaks, Municipal Code.

¹¹ City of Thousand Oaks, Municipal Code.

¹² City of Thousand Oaks, Bicycle Facilities Master Plan, November 2010.

- Provide redevelopment of an underutilized site with a variety of new commercial and residential uses.
- Cluster development to allow for pathways to promote walking and establish a strong sense of neighborhood.
- Integrate a pedestrian-friendly public realm, where residents have access to commercial services and open space. Create a smooth transition between the public and semi-public realm along Hillcrest Drive.
- Incorporate green and healthy development principles by providing accessible open space, incorporating native plant species to reduce water usage, and providing quality landscaping areas.
- Reduce vehicle miles traveled by locating housing close to job centers in the Rancho Conejo Industrial Park, and other businesses and service providers along Hillcrest Drive and the greater Newbury Park area.
- Locate residential uses away from natural hazard areas in proximity to primary evacuation routes.
- Preserve natural and cultural resources by repurposing a previously developed site on an infill property.
- Balance the goals of preserving and protecting existing oak and landmark trees and addressing the state housing crisis.
- Develop the project density consistent with the Draft Preferred Land Use Map for the Thousand Oaks 2045 General Plan which identifies the subject property for Mixed Use Low which allows up to 30 du/acre.
- Include a robust, diverse, and drought-tolerant tree and plan palette that consists of native and climate-adaptive species, reducing the water demand for on-site irrigation.

4.7.3.1 Divide a Community

The proposed project may have a significant impact if it would result in the division of an established community. Division of a community is typically associated with projects such as highways or railroads, which have the potential to create a physical discontinuity and barrier within a community. In other cases, another design feature or the lack or location of access points could interrupt the natural walking or vehicle travel routes to effectively divide a portion of the community.

As an infill redevelopment project, the Latigo Hillcrest development would not add, eliminate or detour roads or travel routes, and thus would not divide a community. On the contrary, the project, like the prior development, will continue to allow pedestrian and vehicular access from West Hillcrest Drive. As a mixed-use development in an area of the City with predominately commercial uses, the project would improve connectivity with its higher walkability and by providing retail and restaurant uses available to the public. The project would not divide a community, and therefore, no impact would occur.

Mitigation Measures

No mitigation measures would be necessary.

Residual Impacts

Impacts would be less than significant without the need for mitigation measures.

4.7.3.2 Conflict with Land Use Plan, Policy, or Regulation

The proposed project may have a significant impact if it would cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Analysis the project's potential to conflict with applicable General Plan Land Use policy is provided in **Table 4.7-1, General Plan Land Use Consistency**.

**Table 4.7-1
General Plan Land Use Consistency**

Applicable Land Use Goals and Policies	Consistency Analysis
General Land Use Development Goals and Policies	
<p>Goal: To provide the framework for a planned and unified community containing a balance of living, working, shopping, educational, civic, cultural, and recreational facilities.</p>	<p>Would not Conflict. The project is a mixed-use development that would provide multi-family dwelling units and general commercial space for retail stores and/or restaurants. The project would provide recreational features such as a pool, social deck, and barbeque area. The commercial spaces (suitable for retail or restaurant use) would be open to the public, as well as the outdoor open spaces proximate to those uses, providing public benefits, as well.</p>
<p>Goal: To provide and maintain a system of natural open space and trails.</p>	<p>Would not Conflict. The project would provide walking paths, gardens, terraces, and open space uses. The project's separate structures would be connected by various walking paths, breezeways and bridges.</p>
<p>Goal: To develop appropriate additional tools enabling commercial, industrial and residential development to flourish in an efficient and compatible manner.</p>	<p>Would not Conflict. The project is a mixed-use development that would provide multi-family dwelling units and commercial to be available for retail stores and restaurants. The uses are integrated into the frontage area of the site, and the entire site is connected to West Hillcrest Drive and internally via walking paths and breezeways on the street level.</p>
<p>Goal: To provide a high-quality environment, healthful and pleasing to the senses, which values the relationship between maintenance of ecological systems and the people's general welfare.</p>	<p>Would not Conflict. The development plans to landscape the project site around walkways and streets with various understory plants and oak trees. The project site contains 28 coast live oak trees, and 17 of these are proposed for removal. Replacement trees would be planted (see Section 4.3 Biological Resources), in accordance with the TOMC and the City's Oak Tree Preservation and Protection Guidelines, resulting in at least three trees being planted for each removal.</p>
<p>Policy: The City's unique natural setting will be a guide to its future physical shape. In general, development will occur in the low-lying areas with the natural hills and mountains being preserved in open space. A ring of natural open space will be created around the City. The City will support and encourage open space/greenbelt buffers around it, separating the City from adjoining communities.</p>	<p>Would not Conflict. The project site is currently General Plan-designated and zoned by for commercial use. The project site is relatively flat and the site at ground level would essentially be flat following development. The project is over 1.5 miles from the nearest City of Thousand Oaks boundary line, and would not disturb the surrounding natural ring of open space around the City. The development would increase the connectivity of the area through walking paths and landscaping on the project site.</p>
<p>Policy: Through good design and the implementation of appropriate development tools, a freeway corridor image will be created making Thousand Oaks visually distinct from surrounding communities, retaining the special qualities of the landscape, viewshed and open</p>	<p>Would not Conflict. Since the project site is within 1,000 feet of the centerline of U.S. Highway 101, development is required to comply with the <i>Guidelines for Development within the Corridors of the Route 101 and 23 Freeways Corridor</i>, pursuant of Resolution No. 91-172. As</p>

Applicable Land Use Goals and Policies	Consistency Analysis
space which originally attracted people to the area.	discussed in Section 4.13, Effects Determined Not Significant, the project site development would not obstruct views of distant open space or scenic views, as no such views are available from the nearby freeway vantage points overlooking the site.
Policy: Highly intensive land uses--major industrial and commercial centers--should be located in proximity to or within easy access of the Ventura Freeway corridor.	Would not Conflict. The project area is within 1,000 feet from the centerline of U.S. 101 and includes intensive commercial retail/restaurant and residential land uses. Project implementation would not obstruct the current easy access to the U.S. 101 corridor.
Policy: High density residential development will have a range of 15 to 30 dwelling units of any type per net acre and should be located primarily at sites accessible and close to major centers of activity and along the Ventura Freeway.	<p>Would not Conflict. The project proposes a residential base residential density of 30 dwelling units per acre. A density bonus of 36% is granted so a total of 333 dwelling units would be constructed. The site is currently zoned C-3, which does not allow for residential use. The project would require a General Plan Amendment from Commercial to Commercial/ Residential. The General Plan Update’s alternate endorsed land use map would designate the site as mixed-use. Adoption of the proposed plan is anticipated later in 2023.</p> <p>The maximum base density and unit cap for the Hillcrest Specific Plan has been carefully formulated and designed to the maximum allowable base density used in other areas of the City with the same land use, including the Commercial/ Residential Land Use Designation included in Specific Plan No. 20, which contains mixed-use developments, and the multifamily (R-3) zone of the General Plan, both of which allow 30 units per acre. This density would result in a unit cap of 245 dwelling units, also known as base density units, on a net area of 8.19 acres. The project will reserve 12% of the base density units (i.e., 30 units out of the bases of 245), for very low-income earners.</p> <p>By providing these affordable units, Section 65915 of the California Government Code allows a 38.75 percent density bonus of 95 bonus units, resulting in an overall allowance of 340 dwelling units (30 du/ac base density and 41 du/acre with density bonus). While the maximum allowable unit count is 340 units, and the maximum allowable density is 41 du/acre, the project will provide 333 dwelling units (7 fewer than allowed) at 40 du/acre (95 dwelling units beyond the 245 base market rate units because 30 affordable dwelling units are provided).</p> <p>Section 65915 of the California Government Code also grants two concessions or incentives and an unlimited number of waivers or reductions of development standards for projects providing at least 10 percent of the base units to very low income earners.</p>

Applicable Land Use Goals and Policies	Consistency Analysis
Policy: The Commercial/Residential designation in the Land Use Element shall mean that either residential or commercial land uses may be permitted on land so designated, provided that a Specific Plan has been adopted for the land and that the proposed uses are consistent with the uses authorized by the Specific Plan.	Would not Conflict. The project is currently designated for Commercial use and zoned as C-3 and requires a general plan amendment from Commercial to Commercial/Residence. A General Plan Amendment and a Zone Change to Specific Plan 20 (Hillcrest Specific Plan) would allow for mixed use development at the project site. Site development would be further prescribed the proposed Specific Plan.
Policy: Low profile and aesthetically designed signage shall be allowed for all developments; no billboards shall be allowed.	Would not Conflict. Signage from this project would be required to comply with Thousand Oaks Municipal Code Section 9-4.2308. Signage must be painted or affixed onto any buildings.
Policy: Aesthetics: As the City ages, it is important to maintain, improve and enhance the City's aesthetic appearance.	Would not Conflict. The project development maintains an existing 40 foot naturally landscaped berm. The project provides landscaped open space along the perimeter of the project site and incorporates fourth-story stepbacks and roof decks throughout. The Specific Plan that would be adopted will be consistent with guidelines to maintain, improve, and enhance City aesthetic appearance.
Policy: Strive to provide a balanced range of adequate housing for Thousand Oaks Planning Area residents in a variety of locations for all individuals regardless of age, income, ethnic background, marital status, physical or developmental disability.	Would not Conflict. The project would develop 333 multi-family dwelling units. The project would set aside 30 very low-income units. Of the 246 base units, 12% are designated for low-income. A density bonus of 38.75 percent ($246 \times 0.3875 = 96$ dwelling units) is allowed under Thousand Oaks Municipal Code Section 9-10.502. Of the allowed 96 density bonus units, the project would develop 87. (Also see discussion earlier in this table, in the analysis of the policy regarding high density residential development density.)
Policy: Promote the upgrading of substandard neighborhoods throughout the Planning Area to prevent costly and undesirable deterioration.	Would not Conflict. The project would upgrade the current site from an existing, unused office building and parking lot to a mixed-use project that would bring in businesses and residents to the area.
2021 - 2029 Housing Element	
Goal 1: Provide a wide range of housing opportunities for persons of all income levels.	Would not Conflict. The project is a mixed-use development consisting of multi-family residential and commercial land uses. The project includes 30 very low-income dwelling units, which is 12% of the 246 base density units. The development would help meet the City's RHNA allocation. Further housing analysis is contained in Section 4.10 Population and Housing.
Goal 2: Provide housing opportunities for persons with special needs.	Would not Conflict. The project would set aside 30 very-low income housing units.
Open Space Element 2013 Update	
OS-15: Both within its Area of Interest, and in the larger regional setting, the City shall continue to support policies and programs (e.g., the Guidelines for Orderly Development) that encourage urban development to locate within cities and that preserve regional open space in order to preserve valuable elements of the natural environment, to protect agricultural land, and to guide urban form.	Would not Conflict. The project would demolish an existing office building and construct development within an urban setting, with a land use designation for Commercial use. The proposed development would construct commercial, and residential uses with walkways, public parks, and recreational uses.

Applicable Land Use Goals and Policies	Consistency Analysis
OS-31: Plan new developments to avoid direct and secondary impacts on valuable open space resources; including appropriate access control, location, and maintenance of fuel modification areas.	Would not Conflict. The redevelopment of the project site would bring new residential and commercial uses along with public and private open space zones planned in the project description. The project would not encroach, impact, or disturb any natural open space resources by placing buildings within 200 feet of these areas.
Circulation	
Policy: A variety of transportation modes should be encouraged.	Would not Conflict. The project development encourages alternate mode of transportation. There will be on-site electrical vehicle charging stations, bicycle parking spaces, and electric bicycle charging stations. Mixed use development also provides opportunities to live, shop, and eat without driving to other locations. Amenities the project provides such as social deck, public park, and garden areas would allow residents to have recreation options without driving to alternate locations.
Policy: A City-wide system of pedestrian and bicycle facilities that provide safe, continuous accessibility to all residential, commercial, and industrial areas, to the trail system and to the scenic bike route system shall be provided and maintained.	Would not Conflict. The project site is adjacent to recommended future Class II bicycle lanes and would include bicycle parking spaces and electric bicycle charging stations.
Policy: The City shall balance vehicular circulation requirements with aesthetic, pedestrian, bicycle, and equestrian needs which affect the quality of life.	Would not Conflict. The project structures and landscaping would meet aesthetic requirements. The project would include pedestrian and bicycle infrastructure.
Recreational, Parks, and Natural Open Space	
Policy: Neighborhood parks and open spaces should be located within walking distance of residential areas.	Would not Conflict. The project plans incorporate common open space and private open space . This open space will be developed within the project, walking distance for future residents in the residential use area.
Policy: A multi-use system of equestrian, biking and hiking trails should be implemented to provide access between and within open space reserves.	Would not Conflict. The project site is not proximate to open space reserve areas. However, the site is adjacent to recommended future Class II bicycle lanes and the project would incorporate pedestrian and bicycle infrastructure, including indoor/outdoor bike parking with electric bicycle charging stations.
Noise Element	
Goal N-1: Achieve and maintain an environment in which noise- sensitive uses are not disturbed by noise that exceeds exposure guidelines in this Noise Element.	Would not Conflict. CEQA does not generally require evaluation of the effects of the environment on the project and thus this discussion considers the project's impact on the environment. As discussed in the project noise study, the project's noise and vibration impacts on other land uses (including sensitive receptors) would be less than significant with mitigation. The project site is located adjacent to the vicinity of US 101, a major freeway, and proposes residences, which may

Applicable Land Use Goals and Policies	Consistency Analysis
<p>Policy N1-4. Prevention of Future Noise Conflicts. The City will strive to avoid future noise conflicts between land uses and noise sources or activities that would exceed the noise guidelines for noise sensitive land uses adopted in this Noise Element.</p>	<p>be generally considered a freeway-noise-incompatible land use. As discussed in Section 4.9, Noise and Vibration, the existing ambient noise levels on the project site range from 64 to 69 dB CNEL at the four measurement locations. As discussed in the project noise study, included as Appendix G, these exterior noise levels range from “conditionally compatible” to “normally incompatible”, but both categories are considered compatible, with a detailed acoustical analysis showing interior noise levels of 45 dB CNEL,¹³ assuming compliance with the California Building Code (although it is noted that the environment’s impact on the project is generally not a CEQA issue as clarified in <i>California Building Industry Association v. Bay Area Air Quality Management District.</i>). Further, the buildings themselves would serve to attenuate freeway noise in many of the open space areas and walkways of the site.</p>
<p>Goal N-2: Preserve quiet and diminish existing noise levels in areas of noise-sensitive uses to the extent reasonable and feasible while permitting development in accordance with the Land Use and Circulation Elements of the General Plan.</p>	
<p>Policy N-2.1 Consider Impact of Noise Increases in Quiet Areas. In evaluating projects for significant adverse environmental effects under the California Environmental Quality Act, the City will consider substantial increases in community noise level to be a potentially significant effect even if these increases do not result in a violation of the City’s guidelines for normally acceptable noise levels for noise-sensitive land uses.</p>	<p>Would not Conflict. As discussed in Section 4.9, Noise and Vibration, the project is adjacent to the vicinity of US 101 and is not a quiet area. In Section 4.9, Noise and Vibration, the existing ambient noise levels on the project site range from 64 to 69 dB CNEL In addition, Section 4.9 also shows project operational noise impacts would be less than significant.</p>
Safety Element 2014 Update	
<p>Goal S-1: Minimize the risk of loss of life, injury, damage to property, and economic and social dislocation resulting from fault rupture and seismically induced ground shaking.</p>	<p>Would not Conflict. The project is required to follow applicable building codes (TOMC and CALGreen) and would incorporate recommendations of the geotechnical report to ensure public safety and minimize risks, as discussed.</p>
<p>Policy S-1: Require site-specific geologic and engineering investigations as specified in the California Building Code (International Building Code with California amendments) and Municipal Code for proposed new developments and/or when deemed necessary by the City Engineer and/or through the CEQA process.</p>	<p>Would not Conflict. A preliminary site-specific Geotechnical Report was conducted based available geotechnical information and published geological data. The project’s final geotechnical report is required to provide design recommendations, to be reviewed by the City Engineer, specifies county wide and regulatory compliance.</p>
<p>Goal S-4: Minimize the risk of loss of life, injury, damage to property, and economic and social dislocations resulting from inundation by dam failure or floods.</p>	<p>Would not Conflict. Part of the project site is located in an area with 0.2 percent chance of flooding per year, but none of the site is within the zone of a one percent chance of flooding per year.¹⁴</p>
<p>Goal S-6: Prevent the loss of life and property due to uncontrolled wildfire in the urban/wildland interface through the cooperation of the Ventura County Fire Protection District and property owners living in these areas.</p>	<p>Would not Conflict. The project site is not located along the urban/wildland interface and is not in a designated Very High Fire Hazard Severity Zone (see Section 4.13 Effects Determined Not Significant). The project development would be required to comply with the</p>

¹³ Veneklasen Associates, Latigo Hillcrest Project; Los Angeles County, California Noise and Vibration Study; Veneklasen Project No. 8119-002, January 27, 2023. (EIR Appendix G).

¹⁴ Ventura County Public Works, FEMA Flood Hazard Map; Accessed on September 8, 2022 at: <https://vcwpd.maps.arcgis.com/apps/webappviewer/index.html?id=7e65cd9797524a3a97417a976c3b7a65>

Applicable Land Use Goals and Policies	Consistency Analysis
	California Building Code and California Fire Code, along with procedural review by the City of Thousand Oaks and the Ventura County Fire Department, to prevent loss of life and property in wildfires.
Goal S-7: Protect life, property, and the environment from the effects of releases of hazardous materials into the air, land, or water.	Would not Conflict. Demolition and Construction activities would result in the temporary transport, use, and storage of hazardous materials. These materials could potentially pose a threat to worker, citizen, or environmental safety in the area as discussed in Section 4.7 Hazards and Hazardous Materials.

As shown in Table 4.7-1, the project would be consistent with and would not conflict with City land use policies. While the project requires a General Plan Amendment and Zone Change for mixed-use development, which are changes proposed in the currently underway General Plan update. Site development would be further prescribed the Hillcrest Specific Plan to assure City and project goals are met. Further, approval of those requests will result in a project that is more consistent with the City land use vision and policies than the current Commercial designation and use. The project is consistent with policies, and approval of the requested General Plan Amendment, Zone Change and Specific Plan would further that consistency. Further, the project would not conflict with the 2020-2045 RTP/SCS, as evaluated in Section 4.5 Greenhouse Gas Emissions, Table 4.5-2, Project Consistency with SCAG RTP/SCS Strategies. No conflict and no impact would occur.

Mitigation Measures

No mitigation measures would be necessary.

Residual Impacts

Impacts would be less than significant without the need for mitigation measures.

4.7.4 Cumulative Impacts

Under CEQA, a project's impact is cumulatively considerable when the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. In considering the effects of probable future projects, Chapter 3.0, Cumulative Projects, considers buildout of the current City of Thousand Oaks General Plan to be the overall cumulative project set, with specific known or reasonably foreseeable projects listed in Table 3-1.

Divide a Community

As infill mixed-use development, the project does not have potential to divide a community. There is therefore no project impact or cumulative considerable impact related to dividing a community. In addition, none of the related projects would be located proximate enough to the project to contribute towards a physical division of a community. Therefore, no cumulative impact related to dividing a community would occur.

Land Use Plan, Policy, or Regulation

The project would have a less than significant impact resulting from potential conflict with an applicable land use plan, policy, or regulation. As the project is consistent with the applicable land use plans policies,

and regulations it would also be consistent with projections for the planned buildout of the City of Thousand Oaks. While it is possible that planned development in the City would not meet RHNA allocations, the project would construct new housing, including affordable housing, and thus would not contribute to any potential RHNA shortfall. Therefore, the project would have a less than significant cumulative impact regarding conflict with an applicable land use plan, policy, or regulation.

4.8 NOISE AND VIBRATION

This Draft Environmental Impact Report (EIR) analysis section considers the potential for the Latigo Hillcrest project to result in impacts related to noise and vibration and identifies opportunities to avoid, reduce, or otherwise mitigate potential significant impacts where warranted.

This section describes the existing conditions at the proposed project site and surrounding area, summarizes the applicable regulatory framework that guides the decision-making process, identifies thresholds for determining if the proposed project would result in significant impacts, analyzes anticipated impacts (direct, indirect, and cumulative), provides mitigation measures to reduce impacts where warranted, and discusses residual impacts (i.e., level of significance after mitigation). The significance of project impacts has been determined in accordance with criteria based on Appendix G of the State California Environmental Quality Act (CEQA) Guidelines. Where applicable, additional regulatory agency guidelines or requirements are incorporated as additional considerations in evaluating environmental significance. Sources used in the analysis are cited herein where relevant to the analysis; a comprehensive list of references is provided Chapter 7.0, Organizations and Persons Consulted and References, of this EIR. This evaluation is based upon the project Noise and Vibration Study prepared by Veneklasen Associates,¹ which is provided in **Appendix G, Noise and Vibration**.

4.8.1 Existing Conditions

The environmental setting and regulatory setting establish existing conditions relevant to the project. The project impact analysis presented later in this section is based on these baseline conditions.

Environmental Setting

Noise

Noise is defined as unwanted sound. Sound is mechanical energy transmitted by pressure waves through a compressible medium such as air. Sound is characterized by various parameters that describe the rate at which sound waves oscillate, the distance between successive troughs or crests, the speed of propagation, and the pressure level or energy content of a given sound wave. Among these various parameters, sound pressure level, measured in decibels (dB), has become the most common descriptor used to characterize the loudness of an ambient sound level. One dB is one tenth of one bel, named in honor of Alexander Graham Bell. One bel is the logarithm of the ratio of any two energy-like quantities. Decibels are the standard unit of sound pressure to express the faintest sound detectable by a keen human ear.

Because sound or noise can vary in intensity by over one million times within the range of human hearing, dB levels are measured on a logarithmic loudness scale similar to the Richter Scale used for earthquake magnitude. The human ear is not as equally sensitive to all sound frequencies within the entire spectrum so noise levels at maximum human sensitivity are factored more heavily into sound descriptions in a process called “A-weighting” written as “dBA.” Subsequent references to decibels written as “dB” should be understood as A-weighted values.

Variations in noise exposure over time are expressed in terms of a steady-state energy level equivalent to the energy content of the time period, called Leq. Because human receptors are more sensitive to unwanted noise intrusion during the evening and at night hours, additional dB increments are added to noise levels in a 24 hour noise descriptor: either the Day-Night Average Level (Ldn) or the Community Noise Equivalent Level (CNEL). The Ldn metric adds a penalty of 10 dB for the nighttime hours of 10:00 p.m. to 7:00 a.m.,

¹ Veneklasen Associates, Latigo Hillcrest Project; Los Angeles County, California, Noise and Vibration Study; Veneklasen Project No. 8119-002, April 4, 2023.

while CNEL adds both the 10 dB nighttime penalty and a penalty of 5 dB for the evening hours of 7:00 p.m. to 10:00 p.m.

Noise levels typically attenuate (or drop off) at a rate of 6 dB per doubling of distance from point sources (such as industrial machinery) on an acoustically hard site and 7.5 dB per doubling of distance on a soft site (e.g., over soil or vegetation). Noise from line sources (such as roadways) typically attenuates at a rate of 3 dB per doubling of distance on a hard site and 4.5 dB per doubling of distance on a soft site. Noise levels may also be reduced by intervening structures.

Ground-borne Vibration

Vibration is an oscillatory motion through a solid medium in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. Vibration is normally associated with activities such as railroads or vibration-intensive stationary sources, but can also be associated with construction equipment such as jackhammers, pile drivers, and hydraulic hammers. Vibration displacement is the distance that a point on a surface moves away from its original static position. Velocity is the instantaneous speed that a point on a surface moves and acceleration is the rate of change in the speed. Each of these descriptors can be used to correlate vibration to building damage and determine acceptable vibration levels.

During construction, the operation of construction equipment can cause ground-borne vibration. Ground-borne vibration is best measured in terms of velocity or amplitude. The peak particle velocity (PPV) or the root mean square (RMS) velocity is usually used to describe vibration amplitudes. The PPV is the maximum instantaneous peak of the vibration signal and RMS is the square root of the average of the squared amplitude of the signal. It is more appropriate to use PPV for evaluating potential building damage whereas RMS is used in the FTA criteria for the evaluation of vibration in relation to annoyance and comfort. PPV velocity is normally measured in inches per second (in/sec). Another vibration descriptor, vibration decibels (VdB), can be used for describing RMS vibration levels, which are presented and discussed in dB units to compress the range of numbers required to describe the vibration. In this analysis, all PPV acceleration levels are measured in in/sec and all RMS vibration levels are measured in dB relative to one micro-inch per second (abbreviated as VdB). Typically, ground-borne vibration generated by human activities attenuates rapidly with distance from the source of the vibration.

Existing Noise Environment

Acoustical measurements were conducted from November 29, 2022, to December 1, 2022, to evaluate the existing ambient sound levels near the site property lines at four locations as shown in **Figure 4.8-1, Noise Measurement Locations and Noise and Vibration-Sensitive Receptors**. The measured ambient hourly average Leq and CNEL sound levels are summarized in **Table 4.8-1, Ambient Noise Measurements**.

Table 4.8-1
Ambient Noise Measurements

Noise Level	Measured Ambient Noise Level (dBA)			
	Location 1	Location 2	Location 3	Location 4
Average Hourly Day/Night Leq	60/56	62/58	60/56	65/61
CNEL	64	66	64	69
Source: Veneklasen Associates, Latigo Hillcrest Project; Los Angeles County, California, Noise and Vibration Study; Veneklasen Project No. 8119-002, April 4, 2023.				



Legend	
	Project Site
M#	Measurement Locations (Typical)
Title	
1	Amgen Buildings
2	Residential Sensitive Receptors
3	Chevron Gas Station
4	7-11
5	Builders First Source Building Supply

Source: Google Earth Pro, Mar. 8, 2020.

LATIGO HILLCREST – EIR

Noise Measurement Locations & Noise and Vibration-Sensitive Receptors

0 | 125 | 250
 FEET

FIGURE 4.8-1

Regulatory Setting

Federal

Federal Transit Administration

There are no federal vibration standards or regulations adopted by any agency that are applicable to evaluating vibration impacts from land use development projects such as the proposed project. However, the Federal Transit Administration (FTA) has adopted vibration criteria for use in evaluating vibration.² The City of Thousand Oaks does not have defined thresholds for vibration, so vibration impacts are analyzed using criteria from the FTA's Transit Noise and Vibration Impact Assessment Manual. The FTA vibration criteria for potential building damage and for human sensitivity are shown below, in **Table 4.8-2, FTA Vibration Criteria**.

Table 4.8-2
FTA Vibration Criteria

Vibration Impact	RMS Particle Velocity (VdB, reference: 1×10^{-6} in/sec) ¹
Building Damage	94
Annoyance in Buildings Where People Sleep	72
Interference with Vibration-Sensitive Operations	65

Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, 2018.

¹ Decibels relative to one micro-inch of root-mean-square particle velocity per second, i.e., one tenth of the logarithm of the ratio of a given particle velocity to the reference particle velocity level of 1×10^{-6} in/sec.

State

California Noise Control Act

The California Noise Control Act (CNCA) of 1973 is included in the California Health and Safety Code as Division 28 Noise Control Act, Sections 46000-46080. The legislature declares excessive noise as a serious hazard to public health and welfare that can result in physiological, psychological, and economic damage. The state is responsible to protect the well-being of the people by control, prevention, and abatement of noise. The state Office of Noise Control has the duty to protect the health and well-being of people through establishing and maintaining a program on noise control. The office coordinates with other state agencies to research noise, abatement, prevention, and control within the scope of their agency's jurisdiction.

California Building Code (CCR Title 24, Part 2)

Title 24 of the California Code of Regulations sets minimum noise insulation standards for new dwellings besides single-family units. It requires that habitable rooms in new dwellings contain noise insulation that keeps interior noise levels at or below 45 dBA from exterior noise sources.

California Green Building Code

The California Green Building Code (CalGreen) 2016, Section 5.507: Environmental Comfort provides noise control under Sub-Section 5.507.4: Acoustical Control. Construction within the 65 dB CNEL or Ldn noise contour of an airport, freeway, expressway, railroad, industrial noise source, or other fixed sources. Buildings exposed to noise level of 65 dB during any hour of operation must have a Sound Transmission Class (STC) rating of STC 45 at minimum and exterior windows must have a minimum rating of STC 40. Buildings in zones that are exposed to noise levels of 65 dB must be constructed to provide interior noise attributable to exterior sources that does not exceed an hourly equivalent noise level of 50 dBA during

² Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, Table 7-5, page 186, 2018.

occupied hours of operation.³ As discussed in the project noise and vibration study, the outdoor noise levels on the project site are such that indoor noise levels would be acceptable with typical construction.

Regional and Local

Thousand Oaks General Plan

Thousand Oaks General Plan Noise Element identifies and appraises noise concerns in the City’s jurisdiction. The noise elements must recognize guidelines established by the state Office of Noise Control. Thousand Oaks establishes their own thresholds of significance which are provided in **Table 4.8-3, Thresholds of Significance for Operational Noise Impact**. As shown in Table 5.8.1-3, the thresholds adopted are expected to be used in EIRs and Negative Declarations prepared within City of Thousand Oaks.

Table 4.8-3
Thresholds of Significance for Operational Noise Impact

If the annual average noise level with the proposed project, cumulative projects and General Plan buildout in an area currently used for or designated in the General Plan for a noise-sensitive land use¹ is expected to be:	A significant project or cumulative impact may result if the change in annual average noise levels from existing conditions due to all sources in an area currently used for or designated in the General Plan for a noise-sensitive land use¹ is:	The project alone may be considered to make a substantial contribution to significant cumulative impact if the change in annual average noise level due to the project is
Less than 55 dB CNEL	Not significant for any change in noise level	Not significant for any change in noise level
55-60 dB CNEL	Equal to or greater than 3.0 decibels	Equal to or greater than 1.0 decibels
60-60 dB CNEL	Equal to or greater than 1.5 decibels	Equal to or greater than 0.5 decibels
Greater than 70 dB CNEL	Equal to greater than 1.0 decibels	Equal to or greater than 0.5 decibels

Source: City of Thousand Oaks General Plan, Noise Element, May 2000, Table 9.

¹ A noise-sensitive land use is a use for which the lower limit of the noise level is considered “normally unacceptable” for development because of noise impact is 70 dB CNEL or lower. In identifying land use areas, areas that are undevelopable for noise-sensitive uses because of slope, development restriction, easement, etc., or which are used for non-noise sensitive components of a multiple-use or mixed-use project, should not be considered noise sensitive.

Exceptions:

- Development of single-family or multi-family residential uses in an infill project in an existing residential area which is designated for development for residential uses in the General Plan, and for which a sound insulation study has been prepared by a qualified acoustical engineer or other sound insulation specialist, and for which sound insulation is included in the proposed project to meet state standards for interior noise levels for multi-family residential development, shall not be considered to have a significant adverse effect when considering the exposure of the project itself to noise levels exceeding the standards of this Noise Element. (Off-site impacts of such projects should still be considered in determining the potential significance of noise impacts.)

The Noise Element states that “noise-sensitive uses” are considered to include all residential uses, schools, hospitals, churches, outdoor spectator sports facilities, performing arts facilities, and hotels and motels.

³ State of California, 2022 California Green Building Standards Code Title 24, Part 11 (CalGreen).

The City’s General Plan Noise Element includes the following applicable policies:⁴

- Policy N-1.5 states that the City will maintain and enforce a noise ordinance which addresses problems from human activities, mechanical equipment, amplified sound, and other sources.
- Policy N-2.1 states that the City will consider substantial increases in community noise level at sensitive receptors to be potentially significant under CEQA even if they do not exceed the City’s guidelines for “normally acceptable” noise levels (i.e., 70 dB CNEL).

Thousand Oaks Municipal Code

The Thousand Oaks Municipal Code (TOMC) regulates powered equipment in Section 5-21.02: “Powered equipment in residential areas,” which states the following:

“Between the hours of 9:00 p.m. and 7:00 a.m. of the following day, no person shall operate any lawn mower, backpack blower, lawn edger, riding tractor, or any other machinery, equipment, or other mechanical or electrical device, or any hand tool which creates a loud, raucous or impulsive sound, within any residential zone or within any commercial zone which can be heard from any inhabited real property in a residential zone.”

As stated in the Noise Element of the General Plan, the City limits the impact of construction noise by regulating the hours of construction activity. TOMC Section 8-11.01, “Construction activities restricted to certain hours,” states the following:

“It shall be unlawful for any person to engage in or conduct any activity in the construction of any building or structure, the moving of earth, or the laying of any pavement, including, but not limited to, the making of any excavation, clearing or grading of surface land, and loading or unloading material, equipment, or supplies, except between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, unless a permit for each work at different hours or days has first been issued by the Public Works Director.”⁵

In addition, TOMC Section 4-3.804(a) requires vehicles propelled by an internal combustion engine on private property to have state-approved spark arrestors or a noise-muffling device approved by the state.

4.8.2 Thresholds of Significance

The potential noise and vibration impacts of the project have been analyzed in relation to the following threshold criteria, which are based upon the State CEQA Guidelines Appendix G Checklist, federal and state advisory noise standards and the local noise ordinance. The proposed project may have a significant impact with regard to noise and vibration if the project would:

- Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. (*Temporary or Permanent Noise Increase*)
- Generate excessive groundborne vibration or groundborne noise levels. (*Groundborne Vibration*)

⁴ City of Thousand Oaks, General Plan Noise Element May 2000.

⁵ City of Thousand Oaks, Municipal Code. Accessed on September 22, 2021 at: <https://codelibrary.amlegal.com/codes/thousandoaks/latest/overview>.

- Expose people residing or working in the project area to excessive noise levels due to the project's location 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. (*Aircraft Noise*)

4.8.3 Project Impacts and Mitigation Measures

The following project features are relevant to the analysis of noise and vibration. This analysis evaluates impacts with reference to the design of the project, the regulatory setting, state and City information related to these resources.

4.8.3.1 *Temporary or Permanent Noise Increase*

A significant impact may occur if the proposed project were to generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project site in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Construction

The project noise study modeled construction noise using the Federal Highway Administration Roadway Construction Noise Model (FHWA RCNM) based on the construction equipment list cited in Chapter 2.0, Project Description, and Section 4.1, Air Quality.

The analysis of the various phases of construction indicates the maximum construction noise produced occurs with all equipment operating during the grading phase. The predicted construction noise level at the residential area is 71 dBA; this calculation is indicated in Appendix B to the project noise and vibration study (i.e., Appendix B of EIR Appendix G). The predicted construction noise level of 76 dBA is significantly higher than the measured daytime hourly ambient noise levels of 60 dBA Leq to 65 dBA Leq near the sensitive receptors (see Table 2) and would result in a temporary noise increase of 6 to 11 dBA as shown in **Table 4.8-4, Estimated Construction Noise Levels**. A threshold of a 10 dB increase above ambient noise levels, which humans perceive as a doubling of noise levels, is considered an appropriate threshold. As the temporary noise level increases from project construction are greater than 10 dB, a significant impact would occur, and a reduction measure would be required to reduce temporary noise impacts. As a mitigation measure (**NOI-1**), 12-foot-high barrier at the eastern boundary of the project site is recommended to reduce the construction noise levels at the residences by 14 dBA to 62 dBA. The resulting predicted mitigated construction noise level of 62 dBA would be close to the measured ambient noise levels and will temporarily increase the ambient noise level by approximately 2 to 4 dBA at the residences to the east, as shown on **Table 4.8-5, Mitigated Construction Noise Levels**. As the mitigated construction noise levels would not result in a 10 dB increase above existing ambient noise levels, construction noise levels would be less than significant with mitigation.

Table 4.8-4
Estimated Construction Noise Levels

Scenario	Daytime Noise Level at Residences to East	
	Location 3	Location 4
Existing Ambient Noise Level	60 dBA Leq	65 dBA Leq
Project Construction Noise Level	71 dBA	71 dBA
With Project Ambient Noise Level	71 dBA	71 dBA
Temporary Noise Increase	11 dBA	6 dBA

Source: Veneklasen Associates, Veneklasen Associates, Latigo Hillcrest Project; Los Angeles County, California, Noise and Vibration Study; Veneklasen Project No. 8119-002, April 4, 2023.
Note: Locations shown are those closest to sensitive receptors, i.e., Location 3 and Location 4.

Table 4.8-5
Mitigated Construction Noise Levels

Scenario	Daytime Noise Level at Residences to East	
	Location 3	Location 4
Existing Ambient Noise Level	60 dBA Leq	65 dBA Leq
Project Construction Noise Level with Barrier	62 dBA	62 dBA
With Project Ambient Noise Level with Barrier	64 dBA	67 dBA
Temporary Noise Increase with Barrier	4 dBA	2 dBA
Source: Veneklasen Associates, Veneklasen Associates, Latigo Hillcrest Project; Los Angeles County, California, Noise and Vibration Study; Veneklasen Project No. 8119-002, April 4, 2023.		
Note: Mitigated condition calculated for two locations closest to sensitive receptors, i.e., Location 3 and Location 4.		

Operation

The project consists of residential, commercial retail, and restaurant land uses. Noise generated by the project during operations would be mainly from project-related vehicle trips increasing traffic noise on local roadways and mechanical noise such as heating, ventilation, and cooling (HVAC) noise.

The traffic study produced by Stantec (provided in **Appendix H**),⁶ indicates peak hour traffic volumes at the project entrance and the affected intersections surrounding the project site. An analysis of the predicted traffic volumes indicates the largest increase in traffic occurs along West Hillcrest Drive at the entrance/exit to the project site, where the project-added morning/evening peak hour traffic volumes are 87/68, to yield existing plus project peak hour traffic volumes of 628 and 452. The predicted traffic noise increase for these peak hour traffic volumes is 0.6 dBA for morning peak hour traffic and 0.7 dBA for evening peak hour traffic, based on the equation for an increase in the number of equivalent noise sources.⁷ Based on these noise level increases and the measured existing noise levels in Table 4.8-1, the existing plus project noise levels at the nearest sensitive receptors (the residences to the east), would range from approximately 65 dBA CNEL to 70 dBA CNEL, as shown on **Table 4.8-6, Project Operations Noise Increase**. This increase in traffic noise of less than one decibel is not a significant increase, as the applicable City threshold would be a 1.5 dBA increase when average noise levels with the project range from 60-70 dBA CNEL. In addition, a noise level increase of less than one decibel would not typically be perceptible, even in controlled laboratory conditions.

Table 4.8-6
Project Operations Noise Increase

Scenario	24-Hour Noise Level at Sensitive Receptors	
	Location 3	Location 4
Existing Ambient Noise Level	64 dBA CNEL	69 dBA CNEL
Project Noise Level Increase	0.7 dBA	0.7 dBA
With Project Noise Level (rounded)	65 dBA CNEL	70 dBA CNEL
Source: Veneklasen Associates, Veneklasen Associates, Latigo Hillcrest Project; Los Angeles County, California, Noise and Vibration Study; Veneklasen Project No. 8119-002, April 4, 2023.		

⁶ Stantec, 2150 Hillcrest Drive, Traffic, Circulation and Vehicle Miles Traveled (VMT) Study, March 23, 2023.

⁷ $(L = 10 \cdot \log (v_2/v_1))$; where L = noise level increase, v_1 = initial number of sources, and v_2 = increased number of sources)

Typical HVAC mechanical equipment noise produces a sound power⁸ level of 75 dBA. This equipment is planned for rooftop installation behind roof parapets. The noise from one HVAC unit at the property line, approximately 50 feet away, is predicted to be 41 dBA without considering the additional sound reduction afforded by the parapet. Assuming a nominal 5 dBA reduction due to parapet noise shielding, the predicted sound level is 36 dBA at the property line. Based on the proposed project design, with eight off-site residential units along the east side of the project, the total noise level is predicted to be 45 dBA, much less than the average nighttime measured ambient noise level of 56 dBA Leq indicated in Table 4.8-1.

Mitigation Measures

NOI-1: A 12-foot-high barrier shall be placed at the eastern boundary of the project site during construction to reduce the construction noise levels at the residences by 14 dBA to 62 dBA. The resulting predicted mitigated construction noise level of 62 dBA is close to the measured ambient noise levels and will temporarily increase the ambient noise level by approximately 2 to 4 dBA at the residences to the east, as shown on Table 6 of the EIR Noise and Vibration Study (Veneklasen 2023).

Residual Impacts

Mitigation measure NOI-1 would reduce construction noise levels to a less than significant level. As shown in Table 4.8-5, the barrier from mitigation measure NOI-1 would reduce construction noise levels, thereby reducing the associated increase above existing ambient noise levels to a less than significant increase. Operational noise levels would be less than significant without mitigation.

4.8.3.2 Groundborne Vibration

Project construction activities, including site grading, could result in groundborne vibration generated by large earthmoving equipment. A significant impact may occur if the project construction activities would expose people to or generate excessive groundborne vibration or groundborne noise levels, such as discernable movement of building floors, rattling of windows, shaking of items on shelves or hanging on walls, and rumbling sounds. Typically, however, ground vibration is quickly dampened within the softer sedimentary surfaces of much of Southern California. The vibration reference levels and equations from the FTA Transit Noise and Vibration Assessment Manual, which are used in this analysis, are based on reasonable estimates for a wide range of soil conditions.⁹ Because vibration is typically not an issue, very few jurisdictions have adopted vibration significance thresholds, but federal and state transportation agencies have published vibration levels for public works construction projects that may potentially cause damage to structures or result in human annoyance, as noted in Regulatory Setting, which may be utilized for project analysis.

Construction

The construction projected for the project includes the approximate schedule and equipment proposed for the project, as discussed previously. This equipment was utilized from the grading phase as well as the hypothetical use of an impact pile driver to determine possible vibration impacts to the nearby sensitive receptors. The Amgen Building 29 to the north across Hillcrest Drive contains a research laboratory, which is assumed to conduct operations that are vibrationally sensitive, and therefore the threshold limit of 65 VdB was used for effects on vibration-sensitive uses, as cited Table 4.8-2. Using this vibration limit, the noise and vibration study analysis indicates that an impact pile driver would require a usage setback of 925

⁸ Sound power is the acoustic power (i.e., rate of energy) associated with a noise source, from which the sound pressure level at the a given distance (i.e., noise level) can be calculated.

⁹ Federal Transit Administration, Transit Noise and Vibration Assessment Manual, September 2018.

feet from the Amgen site to limit the vibration to 65 VdB. As the project site is located between 190 feet and 850 feet from the Amgen site, and the 925-foot distance is beyond the furthest southern edge of the project site, an impact pile driver cannot be used for project construction if vibration impacts are to remain less than significant.

Further analysis indicates that the construction equipment operating near the northern property line of the project must be limited to two units operating within the 190-foot distance from the Amgen buildings, while other equipment must be operated at 500 feet, to comply with the 65 VdB vibration limit and avoid interference with vibration-sensitive use operations.

The vibration limit for building damage of 94 VdB, as cited Table 4.8-2, can be met with all the listed equipment operating at 50 feet. The vibration limit for annoyance in buildings where people sleep of 72 VdB, as cited Table 4.8-2 can be met with no more than two units operating at the same time at a distance of 20 feet from a multi-family residence on the east side of the site.

Mitigation measures NOI-2 and NOI-3 prevent building damage and impacts to vibration sensitive operations. With the measures in place, the vibration impacts would be below the building damage and sensitivity thresholds. While vibration may be perceptible for short periods when equipment is located within 20 feet of residences, significant human annoyance would not be expected. Calculations for the vibration impacts are included in the appendix to the project noise and vibration study.

Operation

During operations, the project would not include any sources of substantial vibration levels. On-road vehicles are unlikely to generate perceptible groundborne vibration when traveling on smooth roadways, according to the California Department of Transportation (Caltrans) Transportation and Construction Vibration Guidance Manual.¹⁰ The FTA Transit Noise and Vibration Impact Assessment Manual states that most complaints about vibration from buses and trucks are due to the rattling of windows or items affixed to walls, which is usually the result of airborne noise rather than groundborne vibration.¹¹ The project traffic analysis¹² evaluated project trip generation and the project's traffic impact on nearby roadway intersections. Considering the relatively small project-related incremental increase in traffic the vibration from the project's operational traffic will not be perceptible at nearby receptors.

Mitigation Measures

NOI-2: In order to avoid impacts to vibration-sensitive uses north of the project site, impact pile drivers shall not be used on site and alternative equipment and methods (such as cast-in-drilled-hole (CIDH) piles) shall be used to construct the deep foundation system for the proposed project buildings.

NOI-3: In order to assure avoidance of potential building damage impacts, no more than two units of powered construction equipment shall be used at the same time within 20 feet from any residence on the east side of the site.

¹⁰ California Department of Transportation (Caltrans), Transportation and Construction Vibration Guidance Manual, April 2020.

¹¹ Federal Transit Administration, Transit Noise and Vibration Assessment Manual, September 2018.

¹² Stantec, 2150 Hillcrest Drive Traffic, Circulation and Vehicle Miles Traveled (VMT) Study, City of Thousand Oaks, CA, March 23, 2023.

Residual Impacts

As calculated in the project noise and vibration report (Appendix G), mitigation measures NOI-2 and NOI-3, respectively, would result in reduced vibration levels for vibration-sensitive operations at off-site buildings by prohibiting impact pile drivers, and for human annoyance-sensitive residential residences to the east of the site would limit the number of units of powered construction equipment that shall be used at the same time close to the eastern project site boundary. Calculations in the project noise and vibration study (Appendix G) demonstrate that impacts would be below thresholds following with these measures in place.

4.8.3.3 *Aircraft Noise*

A significant impact may occur if the proposed project would the project expose people residing or working in the project area to excessive noise level, if 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. The nearest airport, the Camarillo Airport, is approximately 8.5 miles from the project site. The site does not fall into the Airport Land Use Plan area, Influence Areas, or 65 dBA CNEL Noise Contour of the Camarillo Airport.¹³ Therefore, the project would not expose people living or working in the area to excessive levels of aircraft noise.

Mitigation Measures

No mitigation measures would be necessary.

Residual Impacts

Impacts would be less than significant without the need for mitigation measures.

4.8.4 Cumulative Impacts

Under CEQA, a project's impact is cumulatively considerable when the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. In considering the effects of probable future projects, Chapter 3.0, Cumulative Projects, considers buildout of the current City of Thousand Oaks General Plan to be the overall cumulative project set, with specific known or reasonably foreseeable projects listed in Table 3-1 and shown geographically in Figure 3-1.

Regarding construction noise and vibration, a cumulative impact would potentially occur at a sensitive receptor when construction of both the project and a related project were to simultaneously occur and create a combined significantly impact. The closest related project is Project 5 in Table 3-1 and Figure 3-1, an approved Specific Plan to construct a mixed-use development consisting of multi-family dwelling units and hotel rooms located approximately 800 feet southeast of the project site, across U.S. Route 101. At a given receptor close to one of the projects, the noise from the further project would be reduced through distance attenuation, and groundborne vibration attenuation would be even greater, as vibration is quickly dampened by the ground. Further, if the two projects were hypothetically to be under construction at the same time, it is unlikely that the noisiest phases of both projects' construction (grading, site preparation, and demolition) would occur simultaneously, because these phases make up a relatively small portion of the overall construction schedule. However, there are no related projects in close proximity that would raise a cumulative impact concern. In addition, because both projects are adjacent to U.S. 101 on opposite sides of the freeway, construction noise from the more distant project would be shielded by the sound walls on

¹³ Ventura County Airport Land Use Commission, Airport Comprehensive Land Use Plan for Ventura County, July 7, 2000.

either side of the freeway and additionally would be potentially subsumed or masked by traffic noise from U.S. 101. Thus, no sensitive receptor would be significantly impacted by the combination of project construction noise or vibration and related projects' construction noise or vibration.

Regarding operational noise and vibration, the project contribution to traffic noise increases in the project vicinity would not be cumulatively considerable, and cumulative traffic noise impacts would not occur. As discussed previously, the project would not introduce sources of substantial vibration levels during operations. Additionally, there are no related projects in the vicinity that would introduce sources of substantial vibration levels during operations, and thus no sensitive receptor would be significantly impacted by the combination of the project's operational vibration and related projects' operational vibration. At over five miles west of the City's western boundary, neither the project nor the cumulative projects would expose people living or working in the area to excessive levels of aircraft noise. Cumulative impacts for all noise and vibration issues would be less than significant.

4.9 POPULATION AND HOUSING

This Draft Environmental Impact Report (EIR) analysis section considers the potential for the Latigo Hillcrest project to result in impacts to population and housing that may result in a physical impact to the environment, and identifies opportunities to avoid, reduce, or otherwise mitigate potential significant impacts to population and housing where warranted.

This section describes the existing conditions at the proposed project site and surrounding area, summarizes the applicable regulatory framework that guides the decision-making process, identifies thresholds for determining if the proposed project would result in significant impacts, analyzes anticipated impacts (direct, indirect, and cumulative), provides mitigation measures to reduce impacts where warranted, and discusses residual impacts (i.e., level of significance after mitigation). The significance of project impacts has been determined in accordance with criteria based on Appendix G of the State California Environmental Quality Act (CEQA) Guidelines. Where applicable, additional regulatory agency guidelines or requirements are incorporated as additional considerations in evaluating environmental significance. Sources used in the analysis are cited herein where relevant to the analysis; a comprehensive list of references is provided in Chapter 7.0, Organizations and Persons Consulted and References, of this EIR.

4.9.1 Existing Conditions

The environmental setting and regulatory setting establish existing conditions relevant to the project. The project impact analysis presented later in this section is based on these baseline conditions.

Environmental Setting

Site Overview

The project site consists of an approximately 8.19-net acre lot located at 2150 West Hillcrest Drive east of Rancho Conejo Boulevard, consisting of Assessor's Parcel Number (APN) 667-0-113-075 (previously APN 667-0-113-025).¹ The site is currently developed with a two-story office building, formerly associated with Amgen Inc., asphalt parking lot areas, landscaping and street trees. The project is located within the City of Thousand Oaks (City) community of Newbury Park on West Hillcrest Drive. The City encompasses 55.2 square miles, and is situated in the Conejo Valley in southeastern Ventura County, about halfway between the cities of Los Angeles and Santa Barbara.

Local and Regional Population

The existing population within the City of Thousand Oaks (as of January 1, 2022) is 124,592 persons, representing approximately 14.9 percent of Ventura County's total population of 833,652 (as of January 1, 2022).² Population growth rates within the Southern California Association of Governments (SCAG) region from 2016 to 2045 are expected to be slower than the previous period from 2000 to 2016, and substantially slower than historical growth from 1970 to 2000.³ The State's natural population growth is generally plateauing, as the Baby Boomers age and fertility rates decline among younger cohorts, which is slowing the increase of births minus deaths. The addition of COVID-19 related deaths and other federal policies

¹ GIS Online Map of City of Thousand Oaks, Accessed on August 16, 2022 at: <http://map.toaks.org/Html5Viewer/Index.html?Viewer=public>.

² Department of Finance, Sheet E-5 Population and Housing Estimates for Cities, Counties and the State, May 2021, Accessed on October 12, 2022 at: <https://dof.ca.gov/forecasting/demographics/estimates/estimates-e5-2010-2021/>.

³ Southern California Association of Governments, Connect SoCal Demographics and Growth Forecast Technical Report, Adopted September 3, 2020.

further reduced population totals. As such, the majority of counties, including Ventura, saw population declines from 2021 to 2022.⁴

Although current growth rates are at a historic low, this still results in gradual increases to the total population locally and regionally. As discussed in further detail below, SCAG has developed a long-range planning document which considers growth projections for employment, population, and households at the regional, county, city, town, and neighborhood levels. For purposes of this EIR, baseline and growth projections will be utilized from the SCAG 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). **Table 4.9-1, Population Growth Projection** shows the population growth within the City and County from 2022, the project baseline year, 2026, the project buildout year, and 2045, the SCAG horizon year.

Table 4.9-1
Population Growth Projections

Growth and Geographic Area	2022 Baseline	Project Buildout Year (2026)			SCAG Horizon Year (2045)		
		Projection	Growth from 2022	Percent Increase from 2022	Projection	Growth from 2022	Percent Increase from 2022
Population							
City of Thousand Oaks	132,645	134,741	2,097	1.6%	144,700	12,055	9.1%
County of Ventura	870,069	883,448	13,379	1.5%	947,000	76,931	8.8%
Source: SCAG, Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, Demographics and Growth Forecast Technical Report, Table 13 and Table 14, Adopted September 3, 2020.							
Note: Population data for years 2022 (the baseline year) and 2026 (the anticipated buildout year of the Project) within the City and County are calculated based on a linear interpolation of the 2022 to 2045 projections in SCAG's 2020-2045 RTP/SCS.							
Note: Estimates are rounded.							

As shown in Table 4.9-1, the Citywide population is anticipated to increase by 12,055 people from 2022 to 2045, which represents a 9.1 percent increase from 2022, and the Countywide population is anticipated to increase by 76,931 people from 2022 to 2045, which represents an 8.8 percent increase from 2022.

Housing

Within the City of Thousand Oaks, the average household size is approximately 2.75 persons per household⁵, which is slightly lower than the average countywide household size of 3.03 persons per household.⁶ Additionally, SCAG projections were utilized to determine long-term housing projections. **Table 4.9-2, Housing Growth Projection** shows the housing growth within the City and County from 2022, the project baseline year; 2026, the assumed project buildout year; and 2045, the SCAG horizon year.

⁴ Department of Finance, Slowing State Population Decline Puts Latest Population at 29,185,000, May 2, 2022, Accessed on October 13, 2021 at: https://dof.ca.gov/wp-content/uploads/Forecasting/Demographics/Documents/E-1_2022PressRelease.pdf.

⁵ U.S. Census, 2010, (Table DP-1); ACS, 2015-2019 (Table B11001, B11003).

⁶ United States Census Bureau, QuickFacts, Ventura County, Population Estimates as of July 1, 2022, Accessed on December 28, 2022 at: <https://www.census.gov/quickfacts/thousandoakscitycalifornia>.

Table 4.9-2
Housing Growth Projections

Growth and Geographic Area	2022 Baseline	Project Buildout Year (2026)			SCAG Horizon Year (2045)		
		Projection	Growth from 2022	Percent Increase from 2022	Projection	Growth from 2022	Percent Increase from 2022
Population							
City of Thousand Oaks	47,097	47,828	731	1.6%	51,300	4,203	8.9%
County of Ventura	278,241	283,0689	4,828	1.7%	306,000	27,759	10.0%
Source: SCAG, Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, Demographics and Growth Forecast Technical Report, Table 13 and Table 14, Adopted September 3, 2020.							
Note: Housing data for years 2022 (the baseline year) and 2026 (the anticipated buildout year of the Project) within the City and County are calculated based on a linear interpolation of the 2016 to 2045 projections in SCAG's 2020-2045 RTP/SCS.							
Note: Estimates are rounded.							

As shown in Table 4.9-2, Citywide housing is anticipated to increase by 4,203 households from 2022 to 2045 which represents an 8.9 percent increase from 2022, and the Countywide population is anticipated to increase by 27,759 households from 2022 to 2045 which represents a 10 percent increase from 2022.

Employment

Employment within the City of Thousand Oaks can be evaluated based on the number of jobs available in Thousand Oaks and based on the number of employed individuals that reside in the city. The number of jobs includes all jobs available in Thousand Oaks, including jobs held by individuals who commute into Thousand Oaks for work. The number of employed individuals that reside in the city represents how many people participate in the workforce, regardless of whether they are employed at places inside or outside the City's jurisdictional boundary.

The California Employment Development Department (EDD) provides labor force participation data for the city based on the resident population. According to the EDD, as of November 2022, the City of Thousand Oaks had an average labor force of 63,000 individuals, 61,300 of which were employed and approximately 1,700 were unemployed, resulting in an unemployment rate of 2.7 percent.⁷

In addition, SCAG projections were utilized to determine long-term employment projections. **Table 4.9-3, Employment Growth Projection** shows the employment growth within the City and County from 2022, the project baseline year, 2026, the project buildout year, and 2045, the SCAG horizon year.

⁷ Employment Development Department, Unemployment Rate and Labor Force, Monthly Labor Force Data for Cities and Census Designated Places, November 2022 – Preliminary, Accessed on December 28, 2022 at: <https://labormarketinfo.edd.ca.gov/data/unemployment-and-labor-force.html>.

**Table 4.9-3
Employment Growth Projections**

Growth and Geographic Area	2022 Baseline	Project Buildout Year (2026)			SCAG Horizon Year (2045)		
		Projection	Growth from 2022	Percent Increase from 2022	Projection	Growth from 2022	Percent Increase from 2022
Population							
City of Thousand Oaks	72,148	73,514	1,366	1.9%	80,000	7,852	10.9%
County of Ventura	346,172	353,621	7,448	2.2%	389,000	42,828	12.4%
Source: SCAG, Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, Demographics and Growth Forecast Technical Report, Table 13 and Table 14, Adopted September 3, 2020.							
Note: Employment data for years 2022 (the baseline year) and 2026 (the anticipated buildout year of the Project) within the City and County are calculated based on a linear interpolation of the 2016 to 2045 projections in SCAG's 2020-2045 RTP/SCS.							
Note: Estimates are rounded.							

As shown in Table 4.9-2, Citywide employment is anticipated to increase by 7,852 jobs from 2022 to 2045, which represents a 10.9 percent increase from 2022, and the Countywide population is anticipated to increase by 42,828 jobs from 2022 to 2045, which represents a 12.4 percent increase from 2022.

Regulatory Setting

Federal

There are no Federal Regulations that apply to this project.

State

The California Housing Law

California Government Code Sections 65580-65589.11 is the Housing Element for the State of California. The availability of housing is vital for the state where participation from the government and private sector is needed to accommodate housing needs of Californians on all economic levels. Section 65580 states local governments have the responsibility to use powers vested in them to facilitate and develop housing to meet the housing needs of all economic segments of the community. Local governments are depended on to evaluate appropriateness of housing goals, objectives, and policies contributing to the attainment of the state housing goal. Government Code establishes that housing elements must be periodically updated as specified therein, including 18 months after adoption of every second RTP update, and no more than eight years later than the deadline for adoption of the previous eight-year housing element.⁸

Senate Bill 330, Housing Crisis Act of 2019

Senate Bill 330 (SB 330), Housing Crisis Act (HCA) of 2019 was signed into law by Governor Gavin Newsom in response to California's housing crisis. In 2021, Governor Newsom signed SB 8 into law which was an extension of HCA. The goal of HCA is to increase residential unit development, protect existing housing, and expedite the permitting process. Applicable housing developments must receive a decision

⁸ California Legislative Information, California Government Code Title 7, Division 1, Chapter 3, Article 10.6, Accessed on August 29, 2022 at: https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=1.&title=7.&part=&chapter=3.&article=10.6.

after a maximum of five public hearings. The HCA took effect on January 1, 2020, and will last until 2025. The bill does not allow the demolition for existing residential dwelling if the new project does not plan on creating as many units that have existed on the property for the previous five years.

Fair Employment and Housing Act

Government Code Section 12900 is the Fair Employment and Housing Act of 1954. Under Section 12955, state is unlawful for the owner of any housing accommodation to discriminate against or harass any person because of the race, color, religion, ethnicity, sex, gender, gender activity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, veteran or military status, or generic information of that person.⁹

Relocation Assistance

California Government code Title 1, Division 7, Chapter 16 is Relocation Assistance (7260-7277). The legislature finds and declares relocation assistance policies must provide fair, uniform, and equitable treatment for all affected individuals. Minimizing the impacts of displacement such as business closure is essential for maintaining the economic and social well-being of communities. Uniform policy is established in the Relocation Assistance, Government Code 7261 that programs or project undertaken by public entity shall:

- (1) Recognizes, at an early stage in the planning of the programs or projects and before the commencement of any actions which will cause displacements, the problems associated with the displacement of individuals, families, businesses, and farm operations, and
- (2) provides for the resolution of these problems in order to minimize adverse impacts on displaced persons and to expedite program or project advancement and completion.¹⁰

Regional and Local

Sothern California Association of Governments

SCAG is the Metropolitan Planning Organization (MPO) that oversees Ventura County and the incorporated cities within the County. Connect SoCal 2024 is the most recent update of the 2024-2050 RTP/SCS that is the long-range visioning plan for the future mobility and housing needs of the region's future. It has development growth projections for employment, population, and households at the regional, county, city, town, and neighborhood levels. The projections use economic and demographic trends, from SCAG's jurisdiction. The report shows a trend similar to the nation's, population growth has slowed, and California is a long-term structural housing shortage and affordability crisis.

The primary goal of Connect SoCal 2024 is to assess growth to 2050. The preliminary direction of Connect 2024 shows an unlikely decrease of jobs due to the innovation hubs, culture, and desirable natural amenities California has to offer. Population is expected to slow yet the growth rate of households is expected to increase. This is due to two major factors. (1) The population is aging quicker than previously anticipated

⁹ California Legislative Information, California Government Code Title 2, Division 3, Chapter 6, Article 2, Accessed on August 29, 2022 at: https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=3.&title=2.&part=2.8.&chapter=6.&article=2.

¹⁰ California Legislative Information, California Government Code Title 1, Division 7, Chapter 16, Accessed on August 29, 2022 at: https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=7.&title=1.&part=&chapter=16.&article=.

which increases number of small households and (2) strength in housing production despite low population growth is beginning to address existing housing shortages.

Regional Housing Needs Assessment

Since 1969, California has required all local governments to adequately plan to meet housing needs of everyone in the community. To meet the local housing needs, the local governments, such as the City or SCAG, need to know how much housing it must plan for which is determined through the Regional Housing Needs Assessment (RHNA) process.¹¹ The RHNA provides recommendations and guidelines to identify housing needs within cities and unincorporated areas but does not impose requirements as to housing development. SCAG, as the regional planning agency, is responsible for allocating the RHNA housing needs to each local jurisdiction within its region. The 6th Cycle Final RHNA adopted by SCAG on March 22, 2021, for the planning period of 2021–2029, has identified a future housing need of 2,621 housing units (or dwelling units) for the City of Thousand Oaks to be accommodated within the 8-year RHNA planning period, specifying the desired income range mix¹² **Table 4.9-4, RHNA Needs by Income Category for The City of Thousand Oaks**, shows the RHNA allocation for the City.

Table 4.9-4
RHNA Needs by Income Category for the City of Thousand Oaks

Income Level	RHNA Needs (in Housing Units)	% RHNA Allocation
Extremely Low/Very Low ¹	735	28.0%
Low	494	18.8%
Moderate	532	20.3%
Above Moderate	860	32.8%
Total	2,621	100.0%

Source: City of Thousand Oaks General Plan, 2021-2029 Housing Element, Table 28, January 2023 from Southern California Association of Governments (SCAG), 2021.

⁽¹⁾ City has a RHNA allocation of 735 very low income units (inclusive of extremely low income units). Pursuant to Government Code Section 65583 (a)(1), the City must project the number of extremely low income housing needs based on Census income distribution or assume 50 percent of the very low income units as extremely low. Presuming an even split, the City's RHNA allocation of 735 very low income units may be divided into 367 very low and 368 extremely low-income units. However, for purposes of identifying adequate sites for the RHNA allocation, State law does not mandate the separate accounting for the extremely low income category.

City of Thousand Oaks General Plan

The City of Thousand Oaks General Plan is currently being updated with an expected adoption by the end of 2023. The General Plan's goal is to guide Thousand Oaks into the future with a vision, goals, and policies that balance a combination of housing, economic development, and open space planning that manages sustainable growth that maintains the character of Thousand Oaks. The 2021-2029 City Housing Element was initially adopted by City Council on January 25, 2022, which establishes programs and policies to address housing needs for all residents and accommodates the projected number of housing units needed to house existing and future residents of Thousand Oaks. The Housing Elements aims to achieve the following goals:

- Accommodate projected housing demands, as mandated by the state.
- Provide a wide range of housing opportunities for persons of all income levels.

¹¹ California Department of Housing and Community Development, Regional Housing Needs Allocation, Accessed on August 29, 2022 at: <https://www.hcd.ca.gov/regional-housing-needs-allocation>.

¹² SCAG, 6th Cycle Final RHNA Allocation Plan, July 1, 2021, Accessed on December 28, 2022 at: <https://scag.ca.gov/sites/main/files/file-attachments/6th-cycle-rhna-final-allocation-plan.pdf?1616462966>.

- Provide housing opportunities for persons with special needs.
- Maintain and improve the existing housing stock of the City by reducing housing deterioration.
- Preserve existing affordable housing.
- Affirmatively further fair housing.

The 2021-2029 Housing Element includes a housing sites inventory, which is consistent with the RHNA allocation of 2,621 housing units, and the various income level totals noted in Table 4.9-4.

Thousand Oaks Municipal Code

Zoning regulations are adopted to protect and promote the public health, safety, morals, and welfare and to provide social and economic advantages that results in orderly use of land resources. Zoning regulations also result in development standards such as height limitations and other developmental standards that regulate setbacks, building heights, floor area ratios, open space, and parking for each parcel within the city.

Measure E Ordinance

Passed by voters in 1996, Measure E requires voter approval for any amendment to the Land Use Element of the City's General Plan that:

- Increases residential land use density beyond the City's General Plan of November 5, 1996 or
- Increases the amount of commercial acreage beyond the City's General Plan of November 5, 1996.

In February 2020, the City Council approved a Residential Capacity Allocation application (2021-70169-RCA)-, allowing for the development of the project site at the maximum allowable base density of 30 dwelling units per acre identified in the General Plan, allocating 246 residential dwelling units of Citywide Measure E residential capacity to the project site. As of the publication of this Draft EIR, there are 55 units remaining in the Measure E pool.

4.9.2 Thresholds of Significance

The potential for the proposed project to result in impacts related to population and housing is analyzed in relation to the thresholds below, which are based upon the State CEQA Guidelines Appendix G Checklist. Impacts to population that are social or economic are not generally considered a significant effect on the environment under CEQA unless a social or economic change can be directly linked to a physical change in the environment. Impacts related to the project's potential to induce growth are discussed in Section 6.3, Growth Inducing Impact, of this EIR.

The proposed project may be considered to have a significant population and housing impact when the proposed project has potential to (short title for impact headings shown in parentheses):

- 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). (***Unplanned Population Growth***)
- Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. (***Displacement of People or Housing***)

4.9.3 Project Impacts and Mitigation Measures

Development of the project would develop a four-story mixed-use development encompassing 629,937 gross sf of building area, that would contain 333 multi-family residential units (including 30 very low-income affordable units), and 5,300 gross sf of commercial retail and restaurant space. The following analysis considers the impact of the project with respect to population, housing, and employment.

4.9.3.1 *Unplanned Population Growth*

A project may result in a potentially significant impact if it would result in substantial unplanned growth either directly (such as by proposing unplanned development) or indirectly (such as by extending roads or other infrastructure into areas not previously planned for development).

Population, Housing, and Employment – Direct Growth

Buildout of the proposed project would add a total of 333 new multi-family residential units, including 30 very low-income affordable units and 5,300 gross sf of commercial retail and restaurant space. An estimate of the population growth resulting from the new housing is provided in **Table 4.9-5, Proposed Housing and Estimated Population**, and an estimate of additional employees from the proposed commercial development is provided in **Table 4.9-6, Proposed Employee Generation**.

Table 4.9-5
Proposed Housing and Estimated Population

Housing	Units Proposed	Average Household Size ^a	Estimated Population
Multi-family units	333	2.75	916

^a U.S. Census, 2010, (Table DP-1); ACS, 2015-2019 (Table B11001, B11003).

Table 4.9-6
Proposed Employee Generation

Land Use	Size (sf)	Average Employment Density (sf per employee) ^a	Estimated Employee Generation
Commercial	5,300	412	13

^a Employment Density Study Summary Report, October 31, 2001, Prepared for Sothern California Association of Governments, Prepared by The Natelson Company Inc., Table II-A, Derivation of Square Feet per Employee for Ventura County, Other Retail/Svc.

As shown in Table 4.9-5 and Table 4.9-6, the proposed 333 multi-family units would result in an increase of 916 additional residents and increase of 13 employees within the City. As discussed in Regulatory Setting, the federally designated MPO for a six-County region, SCAG, prepared the 2020-2045 RTP/SCS, with population, housing and employment growth forecasts for SCAG's component counties and cities. Also in Regulatory Setting, Table 4.9-1, Table 4.9-2 and Table 4.9-3, provide 2022-2026 growth estimates for population, housing, and employment within the City (local) and County (regional). The project's contributions to the local and regional population, housing and employment growth projections are provided in **Table 4.9-7, Project Contribution to Local and Regional Population Growth**, **Table 4.9-8, Project Contribution to Local and Regional Housing Growth**, and **Table 4.9-9, Project Contribution to Local and Regional Employment Growth**.

Table 4.9-7
Project Contribution to Local and Regional Population Growth

Geographic Area	Increase in Population Generated by the Project	Population Growth from 2022-2045	Project's Percentage of Population Growth from 2022-2045
City of Thousand Oaks	916	12,055	7.6%
County of Ventura	916	76,931	1.2%

Source: SCAG, Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, Demographics and Growth Forecast Technical Report, Table 13 and Table 14, Adopted September 3, 2020.

Table 4.9-8
Project Contribution to Local and Regional Housing Growth

Geographic Area	Increase in Housing Generated by the Project	Housing Growth from 2022-2045	Project's Percentage of Housing Growth from 2022-2045
City of Thousand Oaks	333	4,203	7.9%
County of Ventura	333	27,759	1.2%

Source: SCAG, Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, Demographics and Growth Forecast Technical Report, Table 13 and Table 14, Adopted September 3, 2020.

Table 4.9-9
Project Contribution to Local and Regional Employment Growth

Geographic Area	Increase in Employment Generated by the Project	Employment Growth from 2022-2045	Project's Percentage of Employment Growth from 2022-2045
City of Thousand Oaks	13	7,852	0.17%
County of Ventura	13	42,828	0.03%

Source: SCAG, Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, Demographics and Growth Forecast Technical Report, Table 13 and Table 14, Adopted September 3, 2020.

As shown in Table 4.9-7, the proposed project would account for a 7.6 percent of the local population growth and 1.2 percent of the regional population growth projected to occur between 2022 and 2045. As shown in Table 4.9-8, the project would account for a 7.9 percent of the local housing growth forecast and 1.2 percent of the regional housing growth projected to occur during that same timeframe. Lastly, as shown in Table 4.9-9, the project would account for 0.17 percent of the local employment growth forecast and 0.03 percent of the projected regional employment growth during the study timeframe. Thus, project-related growth in population, housing and employment would fall well within SCAG projections.

The project proposed adoption of a Specific Plan would require a General Plan Land Use Amendment (see Chapter 2.0, Project Description for approvals) for the project site to specify the project density and mixed use with a change in land use designation from Commercial to Commercial/Residential. With approval the General Plan Land Use Amendment, the project would be consistent with the General Plan and a part of the growth projections for the City.

Based on the growth projection analysis above and with approval of the General Plan Amendment, the project development would not result in direct unplanned growth, and the proposed project would not result in direct, substantial unplanned growth and thus, direct impacts would be less than significant.

Additional Infrastructure – Indirect Growth

The project site is currently served and would continue to be served by existing utility and public service providers. On-site infrastructure (sewer, water, natural gas, power, and communication systems) would be removed during construction and updated with construction of the buildings. Some of the infrastructure along the north and east sides of the property will remain in place and be protected during construction. Infrastructure to remain includes existing sewer and power facilities owned and operated by Amgen Inc., as well as existing water lines operated by California American Water. Therefore, the project would not result in indirect substantial unplanned growth through adding infrastructure into areas not previously planned for development. As such, project-related infrastructure development would not result in indirect unplanned growth and thus, indirect impacts would be less than significant.

Regional Housing Needs Assessment

In accordance with defined future housing needs, the City must balance land use activities to accommodate future housing development and meet RHNA's State housing law compliance for different affordability levels. The Project would be located adjacent to major transportation corridors and employment opportunities, and would provide appropriate housing stock to accommodate future growth within the City. Moreover, in consideration of other residential land uses and housing development occurring within the County, the anticipated 916 new residents and 333 housing units are within the forecasted population growth of the Housing Element planning cycle. The Draft RHNA for the 2021 to 2029 Housing Element planning cycle allocates 2,621 housing units to the City of Thousand Oaks. The project includes the construction of affordable housing units - 30 units to be designated for very low-income residents. The proposed affordable housing units will assist in meeting the City's RHNA requirements.

Mitigation Measures

No mitigation measures would be necessary.

Residual Impacts

Impacts would be less than significant, without the need for mitigation.

4.9.3.2 Displacement of People or Housing

A significant impact may occur if the project would displace substantial numbers of existing people or housing.

The project site is currently developed with a two-story office building, paved surface parking lot areas, driveways, and landscaping, and no existing houses or people on the project site. Therefore, the project would have no impact regarding the displacement of substantial numbers of existing people or housing. As such, the project would not necessitate the construction of replacement housing elsewhere, and no impact would occur.

Mitigation Measures

No mitigation measures would be necessary.

Residual Impacts

Impacts would be less than significant, without the need for mitigation.

4.9.4 Cumulative Impacts

Under CEQA, a project's impact is cumulatively considerable when the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. In considering the effects of probable future projects, Chapter 3.0, Cumulative Projects, considers buildout of the current City of Thousand Oaks General Plan to be the overall cumulative project set, with specific known or reasonably foreseeable projects listed in Table 3-1. With regard to population and housing, the proposed project would not result in a significant population, housing or employment impact with regard to unplanned population growth or displacement, considering SCAG's local and regional growth projections. Following approval of a project General Plan Land Use Amendment, the project would be included in General Plan growth projections. Further, project-related infrastructure development would not result in indirect unplanned growth or contribute to indirect cumulative growth. As such, the project would not contribute significantly to a cumulative impact. Each project evaluated by the City will be reviewed for General Plan compliance and environmental compliance. Where warranted additional environmental analysis would be required for future projects. No cumulatively significant impact would occur.

4.10. PUBLIC SERVICES

This Draft Environmental Impact Report (EIR) analysis section considers the potential for the Latigo Hillcrest project to result in impacts to public services that could result in physical impacts to the environment, and identifies opportunities to avoid, reduce, or otherwise mitigate potential significant impacts to public services where warranted. This analysis section is subdivided into three parts for separate evaluations of potential impacts to Fire Services (4.10.1), Police Services (4.10.2), Schools (4.10.3), and Parks and Recreation (4.10.4) that would serve the project.

4.10.1 FIRE SERVICES

This EIR analysis section considers the potential for the Latigo Hillcrest residential project to result in impacts to fire protection services that may result in a physical impact to the environment, and identifies opportunities to avoid, reduce, or otherwise mitigate potential significant impacts to fire services where warranted.

This Section describes the existing conditions at the proposed project site and surrounding area, summarizes the applicable regulatory framework that guides the decision-making process, identifies thresholds for determining if the proposed project would result in significant impacts, analyzes anticipated impacts (direct, indirect, and cumulative), provides mitigation measures to reduce impacts where warranted, and discusses residual impacts (i.e., level of significance after mitigation). The significance of project impacts has been determined in accordance with criteria based on Appendix G of the State California Environmental Quality Act (CEQA) Guidelines. Where applicable, additional regulatory agency guidelines or requirements are incorporated as additional considerations in evaluating environmental significance. Sources used in the analysis are cited herein where relevant to the analysis; a comprehensive list of references is provided in Chapter 7.0, Organizations and Persons Consulted and References, of this EIR and the Ventura County Fire Protection District Memorandum dated September 23, 2022 and included in **Appendix A**.¹

4.6.1.1 Existing Conditions

The environmental setting and regulatory setting establish existing conditions relevant to the project. The project impact analysis presented later in this section is based on these baseline conditions.

Environmental Setting

Site Overview

The project site consists of an approximately 8.19-net acre lot located at 2150 West Hillcrest Drive east of Rancho Conejo Boulevard, consisting of Assessor's Parcel Number (APN) 667-0-113-075 (previously APN 667-0-113-025).²

The site is located within an urbanized area, away from the wildland urban interface, served by the VCFD, and is not within or adjacent to a very high fire hazard severity zone (VHFHSZ). The site is currently developed with a two-story office building, formerly associated with Amgen Inc., two surface asphalt parking lots, landscaping and street trees.

¹ Resendes, Nick, Fire Inspector II, Ventura County Fire Protection District Memorandum, September 23, 2022. (Appendix A)

² GIS Online Map of City of Thousand Oaks, date accessed on August 16, 2022; at: <http://map.toaks.org/Html5Viewer/Index.html?Viewer=public>

Ventura County Fire Department

The City of Thousand Oaks (City), including the project site, is located within the Ventura County Fire Prevention District, and fire prevention and suppression services are provided by the Ventura County Fire Department (VCFD). The VCFD consists of approximately 600 employees and 33 fire stations throughout Ventura County (County) and serves approximately 850,000 people. The VCFD provides fire protection, medical aid, rescue, hazardous material response and a variety of other services to the public within the County.³ The VCFD Battalion 3 commands the Conejo Valley area, and its headquarters are Station 30, Civic Center, located at 325 West Hillcrest Drive in Thousand Oaks.

The nearest fire station to the project site is also VCFD Station 35, Newbury Park, approximately 0.4 driving miles to the northwest.⁴ **Table 4.10.1-1, Fire Stations Located Near the Project Site**, provides a list of the VCFD Stations located within the site vicinity and available staff and apparatus at each location.

**Table 4.10.1-1
Fire Stations Located Near the Project Site**

Station #	Station Name	Address	Staff/Apparatus	Distance from Project ^a
35	Newbury Park	752 Mitchell Road, Newbury Park, CA 91320	7 firefighters, Engine 35, Ladder Truck 25, Reserve Engine Office of Emergency Services (OES) 244, Command 11	0.4 miles
30	Civic Center	325 West Hillcrest Drive, Thousand Oaks CA 91360	Chief officers, 3 firefighters, Engine 30, Squad 30, Brush Engine 330.	2.6 miles
32	Potrero	830 Reino Road, Newbury Park, CA 91320	3 firefighters, Medic/Engine 32, Reserve Engine 132, Utility 32	3.2 miles
34	Arboles	555 E. Avenida de Los Arboles, Thousand Oaks CA 91360	3 firefighters, Medic/Engine 34, Reserve Engine 134 and Utility 34	5.6 miles
31	Westlake	151 N. Duesenberg Drive, Thousand Oaks CA 91362	5 firefighters, Medic/Engine 31, Rescue 31	6.3 miles

Source: Ventura County Fire Department, Fire Stations, Accessed on November 1, 2022 at: <https://vcfd.org/services/operations/stations/>.
(^a) Approximated driving distance (road miles).

Mutual Aid Agreements

In some instances, the closest available resources may come from another fire department. The VCFD also has a number of mutual aid or automatic aid agreements with other fire service agencies including Los Angeles County and the City of Los Angeles,⁵ which are employed on an as-needed basis. The closest Los Angeles County Fire Station 144 is approximately five miles to the east of the project site. In addition, every emergency response institution within the State of California is bound by the terms of the California Disaster and Civil Defense Master Mutual Aid Agreement,⁶ which creates a statewide mutual aid network wherein facilities throughout the state can be mustered to render mutual aid to divert natural or human-made disasters. Emergency response institutions also use the same incident response system, which allows for easy collaboration.

³ Ventura County Fire Department, About VCFD, Accessed on November 1, 2022 at: <https://vcfd.org/about-vcfd/overview/>.

⁴ Ventura County Fire Department, Station 35, Accessed on November 22, 2022 at: <https://vcfd.org/station-35/>.

⁵ Los Angeles Fire Department, Automatic Aid Agreement Between the Los Angeles Fire Department and the Ventura County Fire Department, September 20, 2022.

⁶ California Disaster and Civil Defense Master Mutual Aid Agreement, Accessed on November 14, 2022 at: <https://www.caloes.ca.gov/wp-content/uploads/Preparedness/Documents/CAMasterMutAidAgreement.pdf>

Response Levels and Times

The VCFD has a goal of a first unit on scene within 8 minutes and 30 seconds for suburban areas 90 percent of the time and first unit on scene in 12 minutes for rural areas 90 percent of the time.⁷ The strategy of crew deployment is to spread crews across a community for quick response to keep emergencies small and with positive outcomes, without spreading the crews so far apart that they cannot amass together quickly during a major emergency.⁸ Actual VCFD response levels are dependent on type of incident location, weather conditions, existing or potential emergencies, resources available and information provided. Staffing levels and staffing of specialized resources are adjusted according to existing or potential conditions.⁹

The majority of Thousand Oaks is within two miles of a fire station, which allows the District to meet its response time goals. Four additional stations are regularly available to assist the eight located within the Conejo Valley, these are Station 40 Mountain Meadows in Moorpark, and Station 44 Wood Ranch in Simi Valley, and two stations west of the City (Station 52 Mission Oaks and Station 54 Camarillo, both in Camarillo). As noted earlier, the District also has a number of mutual aid or automatic aid agreements with other fire service agencies including Los Angeles County and the City of Los Angeles. All of the above assures good coverage for fire protection.

Emergency Preparedness

The County of Ventura and the City of Thousand Oaks both implement programs to facilitate emergency preparedness, and work together to ensure emergency readiness. Specifically, the County of Ventura administers the Ventura County Multi-Hazard Mitigation Plan,¹⁰ which complies with federal and state hazard mitigation planning requirements and includes measures to reduce risks from natural disasters within the County, including wildfire. This plan has been adopted by several cities, including the City of Thousand Oaks.

In addition, the City of Thousand Oaks prepared an Emergency Operations Plan (EOP),¹¹ which addresses the City's planned response to emergency regarding natural disasters, technological incidents, and national security emergencies. The EOP contains five City emergency management goals, including saving lives that are immediately threatened, providing for health and safety of those impacted by the incident, protecting property impacted by the incident, restoring services and infrastructure; and preserving the environment.

Regulatory Setting

Federal

Federal Emergency Management Agency

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, known as the Stafford Act, gives statutory authority for most federal response activities as they pertain to Federal Emergency Management Agency (FEMA). FEMA is the federal agency that coordinates federal government role in preparing, preventing, mitigating, responding to, and recovering from all nationwide disasters. This includes natural or man-made disasters such as fires to domestic terrorist attacks. FEMA was created in 1803 by the

⁷ Resendes, Nick, Fire Inspector II, Ventura County Fire Department, Email Correspondence with Envicom Corporation on November 22, 2022.

⁸ Ventura County Fire Protection District, Regional Fire Services Standards of Cover Analysis, Volume 2 of 3 Technical Report, June 2017.

⁹ Ventura County Fire Department, Emergency Response, Accessed on November 14, 2022 at: <https://vcfd.org/services/operations/emergency-response/>.

¹⁰ County of Ventura, Ventura County Multi-Jurisdictional Hazard Mitigation Plan, Updated 2022.

¹¹ City of Thousand Oaks, Emergency Management, 2020 Emergency Operations Plan, Approved February 25, 2020.

Congressional Act as a response a town fire in New Hampshire. Post-Katrina Emergency Management Reform Act of 2006 was passed in response to Hurricane Katrina which destroyed over a billion dollars' worth of infrastructure and the economy; that act established FEMA as a distinct agency within Department of Homeland Security and designated the FEMA Administrator as the principal advisor to the president and all matters in relation to emergency management in the United States. Disaster Mitigation Act of 2000 amended the Stafford Act allowing for the creation of the framework for state, local, tribal and regional governments to engage in disaster mitigation planning to receive certain types of non-emergency disaster assistance.¹² The Sandy Recovery Improvement Act of 2013 was passed due to Hurricane Sandy's effect on the east coast. The storm left millions of people without power and destroyed thousands of homes. Sandy Recovery Improvement Act helped streamline the recovery of infrastructure and to allow federally recognized tribes to directly request Presidential declaration.¹³ The law authorized several significant changes to the way FEMA can efficiently deliver federal disaster assistance to disaster survivors. The Disaster Recovery Reform Act of 2018 was another legislation passed due to unprecedented and rapid succession of disasters such as extreme wildfires and historic hurricane season. The bill increased investments to mitigation and building capabilities of state, local, tribal, and territorial partners.

Federal Fire Safety Act

The Federal Fire Safety Act (FFSA) of 1992 amended the Federal Fire Prevention and Control Act of 1974. It prohibits the use of federal funds:¹⁴

- To construct, purchase, lease, rebuild, or operate Government housing for federal employees and their dependents unless it is protected by hard-wired smoke detectors, in the case of multifamily housing, automatic sprinklers system.
- For housing assistance for newly constructed property not so protected or for rebuilt property not in compliance with the Life Safety Code.
- Any other housing assistance if the unit is not protected by hard-wired or battery-operated smoke detectors.

The FFSA also requires federal agencies to provide sprinkler protection in any building owned or leased by the government that houses at least 25 federal employees during their employment.

Disaster Mitigation Act of 2000

In 2000, the Disaster Mitigation Act amended the Robert T. Stafford Disaster Relief Act of 1988. Among other things, this legislation reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide by controlling and streamlining the administration of federal disaster relief and developing programs that promote hazard mitigation activities. Among the Act's major provisions:

¹² U.S. Department of Homeland Security, Regulation and Guidance, Accessed on August 30, 2022 at: <https://www.fema.gov/emergency-managers/risk-management/hazard-mitigation-planning/regulations-guidance#:~:text=The%20Disaster%20Mitigation%20Act%20of,of%20non%2Demergency%20disaster%20assistance.>

¹³ U.S. Department of Homeland Security, History of FEMA, Accessed on August 30, 2022 at: <https://www.fema.gov/about/history.>

¹⁴ Congress.Gov, H.R.3360 – Federal Fire Safety Act of 1992, Accessed on August 30, 2022 at: <https://www.congress.gov/bill/102nd-congress/house-bill/3360#:~:text=Federal%20Fire%20Safety%20Act%20of%201992%20%2D%20Amends%20the%20Federal%20Fire,building%20if%20at%20least%20some.>

- Funding for pre-disaster mitigation activities.
- Developing experimental multi-hazard maps to better understand risk.
- Establishing state and local government infrastructure mitigation planning requirements.
- Defining how states can assume more responsibility in managing the Hazard Mitigation Grant Program.
- Adjusting ways in which management costs for projects are funded.

The mitigation planning provisions outlined in Section 322 of the Act establish performance-based standards for mitigation plans. The Act further requires states to provide for a public assistance program (Advance Infrastructure Mitigation) to develop County government plans. Counties that fail to develop an infrastructure mitigation plan risk significant reduction in federal government assistance for repair/replacement of damaged facilities if that facility has been damaged more than once during the preceding 10-year period by a similar event.

Uniform Fire Code

The Uniform Fire Code (UFC) includes specialized technical fire and life safety regulations, which apply to the construction and maintenance of buildings and land uses. Topics addressed in the UFC include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings.

National Fire Plan 2000

The National Fire Plan was developed in August 2000 as a response to severe wildland fires, reduce impacts to rural communities, and assure sufficient firefighting capacity. The plan requires cooperation between different levels of government to identify communities at risk of wildland fires, selection of hazard fuels treatment projects, and a comprehensive 10-year strategy. The plan addressed firefighting, rehabilitation, restoration, hazardous fuel reduction, forest health management, rural and community assistance, accountability, and research and development.¹⁵

State

California Department of Forestry and Fire Protection

CAL FIRE is the California Department of Forestry and Fire Protection. It is dedicated to the fire protection and stewardship of over 31 million acres of the state's wildlands. Sections 51175 – 51189 of the California Government Code define CAL FIRE's responsibility for identifying Fire Hazard Severity Zones (FHSZ) throughout California. The FHSZs on CAL FIRE maps are based on fuel loading, slope, fire history, weather, and other factors as directed by California Public Resources Code, Sections 4201 – 4204, and California Government Code, Sections 51175 – 51189. FHSZs are ranked from Moderate to Very High and are designated within a Federal Responsibility Area, State Responsibility Area (SRA), or LRA, which indicate the jurisdiction as belonging to a federal agency, CAL FIRE, or local agency, respectively. The agency that performs firefighting activities can be different from the responsible agency if there is a contract agreement in place.

¹⁵ U.S. Department of the Interior and USDA Forest Service, National Fire Plan, Accessed on August 30, 2022 at: https://srwp.openmnm.org/assets/06942155460a79991fdf1b57f641b1b4/application/pdf/NFP_final32601.pdf.

Local agencies have the responsibility to designate, by ordinance, very high fire hazard severity zones (VHFHSZ) within their jurisdictions, per sections 51178.5 and 51179 of the Government Code. The project site is not within or adjacent to a VHFHSZ.

California Strategic Fire Plan

The State Board of Forestry and Fire Protection, which is a Governor-appointed body within the California Department of Forestry and Fire Protection (CAL FIRE), has adopted strategic fire plans since the 1930s. The plans are periodically updated to reflect current and anticipated needs as the environmental, social and economic landscape of California's wildlands changes over time. The 2018 Strategic Fire Plan addresses fire prevention and natural resource management to maintain the state's forest as a resilient carbon sink to assist in meeting California's climate change goals, as well as to serve as important habitat for adaption and mitigation. The 2018 Strategic Fire Plan also emphasizes the continued collaboration between local, state, federal, tribe and private partners to effectively manage a fire-resilient wildland urban interface and natural environment. The goals that are critical to achieving the 2018 Strategic Fire Plan's vision around fire prevention, natural resource management and fire suppression efforts include:¹⁶

- Improve the availability and use of consistent, shared information on hazard and risk assessment.
- Promote the role of local planning processes, including general plans, new development, and existing developments, and recognize individual landowner/homeowner responsibilities.
- Foster a shared vision among communities and the multiple fire protection jurisdictions, including county-based plans and community-based plans such as Community Wildfire Protection Plans.
- Increase awareness and actions to improve fire resistance of man-made assets at risk and fire resilience of wildland environments through natural resource management.
- Integrate implementation of fire and vegetative fuels management practices consistent with the priorities of landowners or managers.
- Determine and seek the needed level of resources for fire prevention, natural resource management, fire suppression, and related services.
- Implement needed assessments and actions for post-fire protection and recovery.

State Multi-Hazard Mitigation Plan

The State Multi-Hazard Mitigation Plan intends to reduce or eliminate potential risks and impacts of natural and human-caused disasters. Mitigation and disaster resiliency efforts are developed in to help communities. Mitigation plan gathers hazards, vulnerabilities, and mitigation information at local level for use in state-level planning. It also ensures local and state mitigation planning is coordinated and ensures local jurisdiction are made aware of hazards and vulnerabilities within jurisdiction and to develop strategies to reduce those vulnerabilities.¹⁷ The 2018 plan has updated statewide risk assessment, disaster history, and statistics. Local hazard mitigation plans have to be reviewed and accepted by the California Office of Emergency Service (Cal OES). After accepted by Cal OES, FEMA Region IX mitigation plan staff reviews it for final approval.

¹⁶ State Board of Forestry and Fire Protection, California Department of Forestry and Fire Protection, 2018 Strategic Fire Plan for California, August 22, 2018.

¹⁷ California Office of Environmental Services, Hazard Mitigation Planning, Accessed on August 30, 2022 at: <https://www.caloes.ca.gov/office-of-the-director/operations/recovery-directorate/hazard-mitigation/state-hazard-mitigation-planning/#:~:text=The%202018%20SHMP%20continues%20to,mitigation%20and%20disaster%20resiliency%20efforts.>

California Public Resources Code 4291

Public Resources Code 4291 provides that a person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or land that is covered with flammable material, shall at all times maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line.

California Fire Code

The California Fire Code contains regulations relating to construction and maintenance of buildings and the use of premises based on the UFC. Topics addressed in the code include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist first responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings and premises. The code contains specialized technical regulations related to fire and life safety.

Section 501.3 of the Fire Code states, “Construction documents for proposed fire apparatus access, location of fire lanes, security gates across fire apparatus access roads and construction documents and hydraulic calculations for fire hydrant systems shall be submitted to the fire department for review and approval prior to construction.”

California Health and Safety Code

State fire regulations set forth in Sections 13000, et seq. of the California Health and Safety Code include regulations for building standards (as also set forth in the California Building Code), fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, high-rise building and childcare facility standards, and fire suppression training.

California Building Code

The California Building Code contains multiples chapters addressing fire safety:

Chapter 7, Fire and Smoke Protection Features

Chapter 7 regulates materials, systems and assemblies used for structural fire resistance and fire-resistance-rated construction separation of adjacent spaces to safeguard against the spread of fire and smoke within a building and the spread of fire to or from buildings. Chapter 7 applies to all permitted structures.

Chapter 7A, Materials and Construction Methods for Exterior Wildfire Exposure

Chapter 7A establishes minimum standards for the protection of life and property by increasing the ability of a building located in any FHSZ within SRAs or any Wildland-Urban Interface Fire Area to resist the intrusion of flames or burning embers projected by a vegetation fire and contributes to a systematic reduction in conflagration losses. Chapter 7A applies to new buildings located within a Wildland-Urban Interface Fire Area, which includes those within an LRA VHFHSZ. The proposed project is located within a VHFHSZ and therefore will be required to meet the ignition-resistant construction standards of Chapter 7A.

Title 24, Part 6 - California Energy Code

The California Building Standards Code is Title 24 of the California Code of Regulations. It contains the regulations for construction of buildings in California. It is comprised of 12 parts, including Part 6, California Energy Code. Title 24, Part 6 sets energy and water conservation requirements for the

construction of new buildings. The CEC is responsible for setting performance standards that allow for an energy budget. This allows builders to comply with these standards using different methods to meet performance standards.¹⁸ Water conservation is important in that it allows for water to be available when needed for firefighting.

California Constitution Article XIII

The California Constitution Article XIII declares that public safety services are critically important to the security and well-being of the state's citizens and to the growth and revitalization of the state's economic base. Section 35 (a)(3) states the proceeds of the tax enacted pursuant to this section shall be designated exclusively for public safety. Sec. 35(b)(1) and 35(b)(2) states for selling tangible personal property at retail and/or the storage, use, or other consumption of personal property purchased, a tax is imposed on any retailer at a rate of .50% of the gross receipts of any retailer from the sale of all tangible personal property sold at retail.¹⁹ This tax was established through Proposition 172 to support safety functions in cities and counties.

Regional and Local

Ventura County Fire Protection District Unit Strategic Fire Plan

The Ventura County Fire Protection District Unit Strategic Fire Plan (2022) is a component of the California Strategic Fire Plan used within the Ventura County Fire Department, and established under the HFRA protocol. The Ventura County Fire Department seeks to achieve the same goals as the state, including 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, on a local level that works with stakeholders and cooperators to create programs, policies, and procedures that would make the residents of Ventura County safer. Another significant element of the plan is to identify and evaluate wildland fire hazards to minimize negative effects of a wildland fire on the natural and human environments.²⁰

Ventura County Fire Protection District Codes, Standards, and Ordinances

Projects are required to comply with all currently adopted VCFD Codes, Standards, and Ordinances in effect at the time of project review. Ordinance 32, in effect since January 1st 2023,²¹ provides updates compatible with the State Fire Code with the purpose of safeguarding life and property from fire, explosion hazards and hazardous conditions and regulating the issuance of permits and collection of fees.

Ventura County Fire Protection District Ordinance No. 27

Effective January 11, 2011, Ordinance 27 of the Ventura County Fire Protection District to be known as the Ventura County Fire Code, adopted by reference the 2010 California Fire Code and portions of the 2009 International Fire Code, both of which are part of the California Building Standards Code, known as California Code of Regulations (CCR), Title 24.

¹⁸ California Energy Commission, 2019 Building Energy Efficiency Standards for Residential and Nonresidential Buildings, For the 2019 Building Energy Efficiency Standards.

¹⁹ Justia, California Constitution Article XIII – Taxation Section 35, Accessed on August 30, 2022 at: <https://law.justia.com/constitution/california/article-xiii/section-35/>

²⁰ Ventura County Fire Protection District, Unit Strategic Fire Plan, May 2022.

²¹ Ventura County Fire Protection District Ordinance No. 32, Accessed on April 4, 2023 at: <https://vcfd.org/fire-prevention/ordinances-and-fees/>

Ventura County Fire Protection District Ordinance No. 29

Effective January 1, 2017, Ordinance 29 of the Ventura County Fire Protection District to be known as the Ventura County Fire Apparatus Access Code, establishes the minimum cumulative design and maintenance standards for emergency fire access roads within the jurisdictional boundaries of the Ventura County Fire Protection District. These provisions permit emergency resources to response to an incident in a safe and effective manner.²²

Ventura County Fire Protection District Ordinance No. 31

Adopted on October 15, 2019, Ordinance 31 of the Ventura County Fire Protection District to be known as the Ventura County Fire Code (VCFC), adopted by reference the 2019 California Fire Code and portions of the 2018 International Fire Code, both of which are part of the California Building Standards Code. Ordinance 30 includes select Appendices with additions, deletions, and amendments to the California Fire Code and International Fire Code.²³

City of Thousand Oaks General Plan

The Thousand Oaks General Plan Safety Element in Chapter 4 Fire Hazards discusses fire prevention and suppression services provided within Thousand Oaks. Fire prevention and suppression services are provided by the City of Thousand Oaks by Ventura County Fire Protection District and responsible for enforcing the following:²⁴

- California Health and Safety Code, Division 12, Part 2. 7 (Fire District Law) and Part 5 (Abatement of Hazardous Weeds and Rubbish).
- Ventura County Fire Protection District Ordinance. (Adopting the California Fire Code and portions of the International Fire Code).

The Fire Hazard Reduction Program is intended to act as a fire defense where defensive barriers are created in urban/wildland interface in preparation for potential wildfires. The fire department is able to conduct inspections of property and give “Notice to Abate Fire Hazard” which is mailed to the owner if they determine fire hazard reduction is necessary. Policies presented in the Safety Element of the General Plan are as follows:

- **Policy D-2:** Continue to provide adequate fire protection and prevention services to meet the needs of the community and continue to support inter-jurisdictional fire protection agreements.
- **Policy D-6:** Continue to strive for 5-minute response time to all fire and life safety emergency responses
- **Policy D-8:** Equip new buildings with an automatic fire sprinkler system in accordance with the CBC and Ventura County Fire Protection District Ordinance.
- **Policy D-13:** Discourage the location of public facilities and above-ground utilities in extreme fire hazard areas. When unavoidable, special precautions should be taken to minimize potential impacts.

²² Ventura County Fire Protection District Ordinance No. 29, Accessed on September 21, 2022 at: <https://vcfd.org/wp-content/uploads/2020/02/Ordinance-29-Adopted-Version-1.pdf>

²³ Ventura County Fire Protection District Ordinance No. 29, Accessed on September 21, 2022 at : <http://bosagenda.countyofventura.org/sirepub/cache/2/fsuikblrb23ohfl1mmtfpvhr/99258009212022110805401.PDF>.

²⁴ City of Thousand Oaks, Thousand Oaks General Plan, Safety Element, March 2014.

- **Policy D-17:** Work with the Ventura County Fire Protection District, the Conejo Open Space Conservation Agency and other agencies, as appropriate, to implement fuel management and post fire recovery plans that conserve wildlife habitat while protecting public safety.

Thousand Oaks Municipal Code

The City of Thousand Oaks Municipal Code (TOMC) contains the CBC, by reference, for building construction standards, including the CFC (previously discussed above). Title 4, Section 6 is TOMC's Fire Control and Prevention. This section includes standards on uniform fire code, enforcement, rules and regulations, and compliance and penalties.

Thousand Oaks Emergency Operations Plan

As stated above, the City of Thousand Oaks prepared an Emergency Operations Plan (EOP)²⁵, which addresses the City's planned response to emergency regarding natural disasters, technological incidents, and national security emergencies. The EOP contains five City emergency management goals, including saving lives that are immediately threatened; providing for health and safety of those impacted by the incident; protect property impacted by the incident; restore services and infrastructure; and preserve the environment.

4.10.1.2 Thresholds of Significance

The potential for the proposed project to result in impacts related to fire services has been analyzed in relation to the threshold below, which is based upon the State CEQA Guidelines Appendix G Checklist. The proposed project could be considered to have a significant impact associated with fire services when the proposed project has potential to (short title for impact headings shown in parentheses):

- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or 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 services. (*Physical Impacts to Fire Protection Service Facilities*)

4.10.1.3 Project Impacts and Mitigation Measures

4.10.1.3.1 Physical Impacts to Fire Protection Service Facilities

A significant impact may occur if the project could result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or 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 services, to determine if the project may have a physical impact on the environment.

As the project would develop a four-story mixed-use development that would contain 333 multi-family residential units and approximately 5,300 square feet of commercial retail and restaurant space, the project would potentially result in an increase in demand for VCFD services. As shown in Table 4.10.1-1, the nearest fire station to the project site is also VCFD Station 35, Newbury Park, approximately 0.4 driving miles to the northwest, with an estimated 2.0 minute drive time, and the proximity would allow for a quick response to an emergency situation. As stated above, the VCFD has a goal of a first unit on scene within 8 minutes and 30 seconds for suburban areas 90 percent of the time and first unit on scene in 12 minutes for

²⁵ City of Thousand Oaks, Emergency Management, 2020 Emergency Operations Plan, Approved February 25, 2020.

rural areas 90 percent of the time.²⁶ Therefore, with the response time of approximately 2.0 minutes from the closest fire station (Station 35), which would more than meet the Department's desired response times of 8 minutes and 30 seconds within a suburban area.

Additionally, Station 35 is adequately staffed, with seven (7) firefighters total, with three (3) firefighters assigned to Engine 35 and four (4) assigned to Ladder Truck, Reserve Engine OES 344 and Command 11.²⁷ The Ladder Truck performs all functions not directly related to extinguishing the fire but necessary to operations, including search and rescue, ventilation, salvage and providing access to roofs with a 100-foot aerial ladder.²⁸ The Reserve OES Engine 344 is an older engine in the fleet that would fill in if a first-run engine is out-of-serve for maintenance repair or assigned to an emergency for an extended period of time. Reserve Engine 344 carries additional specialized tools and equipment for enhanced urban search and rescue capabilities.²⁹ Command 11 is a 40-foot-long mobile command post with multiple work stations, computers, radio system and other technology needed for command, communications and coordination at an incident, and can be utilized at extended attack incidents, planned events or any time an Incident Commander requests it.³⁰ Therefore, the VCFD is able to provide facilities and personnel in the City with the appropriate equipment and ability to provide fire protection.

As required by standard procedure, the project would be submitted to the VCFD for review and approval of the site plan and building plan's fire safety features in conformance with applicable codes including but not limited to, fire hydrant placement, street widths and fire lanes, fire flow water pressure, ingress and egress routes, alarms, sprinklers, extinguishers, and exit signage. Also, as a matter of regulatory compliance, the developer would be required to pay applicable VCFD facility fees. The VCFD uses the facility fees as part of an adopted program for development of additional fire protection facilities on an as needed basis. As such, the project would not require new or expanded fire protection facilities in order to maintain adequate response times, and as such the project's potential impacts associated with provision of fire protection facilities would be less than significant.

The VCFD is also in the process of providing station and facility improvements within the site vicinity, which would result in improved future service to the project site. A new station, Station 34, is currently under construction at 2977 Mountclef Boulevard, and would replace the existing Station 24 currently located at 555 E Avenida de los Arboles. Construction is anticipated to finish in Summer 2023. There are plans within the near future to replace the squad at Fire Station 30 with a rescue ambulance. Within 10 years, there is a plan to demolish current Fire Station 31 and rebuild in-place with a new station. State of the art Class A and Class B burn buildings are planned to go into construction mid-2023 at the VCFD Regional Training Center located at the Camarillo Airport. This facility will drastically improve live-fire training practices which will benefit VCFD, local fire agencies, and the served communities. Construction is expected to take 2 years finishing approximately mid-2025.³¹

Based upon the project's close proximity to an existing VCFD fire station which would assure short response times, the adequacy of VCFD emergency personnel and facilities at this and other stations in the

²⁶ Resendes, Nick, Fire Inspector II, Ventura County Fire Department, Email Correspondence with Envicom Corporation on November 22, 2022.

²⁷ Ventura County Fire Department, Station 35, Accessed on November 22, 2022 at: <https://vcfd.org/station-35/>.

²⁸ Ventura County Fire Department, VCFD Truck, Accessed on November 22, 2022 at: <https://vcfd.org/wp-content/uploads/2020/02/VCFD-Truck.pdf>.

²⁹ Ventura County Fire Department, VCFD Reserve Engine, Accessed on November 22, 2022 at: <https://vcfd.org/wp-content/uploads/2020/02/VCFD-Reserve-Engine.pdf>.

³⁰ Ventura County Fire Department, Command 11, Accessed on November 22, 2022 at: <https://vcfd.org/wp-content/uploads/2020/02/VCFD-Command-11.pdf>.

³¹ Resendes, Nick, Fire Inspector II, Ventura County Fire Department, Email Correspondence with Envicom Corporation on November 22, 2022.

vicinity, as well as the regulatory review process which would assure final development plans meet fire-safety codes and pay facility fees, the project's potential fire protection service impacts would not result in the need for additional or altered facilities that may cause physical changes in the environment, and the project impact would be less than significant

Mitigation Measures

No mitigation would be required.

Residual Impacts

Impacts would be less than significant without the need for mitigation.

4.10.1.4 Cumulative Impacts

Under CEQA, a project's impact is cumulatively considerable when the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. In considering the effects of probable future projects, Chapter 3.0, Cumulative Projects, considers buildout of the current City of Thousand Oaks to be the overall cumulative project set, with specific known or reasonably foreseeable projects listed in Table 3-1 and shown in Figure 3-1.

With regard to fire services, the project is located in close proximity to existing fire station located 0.4 miles away where adequate response times to emergency calls can be met. (i.e., 2 minutes, where 8 minutes and 30 seconds is the goal), and adequate station and facilities are available within the site vicinity. The project would pay facility fees and the project design would be subject to Fire Department review and approval of fire protection features, including but not limited to fire lanes, access, hydrant spacing and fire flow pressure, sprinklers, alarms, extinguishers, and exit/evacuation routes. Implementation of the project would not result in the need for new or expanded fire protection facilities, the construction of which could cause significant environmental impacts. As such, the project would not have a cumulatively considerable impact.

Other projects that may be proposed in the area would independently be subject to similar Fire Department review and approval of design and fire protection features. The City assesses applicable VCFD facility fees and reviews proposed projects to determine CEQA review requirements and where future projects may have potential impacts. Where potentially significant impact may be anticipated, the City would require further analysis, and potentially CEQA documentation. Where warranted, such CEQA documentation would include appropriate mitigation to avoid significant impacts. As such, cumulative impacts to fire protection services would be less than significant.

4.10.2 POLICE SERVICES

This EIR analysis section considers the potential for the Latigo Hillcrest project to result in impacts to police services that may result in a physical impact to the environment, and identifies opportunities to avoid, reduce, or otherwise mitigate potential significant impacts to police services where warranted.

4.10.2.1 EXISTING CONDITIONS

This section describes the existing conditions at the proposed project site and surrounding area, summarizes the applicable regulatory framework that guides the decision-making process, identifies thresholds for determining if the proposed project would result in significant impacts, analyzes anticipated impacts (direct, indirect, and cumulative), provides mitigation measures to reduce impacts where warranted, and discusses residual impacts (i.e., level of significance after mitigation). The significance of project impacts has been determined in accordance with criteria based on Appendix G of the State California Environmental Quality Act (CEQA) Guidelines. Where applicable, additional regulatory agency guidelines or requirements are incorporated as additional considerations in evaluating environmental significance. Sources used in the analysis are cited herein where relevant to the analysis; a comprehensive list of references is provided in Chapter 7.0, Organizations and Persons Consulted and References, of this EIR and the City of Thousand Oaks Police Department Memorandum dated September 7, 2022 and included in **Appendix A**.¹

Environmental Setting

Site Overview

The project site consists of an approximately 8.19-net acre lot located at 2150 W. Hillcrest Drive east of Rancho Conejo Boulevard, consisting of Assessor's Parcel Number (APN) 667-0-113-075 (previously APN 667-0-113-025).² The site is currently developed with a two-story office building, formerly associated with Amgen Inc., two surface asphalt parking lots, and landscaping/street trees.

Ventura County Sheriff Department

The City of Thousand Oaks (City), including the project site, contracts with the Ventura County Sheriff Department (VCSD) for law enforcement and police services. The VCSD East County Police Services and Thousand Oaks Police Department share a 58,000 square foot (sf) facility located at 2101 East Olsen Road, Thousand Oaks, which is the full-service provider to the City. In addition to the City, the East County Station also provides police services to unincorporated areas such as Lynn Ranch, Casa Conejo, Kelley Estates, Hidden Valley, Oak Park and Bell Canyon.³ The station is currently staffed with six full-time patrol cars and six 12-hour cars, which totals 12 cars staffed by 12 officers at heightened hours. The VCSD's average response time in Thousand Oaks is two to three minutes for "priority one" or emergency-related calls.⁴

The VCSD is comprised of three primary divisions including Operations, Detention Services and Support Services. The VCSD also partners with Volunteers in Policing (VIPs), Disaster Assistance Response Team (DART), and Search and Rescue, and includes community programs such as the Citizen Academy, Crime

¹ Dike, Gunnar, Senior Deputy, City of Thousand Oaks Police Department Memorandum, September 7, 2022. (Appendix A)

² GIS Online Map of City of Thousand Oaks, date accessed on August 16, 2022; at: <http://map.toaks.org/Html5Viewer/Index.html?Viewer=public>.

³ Ventura County Sheriff Department, Thousand Oaks, Accessed on November 17, 2022 at: <https://www.venturasheriff.org/divisions/patrol-services/thousand-oaks/>.

⁴ City of Thousand Oaks/Dudek, 1100 Rancho Conejo Life-Sciences Campus Initial Study/Mitigated Negative Declaration, September 2022.

Prevention, Parent Project, Ride Along Program, and School Resource Officer.⁵ The Sheriff's Department facilities are not currently over-impacted under existing conditions.

The Patrol Division (Operations) operates service areas 24 hours a day, seven days a week within unincorporated Ventura County, as well within contract cities, which include Camarillo, Fillmore, Moorpark, Ojai, and Thousand Oaks. It is responsible for law enforcement, citizen assistance, and responding to emergency situations. The Patrol Division includes a Mounted Unit, K-9 Unit, Sheriff's Communications Center, Air Unit, Major Crimes, Narcotics, Intelligence, Bomb Squad, SWAT, and Hostage Negotiations. The Detention Services Division is the largest division within the VCSD. This division is responsible for inmate services such as reception, booking and classification, jail services, court room and pre-trial security. There are three jail facilities including the East County Jail located at 2101 East Olsen Road, Thousand Oaks; the Pre-Trial Detention Facility located at 800 S. Victoria Avenue, Ventura; and the Todd Road Jail located at 600 Todd Road, Santa Paula. The Support Services Division is responsible for the internal departments that provide structure and help operate the VCSD. These internal departments include Business Office, Human Resources, Professional Standards Bureau, Records, the Training Academy as well as the Office of Emergency Services, Forensic Science Laboratory, and Information Systems.⁶

California Highway Patrol

The California Highway Patrol (CHP) provides traffic safety and enforcement services on County and state highways. CHP was founded in 1929 with the primary mission of "the management and regulation of traffic to achieve safe, lawful, and efficient use of the highway transportation system."⁷ The City of Thousand Oaks is located within CHP Coastal Division, which has 325-miles of jurisdiction within the division. The Coastal Division has one residential post, two commercial vehicle inspection facilities, and three communication dispatch centers. Additionally, CHP has a Commercial Vehicle Unit, Motor Carrier Unit, Investigative Service Unit, Air Operations Unit, Multidisciplinary Accident Investigation Team, Recruiting, and Public Affairs.

Regulatory Setting

Federal

There are no federal policies that are directly applicable to police services for this project.

State

California Penal Code

The California Penal Code contains organizational and operating provisions for all law enforcement agencies within California. This code provides the authority, rules of conduct, and training for police officers. Pursuant to the State Penal Code, all sworn municipal and county police officers are peace officers of the state.⁸

⁵ Ventura County Sheriff Department, Thousand Oaks, Accessed on November 17, 2022 at: <https://www.venturasheriff.org/divisions/patrol-services/thousand-oaks/>.

⁶ Ventura County Sheriff Department, Divisions, Accessed on December 30, 2022 at: <https://www.venturasheriff.org/divisions/>.

⁷ California Highway Patrol, The History of the California Highway Patrol, Accessed on August 30, 2022 at: <https://www.chp.ca.gov/home/about-us/the-history-of-the-california-highway-patrol>.

⁸ State of California, California Penal Code, Section 830.1.

California Commission on Peace Officer Standards and Training

To be eligible for duty, California requires peace officers to meet the minimum selection standards identified in California Government Code Section 1031. The California Commission on Peace Officer Standards and Training (POST) are minimum training standards that must be achieved to become a peace officer. POST sets the entry-level training at a minimum of 664 hours of the regular basic course, though some police departments require more hours than the set minimum. California Code of regulations Section 1005 includes POST standards for peace officer in California.

California Constitution Article XIII

The California Constitution Article XIII declares that public safety services are critically important to the security and well-being of the state's citizens and to the growth and revitalization of the state's economic base. Section 35 (a)(3) indicates that the proceeds of the tax enacted pursuant to this section shall be designated exclusively for public safety. Sec. 35(b)(1) and 35(b)(2) states for selling tangible personal property at retail and/or the storage, use, or other consumption of personal property purchased, a tax is imposed on any retailer at a rate of 0.50 percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail.⁹ This tax was established through Proposition 172 to support safety functions in cities and counties.

Regional and Local

City of Thousand Oaks Municipal Code

On August 30, 1983, the County adopted a Police Facilities Development Fee (City of Thousand Oaks Municipal Code Section 8-2.02 – 8-2.05) developer fee in order to relieve the overextension of police station facilities impacted by new development in the City. The City is on contract with the Ventura County Sheriff's Department, so the City enacts the collection of the Police Facilities Development Fee to contribute towards the provision of County policing services. The funds are reserved in a restricted account within the City Treasury and the fees, and any interest earned thereon, are to be used only for the purposes of acquiring or improving the police facilities used in providing police services to the City.

City of Thousand Oaks General Plan

The Thousand Oaks General Plan Safety Element states that the City is provided police protection service by contract with the VCSD. Policies in the Safety Element regarding police services in Thousand Oaks include the following:

- **Policy E-6:** Coordinate with the Ventura County Sheriff's Department, the California Highway Patrol, and the Ventura County Fire Protection District regarding regional Plans for transportation corridors for hazardous materials.
- **Policy F-3:** Continue to share terrorist-related information with Federal, State and local law enforcement agencies and make use of the shared information to identify terrorist threats.

4.10.2.2 Thresholds of Significance

The potential for the proposed project to result in impacts related to police services has been analyzed in relation to the thresholds below, based upon in the State CEQA Guidelines Appendix G Checklist. The proposed project could be considered to have a significant impact associated with police services when the proposed project has the potential to (short title for impact headings shown in parentheses):

⁹ Justia, California Constitution Article XIII – Taxation Section 35, Accessed on August 30, 2022 at: <https://law.justia.com/constitution/california/article-xiii/section-35/>.

- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or 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 services. (*Physical Impacts to Policing Facilities*)

4.10.2.3 Project Impacts and Mitigation Measures

The assessment of project impacts on police services is based on anticipated usage leading to the need for alteration of construction of police department facilities (where applicable) to determine if the project may have a physical impact on the environment.

4.10.2.3.1 *Physical Impacts to Policing Facilities*

The proposed project may have a potentially significant impact if the proposed project would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities related to police services, 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 services.

As stated above, the project site is served by the East County Station, located at 2101 East Olsen Road, which is approximately 11 driving miles southwest of the project site. The VCSD's average response time in Thousand Oaks is two to three minutes for "priority one," or emergency-related, calls.

Development of the project would develop a four-story mixed-use development encompassing 629,937 gross sf of building area, that would contain 333 multi-family residential units (including 30 very low-income affordable units), and 5,300 gross sf of commercial retail and restaurant space, which would add approximately 902 residents (assuming 2.71 persons per residence)¹⁰ to the City's current population of 124,592 persons, as further discussed in Section 4.10, Population and Housing. The increase in population within the VCSD's service area may incrementally increase the demand for law enforcement facilities. However, the addition of approximately 902 residents would bring the City's total population to 125,494, which equates to a fraction of a percent increase (i.e., 0.72 percent) from the current population. This nominal increase in demand would not measurably increase response times nor warrant the construction of new police facilities to achieve increased response times. Therefore, addition of the project would not significantly alter the VCSD's response times for emergency services within the City.

Additionally, the project incorporated various design features that can reduce the potential for crime and thus, calls for police service through crime prevention through environmental design (CPTED). These features include appropriate lighting around the perimeter of the project site and at central points within the developed area, and location of open space areas, such as courtyard for gathering in view of residential units overlooking those areas. Such project characteristics are shown to dramatically reduce the likelihood of crime, and thus reduce the level of crime that may be associated with development. In addition, prior to issuance of building permits, the project will be required to pay Police Facilities Development fees in proportion to the use and size of the project, which helps off set impacts to police facilities.

As the project would not adversely affect VCSD response times and provide design features consistent with CPTED, the project's potential impact regarding provision of police facilities would be less than significant.

¹⁰ United States Census Bureau, QuickFacts, City of Thousand Oaks, Population Estimates as of July 1, 2022, Accessed on December 28, 2022 at: <https://www.census.gov/quickfacts/thousandoakscitycalifornia>

Mitigation Measures

No mitigation would be required.

Residual Impacts

Project impacts would be less than significant before mitigation.

4.10.2.4 Cumulative Impacts

Under CEQA, a project's impact is cumulatively considerable when the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. In considering the effects of probable future projects, Chapter 3.0, Cumulative Projects, considers buildout of the current City of Thousand Oaks to be the overall cumulative project set, with specific known or reasonably foreseeable projects listed in Table 3-1. With regard to police services, the proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or 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 services. As such, the project would not contribute significantly to a cumulative impact. Each project evaluated by the City will be reviewed for General Plan compliance and environmental compliance. Where warranted additional environmental analysis would be required for future projects. No cumulatively significant impact would occur.

4.10.3 SCHOOLS

This EIR analysis section considers the potential for the Latigo Hillcrest project to effect public school services in a way that may result in a physical impact to the environment, and identifies opportunities to avoid, reduce, or otherwise mitigate potential significant impacts to school services where warranted.

4.10.3.1 Existing Conditions

This section describes the existing conditions at the proposed project site and surrounding area, summarizes the applicable regulatory framework that guides the decision-making process, identifies thresholds for determining if the proposed project would result in significant impacts, analyzes anticipated impacts (direct, indirect, and cumulative), provides mitigation measures to reduce impacts where warranted, and discusses residual impacts (i.e., level of significance after mitigation). The significance of project impacts has been determined in accordance with criteria based on Appendix G of the State California Environmental Quality Act (CEQA) Guidelines. Where applicable, additional regulatory agency guidelines or requirements are incorporated as additional considerations in evaluating environmental significance. Sources used in the analysis are cited herein where relevant to the analysis; a comprehensive list of references is provided in Chapter 7.0, Organizations and Persons Consulted and References, of this EIR.

Environmental Setting

Site Overview

The project site consists of an approximately 8.19-net acre lot located at 2150 West Hillcrest Drive east of Rancho Conejo Boulevard, consisting of Assessor's Parcel Number (APN) 667-0-113-075 (previously APN 667-0-113-025).¹ The site is currently developed with a two-story office building, formerly associated with Amgen Inc., two surface asphalt parking lots, and landscaping/street trees.

Conejo Valley Unified School District

The Conejo Valley Unified School District (CVUSD or District) provides public education facilities within the City of Thousand Oaks. The CVUSD maintains 17 elementary schools, one Kindergarten through 8th grade school, four (4) middle schools, three (3) comprehensive high schools, one online-blended school (grades 8 through 12) and one continuation school. In addition, CVUSD also offers preschool, early childcare, transitional kindergarten, magnet schools, a homeschool program, Century Academy and other academic alternatives include adult education opportunities.² The public CVUSD schools that are within the site vicinity and would serve the proposed project include Walnut Elementary School, Sequoia Middle School and Newbury Park High School.³ The future capacity and enrollment at the three schools with service areas that include the project site are shown in **Table 4.10.3-1, School Enrollment and Capacities 2026-2027**.

¹ GIS Online Map of City of Thousand Oaks, Accessed on August 16, 2022; at: <http://map.toaks.org/Html5Viewer/Index.html?Viewer=public>

² Conejo Valley Unified School District, About Us, Accessed on November 15, 2022 at: <https://www.conejousd.org/domain/45>.

³ Conejo Valley Unified School District, My School Location, Accessed on November 15, 2022 at: <https://www.myschoollocation.com/ConejoValleyUSD/>

**Table 4.10.3-1
School Enrollment and Capacities 2026-2027**

School	Address	Grades	Capacity	Enrollment	Remaining Capacity
Walnut Elementary School	581 Dena Drive	K-5	672	279	393
Sequoia Middle School	2855 Borchard Drive	6-8	1,300	858	442
Newbury Park High School	456 N Reino Road	9-12	3,464	2,267	1,197
Source: Hanna, Debra, Planning Specialist, Conejo Valley Unified School District, Email Correspondence with Envicom Corporation (Appendix A), October 4, 2022.					

As indicated in Table 4.10.3-1, student enrollments are currently below the existing capacity at the CVUSD schools that would serve the project site. Specifically, during the 2026 – 2027 school year, Walnut Elementary will be at 42 percent of its capacity, Sequoia Middle School is at 66 percent capacity, and Newbury Park High School is at 65 percent capacity. Also, all CVUSD schools are “Schools of Choice”, meaning students living outside the neighborhood boundaries of a school may apply to enroll in that school through the School Choice Application process (assuming the school is not filled to capacity).

Development Fees

The CVUSD requires the payment of fees for all development and construction projects exceeding 500 square feet within the boundaries of the District, pursuant to Education Code 17620 and Government Code 65995. The current 2020 fees are \$3.36 per square foot of residential development and \$0.54 per square foot of commercial/senior citizen development.⁴

Regulatory Setting

Federal

There are no federal education regulations that are directly applicable to the proposed project’s impacts on schools.

State

California Education Code

California Education Code (CEC) states that there shall be a County Board of Education that consist of five or seven (members and each member shall be an elector of the trustee area they represent. The Board’s duty is to adopt rules and regulations consistent with laws of the state, keep record of their proceeding, approve annual budget for the county superintendent of schools, and approve annual county school service budget.

Assembly Bill 16

California Assembly Bill 16 (AB 16), also known as Kindergarten-University Public Education Facilities Bon Acts of 2002 and 2004, authorizes two general obligation bond elections, one in 2002 and one in 2004, with the amount being \$13.05 billion and \$12.3 billion. The bonds are allocated for different areas of spending including money going towards K-12 education facilities including new construction, modernization of projects that have been filed with the state and older schools, critically overcrowded schools (COS), joint-use facilities, and new construction relating to growth.

⁴ Conejo Valley Unified School District, Developer Donations School Fees, Accessed on November 16, 2022 at: <https://www.conejousd.org/Page/1583>.

Assembly Bill 2926

The State of California has traditionally been responsible for the funding of local public schools. To assist in providing facilities to serve students generated by new development projects, the state passed 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 were also referenced in the 1987 Leroy Greene Lease-Purchase Act, which required school districts to contribute a matching share of project costs for construction, modernization, or reconstruction

Senate Bill 50, Leroy F. Greene School Facilities Act of 1998

Senate Bill 50 (SB 50), also known as Leroy F. Greene School Facilities Act of 1998, established a State program in which the board would provide state per pupil funding for new school facilities construction and school facilities modernization. According to Government Code Section 65995, the development fees authorized by SB 50 are deemed to be “full and complete school facilities mitigation” for impact caused by new development.⁵ The legislation also recognized the need for the fee to be adjusted periodically to keep pace with inflation. The legislation indicated that in January 2000, and every two years thereafter, the State Allocation Board would increase the maximum fees according to the adjustment for inflation in the statewide index for school construction. Section 65995 also prohibits public agencies from using CEQA or “any other provision of state or local law” to deny approval of “a legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property or any change in governmental organization or reorganization” on the basis of the project’s impacts on school facilities.

Education Code 17620

Education Code 17620 falls under Chapter 6. Development Fees, Charges, and Dedications of the California Education Code. Implementing the fees allowable under SB 50, Section 17620 allows the governing board of any school district authorization to levy a fee, charge, dedication, or other requirement against construction within the boundaries of the district. The fee, charge, dedication, or other requirements can be applied to new commercial, industrial, and residential projects.

Regional and Local

Thousand Oaks General Plan

Thousand Oaks General Plan Social Element includes the education goal of the City which is supporting Conejo Valley Unified School District (CVUSD) and other educational institutions to provide educational services to the community. Policies established to help guide the City to their goal by promoting the best, most efficient use of available facilities.

4.10.3.2 Thresholds of Significance

The potential for the proposed project to result in impacts related to schools has been analyzed in relation to the threshold below, which is based upon the State CEQA Guidelines Appendix G Checklist. For purposes of this analysis, the proposed project could be considered to have a significant impact if it would (short title for impact headings shown in parentheses):

- Result in the need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable performance objectives for schools (*Physical Impacts to School Facilities*).

⁵ California Senate Bill 50, Section 65996.

4.10.3.3 Project Impacts and Mitigation Measures

The assessment of project impacts on school services is based on the estimated number of students that may be generated by the proposed project compared to the existing capacity of schools that would serve the project site, to determine if the project may have a physical impact on the environment.

4.10.3.3.1 Physical Impacts to School Facilities

The proposed project may have a potentially significant impact if it would result in the need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable performance objectives for schools.

The proposed project would introduce a four-story, mixed-use development including 333 multi-family residential units within the service area of Walnut Elementary School, Sequoia Middle School and Newbury Park High School. Based on student generation rates associated with multi-family units, **Table 4.10.3-2, Project Student Generation** shows the estimated numbers of students that would potentially attend the CVUSD schools that serve the area.

Table 4.10.3-2
Project Student Generation

Grade Level	Residential Units	Student Generation Rates	Students Generated
Elementary (K–6)	333 multi-family units	0.1426	47
Middle School (7–8)	333 multi-family units	0.0976	33
High School (9–12)	333 multi-family units	0.1511	50
Total Students Generated			130
Student Generation Rates Source: Conejo Valley Unified School District, Conejo Valley Unified School District Measure 1, Facilities Master Plan 2017.			

As shown in Table 4.10.3-2 the project would generate approximately 47 students in the elementary (K-6) grade level, 33 students in the middle school (7-8) grade level, and 50 students in the high school (9-12) grade level range, for a total of 130 students. **Table 4.10.3-3, Project Student Impacts**, evaluates the potential for project-related student generation to result in an over-capacity condition at area schools based on existing conditions.

Table 4.10.3-3
Project Student Impacts

School Name	Student Capacity	2026-2027 Enrollment	Currently Exceeds Capacity?	Project Generated Students	Enrollment with Project	Exceeds Capacity with Project?
Walnut Elementary School	672	279	No	47	326	No
Sequoia Middle School	1,300	858	No	33	891	No
Newbury Park High School	3,464	2,267	No	50	2,317	No
Source: Hanna, Debra, Planning Specialist, Conejo Valley Unified School District, Email Correspondence with Envicom Corporation, October 4, 2022.						

Based on the 2026-2027 school year enrollment and school capacity summarized in Table 4.10.3-3, the existing CVUSD schools would have adequate capacity to accommodate the project's expected student generation with the addition of the proposed project. The remaining excess student capacity at CVUSD schools after the addition of the proposed project's expected student generation would be 346 at Walnut Elementary School, 409 at Sequoia Middle School and 1,147 at Newbury Park High School. The school District would not need to construct additional or expanded facilities to adequately serve the project. As such, potential impacts regarding the need for new or expanded school facilities would be less than significant.

Additionally, to address the impact of students generated by new development on school facilities, development impact fees paid pursuant to SB 50 (Government Code Section 65995) are deemed full and complete mitigation for impacts to school facilities caused by new development. The amount of development impact fees is set forth in a school district's School Facilities Needs Analysis. The payment of the appropriate residential and commercial/industrial development impact fees in effect at the time of project approval will be a regulatory requirement for implementing projects pursuant to California Government Code. Revenues received from development impact fees would provide CVUSD funding for future school facility construction, operation, and maintenance to accommodate future enrollment. As a result, the project would have a less than significant impact regarding school facilities.

Mitigation Measures

With the standard provision of developer fees for schools, no mitigation would be required.

Residual Impacts

Impacts would be less than significant without the need for mitigation.

4.10.3.4 Cumulative Impacts

Under CEQA, a project's impact is cumulatively considerable when the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. In considering the effects of probable future projects, Chapter 3.0, Cumulative Projects, considers buildout of the current City of Thousand Oaks to be the overall cumulative project set, with specific known or reasonably foreseeable projects listed in Table 3-1 and depicted in Figure 3-1. A project's most immediate cumulative impact on school services would include the local related projects listed in Chapter 3.0.

As discussed above, payment of development impact fees, pursuant to SB 50 (Government Code Section 65995), is deemed full and complete mitigation for impacts to school facilities caused by new development. These fees go towards future facility needs; however, currently there are no capacity issues, nor are there capacity issues projected with approval of the project. Further, the CVUSD has some flexibility in school assignments under the CVUSD's "Schools of Choice" policy, which allows for students living within certain neighborhood boundaries of a school to apply to enroll in a school outside those boundaries, as long as it is not filled to capacity.

Based on the analysis, the proposed project would not contribute a cumulatively considerable impact. Implementation of individual related projects listed in Chapter 3.0, as well as with buildout within the City of Thousand Oaks, would result in additional development. Future projects would similarly be required to pay school facility impact fees, which based on state law is deemed full and complete mitigation for impacts to school facilities caused by new development. The proposed project's impact would not be cumulatively considerable, and the project plus cumulative projects would not result in a significant cumulative impact.

4.10.4 PARKS AND RECREATION

This EIR analysis section considers the potential for the Latigo Hillcrest project to result in physical impacts to parks and recreation services that may result in a physical impact to the environment, and identifies opportunities to avoid, reduce, or otherwise mitigate potential significant impacts to parks and recreation services where warranted.

4.10.4.1 Existing Conditions

This section describes the existing conditions at the proposed project site and surrounding area, summarizes the applicable regulatory framework that guides the decision-making process, identifies thresholds for determining if the proposed project would result in significant impacts, analyzes anticipated impacts (direct, indirect, and cumulative), provides mitigation measures to reduce impacts where warranted, and discusses residual impacts (i.e., level of significance after mitigation). The significance of project impacts has been determined in accordance with criteria based on Appendix G of the State California Environmental Quality Act (CEQA) Guidelines. Where applicable, additional regulatory agency guidelines or requirements are incorporated as additional considerations in evaluating environmental significance. Sources used in the analysis are cited herein where relevant to the analysis; a comprehensive list of references is provided in Chapter 7.0, Organizations and Persons Consulted and References, of this EIR.

Environmental Setting

Site Overview

The project site consists of an approximately 8.19-net acre lot located at 2150 West Hillcrest Drive east of Rancho Conejo Boulevard, consisting of Assessor's Parcel Number (APN) 667-0-113-075 (previously APN 667-0-113-025).¹ The site is currently developed with a two-story office building, formerly associated with Amgen Inc., two surface asphalt parking lots, and landscaping/street trees.

Conejo Recreation & Park District

The Conejo Recreation & Park District (CRPD or Park District) provides the City of Thousand Oaks, including the project site, with parks and recreation services. The CRPD serves nearly 140,000 Conejo Valley residents by maintaining more than 50 parks and recreation facilities, offering thousands of classes each year, hosting dozens of community events, and, in cooperation with the City of Thousand Oaks, caring for over 15,000 acres of open space and 140 miles of trails via the Conejo Open Space Conservation Agency (COSCA). The CRPD staff consists of 91 full-time, 53 regular part-time, approximately 325 part-time/seasonal employees, contract instructors and more than 1,000 yearly volunteers. The CRPD also maintains partnerships with the City of Thousand Oaks, Ventura County, Conejo Valley Unified School District and community institutions such as California Lutheran University, which also provide additional park facilities and recreational services.²

Table 4.10.4-1, Conejo Recreation and Park District Facilities Near the Project Site summarizes the parks and facilities provided by the Park District within approximately five (5) miles of the project site.

¹ GIS Online Map of City of Thousand Oaks, date accessed on August 16, 2022; at: <http://map.toaks.org/Html5Viewer/Index.html?Viewer=public>.

² Conejo Recreation and Park District, Administration, Accessed on November 28, 2022 at: <https://www.crpdpd.org/about-us/administration/>.

Table 4.10.4-1
Conejo Recreation and Park District Facilities Near the Project Site

Name	Address	Amenities	Acreage	Distance from Site
Newbury Gateway Park	2250 Michael Drive	10 benches, open turf area, 5 picnic tables, playground	6.9 acres total, 2.3 acres developed	0.6 miles
Rancho Conejo Playgrounds	950 North Ventu Park Road	4 bleachers with 108 seats, outdoor basketball courts, 6 pickleball courts, 2 picnic tables, playground, 2 softball fields, 2 tennis courts	12.7 acres developed	1.0 mile
Stagecoach Inn Park and Museum	51 Ventu Park Road	3 barbeque grills, museum, outdoor basketball courts, 3 picnic tables, playground	4.9 acres developed	1.8 miles
Kimber Park	3295 Bear Creek Drive	5 barbeque grills, off-leash dog area, outdoor basketball courts, picnic structure, 5 picnic tables, playground, recreational walking path, volleyball court	8.3 acres developed	1.9 miles
Borchard Community Park	190 Reino Road	Gym with volleyball and basketball courts, 10 barbeque grills, 7 bleachers with 420 seats, bocci court, 2 fitness stations, 3 horseshoe pits, kitchen, 2 labyrinths, 2 meeting rooms, outdoor basketball court, 2 picnic structures, 32 picnic tables, 2 playgrounds, skatepark, soccer field, 3 softball fields, stage room with 2 stages, 4 tennis courts, 2 volleyball courts	28.7 acres developed	2.0 miles
Walnut Grove Park	400 Windtree Avenue	Backstops, 2 barbeque grills, handball courts, off-leash dog area, outdoor basketball courts, 3 picnic tables, playground, recreational walking path	6.5 acres developed	2.1 miles
Walnut Grove Equestrian Center	401 Ronel Court	Horse arena, 2 picnic tables	13 acres total, 4.5 acres developed	2.2 miles
Pepper Tree Playfield	3720 Old Conejo Road	4 bleachers with 120 seats, outdoor basketball court, picnic structure, 4 picnic tables, playground, recreational walking path, 4 soccer fields, 2 softball fields	21.7 acres developed	2.3 miles
Lynn Oaks Park	359 Captain Street	2 barbeque grills, outdoor basketball court, 2 picnic table, playground, recreational walking path, soccer goal. Volleyball court	8.8 acres total, 4 acres developed	2.4 miles
Conejo Valley Botanic Garden	400 W. Gainsborough	Bird habitat, kids adventure garden, nature trail, 5 picnic tables	41.4 acres developed	2.8 miles
Wendy Park	815 American Oaks Avenue	2 barbeque grills, horseshoe put, outdoor basketball courts, 3 picnic tables, playground	4.3 acres developed	3.0 miles
Cypress Park	469 ½ Havenside Avenue	Baseball field, 2 bleachers with 60 seats, 2 picnic tables, playground	5 acres developed	3.2 miles
Banyan Park	3605 Erinlea Avenue	3 barbeque grills, 16 benches, open turf area, outdoor	7.4 acres total, 3 acres developed	3.5 miles

Name	Address	Amenities	Acreage	Distance from Site
		gathering/classroom, 2 picnic structures, 6 picnic tables, playground, recreational walking path, 2 shade structures, wildflower area		
Conejo Community Park	1175 Hendrix Avenue	Backstop, baseball field, 6 barbeque grills, 2 bleachers with 100 seats, fitness trail, kitchen, 3 meeting rooms, 4 picnic structures, 57 picnic tables, playground, recreational walking path,	48.8 acres total, 17.1 acres developed	3.8 miles
Hickory Park	3977 S. Camphor Avenue	Backstops, 2 barbeques, outdoor basketball courts, 2 picnic tables, playground	4.6 acres developed	3.9 miles
Dos Vientos Community Park	4801 Borchard Road	5 baseball fields, 17 barbeque grills, 8 bleachers with 270 seats, gym with basketball and 2 volleyball courts, kitchen, 3 meeting rooms, outdoor basketball court, 2 picnic structure, 17 picnic tables, playground, 3 soccer fields, 2 tennis courts, 2 volleyball courts	27.8 acres developed	4.0 miles
Paige Lane Neighborhood Park	901 Paige Lane	Basketball court, 4 barbeque grills, 16 benches, 5 fitness stations, multi-use trail, 3 picnic structures, 5 picnic tables, playground, recreational walking path, sand volleyball court	14.1 acres total	4.2 miles
Suburbia Park	2600 Tennyson Street	Barbeque grill, 2 picnic tables, playground	2 acres developed	4.3 miles
Dos Vientos Neighborhood Park	4850 Via Andrea	Backstop, 2 barbeque grills, outdoor basketball courts, 4 picnic tables, playground, volleyball court	5.2 acres developed	4.6 miles
Sycamore Neighborhood Park	198 Via Katrina	2 barbeque grills, outdoor basketball courts, picnic structure, 2 picnic tables, playground, recreational walking path	4.5 acres developed	4.6 miles
Wildflower Playfield	635 W. Avenida de los Arboles	Barbeque grill, 4 bleachers with 160 seats, outdoor basketball court, 7 picnic tables, playground, recreational walking path, 2 soccer fields, 2 softball fields, 4 tennis courts	19 acres developed	4.6 miles
Wildwood Neighborhood Park	650 W. Avenida de los Arboles	1 barbeque grill, 4 picnic tables, playground	5.8 acres developed	4.6 miles
Del Prado Playfield	402 Calle del Prado	3 barbeque grills, 6 bleachers with 432 seats, outdoor basketball courts, 2 pickleball courts, picnic tables, playground, recreational walking path, 3 soccer fields, 3 softball fields, tennis court	26 acres developed	4.8 miles
Source: Conejo Recreation and Park District, Parks, Accessed on November 29, 2022 at: https://www.crpdc.org/parks-reservations/parks/ .				

Park Classifications

Parks can be classified by type based primarily on their size, function and character, and there are six park classifications for CRPD facilities: neighborhood parks, playfields, community parks, district-wide parks, regional parks, and special facilities. An additional category, Open Space Areas, is included for passive recreational opportunities. The categorization of parks is important in understanding CRPD-wide acreage needs and for future planning purposes. The following park categories are defined below:³

- **Neighborhood Parks** – generally serve residents who live in close proximity of the park, usually within one mile, and typically provide both passive and active recreational opportunities such as playgrounds, multi-purpose open turf areas, basketball and volleyball courts, picnic tables and/or picnic shelters, and walking paths. In some instances, sports fields and small parking areas are included. A size of up to 10 acres is considered appropriate and serving a population up to 4,000 persons; however, neighborhood parks have and may exceed 10 acres in size.
- **Playfields** – generally serve residents who live three quarters to one mile from the park. These parks are typically oriented to daytime and night-lighted athletic uses, such as football, soccer, baseball, softball, tennis courts, basketball, and other competitive team sports. Playfields are typically 10 to 20 acres in size and generally serve one of the community zones each with a population of 15,000 to 20,000, and an approximate ultimate population of 30,000; however, playfields have and may be less than 10 acres or exceed 20 acres in size. Dual-functioning, playfields satisfy sports facility needs and yet contain the elements of a neighborhood park thus satisfying acreage requirements of two park types – a playfield and neighborhood park facility.
- **Community Parks** – generally serve residents who live one- and one-half miles to two miles from the park, and are active, drive-to facilities, and like playfields, are designed for day and night-lighted athletic uses. Site amenities include, but are not limited to, baseball and soccer fields, tennis courts, basketball and volleyball courts, major picnic facilities, parking, and a community center building. The center and the additional recreational programming associated with it is the distinguishing feature between a community park and playfield. Community Parks are typically 20 to 50 acres in size and generally serve a population up to 40,000; however, community parks may be less than 20 acres or exceed 50 acres in size. Community parks are designed to serve the broader recreation needs of several neighborhoods and adequately satisfy acreage requirements of all three park types – a community park, playfield, and neighborhood park facility.
- **District-Wide Parks** – generally serve residents of the entire district. These parks offer a wide variety of recreation opportunities. They typically include unique features such as wooded areas, varied topography and water features, and/or special facilities such as a dog-park, equestrian facility, community garden, or lighted sports fields. District-wide parks generally contain more developed amenities than those found at a regional park however they may include boating, swimming, hiking and riding trails, camp facilities and/or a nature center. District-wide parks are typically between 50 and 250 acres in size; however, district-wide parks may be less than 50 acres or exceed 250 acres in size. Due to the abundance and breadth of amenities offered they frequently draw patronage from well beyond the district boundary to approximately 30 miles.
- **Regional Parks** – Generally serve the entire region. These parks may include unique natural areas and specialized recreational facilities such as campgrounds, wilderness areas, nature study, outdoor education, hiking trails, equestrian facilities, and museums. The size and location of regional parks

³ Conejo Recreation and Park District, Conejo Recreation and Park District Master Plan, June 2011.

will vary, but no less than 250 acres is recommended, however, regional parks may be less than 250 acres in size. Since these parks are intended to serve the entire region, they do not have a service radius.

- **Special Facilities** – All other facilities are classified as Special Facilities, and include museums, libraries, teen centers, senior centers, golf courses, dog-parks, skateparks, equestrian/hiking trails, equestrian centers, bicycle trails, aquatic centers, exhibition grounds, community auditoriums, community and botanic gardens, cultural centers, and other unique or special facilities not generally included as a part of the neighborhood, playfield and community and park system.
- **Open Space Areas** – Areas in which most of the park is undeveloped and contains vegetation, topography, or features in their natural and undisturbed states. These areas are typically under the jurisdiction of COSCA; however, other owners include the City of Thousand Oaks, MRCA, NPS, and the County of Ventura. Open space areas can be any assemblage of acreage and serve the entire population. As defined in the City of Thousand Oaks Open Space Element, the term "open space" means "any area designated by the City of Thousand Oaks to preserve the City's natural resources and open space character. Such lands include scenic ridgelines and steeply sloping hillside terrain, arroyos and barrancas, lakes, creeks, riparian vegetation, floodplains, ecologically diverse native plant and animal communities that include rare and endangered species, critical habitat linkages and movement corridors that are necessary for the local and regional linkages and movement corridors important to the dispersal of wildlife populations, farming and grazing, historic and archaeological resources, and passive recreation areas."

Park Space Standards

The CRPD utilizes an area-per-population ratio, as developed by the National Recreation and Park Association (NRPA), in which total parks and recreation space are expressed in a population ratio such as acres per 1,000 people. The Park District's current park space standards for development is 10 acres of park and recreation facilities per 1,000 residents, which follows and exceeds the NRPA national standard of 10 acres per 1,000 residents adopted under the Quimby Ordinance. These 10 acres are broken down into the following categories:

- Community Park – 1.25 acres/1,000 people
- Playfield – 1.25 acres/1,000 people
- Neighborhood Park – 2.5 acres/1,000 people
- District-Wide Park – 5 acres/1,000 people

As shown, community parks, playfields and neighborhood parks account for 5 acres of the total 10 acres per 1,000 people and district wide parks account for the additional 5 acres. The CRPD, through COSCA and other resource agencies, also maintains 15,000 acres of open space.⁴ The City of Thousand Oaks has a goal of 5 acres of parkland for every 1,000 residents, which is half the acres cited by the CRPD. The analysis will look at the broader and higher standard CRPD standard. The City General Plan Goals and Policies posted on the City website⁵ include the goal that neighborhood parks and open spaces should be located within walking distance of residential areas. In addition, as shown in further detail below, the

⁴ Conejo Recreation and Park District, Conejo Recreation and Park District Master Plan, June 2011.

⁵ Goals and Policies of the Thousand Oaks General Plan, as adopted by Resolution 70-381 on December 22, 1970, as amended by: Resolution 94-218, adopted October 11, 1994; Resolution 96-158, adopted July 23, 1996; Resolution 97-8, adopted January 28, 1997, Accessed December 23, 2022 at:

<https://www.toaks.org/departments/community-development/planning/general-plan/general-plan-goals-and-policies>

TOMC Article 26, Section 9-4.2607, Amount of fees in lieu of land dedication, would require in-lieu fees based on a land density formula outlined in the TOMC.

The District's annual operating budget for the general fund is \$20,000,000, approximately 70% of which comes from property taxes. Approximately 6 cents of every base property tax dollar is allocated to the District. Residents are able to take advantage of the District's facilities and recreational services through partnerships with local government agencies; the City of Thousand Oaks, Ventura County, Conejo Valley Unified School District, service clubs, and non-profit organizations. The Park Dedication Fees and Quimby Fees are included in the City of Thousand Oaks Municipal Code. These fees aim to provide for parks, recreational facilities, and open space areas for the health, safety, and general welfare of future residents and owners of the property and to encourage the City's orderly development. Under this title, the code requires dedication of land, payment of fees, or both for park and recreational purposes as a condition of a residential development permit.⁶

Regulatory Setting

Federal

There are no applicable federal regulations to Parks and Recreation.

State

Quimby Act

The Quimby Act was passed by the California State Legislature and codified in the California Government Code Section 66477. The Quimby Act states the local legislative body, by ordinance, require the dedication of land or impose a requirement of the payment of fees, or a combination of both, for parks and recreational purposes to the approval of a tentative or parcel map.⁷ The amount of land dedicated, or fees paid is based on the residential density based on the approved tentative map and average number per household. Revenues generated due to the Quimby Act cannot be used for the operation and maintenance of park facilities within the same subdivision that the fees were paid as a condition to approval of the map. Governor Jerry Brown Assembly Bill 1259 (AB 1359) that allows cities and counties to use developer paid Quimby Acts fees to provide parks in neighborhoods other than near developer's subdivision. Cities or counties can have joint agreements with multiple public districts to provide additional park and recreation access.⁸

Public Park Preservation Act of 1971

In the California Public Resources Code (PRC), Sections 5400-5409 is known as the Public Park Preservation Act of 1971. The Act has provisions that does not let any department, division, agency of the state government or public utility to acquire property used as a public and utilizing it has nonpark purposes, unless the acquiring entity proper compensation or land to replace the park and the facilities.

⁶ Conejo Recreation and Park District, Quimby Fees web page, Accessed on March 23, 2023 at: <https://www.crpdp.org/about-us/administration/>

⁷ California Legislative Information, California Government Code, Title, Division 2, Chapter 4, Article 3, Section 66477, Accessed on August 31, 2022 at: https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=2.&title=7.&part=&chapter=4.&article=3

⁸ JD SUPRA, The Quimby Act is Amended to Allow Cities and Counties to Create Greater Park Access, October 1, 2013, Accessed on August 31, 2022 at: <https://www.jdsupra.com/legalnews/the-quimby-act-is-amended-to-allow-cities-40293/>

Recreation and Park District Law

In the California PRC, Sections 5780-5796.20 is known as the Recreation and Park District Law. This law enables broad statutory authority for a class of special districts that provides community recreation, park, and open-space facilities and recreation services within specified boundaries and under local control. Local communities and local officials are able to adapt the powers and procedures to meet the diversity of their own local circumstances and responsibilities.⁹

Regional and Local

Thousand Oaks General Plan

Open Space Element

The Thousand Oaks Open Space Element was updated in 2013 that assures the conservation of open space resources. It is part of state law that mandates cities and counties to adopt an Open Space Element for the preservation of open space for the health, safety, and welfare of the public. The element includes local planning policies for use of unimproved land and water for the preservation of natural resources, managed production of the resources, outdoor recreation, and enhancement of public health and safety. Law also requires including the inventory of those lands and resources in an “action program”. Open Space Element includes goals and policies for parks and open space:¹⁰

- **Policy OS-1:** Open space shall include those areas which contain resources and/or characteristics as described by the Conservation Element as necessary to preserve in an essentially undisturbed state, except for restoration and enhancement activities which may be desirable to improve the site's resource value, for purposes of natural resource protection.
- **Policy OS-4:** The degree of public access, and the nature, extent, and design of facilities necessary to provide access to, and enjoyment of, open space areas, such as trails, trailheads, information kiosks, signage, parking, camping areas, and other visitor facilities and improvements, shall be dictated by the nature and sensitivity of the specific open space area. Such improvements, where necessary and warranted, shall blend unobtrusively with the natural setting.
- **Policy OS-6:** Outdoor recreation activities within open space shall be planned to avoid adverse impacts to natural and cultural resources and on nearby locations.
- **Policy OS-13:** The City shall support implementation of cooperative regional planning efforts, such as greenbelt agreements, which reinforce and extend the ring of open space, as well as low intensity rural agricultural land use, beyond the Planning Area boundaries.

Conservation Element

The Thousand Oaks Conservation Element was last updated in 2013 that depicts the distribution of local resources. It is based on the premise that the existing natural environment possesses its own inherent values related to physiographic, hydrological, biological, and cultural resources and should be conserved so it is not permanently lost or altered as a result of community development. The following are policies that are included in the Thousand Oaks General Plan Conservation Element:¹¹

⁹ California Legislative Information, Public Resources Code, Division 5. Parks and Monuments, Chapter 4 Recreation and Park District [5780 – 5796.20), Accessed on November 29, 2022 at: https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=5.&title=&part=&chapter=4.&article=1

¹⁰ City of Thousand Oaks, General Plan, Open Space Element, October 2013.

¹¹ City of Thousand Oaks, General Plan, Conservation Element, October 2013.

- **Policy CO-1:** Future development and redevelopment of the existing built environment within Thousand Oaks should reflect sensitivity to its physical setting and natural scenic resources.
- **Policy CO-4:** The most suitable forms of development for steeply sloping terrain are passive recreation areas, open space and very low density residential which can be developed in natural pockets of land less than 25% slope.
- **Policy CO-15:** Every effort shall be made to design and construct stormwater retention and debris basins to minimize any potentially adverse impacts to significant landform features, aquatic resources, and associated native plant and animal communities.
- **Policy CO-21:** The City shall encourage the proper management, conservation and protection of native plant communities throughout the City's Planning Area, including developed areas and undeveloped open space lands.

Conejo Recreation and Park District Master Plan

The Conejo Recreation and Park District Master Plan was originally adopted in June 1975 by District Board Directors and most recently updated in 2011. The Master Plan is a dynamic document that reflects the community growth and changes of the area. The CRPD serves over 136,000 residents of Thousand Oaks and their Master Plan serves as the recreational element of the City of Thousand Oaks General Plan. The objectives and purpose of the master plan is the following:¹²

- To provide an information base from which the Board of Directors may make determinations pertaining to short-range goals in relationship to longer-term goals of the CRPD and current planning principles.
- To consider and evaluate trends in recreation pursuits so that the people of the Conejo Valley may have a meaningful selection of recreational opportunities and facilities.
- To determine population trends and projections, growth indicators, recreational interests, and all other changing demographic factors pertinent to a viable planning process.
- To review and propose planning guidelines and standards for the acquisition and development of recreation areas and facilities to meet the existing and future needs and desires of the community.
- To inventory and categorize all existing recreation areas and facilities within the public, semi-public, private, and commercial sectors of the community to provide data pertaining to the availability of all recreational opportunities in the community.
- To afford the community the opportunity to participate in the determination of future requirements for public recreation and park development within the capabilities and philosophy of CRPD.

Thousand Oaks Municipal Code

The Thousand Oaks Municipal Code (TOMC) contains several regulations and standards implementing the General Plan Policies, as identified above.

Article 16. Additional Fees and Dedications

Sec. 9-3.1602. Dedication of land for park and recreational purposes

In 1972, the Legislature of the State amended the Subdivision Map Act (formerly Section 11596 of the Business and Professions Code of the State), to enable cities and counties to also require either the dedication of land, the payment of fees, or a combination of both for park and recreational purposes as a condition of the approval of a parcel map for a division of land not a subdivision.

¹² Conejo Recreation and Park District, Conejo Recreation and Park District Master Plan, June 2011.

Article 26. Community Park and Recreational Facilities

Section 9-4.2601. Purpose

The purpose of this section of the TOMC is to require subdividers to provide for parks, recreational facilities, and open space areas for the health, safety, and general welfare of future residents and owners of their property and to encourage the orderly development of the City. This section requires the dedication of land, the payment of fees, or both for park and recreational purposes as a condition of residential development permit approval.

Section 9-4.2607. Amount of fees in lieu of land dedication

Where a fee is required to be paid in lieu of land dedication, the amount of such fee shall be based upon the fair market value of the amount of land which would otherwise be required to be dedicated pursuant to the provisions of TOMC Article 26. Community Park and Recreational Facilities, Section 9-4.2607.

4.10.4.2 Thresholds of Significance

The potential for the proposed project to result in impacts related to recreation has been analyzed in relation to the thresholds below, which is based upon the State CEQA Guidelines Appendix G Checklist. The proposed project may be considered to have a significant impact to recreation resources when the proposed project has potential to (short title for impact headings shown in parentheses):

- Result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response times or other performance objectives for parks. (*Physical Impacts of Parks and Recreation Resources*)
- 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. (*Physical Impacts of Parks and Recreation Resources*)
- Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. (*Physical Impacts of Construction of Recreation Facilities*)

4.10.4.3 Project Impacts and Mitigation Measures

The assessment of project impacts on parks and recreation services is based on anticipated usage and construction of recreational facilities (where applicable) to determine if the project may have a physical impact on the environment.

4.10.4.3.1 Physical Impacts of Parks and Recreation Resources

The proposed Project includes construction of 333 residential apartment units that are estimated to result in approximately 902 new residents. The additional residents will create a demand for additional park facilities. The project would provide recreational amenities onsite, including central community recreation building with a pool, a game room/lounge, upper-level roof decks, multiple courtyards, public and common open space areas. The provision of onsite recreation amenities would reduce the project's potential to increase use of existing parks, including parks and recreational facilities located within two miles of the project site such as the Newbury Gateway Park, Rancho Conejo Playgrounds, Stagecoach Inn Park and Museum, Kimber Park and Borchard Community Park.

The project will also comply with TOMC Section 9-4.2607, specifying project-specific fees in lieu of an onsite park dedication. Since the project site would provide multiple recreational amenities onsite as a part of the project and would provide fees in lieu of an onsite park dedication consistent with TOMC Section 9-4.2607, the project would not result in significant physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, in order to maintain acceptable service ratios or other performance objectives for parks. Project impacts would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Residual Impacts

Impacts would be less than significant before mitigation.

4.10.4.3.2 Physical Impacts of Construction of Recreation Facilities

The proposed project may potentially have a significant impact to recreation resources if the project would include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

The project would provide onsite recreational amenities such as a central community recreation building with a pool, a game room/lounge, upper-level roof decks, multiple courtyards, public and common open space areas to offset the project's potential to increase use of nearby public parks. These recreational amenities would be constructed as an integral component of the overall project and constitute a small component of the overall 8.19 net acre site. As such, the proposed recreational amenities would make a small contribution to the total physical impacts of the project that are identified in this EIR. The impacts of the overall project, which include the impacts of the new recreational amenities, are analyzed together with proposed feasible mitigation measures in the impact analysis sections comprising Chapter 4.0 of this EIR. However, the recreational amenities portions of the site amount to only a small portion of the overall site and project impacts and there are no substantial impacts unique to the recreational portions of the site. As such, the project's physical impacts regarding the physical deterioration of parks and recreation facilities would be less than significant.

Mitigation Measures

Impacts would be less than significant, and therefore no mitigation is required.

Residual Impacts

Impacts would be less than significant before mitigation.

4.10.4.4 Cumulative Impacts

Under CEQA, a project's impact is cumulatively considerable when the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. In considering the effects of probable future projects, Chapter 3.0, Cumulative Projects, considers buildout of the current City of Thousand Oaks to be the overall cumulative project set, with specific known or reasonably foreseeable projects listed in Table 3-1 and presented in Figure 3-1. A project's most immediate cumulative impact on parks and recreational services would include the local related projects listed in Chapter 3.0.

Based on the analysis above, the project would provide onsite recreation resources, and would pay an in-lieu park fee to go towards the future acquisition and development of parkland and services. Therefore, the proposed project would not significantly affect the CRPD parkland standard ratio, the project's physical impacts regarding the physical deterioration of parks and recreation facilities would be less than significant. The project would therefore not have a substantial impact, and the impact would thus not be cumulatively considerable.

Other cumulative projects would be each reviewed for the potential for environmental impacts and future environmental analysis may be necessary. Such review and analysis would take into account whether the development project would be subject to Quimby and/or other CRPD and City fees or park dedications and would consider whether onsite amenities are also provided. Considering the project's less than significant impact and the CEQA process for future projects, cumulative impacts would be less than significant.

The proposed project would also not create a significant impact with regard to the physical deterioration of parks and recreation facilities. The project would construct onsite recreational facilities as a component of the entire project, and based on the analysis above, the development of this project component would not result in unique or substantial impacts. The lead agency will review related projects that may have recreational components and would similarly be required to assess whether CEQA documentation would be required. Currently, significant environmental impacts due to recreational facility construction at future as-yet unanalyzed project sites are not known to be significant, and it would be speculative to determine if any significant impacts were to occur. However, related projects would be required to evaluate significant impacts where they might occur, as determined by the lead agency, and to mitigate significant impacts to the extent feasible. As the proposed project's contribution to cumulative impacts would not be cumulatively considerable, and no significant related project impacts are currently known or anticipated, cumulative impacts would be less than significant.

4.11 TRANSPORTATION

This Draft Environmental Impact Report (EIR) analysis section considers the potential for the Latigo Hillcrest project to result in impacts to cultural resources and identifies opportunities to avoid, reduce, or otherwise mitigate potential significant impacts where warranted.

This section describes the existing conditions at the proposed project site and surrounding area, summarizes the applicable regulatory framework that guides the decision-making process, identifies thresholds for determining if the proposed project would result in significant impacts, analyzes anticipated impacts (direct, indirect, and cumulative), provides mitigation measures to reduce impacts where warranted, and discusses residual impacts (i.e., level of significance after mitigation). The significance of project impacts has been determined in accordance with criteria based on Appendix G of the State California Environmental Quality Act (CEQA) Guidelines. Where applicable, additional regulatory agency guidelines or requirements are incorporated as additional considerations in evaluating environmental significance. Sources used in the analysis are cited herein where relevant to the analysis; a comprehensive list of references is provided Chapter 7.0, Organizations and Persons Consulted and References, of this EIR. This evaluation is based upon the 2150 Hillcrest Drive Traffic, Circulation Vehicle Miles Traveled (VMT) Study, prepared by Stantec¹ for the City of Thousand Oaks Department of Public Works, which has reviewed and deemed it final (**Appendix H**).

4.11.1 Existing Conditions

The environmental setting and regulatory setting establish existing conditions relevant to the project. The project impact analysis presented later in this section is based on these baseline conditions.

Environmental Setting

Regional Setting

The 8.19-acre project site is located adjacent to and north of U.S. Route 101 (“101 Freeway”), south of West Hillcrest Drive (used interchangeably with “Hillcrest Drive”), and east of Rancho Conejo Boulevard. The project is located approximately 175 feet from the intersection of Hillcrest Drive and Rancho Conejo Boulevard. Access to the site is provided regionally by way of 101 Freeway, using the Borchard Road/Rancho Conejo Boulevard exit and locally by way of driveways on Hillcrest Drive.

Additional surrounding uses within the project vicinity include The Linden Apartments to the east of the project site, Amgen’s business park north of the site across Hillcrest Drive, and further business parks northwest on the northwest corner of Hillcrest Drive and Rancho Conejo Boulevard.

Local Vicinity

The project is bound on the south by the right-of-way 101 Freeway which provides regional access. Local access is provided by Hillcrest Drive, Rancho Conejo Boulevard, Borchard Road, and Ventu Park Road.

U.S. Route 101: Extends north-south along California’s central coast. The freeway regionally connects Thousand Oaks with other nearby cities in Ventura and Los Angeles County such as Camarillo, Oxnard, and Ventura to the North and Westlake Village, Calabasas, and Los Angeles to the south. Access to the project site is provided via off-ramps on Borchard Road/ Rancho Conejo Boulevard.

¹ Stantec, Traffic, Circulation and Vehicle Miles Traveled Study, March 23, 2023.

Hillcrest Drive: The project site's two driveways are located along Hillcrest Drive . Hillcrest Drive is a four-lane roadway that extends from Camino Dos Rios on the west to North Westlake Boulevard on the east. The posted speed limit in the project vicinity is 45 mph.

Rancho Conejo Boulevard: Extends north from the Newbury Road Connector over the 101 Freeway and ends at Arroyo Conejo Nature Preserve. The roadway is four- to six- lanes with a posted speed limit of 40 mph.

Borchard Road: Extends south from the Newbury Road Connector and is a four- to five- lane roadway with a speed limit of 40 mph north of Michael Drive.

Ventu Park Road: Extends from Lynn Road over the 101 Freeway to Rancho Conejo Boulevard. The roadway is a four-lane divided road with a speed limit posting of 40 mph.

Public Transportation, Bicycle, and Pedestrian Facilities

Thousand Oaks has several public transport options available for residents. The City of Thousand Oaks has public transportation including Thousand Oaks Transit, Ventura County Transportation Commission (VCTC) Intercity, and senior/ADA dial-a-ride services. Thousand Oaks Transit Bus Route 44 (Crosstown) provides local bus service in the project vicinity with stops along Hillcrest Drive.² VCTC Intercity provides regional access that connects Thousand Oaks, Camarillo, and Canoga Park. Bicycle lanes in the project vicinity are Class II bicycle lanes³ along Hillcrest Drive, Rancho Conejo Boulevard, and Ventu Park Road. Thousand Oaks offers many pedestrian facilities through sidewalks, parks, hiking trails, and recreational facilities.

Regulatory Setting

Federal

The U.S. Department of Transportation provides a number of grants, primarily for construction and upgrading of major highways and transit facilities. Many of these grants are administered by the state and by local governments.

State

California Department of Transportation

The California Department of Transportation (Caltrans) manages over 50,000 miles of California's highways and freeways. Additionally, it provides inter-city rail systems, permits airports and special-use hospital heliports, and works with local agencies to carry out its mission. Caltrans 2020-2024 Strategic Plan states the goal of Caltrans adopted which are safety first, cultivate excellence, enhance and connect the multimodal transportation network, strengthen stewardship and drive efficiency, lead climate action, and advance equity and livability in all communities. Caltrans sets standards in the 2020 Transportation Impact Study Guide focusing on VMT metric. The document is used to help guide project to analyze potential impacts to State Highway System and GHG emission reduction goals, is updated with latest bills and CEQA guidelines, identifying non-capacity increasing mitigation measures, and recommendations for early transportation coordination and preparing Transportation Impact Study.⁴

² City of Thousand Oaks, Bus Routes and Schedules.

³ Class II Bicycle Lanes are bicycle lanes established bike lanes along streets designated by pavement striping and signage.

⁴ Caltrans, Transportation Impact Study Guide, May 20, 2020.

Senate Bill 743

Senate Bill 743 (SB 743, 2013), codified in Public Resources Code (PCR) Section 21099, required changes to the CEQA Guidelines regarding the analysis of transportation impacts. Pursuant to Section 21099, the criteria for determining the significance of transportation impacts must “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” To that end, the state adopted changes to the CEQA Guidelines that identify VMT as the most appropriate metric to evaluate a project’s transportation impacts.

Regional and Local

2020-2045 Regional Transportation Plan/Sustainable Communities Strategy

Southern California Association of Governments (SCAG) prepares the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS, also known as Connect SoCal), that is required by federal and state requirements. California Government Code Section 14522 states that metropolitan planning organizations (MPOs) are to develop and prepare regional transportation plans. The guidelines should take into account the relationship between land use density and household vehicle ownership, impact of enhanced transits service levels on household vehicle ownership and VMT, changes in travel and development due to highway or rail expansion, multimodal transportation, and speed, frequency, days, and hours of operation.⁵ Additionally, travel demand models consistent with guidelines their regional transportation plans are to be developed, pursuant of Section 14522.2. The RTP must identify major roadways, transit, intermodal facilities, and connectors that will function in the metropolitan system in the next 20 years. The plans are required to be pursuant of the Clean Air Act requirements. Pursuant of Government Code Section 65080(a), the RTPs also must be “action-oriented and pragmatic, considering both short-term and long-term future.” The 2024 Connect SoCal has the following goals:⁶

1. Encourage regional economic prosperity and global competitiveness.
2. Improve mobility, accessibility, reliability, and travel safety for people and goods.
3. Enhance the preservation, security, and resilience of the regional transportation system.
4. Increase person and goods movement and travel choices within the transportation system.
5. Reduce greenhouse gas emissions and improve air quality.
6. Support healthy and equitable communities.
7. Adapt to a changing climate and support an integrated regional development pattern and transportation network.
8. Leverage new transportation technologies and data-driven solutions that result in more efficient travel.
9. Encourage development of diverse housing types in areas that are supported by multiple transportation options.
10. Promote conservation of natural and agricultural lands and restoration of habitats.

City of Thousand Oaks General Plan

The City of Thousand Oaks General Plan was adopted in 1970 with the resolution 97-8, adopted January 28, 1997, and is currently undergoing revisions that is anticipated to be adopted in 2023. The existing

⁵ California Legislative Information, California Government Code Title 2, Division 6, Part 5.3, Chapter 2, Section 14522.

⁶ Southern California Association of Governments, The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, adopted September 3, 2020.

General Plan still in place provides circulation policies and goals for the specific transportation topic. The following are policies regarding circulation and transportation in the City of Thousand Oaks:⁷

- A "T" shaped highway system--the Route 101 and Route 23 Freeways--shall continue to provide a primary link with other regional communities and serve as major connectors within the local street and highway system.
- Improvements to local freeways minimizing diversion of through traffic to City streets shall be encouraged.
- A mass transit system to provide City and area-wide circulation and meet community needs should be maintained and enhanced.
- A variety of transportation modes should be encouraged.
- A City-wide system of pedestrian and bicycle facilities that provide safe, continuous accessibility to all residential, commercial and industrial areas, to the trail system and to the scenic bike route system shall be provided and maintained.
- Local traffic should be moved through the City on arterial streets to protect collector and neighborhood streets from traffic impacts.
- Access to industrial areas shall be via major arterials to minimize impacts to residential areas.
- Street improvements should focus on enhancing access to Thousand Oaks Boulevard, Moorpark Road and other major arterials.
- The City shall balance vehicular circulation requirements with aesthetic, pedestrian, bicycle and equestrian needs which affect the quality of life.
- The City shall maintain a Level of Service (LOS) C on all roads and at all intersections. Lower levels of service may be tolerated to preserve or enhance landscaping and aesthetic integrity.

City of Thousand Oaks Active Transportation Plan

The City of Thousand Oaks published their Active Transportation Plan (ATP) that gives the City guidance for non-motorized travel infrastructure improvements to increase the safety and access of multimodal transportation. ATP is a way to promote active transportation that lowers GHG emissions and VMT. The ATP was funded through SCAG's Sustainability Planning Grant and supports the following goals:⁸

1. Develop an active transportation friendly environment.
2. Identify an integrated network of walkways and bikeways to connect neighborhoods to destinations and activity centers.
3. Encourage development of local plans,
4. Provide a "roadmap" for education and promotion of active transportation.

4.11.2 Thresholds of Significance

The potential transportation impacts of the project have been analyzed in relation to the following thresholds, which are based upon the State CEQA Guidelines Appendix G Checklist. The proposed project could have a significant transportation impact if the project would (short title for impact headings shown in parentheses):

⁷ City of Thousand Oaks, General Plan Goals and Policies Resolution 97-8, adopted January 28, 1997.

⁸ City of Thousand Oaks, Active Transportation Plan Final December 2019.

- Conflict with a program, plan ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities). (***Circulation System Policy Conflict***)
- Conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). (***Vehicle Miles Traveled***)
- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). (***Transportation Hazards***)
- Results in inadequate emergency access. (***Emergency Access***)

4.11.3 Project Impacts and Mitigation Measures

The following project features are relevant to the analysis of transportation: the project would provide two driveways on West Hillcrest Drive, as well vehicle and bicycle parking consistent with City of Thousand Oaks Municipal Code requirements. The site is adjacent to a bus route and a Class II bicycle lane, both along West Hillcrest Drive.

4.11.3.1 Circulation System Policy Conflict

The proposed project may have a significant impact if it would result in conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities. The project consistency with applicable policies of the City of Thousand Oaks General Plan, SCAG 2020-2045, and Thousand Oaks ATP is evaluated in **Table 4.11-1, Project Consistency with Planning Documents**.

Table 4.11-1
Project Consistency with Planning Documents

Applicable Goals and Policies	Conflict Analysis
SCAG 2020-2045 RTP/SCS	
Encourage regional economic prosperity and global competitiveness	Would not Conflict. The project would develop a mixed-use project on an underutilized parcel of land within the existing urbanized area of Thousand Oaks. As such, although economic issues are not within the purview of CEQA, the project would not conflict with this goal. .
Support healthy and equitable communities	Would not Conflict. The project would provide an additional 333 dwelling units to the City to help meet the demand from the City's Regional Housing Allocation Needs Assessment Allocation and provide the area with affordable housing for low-income households.
Encourage development of diverse housing types in areas that are supported by multiple transportation options	Would not Conflict. The project would provide a mixed-use development with commercial and residential uses that is along a bus route and designed to be walking and bicycling accessible. Mixed-use projects allow residents to more easily walk to nearby stores, restaurants, and other uses.
Thousand Oaks General Plan	
A variety of transportation modes should be encouraged	Would not Conflict. The proposed project is mixed-use and encourages walking with pedestrian-friendly designs. Residents will have access to stores and restaurants in walking/bicycling distance. The project site is also located along Thousand Oaks Transit route with numerous stops along Hillcrest Drive.

Applicable Goals and Policies	Conflict Analysis
The City shall maintain a Level of Service C on all roads and at all intersections	Would not Conflict . Although not a CEQA transportation impact, the project would not conflict with this policy as the Transportation Study analysis demonstrates the project would not increase the LOS to be outside the required service level, as discussed in this Section under “LOS Policy Consistency.”
A City-wide system of pedestrian and bicycle facilities that provide safe, continuous accessibility to all residential, commercial and industrial areas, to the trail system and to the scenic bike route system shall be provided and maintained.	Would not Conflict. The project site has pedestrian walkways planned throughout the development for accessibility to (and between) the residential and commercial areas that the project is developing. Additionally, the project is located approximately 1.20 miles away from Arroyo Conejo Nature Preserve, and there are existing bicycle and pedestrian facilities that provides safe access to the trail system.
Thousand Oaks Active Transportation Plan	
Develop an active transportation friendly environment	Consistent. The proposed project would be pedestrian-friendly where residents from the residential component have access to commercial use facilities on-site and are also proximate to shopping and employment opportunities in the vicinity of the project that could be accessed by alternative modes of transportation. The project would include walkways between residential units and commercial use space. A bus route, sidewalks and Class II bicycle lanes are located along West Hillcrest Drive.
<p>Sources: Southern California Association of Governments, 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, adopted September 3, 2020. City of Thousand Oaks, General Plan Goals and Policies Resolution 97-8, adopted January 28, 1997. City of Thousand Oaks, Active Transportation Plan Final December 2019.</p>	

Based upon the analysis in Table 4.11-1, the project would not result in a conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities, and thus impacts would be less than significant.

LOS Policy Consistency

Although LOS is not a CEQA appropriate measure for Transportation impacts under SB 743 (PRC Section 21099), it is relevant in terms of City planning policy, and is provided here for understanding the project consistency with the policy. The following discussion is based upon the LOS portion of the Traffic Study.

Currently, the City of Thousand Oaks maintains a minimum LOS C at all intersections with the exception of Rancho Conejo Boulevard at Hillcrest Drive and specific intersections on Thousand Oaks Boulevard, which are required to maintain a LOS D or better. The project is adjacent to the intersection of Rancho Conejo Boulevard and West Hillcrest Drive. The Transportation Study examined four intersections (listed below) in the project vicinity to assess the existing LOS and anticipated LOS with the development of the project.

- Hillcrest Drive/Rancho Conejo Boulevard
- Hillcrest Drive/Ventu Park Road
- Rancho Conejo Boulevard/U.S. 101 NB Ramps
- Borchard Road/U.S. 101 SB Ramps

The existing intersections all currently operate at a LOS C or better for AM and PM Peak Hour Delay. The Transportation Study assessed the impact the project would have on LOS in the area by using trip generation rates using ITE's *Trip Generation Handbook (11th Edition, 2021)*. Trip distribution was calculated using trip distribution percentages from traffic volumes to gain accurate project-specific impacts. Existing and projected LOS is shown in **Table 4.11-2, Existing Plus Project Levels of Service**.

**Table 4.11-2
Existing Plus Project Levels of Service**

Intersection	Existing		Existing + Project	
	AM Peak	PM Peak	AM Peak	PM Peak
Hillcrest Dr/ Rancho Conejo Blvd	LOS C	LOS C	LOS C	LOS C
Hillcrest Dr/ Ventu Park Rd	LOS C	LOS C	LOS C	LOS C
Rancho Conejo Blvd/ U.S. 101 NB Ramp	LOS B	LOS B	LOS B	LOS B
Borchard Rd/ U.S. 101 SB Ramp	LOS C	LOS C	LOS C	LOS C

Source: Stantec, 2150 Hillcrest Drive Traffic, Circulation and Vehicle Miles Traveled Study, Table 6: Existing + Project AM and PM Peak Hour Intersection Levels of Service, November 11, 2022.

The proposed project would not change the existing LOS for the four intersections within the project vicinity, as shown by Table 4.11-2. Since the four intersections would continue to operate at a minimum LOS C or better, and the project is consistent with various planning documents' goals and policies, the project would not result in an inconsistency. Further, the LOS analysis assumed a proposed ground-floor commercial area of 6,500 sf, which was later reduced to 5,300 sf in the current site plan. The resulting analysis is conservative in assuming more development than would occur, and actual impacts would be reduced.

Mitigation Measures

No mitigation measures would be necessary.

Residual Impacts

Impacts would be less than significant without the need for mitigation measures.

4.11.3.2 Vehicle Miles Traveled

The proposed project may have a significant impact if it would result in VMT exceeding an applicable threshold of significance. CEQA Guidelines Section 15064.3 subdivision (b) establishes criteria for analyzing transportation impacts. For land use projects, VMT exceeding an applicable threshold of significance are a potentially significant impact.

The City of Thousand Oaks adopted an administrative policy stating the thresholds of significance are determined on a case by case basis, so for the purpose of this project, a significant impact would occur if the VMT per capita or VMT per employee exceeds the Citywide average VMT per capita or per employee of the baseline.

The estimated VMT for project was calculated utilizing the Ventura County Transportation Model (VCTM), a land use model that is based on the SCAG's travel demand model. As approved by County, the model uses a 2016 base year scenario and 2040 future year scenario. The VCTM consists of a detailed traffic analysis zone (TAZ) structure with a total of 110 TAZs within the City of Thousand Oaks. The proposed development falls within TAZ 60172301, which is bounded by West Hillcrest Drive on the north, Ventu Park Road on the east, the 101 Freeway on the south, and Rancho Conejo Boulevard on the west.

As the project would contain both residential and commercial uses, the VMT impact evaluation involves the following calculations:

Commercial Component

$$\text{Work Based VMT per Employee} = \frac{\text{Total Work Based VMT}}{\text{Total No. Employees}}$$

Residential Component

$$\text{Home Based VMT per Resident} = \frac{\text{Total Home Based VMT}}{\text{Total No. of Residents}}$$

The VMT analysis results are provided in **Table 4.11-3, Project VMT Analysis Summary**. Specifically, the summary compares the City-wide VMT to the VMT of the project's TAZ and indicates the percent difference.

Table 4.11-3
Project VMT Analysis Summary

Project Component	VMT Calculation Methodology	Citywide Average Daily VMT	Project TAZ¹ Daily VMT	Project Difference
Residential	Citywide average daily VMT per resident	15.32 VMT	10.31 VMT	32% less than the City-wide average
Commercial	Citywide average daily VMT per employee	22.51 VMT	18.49 VMT	18% less than the City-wide average

Source: Stantec, Traffic, Circulation and Vehicle Miles Traveled Study, March 23, 2023. ¹ TAZ = Traffic Analysis Zone

As shown in Table 4.11-3, the project TAZ's daily residential VMT per capita and commercial VMT per employee would be approximately 32% and 18% less than the City-wide averages, respectively. As such, neither the VMT per capita nor VMT per employee would exceed the Citywide baselines, and project VMT impact would be less than significant. It is noted that the VMT analysis assumed a proposed ground-floor commercial area of 6,500 sf, which was later reduced to 5,300 sf in the current site plan. The resulting analysis is conservative in assuming more development than would occur, and actual impacts would be reduced.

Mitigation Measures

No mitigation measures would be necessary.

Residual Impacts

Impacts would be less than significant without the need for mitigation measures.

4.11.3.3 Transportation Hazards

The proposed project may have a significant impact if it would result in increase of hazards or incompatible use of roadways.

The project is currently developed with a two-story office building, paved parking lot, and landscaping. The existing lot has two ingress and egress access points located on Hillcrest Drive. The proposed project would keep these two access points for the development (at the same or similar configuration), so there will not be construction or removal of additional driveways.

As stated in the Traffic Study, which has been reviewed and finalized by Public Works, the western driveway accommodates full inbound access (i.e., left-turn and right-turn ingress movements). However, outbound access is restricted to right-turn egress movements only (i.e., no left-turn egress movements permitted). The western driveway is 24 feet wide and assumed to have one ingress lane and one right-turn only egress lane. The driveway will be controlled by a stop sign. The eastern driveway is 30 feet wide and assumed to have one ingress lane and one shared left/right-turn egress lane.⁹ No functional concerns or hazards are anticipated, based upon the project Traffic Study.

The proposed project site would be accessible to pedestrians and bicyclist on Rancho Conejo Boulevard and Hillcrest Drive. There are signalized intersections for pedestrians to use at nearby intersection of Rancho Conejo Boulevard/Hillcrest Drive. The project would also not affect or alter any existing streets or intersections within the project vicinity. Development of the project would be in compliance with requirements outlined in the City of Thousand Oaks 2018 Road Design and Construction Standards and Standard Land Development Specifications document. Additionally, the Ventura County Fire Protection District is required to review and approve to ensure public safety.

The Thousand Oaks General Plan Land Use/Circulation Map shows that the project site land-use is for commercial use and is surrounded by commercial and residential development consistent with these use zones.¹⁰ The surrounding uses have been approved by the City in the past, with Planning and Public Works' site plan review to assure safe and adequate access. The project site will continue to have two points of access at approximately the same location as the current development and will not add roadways or additional driveways. As noted above, the Traffic Study evaluation found there would be no significant delays or vehicle conflicts. Further, the site plan will be reviewed by Planning and Public Works to assure the design is in accordance with City standards, compatible with the surrounding area and will not result in any transportation hazards. As such, the project would not result in an increase of hazards or incompatible use, so the project would be less than significant impact.

Mitigation Measures

No mitigation measures would be necessary.

Residual Impacts

Impacts would be less than significant without the need for mitigation measures.

4.11.3.4 Emergency Access

The proposed project may have significant impact if it would result in inadequate emergency access. The project is located adjacent to U.S. Route 101, which provides regional access to the project site and designated as an evacuation route in the City's General Plan.¹¹ Despite the project being adjacent from U.S. Route 101, construction and operation of the proposed development would not interfere with access or accessibility of U.S. 101, therefore, would not impede with the City's evacuation route. Additionally, U.S. 101 is a major transportation corridor for hazardous materials and the California Highway Patrol estimates around 105 trucks carrying hazardous materials or waste travel northbound through Thousand Oaks daily.¹² According to the Ventura County Operational Area Emergency Operations Plan – 2021, part of the Fire

⁹ Stantec, Traffic, Circulation and Vehicle Miles Traveled Study, November 11, 2022, p. 16.

¹⁰ City of Thousand Oaks, General Plan, Land Use and Circulation Maps, updated through resolution number 2018-017, adopted April 24, 2018.

¹¹ City of Thousand Oaks, General Plan Safety Element, Figure 11: Evacuation Routes, March 2014.

¹² City of Thousand Oaks, General Plan Safety Element, March 2014.

Branch's primary responsibility is to coordinate hazardous material incidents to ensure public safety.¹³ The project is not expected to transport hazard materials during operation aside from household and retail or restaurant chemical products. The project would have two access points and would allow access for emergency vehicles, in case of emergency. Driveways will be constructed pursuant City road design standards and should be designed to accommodate the expected design vehicle; moving trucks and fire truck for the residential areas, and delivery trucks and fire trucks for the retail areas. The project would be served by the Ventura County Fire Department and Ventura County Sheriff's Department, as discussed above in Section 4.10 Public Services. The project would not hinder or result in inadequate emergency access, as such, the project would be less than significant impact.

Mitigation Measures

No mitigation measures would be necessary.

Residual Impacts

Impacts would be less than significant without the need for mitigation measures.

4.11.4 Cumulative Impacts

Under CEQA, a project's impact is cumulatively considerable when the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. In considering the effects of probable future projects, Chapter 3.0, Cumulative Projects, considers buildout of the current City of Thousand Oaks General Plan to be the overall cumulative project set, with specific known or reasonably foreseeable projects listed in Table 3-1 and shown geographically in Figure 3-1.

Circulation system policy conflicts can occur where a project may not abide by a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities. The proposed project would not create inconsistencies or conflicts, and therefore would not contribute to a cumulative conflict. Further, no conflicts are anticipated by General Plan buildout or by any of the individual projects listed in Table 3-1.

The project's VMT impacts were similarly found to be less than significant and would not contribute to a cumulatively considerable VMT impact. Rather, the proposed project, as a mixed-use project replacing a commercial building within a highly urbanized area, creates a more desirable land use arrangement for lower VMT than the existing land use. Individual cumulative projects as filed, would be evaluated by the City for the need to prepare VMT analysis. However, there is currently no indication that the known cumulative projects would result in significant unavoidable impacts.

The project would also not result in either increased transportation hazards or inadequate emergency access and thus would not create a cumulatively considerable impact. Individual projects would be evaluated by the City for potential impacts, which are typically mitigated before approval, due to the importance of safe every-day and emergency access.

Based on the above, no significant cumulative Transportation impacts would occur with regard to circulation policy conflicts, VMT, transportation hazards or emergency access.

¹³ Office of Emergency Services, Ventura County Operational Emergency Operations Plan, 2021.

4.12 UTILITIES AND SERVICE SYSTEMS

This Draft Environmental Impact Report (EIR) analysis section considers the potential for the Latigo Hillcrest project to result in impacts to utilities and service systems that may result in a physical impact to the environment, and identifies opportunities to avoid, reduce, or otherwise mitigate potential significant impacts to utilities and service systems where warranted.

This section describes the existing conditions at the proposed project site and surrounding area, summarizes the applicable regulatory framework that guides the decision-making process, identifies thresholds for determining if the proposed project would result in significant impacts, analyzes anticipated impacts (direct, indirect, and cumulative), provides mitigation measures to reduce impacts where warranted, and discusses residual impacts (i.e., level of significance after mitigation). The significance of project impacts has been determined in accordance with criteria based on Appendix G of the State California Environmental Quality Act (CEQA) Guidelines. Where applicable, additional regulatory agency guidelines or requirements are incorporated as additional considerations in evaluating environmental significance. Sources used in the analysis are cited herein where relevant to the analysis; a comprehensive list of references is provided Section 7.0, Organizations and Persons Consulted and References, of this EIR, and the Will-Serve Letter provided by California American Water Company, dated March 18, 2022, is included in **Appendix A**.¹ This analysis section is subdivided into three parts, Water (4.12.1), Wastewater (4.12.2) and Solid Waste (4.12.3).

4.12.1 WATER

This section considers the potential for the project to impact water supply and facilities in a way that could result in a physical impact to the environment, and identifies opportunities to avoid, reduce, or otherwise mitigate potential significant impacts where warranted.

4.12.1.1 Existing Conditions

The environmental setting and regulatory setting establish existing conditions relevant to the project. The project impact analysis presented later in this section is based on these baseline conditions.

Environmental Setting

Site Overview

The project site consists of an approximately 8.19-net acre lot located at 2150 West Hillcrest Drive east of Rancho Conejo Boulevard, consisting of Assessor's Parcel Number (APN) 667-0-113-075 (previously APN 667-0-113-025).² The site is currently developed with a two-story office building, formerly associated with Amgen Inc., two surface asphalt parking lots, and landscaping/street trees.

Local Water Purveyors

Potable water services for the City of Thousand Oaks, where the project site is located, are supplied to the City through five purveyors. These include the City of Thousand Oaks, California American Water Company (CalAm), California Water Service Company, Camrosa Water District, and Newbury Park Academy Mutual Water Company.³ The project site falls under the CalAm service area – Ventura County

¹ Bennett, Eric, Senior Supervisor of Operations, California American Water, Will-Serve Notice, March 18, 2022. (Appendix A)

² GIS Online Map of City of Thousand Oaks, date accessed on August 16, 2022; at: <http://map.toaks.org/Html5Viewer/Index.html?Viewer=public>.

³ City of Thousand Oaks, Utilities Service Providers, Accessed on December 14, 2022 at: <https://www.toaks.org/residents/utilities/utility-service-providers>.

District.⁴ CalAm purchases their water to serve the Thousand Oaks/Newbury Park region from Calleguas Municipal Water District (CMWD) and serves approximately 48 percent of the City.⁵

The following information is from the Urban Water Management Plan (UWMP) for California American Water – Ventura County District, which describes current and planned water supplies, current and planned water demands, and water conservation efforts for CalAm within the Thousand Oaks service region.⁶ As of 2020, CalAm serves approximately 63,154 people and is projected to increase to 65,153 people by 2045. CalAm provided approximately 15,125 acre-feet (AF) of water treated to drinking water levels in 2020, with 58 percent of the water going to residential uses and 19 percent to commercial uses. Projected water in 2045 is anticipated to increase to approximately 17,077 AF. CalAm is allocated 18,559.3 acre-feet per year (AFY) for CalAm’s Ventura County District with no maximum or minimum water purchase amount specified in its contract with the CMWD.

Imported Water

As mentioned above, CalAm purchases all their water supply and receives water from CMWD.⁷ The CMWD is an authorized wholesaler of treated surface water and buys most of the water from the Metropolitan Water District of Southern California (MWD) which is treated at the Jensen Water Treatment Plant.⁸ The MWD receives the water from the Sacramento and Colorado Rivers conveyed from the California Aqueduct (part of the State Water Project, operated by the California Department of Water Resources (CDWR)) and Colorado River Aqueduct (operated by MWD), respectively. The CMWD only receives water from the State Water Project. The CMWD stores water that is not immediately redistributed at Lake Bard, which holds 10,000 AF of water, or at Las Aquifer Storage and Recover Well Field. Water used from Lake Bard is treated again at the on-site Lake Bard Water Filtration Plant.

The State Water Project supplies over 27 million people and the project spans California for 700 miles.⁹ Water availability of the State Water Project varies year-to-year based on the rain precipitation and snowpack runoff that is captured and stored in reservoirs in Northern California. The Colorado River Aqueduct brings water from Lake Havasu (a reservoir located at the California/Arizona border) and Lake Mathews (in Riverside, California). The Colorado River Aqueduct includes 92 miles of tunnels, 63 miles of concrete canals, 54 miles of concrete conduits, 29 miles of siphons and five pumping stations. Using electricity generated from Hoover Dam, Parker Dam and other sources, it pumps lift water over 1,600 feet so the aqueduct can carry it across vast deserts, contributing to the growth of cities in Southern California. Today, the aqueduct has the capacity to deliver more than 1.2 million acre-feet of water each year.¹⁰

Water Supply and Demand

CalAm Ventura County District’s 2020 Urban Water Management Plan (UWMP) analyzes the water service reliability for water supply and demand under normal, single dry water year and five-year, or multiple dry year periods. An average year condition represents a single year or average range of years that most closely represents the average water supply available. A single dry year represents the lowest water supply available to the supplier, and a multiple dry year is the lowest average water supply available for

⁴ Bennett, Eric, Senior Supervisor of Operations, California American Water, Will-Serve Notice, March 18, 2022. (Appendix A)

⁵ City of Thousand Oaks, 2020 Urban Water Management Plan, June 2021.

⁶ California American Water, Ventura County District, Urban Water Management Plan, June 2021.

⁷ California American Water, Water Quality Report, 2021.

⁸ Calleguas Municipal Water District, Water Resources and Quality, Accessed on December 9, 2022 at: <https://www.calleguas.com/water-resources-and-quality/index.asp>.

⁹ Metropolitan Water District of Southern California, The State Water Project.

¹⁰ Water Education Foundation, Colorado River Aqueduct, Accessed on January 28, 2023 at:

<https://www.watereducation.org/aquapedia-background/colorado-river-aqueduct#:~:text=Water%20is%20taken%20out%20of,million%20in%20voter%2Dapproved%20bonds.>

five consecutive years. The imported water supply projections are provided by the CMWD, and the water demand is provided by the DWR. **Table 4.12.1-1, Normal Year Potable Water Supply and Demand**, displays the net difference between the water supply and demand for an average year. The average year water supply is based off historical data ranging from 1922 to 2004.

Table 4.12.1-1
Normal Year Potable Water Supply and Demand

Water Supply/Demand Source	Acre-Feet Per Year (AFY)				
	2025	2030	2035	2040	2045
Water Supply	18,559	18,559	18,559	18,559	18,559
Water Demand	16,662	16,770	16,878	16,978	17,077
Net Difference	1,897	1,789	1,681	1,581	1,482
Source: California American Water, Ventura County District, Urban Water Management Plan, Table 7-2, June 2021. Note: Water Supply numbers are provided by CMWD District; Water Demand numbers are provided by DWR.					

Table 4.12.1-2, Single Dry Year Potable Water Supply and Demand displays the net difference between the water supply and demand for a single dry year. The single dry year water supply is based off historical data from base year 1977.

Table 4.12.1-2
Single Dry Year Potable Water Supply and Demand

Water Supply/Demand Source	Acre-Feet Per Year (AFY)				
	2025	2030	2035	2040	2045
Water Supply ¹	18,586	18,707	18,827	18,938	19,049
Water Demand ²	18,586	18,707	18,827	18,938	19,049
Net Difference	0	0	0	0	0
Source: California American Water, Ventura County District, Urban Water Management Plan, Table 7-3, June 2021. Note: Water Supply numbers are provided by CMWD District; Water Demand numbers are provided by DWR.					
⁽¹⁾ Although the current Tier 1 allocation is 18,559, California American Water's Ventura County District can exceed the allocation set by CMWD to meet demands but must pay a fee.					
⁽²⁾ A single Dry Year is expected to have increased demands of 112% based on 2013 actual demand compared to 2011.					

As shown in Table 4.12.3-2, although the Tier 1 allocation for allowed water supply is 18,559 AFY, Ventura County District can exceed this allocation by paying a fee, or through agreements to purchase or borrow water as discussed further below. Past the single dry year condition, UWMP projections show additional reserves, as depicted in **Table 4.12.1-3, Multiple Dry Years Potable Water Supply and Demand**. The multiple dry year water supply is based off historical data ranging from 1987 to 1992.

Table 4.12.1-3
Multiple Dry Years Potable Water Supply and Demand

Water Supply/Demand Source	Acre-Feet Per Year (AFY)				
	2025	2030	2035	2040	2045
First Year					
Water Supply ¹	18,586	18,707	18,827	18,938	19,049
Water Demand ²	18,586	18,707	18,827	18,938	19,049
Net Difference	0	0	0	0	0
Second Year					
Water Supply ¹	18,559	18,559	18,559	18,559	N/A
Water Demand ²	17,863	17,979	18,093	18,200	N/A
Net Difference	696	580	466	360	N/A
Third Year					

Water Supply/Demand Source	Acre-Feet Per Year (AFY)				
	2025	2030	2035	2040	2045
Water Supply ¹	18,559	18,559	18,559	18,559	N/A
Water Demand ²	14,714	14,810	14,902	14,990	N/A
Net Difference	3,845	3,750	3,657	3,570	N/A
Fourth Year					
Water Supply ¹	18,559	18,559	18,559	18,559	N/A
Water Demand ²	14,078	14,169	14,255	14,339	N/A
Net Difference	4,482	4,391	4,304	4,220	N/A
Fifth Year					
Water Supply ¹	18,559	18,559	18,559	18,559	N/A
Water Demand ²	15,352	15,451	15,544	15,635	N/A
Net Difference	3,208	3,109	3,016	2,924	N/A
Source: California American Water, Ventura County District, Urban Water Management Plan, Table 7-4, June 2021. Note: Water Supply numbers are provided by CMWD District; Water Demand numbers are provided by DWR. N/A = Not Applicable in the Urban Water Management Plan. ⁽¹⁾ Five consecutive dry years demands are expected to change based on actual demands in five consecutive dry years of 2013-2017 compared to an average year of 2011 as follows: year 1 (112%), year 2 (107%), year 3 (88%), year 4 (84%), and year 5 (92%). ⁽²⁾ Although the current Tier 1 allocation is 18,559, California American Water's Ventura County District can exceed the allocation set by CMWD to meet demands but must pay a fee.					

As shown in Table 4.12.3-3, although the Tier 1 allocation for allowed water supply is 18,559 AFY, Ventura County District can exceed this allocation by paying a fee to the MWD,¹¹ or through agreements to purchase or borrow water as discussed below under Drought Risk Assessment and Drought Conditions. Additionally, Ventura County District imposes conservation measures or demand management measures to encourage sustainable management of water resources and contains a Water Shortage Contingency Plan in instances where there are unforeseen water shortages. As such, the water purveyor has the ability to provide additional water during multiple dry years with payment of required fees.

In addition, as stated earlier, the UWMP is prepared following guidance from a multitude of sources, including the Department of Water Resources (DWR's) 2020 UMWP Guidebook. The DWR 2020 UWMP Guidebook directs water suppliers, including CalAm, to anticipate future water use through available information from City and County General Plans, the Southern California Association of Governments (SCAG), and baseline information. Future water supplies are anticipated by reviewing water rights and contracts, assessing water deliveries, ascertaining restrictions on water availability under certain regulatory and hydrological conditions.¹²

Drought Risk Assessment and Drought Conditions

As required by the California Water Commission, a Drought Risk Assessment was prepared to provide a quick snapshot of the anticipated surplus or deficit if a five-year consecutive drought were to occur in the next five years. The Drought Risk Assessment evaluates each water supply's reliability and compares available water supplies and projected demands during a five-consecutive dry years scenario. This short-term analysis can help water suppliers foresee undesired risks, such as upcoming shortages, and provide time to evaluate and implement the necessary response actions needed to mitigate shortages in a less impactful manner to the community and environment. If demands cannot be met by the expected available supply, shortage response actions from the Ventura County District's Water Shortage Consistency Plan may be implemented. The CalAm Ventura County District does not anticipate any supply shortages within

¹¹ California American Water, Ventura County District, Urban Water Management Plan, June 2021.

¹² State of California, Department of Water Resources, Urban Water Management Plan Guidebook 2020, Final March 2021.

the next five years, from 2021 to 2025. The CalAm Ventura County District anticipates a water surplus (total water supply minus gross water use) of 3,128 AFY in 2021, 2,882 AFY in 2022, 2,514 AFY in 2023, 2,206 AFY in 2024 and 1,897 in 2025.¹³

Despite the Drought Risk Assessment's projections, in 2021, the State of California issued a state of emergency due to drought conditions. A multitude of state and local water conservation regulations followed. In 2022, the Department of Water Resources, operator of the State Water Project, announced water agencies throughout California should prepare for an allocation of only 5 percent of a full supply for 2022. Governor Newsom issued Executive Order N-7-22, requiring each urban water supplier to reduce water usage by at least 20 percent, and developed emergency regulations banning non-functional turf (ornamental grass) and irrigation in the commercial, institutional, and industrial sectors. On May 24, 2022, the City declared a Level 4 shortage, which reduced watering to once a day consistent with the MWD Emergency Conservation Program.¹⁴

In early 2023, rain and snowfall from major storm events dramatically changed conditions in many parts of the state, and therefore anticipated an increase in expected State Water Project deliveries to local agencies by harnessing the captured storm water. As the storms helped ease drought impacts, on March 24, 2023, Governor Newsom rolled back some drought emergency provisions. However, the state still maintains water conservation requirements, and is taking action to boost water supply, expand storage, and improve infrastructure.¹⁵ On March 14, 2023, the City approved Level 3 conservation measures, based on guidance from the MWD and CMWD, which are less stringent than the previous Level 4 water restriction requirements.¹⁶

Demand Management Measures

The CalAm Ventura County District includes long-term Demand Management Measures to assist in lowering water demands, which can improve the water service reliability and help meet state and regional water conservation goals. Consistent with the requirements of the California Water Commission, a multitude of Demand Management Measures have been implemented in the past five years and will continue to be implemented into the future in order to meet the Ventura County District's 2020 water use targets pursuant to Section 10608.20 of the California Water Commission, including: water waste prevention ordinances, metering, conservation pricing, public education and outreach, programs to assess and manage distribution system loss and water conservation program coordination and staffing.¹⁷

Groundwater Sources

CalAm does not use groundwater as potable water within CalAm's Ventura County District. However, the City owns four groundwater wells within the CalAm service area, with only two active wells: the Hillcrest Drive and the Los Robles Golf Course well. The wells utilize water from the Thousand Oaks Area Groundwater Basin, which has an estimated storage capacity of 130,000 AF, according to the Ventura County Public Works Agency (VCPWA).¹⁸ The water produced from the well is used only for irrigation due to the poor water quality.

¹³ California American Water, Ventura County District, Urban Water Management Plan, June 2021.

¹⁴ City of Thousand Oaks, Water Conservation Regulations in Effect, Accessed on March 28, 2023 at: <https://www.toaks.org/departments/public-works/sustainability/water>.

¹⁵ State of California, Office of Governor Gavin Newsom, Governor Newsom Eases Drought Restrictions, Accessed on March 28, 2023 at: <https://www.gov.ca.gov/2023/03/24/governor-newsom-eases-drought-restrictions/>.

¹⁶ City of Thousand Oaks, Level 3 Conservation Measures in Effects, Accessed on March 21, 2023 at: <https://www.toakswater.org/conservationstages>.

¹⁷ California American Water, Ventura County District, Urban Water Management Plan, June 2021.

¹⁸ City of Thousand Oaks, Water Master Plan, February 2018.

Additionally, the City has conducted several studies to plan and evaluate the potential of developing a supplemental supply of potable water for the community, known as the Groundwater Utilization Project, or the Los Robles Water Reuse Project. According to the City’s preliminary studies, groundwater reuse from an existing well located at the Los Robles golf course may be able to help provide a local potable water source to help reduce the City’s reliance on imported water, especially during drought conditions. This project would consist of groundwater wellhead improvements and associated infrastructure for development of a local source of potable water.¹⁹ If these studies are determined to be feasible, the near-term plan (1 to 5 years) uses the groundwater extracted for non-potable uses, mid-term plan (5 to 10 years) would pump groundwater for potable use, and long-term plan (10 to 20 years) could include Direct Potable Reuse²⁰ and groundwater recharge of non-potable sources from other municipalities.

The CMWD has also undertaken a Salinity Management Pipeline project to allow better use of local water supplies through the treatment of groundwater. The pipeline is currently in operation from Port Hueneme to Camarillo. The project is undergoing environmental review and permitting to expand the facilities which include Hill Canyon and Conejo Valley Desalters.²¹ The project would allow groundwater from the Conejo Valley Groundwater Basin to be used, since it can treat its elevated salinity levels. If the Salinity Management Pipeline project expands and builds the Hill Canyon and Conejo Valley Desalter, then water supply for the region would increase.

Recycled Water

CalAm’s Ventura County District does not own or operate treatment or recycled water distribution facilities. Wastewater facilities in the facility that serve the project site, Hill Canyon Treatment Plant, has an agreement with Camrosa to use the wastewater produced in exchange for water conservation credits.²²

Water Infrastructure

Existing water infrastructure is currently served by connections to CalAm’s existing 10-inch water main in West Hillcrest Drive, which CalAm maintains.²³ This water main runs east-west, and connects with the existing 6-inch line along the eastern site boundary, which runs north-south.²⁴

Regulatory Setting

Federal

Clean Water Act

The Clean Water Act (CWA) of 1972 is the primary federal statute governing the restoration and maintenance of chemical, physical, and biological integrity of the Nation’s waters. CWA is the basic framework that monitors water quality and control of pollutants to ensure safe, clean water. Within the CWA, numerous of programs, standards, and plans were created to monitor and protect the Nation’s waters.

¹⁹ City of Thousand Oaks, Groundwater, Accessed on March 21, 2023 at: <https://www.toaks.org/departments/public-works/construction/groundwater>.

²⁰ Introduction of recycled water to the public drinking system or into a raw water supply upstream of a drinking water treatment plant.

²¹ Calleguas Municipal Water District, Calleguas Salinity Management Pipeline Enhancing the Use of Local Water Supplies, Accessed on January 5, 2023 at: <https://www.calleguas.com/images/docs-documents-reports/crsmpbroc.pdf>.

²² City of Thousand Oaks, 2020 Urban Water Management Plan, June 2021.

²³ California American Water Company, Official Use System Map, 2150 Hillcrest Drive.

²⁴ KTG Architecture + Planning, Civil, Preliminary Utility Exhibit, Formal Application Re-Submittal, December 2, 2022.

National Pollutant Discharge Elimination System

The National Pollutant Discharge Elimination System (NPDES) was created in 1972 by the CWA. It helps address water pollution through regulating point sources that discharge pollutants to Waters of the United States. Permit program system is in place that provides two levels of control: technological-based limits and water quality-based limits.²⁵

Stormwater runoff is produced from rain and snowmelt that flow over land such as paved roads, parking lots, building rooftops, and does not absorb back into the ground. Run-off collects pollutants, trash, oil, and sediment that harms rivers, lakes, streams, and coastal waters. NPDES stormwater program regulates stormwater discharge at three sources: municipal separate storm sewer systems (MS4s), construction activities, and industrial activities. Permits system is designed to prevent pollutants from washing into the local surface waters.

Safe Drinking Water Act

The Safe Drinking Water Act (SDWA) was passed by Congress in 1974 for the protection of drinking water in the U.S. Amendments were added to the SDWA in 1986 and 1996 to help ensure the protection of clean, safe drinking water. Drinking water and its sources (lakes, rivers, reservoirs, springs, groundwater) fall under the jurisdiction of the SDWA, although, wells that serve under 25 individuals are not regulated).²⁶ The USEPA oversees the SDWA and establishes standards for drinking water quality and monitors state and local governments, and water suppliers who enforce the standards. The USEPA has set maximum contaminant levels (MCLs) allowed in public drinking water under National Primary Drinking Water Regulations (primary standards). MCLs indicate the highest level of a contaminant allowed in drinking water that is not expected to produce adverse health effects after lifetime exposure. The primary standards are legally enforceable standards and treatment techniques that apply to public water systems and are used to protect human health by limiting contaminant levels in drinking water. There are over 80 contaminants listed on the primary standards that are monitored and treated to be below the public health goal. Additionally, the National Secondary Drinking Water Regulations (secondary standards) are guidelines to manage water systems that are unrelated to adverse health effects. This includes contaminants that affect taste, color, smell.²⁷

State

Senate Bills 610 and 221, Water Supply Assessment and Verification

Senate Bills 610 (SB 610) and SB 221 were established to improve the link of information on water supply availability and certain land use decisions made by cities and counties. The two bills require detailed water availability to be provided to decision-makers prior to approval of large development projects and included in the administrative record. Applicable development projects are generally defined in the legislation (examples include residential projects with greater than 500 dwelling units and shopping centers or business establishments employing more than 1,000 persons or having more than 500,000 square feet of floor space, and commercial office buildings employing more than 1,000 persons or encompassing more than 250,000). SB 610 water assessments must be available to local governments subject CEQA review. SB 221 then

²⁵ United States Environmental Protection Agency, About NPDES; accessed on August 31, 2022 at: <https://www.epa.gov/npdes/about-npdes>.

²⁶ United States Environmental Protection Agency, Understanding the Safe Drinking Water Act, June 2004; accessed on August 31, 2022 at: <https://www.epa.gov/sites/default/files/2015-04/documents/epa816f04030.pdf>.

²⁷ Centers for Disease Control and Prevention, Drinking Water Regulations; accessed on August 31, 2022 at: [https://www.cdc.gov/healthywater/drinking/public/regulations.html#:~:text=The%20Safe%20Drinking%20Water%20Act%20\(SDWA\)%20was%20passed%20by%20Congress,suppliers%20who%20enforce%20those%20standards](https://www.cdc.gov/healthywater/drinking/public/regulations.html#:~:text=The%20Safe%20Drinking%20Water%20Act%20(SDWA)%20was%20passed%20by%20Congress,suppliers%20who%20enforce%20those%20standards).

requires approval by the city or county of certain residential subdivisions requires an affirmative written verification of sufficient water supply.²⁸

Senate Bill X7-7, Water Conservation Act

SB X7-7, known as the Water Conservation Act of 2009, was enacted in November 2009. The bill requires water suppliers to increase their water use efficiency. The California DWR is responsible for regulating the 18 actions the Water Conservation Act established. SB X7-7 mandated a 20 percent reduction in urban per capita water use by the end of 2020. To track progress on meeting water efficiency targets, standardized water use reporting was created by DWR in consultation with California Department of Health, California Public Utilities and the State Water Regional Control Board. The Commercial, Industrial and Institutional (CII) Task Force is responsible for developing best management practices for the CII water sector. Under Assembly Bill 1420 (AB 1420), the DWR shall organize an Independent Technical Panel made up of retail water suppliers, environmental organizations, business community, wholesale water suppliers, and academia to update Management Measures.²⁹

Urban Water Management Planning Act

UWMPs are required to be prepared by water suppliers every five years. The plans include long-range resource planning to ensure adequate water supplies are available to meet existing and future water needs. Water providers that distribute over 3,000 acre-feet of water annually, or serve more than 3,000 urban connections has to submit an UWMP. The plan must:³⁰

- Assess the reliability of water sources over a 20-year planning time frame.
- Describe demand management measures and water shortages contingency plans.
- Report progress toward meeting a targeted 20% reduction in per-capita (per-person) urban water consumption by the year 2020.
- Discuss the use and planned use of recycled water.

Porter-Cologne Water Quality Control Act

Porter-Cologne Water Quality Control Act (Porter-Cologne Act) is a law that governs water quality regulation in California. The act applies to surface water, wetlands, and ground water point and non-point source pollution. Porter-Cologne is also codified in the California Water Code (Section 13000 et seq.). It states that the waters of the state shall be regulated to obtain highest quality that is reasonably attainable. The legislature also declares that health, safety, and welfare of the people requires a statewide program for control of the quality of water and the state must be fully prepared to use its power and jurisdiction to protect water quality.

The Porter-Cologne Act establishes the State Water Resources Control Board (State Water Board) and nine Regional Water Quality Control Boards (Regional Water Boards), which implement provisions and have primary responsibility to protect water quality in California. The state Water Board is tasked with overall oversight such as funds allocation, reviewing Regional Water Boards, and allocating rights to surface waters. Regional Water Boards regulate discharges through issuing NPDES permits for point source

²⁸ California Department of Water Resources, Introduction to SB 610 and SB 221, October 2003, Accessed on January 18, 2023 at:

https://calafco.org/sites/default/files/resources/CALAFCO_U/Introduction%20to%20SB%20610%20and%20SB%20221.pdf.

²⁹ California Department of Water Resources, SB X7-7, accessed on August 31, 2022 at: <https://water.ca.gov/programs/water-use-and-efficiency/sb-x7-7>.

³⁰ California Department of Water Resources, Urban Water Management Plans, accessed on August 31, 2022 at:

<https://water.ca.gov/Programs/Water-Use-And-Efficiency/Urban-Water-Use-Efficiency/Urban-Water-Management-Plans>.

discharges and waste discharge requirements (WDRs) for non-point source discharges. Porter-Cologne Act gives several options of enforcement for WDRs such as cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions. Additionally, Porter-Cologne Act requires adoption of water quality control plans by the State Water Board and regional water quality control plans (basin plans) by Regional Water Boards. They plans include beneficial uses of waters of the state and establish water quality objectives.³¹

CA Executive Order B-37-16, Senate Bill 606 and Assembly Bill 1668

In 2018, the California State Legislature enacted two policy bills, SB 606 (Hertzberg) and AB 1668 (Friedman), to establish a new foundation for long-term improvements in water conservation and drought planning to adapt to climate change and the resulting longer and more intense droughts in California. These two bills amend existing law to provide expanded and new authorities and requirements to enable permanent changes and actions for those purposes, improving the state's water future for generations to come.

SB 606 and AB 1668 are direct outcomes of Governor Brown's Executive Order B-37-16 issued in May 2016. The recommendations in the April 2017 report entitled Making Water Conservation a California Way of Life, Implementing Executive Order B-37-16 and subsequent extensive legislative outreach efforts informed the development of SB 606 and AB 1668.³² The order requires permanent monthly water use reporting, and new permanent water use standards in California communities. To help eliminate water waste, the Water Board is to prohibit wasteful water practices such as hosing off sidewalks, driveways and other hardscapes, or watering lawns in a manner that causes runoff.³³

Title 24, California Code of Regulations

California Code of Regulations (CCR) Title 24, Part 11 is the California Green Building Standards Code (or CalGreen). The purpose of CalGreen is to improve public health, safety, and general welfare by designing and constructing buildings to have a reduced environmental impact. Water efficiency standards are required with CalGreen regulations for new development projects, such as using proper water-conserving plumbing appliances.

Assembly Bill 2515, Water Conservation in Landscaping Act

AB 2515, also known as Water Conservation in Landscaping Act, is a water-efficient landscaping ordinance. The bill requires the DWR to update its model water-efficient landscape ordinance by regulation and every three years thereafter. The bill is enacted due to the prolonged drought California is experiencing.

California Green Building Standards Code

The California Green Building Standards Code (CalGreen) is Title 24, Part 11 of the California Code of Regulations (CCR). The purpose of CALGreen is to improve public health, safety, and general welfare through enhanced design and construction of buildings using concepts which reduce negative impacts and

³¹ California Department of Water Resources, 0A – Federal, State, Local Laws, Policy and Regulations, updated June 2014, accessed on September 1, 2022 at: https://www.waterboards.ca.gov/water_issues/programs/nps/encyclopedia/0a_laws_policy.html#:~:text=The%20Porter%2DCologne%20Act%20is,the%20beneficial%20uses%20of%20water.

³² California Department of Water Resources and State Water Quality Control Board, Making Water Conservation a California Way of Life, November 2018, Accessed on March 21, 2023 at: <https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Water-Use-And-Efficiency/Make-Water-Conservation-A-California-Way-of-Life/Files/PDFs/Final-WCL-Primer.pdf>.

³³ Adaption Clearinghouse, CA Executive Order B-37-16: Making Water Conservation a California Way of Life, Accessed on March 21, 2023 at: <https://www.adaptationclearinghouse.org/resources/ca-executive-order-b-37-16-making-water-conservation-a-california-way-of-life.html>.

promote those principles which have a positive environmental impact and encourage sustainable construction practices. CALGreen was adopted to address the five divisions of building construction, including water efficiency and conservation.³⁴ These water efficiency and conservation standards include, but are not limited to, indoor water use requirements, such as plumbing and fixture requirements, and outdoor water efficiency standards, for landscaping and lawn care.

Regional and Local

City of Thousand Oaks Municipal Code

Thousand Oaks Municipal Code Title 10, Chapter 2 states the Public Works Department (PWD) administers the water properties, facilities, and services of the City.

Level 3 Water Conservation Requirements

On March 14, 2023, the Thousand Oaks City Council approved Level 3 Water Conservation requirements on guidance from the suppliers including MWD and CMWD. These water conservation measures are further outlined in City Ordinance No. 1705-NS. All residences within the City are required to follow a multitude of regulations including, but not limited to, limited watering hours and days, obligation to fix leaks, breaks or malfunctions in plumbing, irrigation or distribution, restrictions on washing down hard or paved surfaces, and prevention of dust suppression with potable water.³⁵ The Level 3 requirements are less strict than the previous Level 4 water restriction requirements, which were implemented in mid-2022 through early 2023. In addition, the Ordinance contains permanent measures which remain in effect throughout all levels, including prohibition of non-functional turf³⁶ located within commercial areas.

4.12.1.2 Thresholds of Significance

The potential water supply and facilities impacts of the project have been analyzed in relation to the following thresholds below, which are based upon the State CEQA Guidelines Appendix G Checklist. The proposed project could be considered to have a significant impact to water supply and facilities if the project would (short title for impact headings shown in parentheses):

- Require or result in the construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects. (*New or Expanded Water Facilities*)
- Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. (*Water Supply Availability*)

4.12.1.3 Project Impacts and Mitigation Measures

This analysis evaluates impacts with reference to the design of the project, which will incorporate CalGreen (i.e., California Green Building Standards Code) and Water Conservation in Landscaping Act requirements for water conservation building features, the regulatory setting, state and City information related to these resources.

³⁴ California Department of Housing and Community Development, CALGreen, Accessed on January 18, 2023 at: <https://www.hcd.ca.gov/building-standards/calgreen>.

³⁵ City of Thousand Oaks, Level 3 Conservation Measures in Effects, Accessed on March 21, 2023 at: <https://www.toakswater.org/conservationstages>.

³⁶ Non-functional turf is turf that is ornamental and not regularly used for recreational purposes, civic or community events.

4.12.1.3.1 New or Expanded Water Facilities

The proposed project may have a significant impact if it would require or result in the construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects. As stated above, the project site is served by, and would continue to be served by CalAm's Ventura County District. The project's water demands will be served by connections to CalAm's existing 10-inch water main in Hillcrest Drive which runs east-west, and connects with the existing 6-inch line along the eastern site boundary, running north-south.³⁷ The project proposes to develop a 6-inch water line that would run east-west through the centrally proposed parking areas and pick up/drop off area, and another 6-inch line that would run north-south along the eastern site boundary, which would ultimately connect with the existing main located along Hillcrest Drive. Water connections would serve the project's demands for domestic water, fire protection for on-site hydrants and building sprinkler systems, building mechanical systems, and site irrigation.

The on-site water utility infrastructure mains would be included in the project site plan to be reviewed and approved by the City Department of Public Works. The design and review process would ensure that mains are of adequate capacity and design to provide water service to the proposed development. The physical environmental impacts of water utility infrastructure on-site are included within the analysis of the development of the project, in that infrastructure installation would occur as part of the proposed project as a whole and would occur within the evaluated project footprint. No specific additional impacts due to the construction of expanded water infrastructure beyond those addressed in other sections would occur. Thus, based on the analysis above, the project would have a less than significant impact on water facilities and would not generate significant impacts related to new or expanded water facilities.

Mitigation Measures

No mitigation measures would be necessary.

Residual Impacts

Impacts would be less than significant without the need for mitigation measures.

4.12.1.3.2 Water Supply Availability

The proposed project may have a significant impact if it has insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.

As stated above, the project site is served by, and would continue to be served by, CalAm's Ventura County District, which purchases water from the CMWD. CalAm Ventura County District's 2020 UWMP analyzes the water service reliability under normal, single dry water year and five-year, or multiple dry year periods. The supply reliability for CalAm's Ventura County District is wholly depended on the CMWD's water supplies as its wholesale agency. The CMWD's 2020 UWMP concluded that the CMWD's water supplies are sufficient to meet projected water demands under a normal, single dry year and five-year consecutive drought.³⁸ The Ventura County District can exceed the water allocation cap by during a dry year through payment of a fee per the MWD, or through agreements to purchase or borrow water. As such, the water purveyor has the ability to provide additional water during a single dry or multiple dry years with payment of required fees.

³⁷ KTG Architecture + Planning, Civil, Preliminary Utility Exhibit, Formal Application Re-Submittal, December 2, 2022.

³⁸ California American Water, Ventura County District, Urban Water Management Plan, June 2021.

As previously stated, the UWMP is prepared following guidance from a multitude of sources, including the DWR’s 2020 UMWP Guidebook, which directs water suppliers, including CalAm, to anticipate future water use through available information from City and County General Plans, SCAG, and baseline information. As the project would require a General Plan Amendment and eventually be incorporated into General Plan growth projections, updates to the UWMP would also include additional water supply to account for the future water demand.

Additionally, the 2021-2025 Drought Risk Assessment CalAm’s Ventura County District prepared does not anticipate any supply shortages within the next five years, and anticipates a water surplus (total water supply minus gross water use) of 3,128 AFY in 2021, 2,882 AFY in 2022, 2,514 AFY in 2023, 2,206 AFY in 2024 and 1,897 in 2025.³⁹ Despite the Drought Risk Assessment’s projections, in 2021, the State of California issued a state of emergency due to drought conditions. As stated above, the drought conditions in the state resulted in a multitude of stringent local water conservation regulations from Governor Newsom, the State Water Project and MWD. However, in early 2023, rain and snowfall from major storm events dramatically changed conditions in many parts of the state, and Governor Newsom rolled back some drought emergency provisions. The state still maintains water conservation requirements, and is taking continued action to boost water supply, expand storage, and improve infrastructure.⁴⁰

To support maximization of CMWD supply, the CalAm’s Ventura County District works with neighboring agencies and CMWD to coordinate response to shortages and state standards for efficient water use. In addition, CalAm, the CMWD and the City maintain emergency interties, which allow for water transfers during emergencies, and improve regional supply reliability by allowing the three entities access to each other’s sources in an emergency. The CalAm 2020 UWMP includes a Water Shortage Contingency Plan, which addresses how water will be provided when the water supply is reduced to a level that cannot support typical demand at a given time. Additionally, as stated above, the CalAm Ventura County District includes long-term Drought Management Measures to assist in lowering water demands, which can improve the water service reliability and help meet state and regional water conservation goals. including: water waste prevention ordinances, metering, conservation pricing, public education and outreach, programs to assess and manage distribution system loss and water conservation program coordination and staffing.⁴¹

The project proposes a four-story mixed-use development with commercial and residential uses, that would generate additional demand for water within the CalAm service area. **Table 4.12.1-4, Project Net Water Demand**, provides the estimate of additional water demand from the proposed project and the existing water demand, resulting in the ultimate net project water demand.

Table 4.12.1-4
Project Net Water Demand

Type of Use	Size or Units	Demand Rate ^(a)	Water Demand (gpd) ^(c)
Proposed			
Commercial	5,300 sf	130 gpd/1,000 sf	689
Residential	333 units	200 gpd/DU	66,600
Landscaping	77,740 sf or 1.78 acres	3,400 gal/acre/day ^(b)	6,052
Total Proposed Water Generation			73,341

³⁹ California American Water, Ventura County District, Urban Water Management Plan, June 2021.

⁴⁰ State of California, Office of Governor Gavin Newsom, Governor Newsom Eases Drought Restrictions, Accessed on March 28, 2023 at: <https://www.gov.ca.gov/2023/03/24/governor-newsom-eases-drought-restrictions/>.

⁴¹ California American Water, Ventura County District, Urban Water Management Plan, June 2021.

Type of Use	Size or Units	Demand Rate ^(a)	Water Demand (gpd) ^(c)
Existing to be Removed			
Commercial Park Building	56,667 sf	130 gpd/1,000 sf	7,367
Total Net Water Generation			65,974
^(a) Commercial and Residential demand rates are from the City of Thousand Oaks, Water Master Plan, Table 3-5, Projected Increase in Average Annual Water Demands through Buildout, February 2018.			
^(b) Landscaping demand rate is from the City of Thousand Oaks Boulevard Specific Plan Draft EIR, Table 4.7-3, May 2011.			
^(c) gpd = gallons per day			

CalAm's projected water supply is 18,559 AFY for 2025 and for 2045 during a normal year water supply; the projected water demand is 16,662 AFY for 2025 and 17,077 AFY during a normal year. As shown in Table 4.12.3-4, the net increase in water demand resulting from the proposed project would be 65,974 gallons per day (gpd), or 73.9 AFY, which is a less than one percent (i.e., 0.4 percent) of CalAm's projected water supply for 2025 and for 2045.

For a single dry year, or the first year of multiple dry years, water availability is constrained. As described earlier in this water supply availability analysis, CalAm, the CMWD and the City maintain emergency interties, which allow for water transfers during emergencies, and improve regional supply reliability by allowing the three entities access to each other's sources in an emergency. CalAm's Water Shortage Contingency Plan further describes programs to be used in times of drought, including water waste prevention ordinances, metering, conservation pricing, public education and outreach, programs to assess and manage distribution system loss and water conservation program coordination and staffing.⁴²

Additionally, the proposed project would implement water conserving project design features as required by CalGreen (i.e., California Green Building Standards Code) and Water Conservation in Landscaping Act requirements for water conservation building features. The project would be required to follow all water conservation level requirements as outlined in City Ordinance No. 1705-NS, including the current level 3 requirements and permanent measures which remain in effect throughout all levels, such as the prohibition of non-functional turf located within commercial areas.

Considering the above, and the UWMP's conclusion that CMWD water supplies are sufficient to meet projected water demands under a normal, single dry year and five-year consecutive drought, and would have sufficient water supply to serve the project and reasonably foreseeable future development accounted for in the UWMP. Therefore, the project would have a less than significant impact.

Mitigation Measures

No mitigation measures would be necessary.

Residual Impacts

Impacts would be less than significant, without the need for mitigation measures.

4.12.1.4 Cumulative Impacts

Under CEQA, a project's impact is cumulatively considerable when the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. In considering the effects of probable future projects, Chapter 3.0, Cumulative Projects, considers buildout of the current City of Thousand Oaks to be

⁴² California American Water, Ventura County District, Urban Water Management Plan, June 2021.

the overall cumulative project set, with specific known or reasonably foreseeable projects listed in Table 3-1. With regard to water supply, the entire CalAm service area is addressed in the UWMP, which as described above, indicates sufficient water for the service area through 2050. As evaluated above, the proposed project's water demand would also be accommodated within the projected water supplies and no major new or expanded water infrastructure would be required. As such, CalAm would have sufficient supplies to meet existing and planned demand from its service area and from the project (i.e., in a cumulative future analysis). The project demands would fall within and would only contribute a small fraction of overall water demand within the CalAm service area, and the project's impact would be less than significant impact and thus not be cumulatively considerable.

4.12.2 WASTEWATER

This EIR analysis section considers the potential for the Latigo Hillcrest project to result in impacts related to wastewater that may result in a physical impact to the environment, and identifies opportunities to avoid, reduce, or otherwise mitigate potential significant impacts where warranted.

4.12.2.1 EXISTING CONDITIONS

The environmental setting and regulatory setting establish existing conditions relevant to the project. The project impact analysis presented later in this section is based on these baseline conditions. This analysis is based upon various sources identified and footnoted in the text, including a Wastewater Availability Memo¹ addressing the project, which is provided in **Appendix A**.

Environmental Setting

Site Overview

The project site consists of an approximately 8.19-net acre lot located at 2150 West Hillcrest Drive east of Rancho Conejo Boulevard, consisting of Assessor's Parcel Number (APN) 667-0-113-075 (previously APN 667-0-113-025).² The site is currently developed with a two-story office building, formerly associated with Amgen Inc., two surface asphalt parking lots, and landscaping/street trees.

Existing Sewer System

The current development located at the project site is connected to the existing City of Thousand Oaks (City) sewer system. The site is served by a 30-inch City wastewater main located approximately 36-feet from the southernmost portion of the subject property. The wastewater main is beneath the access road of the flood control channel located near the U.S.-101 Freeway westbound off-ramp exiting Rancho Conejo Boulevard. The site also has an 8-inch lateral at the property with two 8-inch PVC laterals that tie into the existing 18-inch mainline, located 40 feet from and parallel to the eastern property line. The 18-inch mainline connects to manhole F22-15, located in the access road of the flood control channel.³ No deficiencies in local infrastructure are identified in the Wastewater Availability Memo.

Wastewater Treatment Plant

The project site's wastewater is treated at the Hill Canyon Treatment Plant (HCTP) through the City of Thousand Oaks.⁴ The HCTP is a tertiary treatment facility and receives municipal and industrial wastewater from the City's sewer collection system. The HCTP then treats the effluent through a series of treatment processes including preliminary screening and grit removal, flow equalization, primary clarification, aeration, secondary clarification, tertiary flocculation and filtration and disinfection. The HCTP then stabilizes biosolids that consists of primary sludge from the primary clarifiers and waste activated sludge from secondary clarifiers through a common solid handling process which includes treatment processes such as thickening, anaerobic digestion, dewatering and drying. The treated effluent is then discharged through a permitted surface water outfall to the North Fork of Arroyo Conejo Creek for downstream diversion.⁵

¹ Taylor, Jim, PE, City of Thousand Oaks, Wastewater Availability Memo – 2150 W. Hillcrest Drive, March 15, 2022.

² GIS Online Map of City of Thousand Oaks, date accessed on August 16, 2022; at: <http://map.toaks.org/Html5Viewer/Index.html?Viewer=public>.

³ Taylor, Jim, PE, City of Thousand Oaks, Wastewater Availability Memo – 2150 W. Hillcrest Drive, March 15, 2022.

⁴ Envicom Communication via Telephone with Hill Canyon Treatment Plant on December 9, 2022.

⁵ City of Thousand Oaks, Hill Canyon Treatment Plant Master Plan, March 2020.

The HCTP and has a permitted annual Average Dry Weather Flow capacity of 14 million gallons per day (gpd). The HCTP currently treats an annual wastewater flow of approximately 8 million gpd generated from domestic, commercial, and industrial customers.⁶ Based on these numbers, there is approximately 6 million gpd excess capacity at the HCTP under existing conditions. Future influent projections show the HCTP treating an annual flow of 9.1 million gpd by 2025 and 9.2 million gpd by 2030, 9.3 million gpd by 2035, and 9.4 million gpd by 2040.⁷ As such, the HCTP currently has an excess annual treatment capacity of 6 million gpd.

Recycled Water

The City does not utilize recycled water within the City’s service area, as it is not a source of potable water for the City. However, effluent from the HCTP is sold to the Camrosa Water District (Camrosa) pursuant to an agreement between the City and Camrosa known as the Conejo Creek Diversion Project. This agreement is a 40-year contract which allows Camrosa to use the effluent from HCTP, which is pumped into Camrosa’s storage ponds and redistributed to Camrosa customers and Pleasant Valley County Water District for irrigation purposes.⁸ In addition, Camrosa includes a Reverse Osmosis Filtration Plant which produces high quality drinking water equivalent for import.⁹

Regulatory Setting

Federal

Clean Water Act

The Clean Water Act (CWA) of 1972 establishes basic structure for regulating discharges of pollutants into waters of the U.S. and regulating quality standards for surface waters. Under the CWA, the U.S. Environmental Protection Agency implemented wastewater standards. Title VI grants loan programs and grants for publicly owned treatment works. CWA 1987 amendments gave State Revolving Funds to replace grants for federal funding regarding construction of wastewater treatment and collection systems. 75% of the nation’s population is served by centralized wastewater collection systems, while the remaining population uses septic tanks or on-site systems. CWA requires wastewater to meet minimum of secondary treatment, but over 30% of treatment facilities produce discharges cleaner than secondary levels.¹⁰

National Pollution Discharge Elimination System

The National Pollution Discharge Elimination System (NPDES) permit system was established as part of the CWA to regulate both point source discharges (a municipal or industrial discharge at a specific location or pipe) and non-point source discharges (diffuse runoff of water from adjacent land uses) to surface waters of the United States. For point source discharges, such as sewer outfalls, each NPDES permit contains limits on allowable concentrations and mass emissions of pollutants contained in the discharge.

Disposal of Biosolids

The federal Clean Water Act and regulations set forth by the California Department of Health Services and State Water Resources Control Board are aimed primarily at discharges of effluent to surface waters. The disposal of biosolids is regulated by requirements set forth by the California Integrated Waste Management

⁶ City of Thousand Oaks, Hill Canyon Treatment Plan, Accessed on January 16, 2023 at: <https://www.toaks.org/departments/public-works/operations/hill-canyon-treatment-plant>.

⁷ City of Thousand Oaks, Hill Canyon Treatment Plant Master Plan, Table 2-5, March 2020.

⁸ City of Thousand Oaks, 2020 Urban Water Management Plan, June 2021.

⁹ Camrosa Water District, Water Quality Data, Accessed on March 28, 2023 at: <https://www.camrosa.com/wp-content/uploads/2022/06/CCR2021.pdf>.

¹⁰ Office of Wastewater Management, Primer for Municipal Wastewater Treatment Systems, September 2004; Accessed on September 1, 2022 at: <https://www.epa.gov/sites/default/files/2015-09/documents/primer.pdf>

Control Board, the State Water Resources Control Board's General Order, Parts 257 and 530 of Title 40 of the Code of Federal Regulations, county ordinances and other such regulations, as may be applicable.

State

Assembly Bills 939, The Integrated Waste Management Act

Assembly Bill 939, also known as the Integrated Waste Management Act, was enacted in 1989 that implemented a specific plan for cities to submit a Source Reduction and Recycling Element (SRRE). The SRRE must provide a discussion of the following components: waste characterization, source reduction, recycling, composting, education and public information, funding, special waste (which includes sewage), and facility capacity.

2022 California Plumbing Code and 2022 California Building Code

The California Building Code sets regulations that se Codes apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures in California. The California Plumbing Code, among other things, specifically addresses design requirements for sanitary drainage.

Regional and Local

Regional Water Quality Control Board National Pollution Discharge Elimination System

The National Pollutant Discharge Elimination System (NPDES) permit program (Section 402 of the Clean Water Act) controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Point sources are discrete conveyances such as pipes or man-made ditches. Examples of pollutants include, but are not limited to, rock, sand, dirt, and agricultural, industrial, and municipal waste discharged into waters of the United States.¹¹ Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters.

City of Thousand Oaks Municipal Code

City of Thousand Oaks Municipal Code (TOMC) Title 7, Chapter 4 is the separation of water and sewage facilities. To avoid crossover and contamination which could potentially adversely affect public health, location and construction of water supply facilities and sewerage facilities in close proximity to one another shall be regulated. Section 7-4.03 states that horizontal separation between water line and a sewer line laid approximately parallel to one another shall not be less than ten feet. When the water and sewage line cross, the water line is required to be elevated higher by at least 3 feet.¹²

The TOMC Title 10, Chapter 1 states that the Public Works Department shall administer the wastewater properties, facilities, and services of the City.¹³

4.12.2.2 Thresholds of Significance

The potential for the proposed project to result in impacts related to wastewater has been analyzed in relation to the thresholds below, which are based upon the State CEQA Guidelines Appendix G Checklist.

¹¹ State Water Resources Control Board, National Pollutant Discharge Elimination System (NPDES) – Wastewater, Accessed at: https://www.waterboards.ca.gov/water_issues/programs/npdes/ on May 15, 2018.

¹² City of Thousand Oaks, Municipal Code Chapter 7, Chapter 4.

¹³ City of Thousand Oaks, Municipal Code Section 10-1.101.

The proposed project could be considered to have a significant impact associated with wastewater when the proposed project has potential to (short title for impact headings shown in parentheses):

- Require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. (*Physical Impacts to Wastewater Treatment Facilities*)
- Result in a determination by the wastewater treatment provider which serves or may serve the project that it would not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. (*Adequate Wastewater Treatment Capacity*)

4.12.2.3 Project Impacts and Mitigation Measures

4.12.2.3.1 *Physical Impacts to Wastewater Treatment Facilities.*

The proposed project may have a significant impact if it would require or result in the construction of new wastewater treatment facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects.

As stated above, the project site is served by and would continue to be served by the City of Thousand Oaks sewer system, including the 30-inch wastewater main located along the southeastern boundary of the site, and an existing 8-inch lateral that ties into the 18-inch main located parallel to the eastern property line, which then connects to an existing manhole within the roadway of the flood control channel. The proposed project would connect to the existing 8-inch lateral, which ultimately connects to the 18-inch mainline and deposits into the existing manhole. The proposed sewer connection would service the project's wastewater generation.

Connection to the main and/or to the existing 8-inch lateral is permitted subject to a City encroachment (right-of-way) and/or wastewater permit that includes payment of permit fees, and approved service-lateral plan and profile construction drawing.¹⁴ Additionally, the on-site wastewater lateral connection would be included in the project site plan to be reviewed and approved by the City Department of Public Works. The design and review process would ensure that the wastewater lateral connections are of adequate capacity and design to provide wastewater service to the proposed development. The physical environmental impacts of wastewater utility infrastructure on-site are included within the analysis of the development of the project, in that construction to occur as part of project as a whole and would occur within the evaluated project footprint. No specific additional impacts due to the construction of expanded wastewater infrastructure beyond those addressed in other sections would occur. Thus, based on the analysis above, the project would have a less than significant impact on wastewater facilities and would not generate significant impacts related to new or expanded wastewater facilities.

Mitigation Measures

No mitigation would be required.

Residual Impacts

Impacts would be less than significant before mitigation.

¹⁴ Taylor, Jim, PE, City of Thousand Oaks, Wastewater Availability Memo – 2150 W. Hillcrest Drive, March 15, 2022.

4.12.2.3.2 Adequate Wastewater Treatment Capacity

The proposed project may have a significant impact if it would result in a determination by the wastewater treatment provider which serves or may serve the project that it would not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

The proposed project proposes a four-story mixed-use development with commercial and residential uses that would result in additional wastewater generation within the City sewer system, and ultimately would be conveyed and treated at the HCTP. As discussed above, the proposed lateral connection to the existing sewer system would require a City encroachment (right-of-way) and/or wastewater permit that includes payment of permit fees, and approved lateral plan and profile construction drawings. As the City would be required to review and approve the proposed sewer line design, which ultimately connects to the existing sewer system, the project would result in less than significant impacts regarding adequate sewerage conveyance capacity related to additional wastewater generation.

The HCTP receives municipal and industrial wastewater from the City's sewer collection system. Regarding the wastewater treatment system, as discussed above, the HCTP has an existing capacity of 14 million gpd, and currently treats approximately 8 million gpd, providing excess annual treatment capacity of 6 million gpd.

The project proposes a mixed-use development with commercial and residential uses, that would result in additional wastewater generation as treated by the HCTP. Wastewater generation rates are based on an assumed value of 80 percent of the project's water demand, which is an accepted industry practice. **Table 4.12.2-1, Project Net Wastewater Generation**, provides the estimate of additional wastewater generation from the proposed project and the existing wastewater generation, resulting in the ultimate net project wastewater generation.

**Table 4.12.2-1
Project Net Wastewater Generation**

Type of Use	Size or Units	Water Demand (gpd) ^(a)	Wastewater Generation Rate ^(b)	Wastewater Generation (gpd)
<i>Proposed</i>				
Commercial.	5,300 sf	689	0.80	551
Residential	333 units	66,600	0.80	53,280
Total Proposed Wastewater Generation				53,831
<i>Existing to be Removed</i>				
Commercial Park Building	56,667 sf	7,367	0.80	5,894
Total Net Wastewater Generation				47,937
<p>^(a) Water demand quantities are from Draft EIR Section 4.12.1, Utilities and Service Systems – Water. Commercial and Residential water demand rates are from the City of Thousand Oaks, Water Master Plan, Table 3-5, Projected Increase in Average Annual Water Demands through Buildout, February 2018.</p> <p>^(b) Wastewater generation rates assume wastewater is 80% of the project's water demand, a commonly accepted industry practice.</p>				

As shown in Table 4.12.2-1, the net increase in wastewater generation would be 47,937 gpd, or 0.05 million gpd, which represents a fraction of one percent (0.36 percent) of the 14 mgd annualized average daily capacity of the HCTP, and falling well within the 6 mgd of available remaining unused capacity at the facility. As the net project wastewater generation represents a negligible portion of the HCTP treatment capacity, leaving substantial remaining unused capacity, the project would result in less than significant impacts regarding adequate wastewater treatment capacity.

Mitigation Measures

Impacts are less than significant without the need for mitigation measures.

Residual Impacts

No mitigation measures are necessary.

4.12.2.4 Cumulative Impacts

Under CEQA, a project's impact is cumulatively considerable when the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. In considering the effects of probable future projects, Chapter 3.0, Cumulative Projects, considers buildout of the current City of Thousand Oaks to be the overall cumulative project set, with specific known or reasonably foreseeable projects listed in Table 3-1. With regard to wastewater, the City sewer system and HCTP would provide wastewater services and treatment and no deficiencies in local infrastructure are identified. As evaluated above, the proposed project would be required to receive a City encroachment (right-of-way) and/or wastewater permit that includes payment of permit fees, and a Department of Public Works approved service-lateral plan and profile construction drawing, compliant with Building and Plumbing Code requirements, for all sewer lateral attachments. No significant issues or impacts are anticipated with regard to provision of sewerage infrastructure for the project and no local infrastructure issues exist that would be exacerbated with the project. In addition, the treatment plant serving the project, the HCTP, has ample unused excess capacity. The project's new wastewater generation would represent a negligible portion of the HCTP's annualized daily capacity, with ample unused excess treatment capacity. As such the project's contribution would not be cumulatively considerable, and the cumulative impact would be less than significant.

4.12.3 SOLID WASTE

This section considers the potential for the Latigo Hillcrest project to impact solid waste in a way that could result in a physical impact to the environment, and identifies opportunities to avoid, reduce, or otherwise mitigate potential significant impacts where warranted.

4.12.3.1 Existing Conditions

Environmental Setting

The environmental setting and regulatory setting establish existing conditions relevant to the project. The project impact analysis presented later in this section is based on these baseline conditions.

Site Overview

The project site consists of an approximately 8.19-net acre lot located at 2150 West Hillcrest Drive east of Rancho Conejo Boulevard, consisting of Assessor's Parcel Number (APN) 667-0-113-075 (previously APN 667-0-113-025).¹ The site is currently developed with a two-story office building, formerly associated with Amgen Inc., two surface asphalt parking lots, and landscaping/street trees.

Trash and Recycling Collection

The City of Thousand Oaks (City) contracts with Athens Trash Services (or Arakelian Enterprises, Inc.) for solid waste collection and disposal services within the City.²

Landfill Facilities and Capacity

Once Athens Trash Services have collected solid waste within the City, waste and recycling is then transported to various landfill facilities for disposal. In the Collection Services Agreement for the Provision of Residential and Commercial Solid Waste, Recyclable Materials and Organic Waste Collection Services between the City of Thousand Oaks and Athens Services,³ multiple primary and secondary facilities are identified within the contractor infrastructure for processing materials. As shown in **Table 4.12.3-1, Primary and Secondary Landfill Facilities**, the primary facility Athens Services utilizes for residential and commercial business solid waste is the Calabasas Landfill, for residential and commercial recyclables is the Sun Valley Materials Recovery Facility, for residential green and organic waste is the Crown Recycling Services and for commercial green and organic waste is the Calabasas Landfill. Secondary facilities are identified as the Toland Road Landfill, Oxnard Materials Recovery Facility, and American Organics, to be utilized if the primary landfills are over capacity, as indicted in the table.⁴

The Calabasas Landfill is owned by Los Angeles County, operated by Los Angeles County Sanitation District, and located at 5300 Lost Hills Road in Calabasas. The Calabasas Landfill has a maximum daily permitted capacity of 3,5000 tons per day (tpd), which equates to a yearly equivalent of 1,081,500 tons per year. The remaining permitted capacity is 4,315,593 tons as of December 31, 2019, and the estimated

¹ GIS Online Map of City of Thousand Oaks, date accessed on August 16, 2022; at: <http://map.toaks.org/Html5Viewer/Index.html?Viewer=public>.

² City of Thousand Oaks, Trash and Recycling – Residential Services, Accessed on January 20, 2023 at: <https://www.toaks.org/departments/public-works/sustainability/trash-recycling/trash-recycling-residential-services>.

³ City of Thousand Oaks and Arakelian Enterprises, Inc., Provision of Residential and Commercial Solid Waste, Recyclable Materials and Organic Waste Collection Services, adopted January 1, 2022.

⁴ City of Thousand Oaks and Arakelian Enterprises, Inc., Provision of Residential and Commercial Solid Waste, Recyclable Materials and Organic Waste Collection Services, adopted January 1, 2022.

remaining landfill life is approximately 8 years, based on an average daily disposal of 1,932 tpd, 305 days per year.⁵

**Table 4.12.3-1
Primary and Secondary Landfill Facilities**

Business Type	Material Type	Primary Facility	Secondary Facility
Residential	Solid Waste	Calabasas Landfill	Toland Road Landfill
	Recyclables	Sun Valley Materials Recovery Facility	Oxnard Materials Recovery Facility
	Green and Organic Waste	Calabasas Landfill	American Organics
Commercial	Solid Waste	Calabasas Landfill	Toland Road Landfill
	Recyclables	Sun Valley Materials Recovery Facility	Oxnard Materials Recovery Facility
	Green and Organic Waste	Crown Recycling Services	American Organics

Source: City of Thousand Oaks and Arakelian Enterprises, Inc., Provision of Residential and Commercial Solid Waste, Recyclable Materials and Organic Waste Collection Services, Exhibit 13, Collection Services Operation Plan, adopted January 1, 2022.

The Sun Valley Materials Recovery Facility is operated by Athens Services and has a permitted capacity of 1,500 tpd, and Crown Recycling Services is also operated by Athens Services and has a permitted capacity of 6,700 tpd.⁶

Additionally, the Simi Valley Landfill and Recycling Center (SVLRC), operated by Waste Management is an alternative disposal facility pursuant to the Waste Disposal Agreement dated July 27, 1999 between the City and Waste Management, permitting the City and its franchise haulers to dispose solid waste at the SVLRC.⁷ The SVLRC is located at 2801 Madera Road, Simi Valley, and permitted up to 3,000 tpd of refuse and 6,250 tons of recyclable materials, making the daily capacity 9,250 tpd.⁸ The landfill has a remaining capacity of 82,954,873 tons and an estimated cease operation date of 2063.⁹ The maximum permitted capacity is 119,600,000 cubic yards.

Construction and Demolition Processing Facilities

As much as 30 percent of the waste that goes into landfills is construction and demolition (C&D) debris, and most of this material is recyclable, including asphalt, concrete, wood, metal and cardboard. The City Construction and Demolition Debris Recycling Ordinance (No. 1639-NS), as discussed further below, requires certain demolition and/or construction projects divert at least 65 percent of project-generated waste through recycling or reuse. Contractors and waste haulers are not restricted in their disposal options of C&D debris, as long as the project meets the City's 65 percent debris diversion requirements.¹⁰

⁵ Los Angeles County Department of Public Works, Los Angeles County Countywide Integrated Waste Management Plan, 2019 Annual Report, September 2020.

⁶ City of Thousand Oaks and Arakelian Enterprises, Inc., Provision of Residential and Commercial Solid Waste, Recyclable Materials and Organic Waste Collection Services, adopted January 1, 2022.

⁷ City of Thousand Oaks and Arakelian Enterprises, Inc., Provision of Residential and Commercial Solid Waste, Recyclable Materials and Organic Waste Collection Services, adopted January 1, 2022.

⁸ Waste Management, Simi Valley Landfill, Accessed on January 20, 2023 at: <https://www.wm.com/location/california/ventura-county/landfill/index.jsp>.

⁹ CalRecycle, Simi Landfill and Recycling Center (56-AA-0007), Accessed on January 20, 2023 at: <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/608?siteID=3954>.

¹⁰ City of Thousand Oaks, Construction and Demolition Debris, Accessed on January 23, 2023 at: <https://www.toaks.org/departments/public-works/sustainability/trash-recycling/trash-recycling-businesses/c-d-recycling-permits>.

Projects that utilize mixed waste recycling will require that materials are processed at a mixed C&D processing facility. The nearest mixed-use processing facility to the City is the Simi Valley Landfill. Additionally, the City currently accepts material processing at facilities certified by the Los Angeles Bureau of Sanitation, including American Industrial Services Inc., American Reclamation, California Waste Services, City Terrace Recycling, Construction & Demolition Recycling Cordova Construction Services, Crown Recycling Services, Direct Disposal, Downtown Diversion, and East Valley Diversion.¹¹

Regulatory Setting

Federal

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) gives the U.S. Environmental Protection Agency (USEPA) authority to govern hazardous and solid waste. The Office of Resource Conservation and Recovery implements the RCRA, which sets national goals for reducing the amount of waste generated and to ensure waste is managed in an environmentally friendly manner. The regulations promote safe disposal of municipal waste and encourages source reduction.¹²

State

Assembly Bills 939, 341 and 1016, the Integrated Waste Management Act

Assembly Bill (AB) 939, also known as Integrated Waste Management Act (IWMA), repealed most of Title 7.3 of the Government Code that regulated solid waste management and codified the new bill in Public Resources Code (PRC). Additionally, it repealed parts of the Health and Safety Code about garbage and refusal disposal. The IWMA introduced the California Integrated Waste Management Board (CIWMB) that is made of 6 members. The IWMA guides local agencies and the board in source reduction, recycling and composting, and environmentally safe transformation and land disposal. The bill requires cities to meet the Waste Diversion Mandates of reducing solid waste by 25% by 1995 and 50% by 2000. AB 341 was then passed to achieve a goal of 75% reduction of solid waste by January 2020.¹³

In 2007, Senate Bill (SB) 1016 was passed to amend AB 939. The bill requires board to determine whether each jurisdiction was in compliance with the act's diversion requirements based on the jurisdictions change in its per capita disposal rate. An order of compliance will be issued if the board determines that jurisdictions did not make a good faith effort to implement its source reduction and recycling element. The CIWMB sets target for per capita disposal measurement system and each district is required to submit an annual report of its progress in implementation of diversion program to the CIWMB.

California Solid Waste Reuse and Recycling Assess Act

California Solid Waste Reuse and Recycling Assess Act is located in PRC Section 42900. It states cities and counties must divert 50 percent of all solid waste by January 1, 2000. Strategies used to achieve this goal is source reduction, recycling, and composting activity. This also set to facilitate reuse and recycling for development projects.

¹¹ City of Thousand Oaks, List of City Certified Processors for Calendar Year 2022, Accessed on January 23, 2023 at: <https://www.toaks.org/home/showpublisheddocument/40457/637885781056500000>.

¹² Environmental Protection Agency, Resource Conservation and Recovery Act (RCRA) Overview, Accessed on December 28, 2022, at: <https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act>.

¹³ CalRecycle, Mandatory Commercial Recycling, accessed on September 1, 2022 at: <https://calrecycle.ca.gov/recycle/commercial/>.

Senate Bill 1826, Mandatory Commercial Organics Recycling

Mandatory Commercial Organics Recycling, signed by Governor Jerry Brown in AB 1826, requires business to recycle their organic waste. The law also grants local jurisdiction to implement organic waste recycling program to divert organic waste generated by businesses and multi-residential dwellings that consist of five or more units.

Senate Bill 1374

SB 1374 focuses on C&D waste material with CalRecycle developing and adopting C&D diversion ordinance. Jurisdictions are required to report their progress implementing the C&D diversion ordinance programs in their annual reports.¹⁴

Regional and Local

Construction and Demolition Debris Recycling Ordinance

The construction and demolition Debris Recycling Ordinance (No. 1639-NS) was established in 2017 that requires certain demolition and/or construction projects to divert at least 65% of project-generated waste through recycling and/or reuse. If the project is required to comply with No. 1639-NS, the project applicant is required to submit a C&D debris recycling plan approved by the Public Works Director.¹⁵

City of Thousand Oaks Municipal Code

The City of Thousand Oaks Municipal Code (TOMC) Title 6, Chapter 2, addresses the control, regulation and proper disposal of solid waste, organic waste, and recyclable materials. The storage, accumulation, collection, processing, and disposal of such materials is necessary to avoid environmental impacts. Section 6-2.701. Commercial, multi-family, and mixed-use dwelling enclosures, specifically address waste enclosure design, access, adequate signage (compostables and recyclables), and compactor units.

Additionally, TOMC Title 6, Chapter 3 addresses construction and demolition waste management. Section 6-3.101 establishes regulations to reduce landfill-bound waste created due to construction and demolition and ensures waste materials resulting from projects are in compliance with CalGreen requirements.

Ordinance No. 91-0003, Restricted Calabasas Landfill Wasteshed

The Los Angeles County Board of Supervisors adopted Ordinance No. 91-0003, on February 13, 1991, which established the Calabasas Landfill Wasteshed. The Ordinance prohibits the landfill from accepting waste from outside the wasteshed area, composed of the cities of Hidden Hills, Agoura Hills, Westlake Village, and Thousand Oaks, portions of the City of Los Angeles and portions of unincorporated areas in the Counties of Los Angeles and Ventura.¹⁶

4.12.3.2 Thresholds of Significance

The potential for the proposed project to result in impacts related to solid waste has been analyzed in relation to the thresholds below, which are based upon State CEQA Guidelines Appendix G Checklist. The proposed project could be considered to have a significant impact associated with solid waste when the proposed project has potential to (short title for impact headings shown in parentheses):

¹⁴ Cal Recycle, Senate Bill 1374; accessed on September 1, 2022 at: <https://calrecycle.ca.gov/lgcentral/library/canddmodel/instruction/sb1374/>

¹⁵ City of Thousand Oaks, Ordinance No. 1639 – NS, December 12, 2017.

¹⁶ Los Angeles County Sanitation Districts, Calabasas Landfill, Accessed on January 20, 2023 at: <https://www.lacsd.org/services/solid-waste/facilities/calabasas-landfill#RestrictedWasteshed>.

- 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. (*Landfill Capacity*)
- Comply with federal, state, and local management and reduction statuses and regulations related to solid waste. (*Solid Waste Regulations*)

4.12.3.3 Project Impacts and Mitigation Measures

4.12.3.3.1 Landfill Capacity

The proposed project may have a significant impact if it would 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.

Construction

Development of the project would occur in several phases, which are described further in **Section 2.0, Project Description**, as demolition, site preparation, grading, building construction, paving and architectural coating. The project includes soil export associated with grading activities of approximately 59,600 cubic yards. Solid waste would be generated from demolition activities including involve removal of the existing office building, parking lots, and surrounding pedestrian hardscapes. Demolition waste would also consist of green waste from the removal of vegetation, including existing trees. Solid waste would additionally be generated from construction activities including site grading, building construction, paving and architectural coating. **Table 4.12.4-2, Demolition and Construction Solid Waste Generation**, provides estimated project-generated demolition and construction waste.

**Table 4.12.3-2
Demolition and Construction Solid Waste Generation**

Type of Use	Size	Generation Rate	Total Waste (pounds)	Total Waste (tons)
Demolition				
Office Building and Parking Lot ^a				8,140
Total Demolition Waste Generation				8,140
Diversion of 65% for Recycling ^b				5,291
Remaining 35% for Landfill Disposal				2,849
Construction				
Residential and Commercial Building	629,937 sf	4.34 lbs/sf ^c	2,733,927	1,366
Soil Grading Export ^d				66,220
Total Construction Waste Generation				67,586
Diversion of 65% for Recycling				43,931
Remaining 35% for Landfill Disposal				23,655
Total Demolition and Construction Waste for Landfill Disposal				26,504
^a Demolition debris is determined by the CalEEMod defaults, with adjustments for project-specific data from RCI Builders, December 2022. Assumes approx. 6,500 cubic yards debris parking and building, which equates to 8,140 tons of demolition debris. ^b Regulatory requirement by the City of Thousand Oaks, Ordinance No. 1639-NS, December 12, 2017. ^c United States Environmental Protection Agency, Office of Resource Conservation and Recovery, Report No. EPA530-R-09-002, Estimating 2003 Building-Related Construction and Demolition Materials Amount. Table 2-2, Summary of Nonresidential Construction Job Site Surveys of C&D Materials. ^d CalEEMod User's Guide Version 2020.4.0 May 2021 states that the default for hauling trips assumes that a truck can haul approximately 20 tons of material per load. Based on project CalEEMod Outputs, the project would provide 6,622 grading haul trips, which half of are empty return trips. Therefore 6,622 trips/2 = 3,311 loads X 20 tons/load = 66,220 tons associated with grading.				

As shown in Table 4.12.3-2, the project would generate approximately 26,504 tons of C&D solid waste, after required recycling. As project demolition and construction is anticipated to take approximately 905 days,¹⁷ the estimated tonnage generated per day would equate to approximately 29 tpd. Solid waste from C&D debris is anticipated to be taken to the SVLRC, located approximately 10 miles from the site, or alternatively Calabasas Landfill. As previously stated, the SVLRC is permitted a daily capacity of 9,250 tpd, with a total remaining capacity of 82,954,873 tons. The project would represent less than one percent (0.03 percent) of the total remaining capacity of the SVLRC, and less than one percent (0.3 percent) of the daily permitted capacity. Additionally, the Calabasas Landfill has a maximum permitted capacity of 3,500 tpd. The project would represent less than one percent (0.8 percent) of the maximum daily capacity of Calabasas Landfill. As such, the project would result in negligible increase in C&D solid waste generation. In the event SVLRC or the Calabasas Landfill could not accept the proposed generated waste, C&D waste is also accepted at facilities certified by the Los Angeles Bureau of Sanitation.

Solid waste disposal related to C&D debris would comply with applicable federal, State, and local regulations, including the City of Thousand Oaks, Ordinance No. 1639-NS, which requires the requires certain demolition and/or construction projects to divert at least 65 percent of project-generated waste through recycling and/or reuse. As such, the C&D solid waste generated would not exceed daily permitted capacity of the local solid waste facilities and would be required to comply with all applicable regulations. Therefore, impacts would be less than significant.

Operations

The project will create a mixed-use residential apartment complex community with 333 multi-family residential units (including 30 very low-income affordable units), common areas and amenities, and 5,300 gross sf of commercial retail and restaurant space. Operational solid waste generation would be associated with future occupants of the residential project component and future employees of the commercial component, as shown in **Table 4.12.3-3, Operational Solid Waste Generation**.

**Table 4.12.3-3
Operational Solid Waste Generation**

Type of Use	Size	Generation Rate	Total Waste (Pounds per day)
Residential	333 dwelling units (DU)	8.6 lbs/DU/day	2,864
Commercial	5,300 sf	13 lbs/1,000 sf/day	69
Total Operational Solid Waste Generation for Landfill Disposal			2,933
Source: CalRecycle, Generation Rates, Accessed on January 23, 2023 at: https://www2.calrecycle.ca.gov/wastecharacterization/general/rates .			

As shown in Table 4.12.3-3, the project would generate approximately 2,933 pounds per day (or 1.5 tpd) of operational solid waste associated with residential and commercial uses. As stated above, the Calabasas Landfill is the primary facility for residential and commercial waste within the City, and has a maximum permitted capacity of 3,500 tpd. The project would represent approximately less than one percent (0.04 percent) of the maximum daily capacity of Calabasas Landfill. Additionally, the Sun Valley Materials Recovery Facility is the primary facility for recyclables within the City, and has a permitted capacity of 1,500 tpd. The project would represent approximately less than one percent (0.1 percent) of the maximum daily capacity of Sun Valley Materials Recovery Facility. Overall, the project would result in negligible increase in operational solid waste generation. In the instance the primary facilities are unable to accept the

¹⁷ Envicom Corporation, Air Quality and Greenhouse Gas Emissions and Energy Report, Latigo Hillcrest Project, Thousand Oaks, California, February 2023. Appendix C

proposed solid waste generation, there are secondary landfill facilities that would receive the waste, including Toland Road Landfill, Oxnard Materials Recovery Facility, and American Organics.

Additionally, the project would also be required to comply with all applicable solid waste reduction goals, including the State AB 1826, which requires businesses and multi-residential projects of five units or more to divert waste through source reduction, recycling, and composting. As such, the project would have less than significant impacts related to solid waste.

Mitigation Measures

No mitigation would be required.

Residual Impacts

Impacts would be less than significant before mitigation.

4.12.3.3.2 Solid Waste Regulations

The proposed project may have a significant impact if it would not comply with federal, state, and local management and reduction statuses and regulations related to solid waste.

The project is located within the City of Thousand Oaks and would be subject to the City's regulations, including the City of Thousand Oaks, Ordinance No. 1639 – NS, which requires the requires certain demolition and/or construction projects to divert at least 65 percent of project-generated waste through recycling and/or reuse. The project would be required to comply with all regulations associated with solid waste from the TOMC, including Title 6, Chapter 2, which addresses the control, regulation and proper disposal of solid waste, organic waste, and recyclable materials, and Section 6-2.701, which specifically addresses waste enclosure design, access, adequate signage (compostables and recyclables), and compactor units. Other Municipal Code regulatory requirements include Title 6, Chapter 3, which addresses C&D waste management and Section 6-3.101, which establishes regulations to reduce landfill-bound waste created due to C&D and ensures waste materials resulting from projects are in compliance with CalGreen requirements. Additionally, State regulation codified from AB 1826 requires businesses and multi-residential projects of five units or more to divert waste through source reduction, recycling, and composting. As previously discussed under Impact 3.13.3.1, the daily amount of waste to be disposed of per day would not exceed the maximum permitted throughput for both construction and operations. As the project would comply with all applicable regulations, impacts would be less than significant to failing to comply with federal, state, and local statutes and regulations related to solid waste. Thus, impacts would be less than significant.

Mitigation Measures

No mitigation would be required.

Residual Impacts

Impacts would be less than significant before mitigation.

4.12.4 Cumulative Impacts

Under CEQA, a project's impact is cumulatively considerable when the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. In considering the effects of probable future

projects, Chapter 3.0, Cumulative Projects, considers buildout of the current City of Thousand Oaks to be the overall cumulative project set, with specific known or reasonably foreseeable projects listed in Table 3-1. With regard to construction solid waste, the project generated C&D debris would fall within the daily and overall permitted capacity of the SVLRC and Calabasas Landfill, the two landfills most likely to accept the proposed project's waste. With regard to operational solid waste, the project generated waste associated with future residents and employees would fall within the daily permitted capacity of the Calabasas Landfill, the primary landfill facility. In addition, the project would be required to comply with all federal, state, and local regulatory requirements associated with solid waste generation. The landfill capacity analysis was performed in a cumulative context. Related projects would create additional C&D and operational phase waste, but would be subject to the same regulations. Further, the City will review and evaluate the need for project environmental analysis, as future projects are proposed. Therefore, the project's impact not be cumulatively considerable, and cumulative impacts would be less than significant.

4.13 EFFECTS DETERMINED NOT SIGNIFICANT

This Draft Environmental Impact Report (EIR) analysis section considers, pursuant to Section 15128, Effects Not Found to be Significant, of the California Environmental Quality Act (CEQA) Guidelines, which requires that an EIR briefly describe any possible effects that were determined not significant. The environmental factors discussed below are in response to the checklist questions listed in Appendix G of the CEQA Guidelines that are not discussed elsewhere in Chapter 4.0 of this EIR.

For these issues, as with the others in this Chapter 4.0, the significance of project impacts has been determined in accordance with criteria based on Appendix G of the State CEQA Guidelines. Where applicable, additional regulatory agency guidelines or requirements are incorporated as additional considerations in evaluating environmental significance. Sources used in the analysis are cited herein where relevant to the analysis; a comprehensive list of references is provided in Chapter 7.0, Organizations and Persons Consulted, and References, of this EIR.

4.13.1 Project Impacts and Mitigation Measures

Aesthetics

- Would the project have a substantial adverse effect on a scenic vista? (*Scenic Vistas/Highways*)
- Would the project have substantial damage to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway? (*Scenic Vistas/Highways*)
- If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (*Regulations Concerning Scenic Quality*)
- Would the project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (*Light and Glare*)

Scenic Vistas/Scenic Highways

Potentially substantial adverse effects on a scenic vista or within a state scenic highway may occur if the proposed development would substantially obstruct or reduce views of a scenic vista or scenic resource, or conflict with applicable zoning and other regulations governing scenic quality in an urbanized area.

The City General Plan Scenic Highway Element¹ has been coordinated with Ventura County to develop a Countywide Scenic Highways System. The U.S. Route 101 (U.S. 101, or 101 Freeway) segment that runs near the project site is not listed as a California State Scenic Highway;² however, the Thousand Oaks General Plan designates Route 23 and U.S. 101 as City Scenic Highways. Since the project site is located adjacent to U.S. 101, it is placed within a City-designated scenic corridor. Resolution No. 91-172, A Resolution of the City Council of the City of Thousand Oaks Establishing Guidelines for Development within the Corridors of the Route 101 and 23 Freeways (or Resolution 91-172 Corridor Guidelines), establishes development guidelines that apply to scenic corridors. Analysis of the project's potential to conflict with the Resolution 91-172 Corridor Guidelines is discussed further in Section 4.7, Land Use and Planning, where the project is found to not conflict with the Resolution.

The project site is an approximately 8.19-net acre infill property that is located in a relatively flat area of the City and is surrounded by existing development, including commercial uses to the west, industrial and office buildings to the north, multi-family residential buildings to the east, and the 101 Freeway to the south.

¹ City of Thousand Oaks Planning Department, Scenic Highways Element, Thousand Oaks General Plan, September 1974.

² Caltrans, California State Scenic Highway Map, Accessed on September 27, 2022, at: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>

The project site is currently developed with an existing two-story, 56,667- square foot office building constructed in 1983.³ Distant ridgelines are located along the City boundaries to the north, west, and south of the project site, but are not visible from the adjacent 101 Freeway due to topography. Further, much of the existing vegetation and landscaping trees visible under existing conditions shown in **Figure 4.13-1 Existing Views from the 101 Freeway**, will remain post-project, as the trees in the freeway right-of-way would remain. The vegetation to remain is within the freeway right-of-way, and it will continue to provide substantial visual screening that blocks or limits views, even if topography were to allow views of distant ridgelines (which it does not). As demonstrated in Figure 4.13-1, views to the north from the U.S. 101 travel lanes in the vicinity of the project as well as from the freeway exit ramp located adjacent to the southern boundary of the subject property do not afford views of any distant scenic mountain resources. Additionally, northwesterly views from the U.S. 101 north travel lanes (westbound/northbound lanes in the project vicinity) of the site and distant ridgelines beyond for travelers approaching from the east are blocked by an existing sound wall that terminates approximately due south of the property boundary between the project site and the existing residential development to the east. Views from U.S. 101 of the ridgeline to the south of the City would not be affected by the project. As such, the project will have a less than significant impact with regard to scenic vistas and scenic highways, and no further analysis in the EIR is necessary.

Regulations Concerning Scenic Quality

The project site is commercially zoned and developed and is adjacent to commercial and residential zoning. The site and adjacent uses are located in an existing urbanized area⁴ as designated by the U.S. Census.⁵ The proposed project would remove the existing office building and construct a mixed-use development consisting of four-story buildings over subterranean parking garages. The project would also provide surface parking spaces along an internal driveway network, and landscaping features along the perimeter of the site and structures as well as throughout open space courtyard areas. The four-story project will be 55 feet tall at its maximum, and the fourth floors of each proposed building would be stepped back from adjacent roadways and public views, reducing the massing effect. The proposed structures would be similar in height and scale to existing industrial park buildings to the north of the project site and would blend in with the surrounding land uses. The exteriors of the proposed buildings would feature articulated facades and utilize multiple building materials such as light gray sand finish stucco, wood-like fiber cement panels, multi-colored brick veneer, and wood-like extruded aluminum louvers, which add detailing that is designed to increase the aesthetic value of the development. While some on-site vegetation and landscaping trees will be removed by the project, additional landscaping with trees and shrubs will be provided to add some screening of the parking lots and buildings. As noted earlier, the proposed development would be subject to the City's Resolution 91-172 Corridor Guidelines, and the project's potential to conflict with the Resolution is further evaluated in Section 4.7, Land Use and Planning of this EIR.

The site does not contain rock outcroppings or historic buildings. As such, it would not damage rock outcroppings or historic buildings and would have no impact regarding such aesthetic resources. Although the proposed structures in the southern portion of the site would be visible from the freeway, the project would not result in a blocking of any existing scenic vistas from the 101 Freeway of distant ridgelines as such vistas are not currently available under existing conditions, as shown in Figure 14.13-1. While the lack of visibility of distant scenic resources is due to topography, there is some existing vegetation and landscape

³ Ventura County Assessor - Property Characteristics and Values, Assessor Parcel Number 667-0-113-075, Accessed on October 13, 2022 at: <https://assessor.countyofventura.org/research/propertyinfo.asp?APN=6670113075>

⁴ CEQA Guidelines Section 15387 defines an "Urbanized area" as a central city or a group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated areas having a population density of at least 1,000 persons per square mile.

⁵ United States Census Bureau, 2010 Census Urban Area Reference Maps, Urbanized Areas and Urban Clusters: 2010, Accessed on October 14, 2022 at: <https://www.census.gov/geographies/reference-maps/2010/geo/2010-census-urban-areas.html>

Location



Source: Google Earth Pro, Mar. 8, 2020.



Current Conditions

1
Northwesterly View –
West Bound on the
Ventura Frwy. (101)



2
Northerly View –
East Bound on the
Ventura Frwy. (101)



3
Northeasterly View –
West bound on the
offramp of the
Ventura Frwy. (101)

Source: KTG Architecture, Branding, Interiors, Planning, 2022.

trees that will remain visible from the 101 Freeway. The existing vegetation and landscaping trees that will remain within the freeway right-of-way south of the project site, combined with proposed project landscaping (see Chapter 2.0, Project Description, Figure 2-3, Site Plan) would provide a substantial degree of screening of the site and the proposed structure, as is the case with the existing landscaping and structure on the site (Figure 14.13-1).

As for non-freeway corridor views, the project will remove existing landscaping including trees from planter areas around the existing structure and within the parking lot, as well as along the perimeter of the property, and will install new landscaping throughout the site. The new landscaping will include a total of approximately 69 new ornamental trees and 36 oak trees (20 Valley Oaks, & 16 Coastal Live Oaks) within the project site (see Site Plan set in **Appendix B**, Sheets L5-1, L5-2 and L5-3) . These numbers are in addition to the retention of existing oaks. See Section 4.3, Biological Resources of this EIR for an evaluation of potential impacts associated with removal and mitigation of oak trees that are protected by

the Oak Tree Preservation and Protection Guidelines as established in the City’s Municipal Code. Scenic quality and views in the vicinity of the project site are largely constrained by adjacent structures within the urban setting. Based on the analysis above and the analysis in Section 4.7, demonstrating no conflict with Resolution 91-172 Corridor Guidelines, the project will not have substantial adverse scenic impacts and thus impacts with regard to conflicting with regulations governing scenic quality would not occur. No further analysis in the EIR is necessary

Light and Glare

The project site is currently developed with office building and appurtenant parking lots and lighting, and the surrounding uses are similarly developed with urban uses and lighting. Area streets are fully served with City street lights. The proposed project would replace the existing urban use with the proposed urban use. Similar to the existing use, the project design includes lighting to increase the safety and security of the project. Nighttime illumination of the project site would be similar to the existing use, including use of pole-mounted lighting along the perimeter of the driveway/surface parking lot area, although the proposed project would utilize downward-facing LED lighting fixtures. The project lighting would comply with applicable City standards to prevent spillage of illumination beyond the boundaries of the project site,⁶ which would include bollard-mounted lighting fixtures along walking paths and wall mounted lights on buildings angled downward towards the ground to reduce nighttime glare, and avoid light spillover to sensitive uses beyond the boundary of the project. Additionally, exterior lighting would be installed beneath canopies associated with the proposed commercial spaces, and thus, the bulbs would be shielded from view. As such, potential project light and glare impacts would be avoided, and no further analysis in the EIR is necessary.

Agriculture and Forestry Resources

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

⁶ City of Thousand Oaks, Resolution No. 91-712 “A Resolution of the City Council of the City of Thousand Oaks Establishing Guidelines for Development within the Corridors of the Route 101 and 23 Freeways”, Adopted on July 23, 1991.

Section 4526); or timberland zoned Timberland Productions (as defined by Government Code Section 51104(g))? (*Forestry Resources*)

- Would the project result in the loss of forest land or conversion of forest land to non-forest use? (*Forestry Resources*)
- Would the project involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (*Forestry Resources*)

Agriculture Resources

Significant impacts may occur if the project would directly or indirectly convert to non-agricultural use, any lands mapped by the California Resources Agency as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, or if the project would remove agricultural zoning or a Williamson Act Contract. California Department of Conservation⁷ does not designate the project site as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The project site and the subsequent areas is located on an “urban and built-up”. The project site and adjacent properties are not used or zoned for agricultural uses⁸ and the project would not conflict with a Williamson Act Contract, and no further analysis in the EIR is necessary.

Forestry Resources

Significant impacts may occur if the project would result in the loss or conversion of forest land. The property is not located within a national forest or on national forest land and the developed site does not contain timber resources. As such, the project would have no impact on agriculture or forestry resources, and no further analysis in the EIR is necessary.

Geology and Soils

- Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: (*Seismicity*)
 - 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?
 - Strong seismic ground shaking?
 - Seismic related ground failure, including liquefaction?
 - Landslides?
- Would the project result in substantial soil erosion or the loss of topsoil? (*Top Soil*)
- Would the project be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- and off-site landslide, lateral spreading subsidence, liquefaction, or collapse? (*Geologic Stability*)
- Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? (*Expansive Soil*)
- Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (*Septic Tanks/Alternate Wastewater Systems*)

⁷ California Department of Conservation, California Important Farmland Finder, Accessed on August 10, 2022 at: <https://maps.conservation.ca.gov/DLRP/CIFF/>

⁸ Thousand Oaks General Plan, Land Use and Circulation Elements, Accessed on August 10, 2022 at: <https://www.toaks.org/home/showpublisheddocument?id=34379>

- Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature? (*Paleontological Resources and Unique Geological Features*)

Seismicity

A significant impact may occur if the project would directly or indirectly cause substantial adverse effects, including the risk of loss, injury or death involving rupture of a known earthquake fault, seismic ground shaking, seismic-related ground failure, or landslides.

Much of California is subject to strong ground shaking during earthquakes. According to the California Department of Conservation California Earthquake Hazards Zone Application (EQ Zapp), there are no state-designated Alquist-Priolo Earthquake Fault Zones or active faults within the project site.⁹ The potential for fault rupture throughout the site is considered very low; however, the site may be subject to strong ground shaking during potential seismic activity due to the Santa Rosa Valley Fault being approximately 3.5 miles away from the project site. Hazards associated with seismicity would be reduced by conformance with current building codes and engineering practices. Compliance with the City Department of Building and Safety plan check would ensure the project implements the recommendations provided in the project geotechnical reports, which would reduce potential seismic ground shaking impacts to less than significant. As shown on the EQ Zapp digital map database, based upon groundwater depth records, soil type, and distance to a fault capable of creating producing a substantial earthquake, no portion of the project site is located within a liquefaction zone,¹⁰ and the nearest liquefaction zone is approximately 600 feet to the east of the project site within an area zoned for and developed with existing residential uses. EQ Zapp also shows that the project site and vicinity is not situated within a landslide zone¹¹ as the nearest mapped landslide zone is located approximately over 0.70 miles northeast of the project site and will have no impact on the property. No further analysis in the EIR is necessary

Top Soil

A significant impact may occur if the project would result in substantial soil erosion or the loss of topsoil. The project site is relatively flat and is currently developed with an existing structure and associated paved parking lot to be removed by the project. The project would be required to implement Best Management Practices (BMPs) to control erosion per existing state and local regulations, including development of a Stormwater Pollution Prevention Plan (SWPPP) to comply with the State Water Board's Construction General Permit Order 2009-0009-DWQ (as most recently amended). Implementation of a SWPPP during construction would typically include, but not be limited to, placement of sandbags and/or silt fencing around the site perimeter, as well as covering or otherwise stabilizing stockpiles or exposed soils to minimize soil loss during potential rain or high wind events. Following construction, the site would be developed with structures, paving, and landscaping, which would prevent substantial loss of topsoil during operations. No further analysis in the EIR is necessary.

Geologic Stability

A significant impact may occur if the project would be developed 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. As previously discussed, the project site is located on relatively flat area that is not within or adjacent to any mapped liquefaction and landslide zones,

⁹ California Department of Conservation, EQ Zapp: California Earthquake Hazards Zone Application, Accessed on August 10, 2022, at: <https://maps.conservation.ca.gov/cgs/EQZApp/app/>

¹⁰ California Department of Conservation, EQ Zapp: California Earthquake Hazards Zone Application, Accessed on August 10, 2022, at: <https://maps.conservation.ca.gov/cgs/EQZApp/app/>

¹¹ California Department of Conservation, EQ Zapp: California Earthquake Hazards Zone Application, Accessed on August 10, 2022, at: <https://maps.conservation.ca.gov/cgs/EQZApp/app/>

according to the California Department of Conservation. The project's Preliminary Geotechnical Assessment also indicates that the probability of landslides is considered remote due to the lack of significant slopes on the site and surrounding areas.¹² The project geotechnical reports have confirmed the lack of risk of landslide, liquefaction, and lateral spreading, which are landslides that form on gentle slopes that result in fluid-like flow movement. The issue of site stability with regard to subsidence or collapse was explored in communications with Geotechnologies, Inc., indicating that based on the Geotechnical Assessment, the site soils are capable of supporting the proposed development and that construction of the proposed project is not expected to affect neighboring developments.¹³ Therefore, potential impacts related to site soil stability would be avoided, and no further analysis in the EIR is necessary.

Expansive Soil

A significant impact may occur if the project is located on expansive soil, creating substantial direct or indirect risks to life or property. Expansive soils contain high amounts of clay particles that swell when wet and shrink when dry, potentially affecting building foundations. According to the project's geotechnical reports, on-site soils were found to be expansive. Recommendations to address potential structural risks associated with expansive soils, such as use of thicker slab-on-grade and retaining walls¹⁴ are provided in the project's geotechnical reports, which the project will be required to implement as part of the City's permitting process. The addition of a base layer on the thicker slab-on-grade walls and pre-saturation of subgrade soils will avoid potential effects of expansive soils. No further analysis in the EIR is necessary.

Septic Tanks/Alternate Wastewater Systems

A significant impact may occur if the project site contains soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. The project site would connect to the existing sewer system and no septic tanks or alternative on-site wastewater disposal systems are proposed for the project. Therefore, the project would have no impact regarding this issue, and no further analysis in the EIR is necessary.

Paleontological Resources and Unique Geological Features

The response to this CEQA Guidelines Appendix G checklist question is addressed in Section 4.3, Cultural Resources and Tribal Cultural Resources. As described in Section 4.3, the project site has a sensitivity for fossil resources, and thus construction monitoring for such resources will be required.

Hydrology and Water Quality

- Would the project violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? (***Water Quality***)
- 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? (***Groundwater Recharge***)
- 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 addition of impervious surfaces, in a manner which would, result in substantial erosion or siltation, substantially increase the rate of amount of surface runoff in a manner which would result in flooding, create or contribute runoff

¹² Geotechnologies Inc., Preliminary Geotechnical Assessment for Proposed Apartment Development 2150 W. Hillcrest Dr, February 8, 2022, p. 6.

¹³ Gregorio Varela, P.E., Geotechnologies Inc., Email communication with the City Planning and Envicom Corporation, October 31, 2022.

¹⁴ Geotechnologies Inc., Preliminary Geotechnical Assessment for Proposed Apartment Development 2150 W. Hillcrest Dr, February 8, 2022.

water which would exceed capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or impede or redirect flood flows? (*Drainage Patterns*)

- Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to the project inundation? (*Flooding*)
- Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (*Water Quality Control or Management Plans*)

Water Quality

A significant impact may occur if the proposed project violates water quality standards or waste discharge requirements or otherwise substantially degrades surface or groundwater quality. The proposed project would be situated on an infill property currently developed with an office building and paved parking lot, which has existing stormwater and sewage infrastructure (the sewer lateral was newly installed in 2017). Prior to beginning major construction activities, including demolition of the existing structure, the project would be required to obtain National Pollutant Discharge Elimination System (NPDES) coverage under the General Permit for Storm Water Discharges Associated with Construction Activity (known as the Construction General Permit, or CGP) from the State Water Resource Control Board (SWRCB). If grading for the proposed project encounters the water table below the site, coverage under the Los Angeles RWQCB Groundwater from Construction and General Dewatering Permit (NPDES No. CAG994004, Order R4-2013-0095) would be required prior to any discharge to stormwater infrastructure or nearby receiving waters. To obtain coverage under the CGP, the proposed project will be required to prepare and submit a SWPPP which will include a list of BMPs to reduce or eliminate any discharges of sediment or pollutants from the site during construction activities. The proposed project would be required to comply with the terms of the CGP throughout construction activities.

All runoff into existing or new city stormwater infrastructure would be required to comply with the components of the Regional Phase I MS4 Permit (NPDES No. CAS004001, Order R4-2021-0105, the 'Regional Permit'), which applies to the City of Thousand Oaks. One of the components of the Regional Permit is the Countywide Storm Water Quality Management Program, which includes design features that the project would be required to implement for project operation post-construction to reduce and treat stormwater runoff from the project during operations. The Regional Permit is written in order to enforce the water quality standards and waste discharge requirements of the Los Angeles Region Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan). As coverage under the CGP and post-construction compliance with the terms of the Regional Permit and the Storm Water Quality Management Program would be required of the proposed project, the project will correspondingly be required to comply with the waste discharge requirements of the Basin Plan and impacts would be less than significant. Thus, impacts to surface and groundwater quality would be avoided, and no further analysis in the EIR is necessary.

Groundwater Recharge

Significant impacts may occur if a project would substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

The project would be served by existing water supply infrastructure and does not propose to construct any on-site water production wells. As such, the project would not result in depletion of existing groundwater resources. Thus, impacts to groundwater supplies and sustainable groundwater management would be less than significant.

Currently, the subject project site is almost entirely covered in impervious surfaces and all runoff is directed to stormwater drainage and eventual discharge. The proposed project features several components which would serve to increase the overall infiltration and recharge of precipitation and runoff from the site, which would be incorporated into the post-construction Low Impact Development (LID) features to reduce impacts to recharge and runoff would be required under the Regional Permit. The purpose of LID is to reduce pollutant loading to both groundwater and runoff, and where possible, increase recharge via bio-retention. Therefore, impacts to groundwater recharge would be avoided, and no further analysis in the EIR is necessary.

Drainage Patterns

Significant impacts may occur if a project substantially alter the existing drainage pattern or runoff in a manner that would result in substantial erosion or siltation, substantially increase the rate or amount of surface runoff which would result in flooding, create or contribute runoff water which would exceed capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or impede or redirect flood flows.

The current development of the infill project site consists almost entirely of impervious surface comprised of an existing office building and paved parking lot. The project would implement post-construction runoff control and LID features, including pervious paving in portions of the parking lot and courtyard areas, vegetated bio-swales and a bio-retention area to increase infiltration, and underground stormwater detention chambers, which would serve to treat and reduce stormwater runoff from the site. In addition, all runoff from the site would be required to comply with the Regional Permit to reduce pollution including trash from the proposed development. Therefore, impacts from increased runoff related to flooding, erosion, and polluted runoff would be less than significant. Surplus runoff (i.e., beyond "first flush" and the runoff not constrained via detention) will discharge into hardened storm drain facilities thereby not causing erosion to the immediately downstream watercourse.

Part VII.F.2 of the Regional Permit sets out the basic hydromodification requirements for compliance with the Regional Permit. These requirements include restrictions on alteration of stormwater runoff volumes or redirection of flood flows in ways which would impact capacity of existing stormwater systems or impede flood flows and include requirements for LID development and project design which ensure existing infrastructure will not be overwhelmed by increased runoff from projects. The project would be required to comply with all provision of Part VII.F.2 of the Regional Permit throughout its lifespan and to demonstrate the methods for compliance in design documents. Therefore, impacts to drainage patterns, including stormwater infrastructure and flood flows would be avoided, and no further analysis in the EIR is necessary.

Flooding

A project may have a significant impact if the project site is located in a flood, tsunami or seiche hazard area and release of pollutants due to the project inundation may occur. The project site is not located near a coast or in an area threatened by potential tsunami events,¹⁵ nor is it located near any lakes, reservoirs, or dams that would be at risk from seiche events. Therefore, there would be no impact regarding these issues.

The project site is partially located in a 100-year flood plain according to the FEMA's National Flood Hazard Layer.¹⁶ As discussed in Section 4.6, Hazards and Hazardous Materials, the project does not include substantial transport, use, or storage of hazardous materials, as such, if flooding were a concern, the risk of

¹⁵ California Department of Conservation, California Tsunami Maps and Data, Accessed on September 28, 2022, at: <https://www.conservation.ca.gov/cgs/tsunami/maps>

¹⁶ U.S. Department of Homeland Security, FEMA, National Flood Hazard Layer Viewer, Accessed on September 28, 2022, at: <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>.

impact due to release of pollutants due to project inundation would be avoided, and no further analysis in the EIR is necessary.

Water Quality Control or Management Plans

Significant impacts may occur if a project would conflict with or obstruct the implementation of water quality control or sustainable groundwater management plans. As discussed at the beginning of this Section 4.13.4, the proposed project would be required to comply with the Regional Permit, which is written specifically to ensure compliance with the Basin Plan. As coverage under the primary regulatory structure of the Basin Plan would be a project component, the proposed project would not conflict with or obstruct implementation of the Basin Plan, and there would be no impact.

There are no Groundwater Sustainability Agencies or Groundwater Sustainability Plans in place for the Thousand Oaks Area Basin. There are no urban water agencies reliant upon the Basin's water and there are no local sustainable groundwater management plans in effect. In addition, the project would be supplied by a water purveyor who does not utilize groundwater as a component of the water mix and the project does not involve the use of groundwater. Therefore, there would be no impact, and no further analysis in the EIR is necessary.

Mineral Resources

- Would the project result in loss of the availability of a known mineral resource that would be of value to the region and the residents of the state? (***Mineral Resources***)
- 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? (***Mineral Resources***)

Mineral Resources

A project may have a significant impact on mineral resources if it would result in the loss of availability of a known mineral resources of value to the region and residents of the state, or would result in the loss of a locally important mineral resource recover site delineated in a local general plan, specific plan, or other land use plan.

The proposed project is considered an infill development that is located next to residential, commercial, and industrial park zones. According to the Division of Mines and Geology in California Department of Conservation, the project site is located in Mineral Resource Zone-1 (MRZ-1), meaning, areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.¹⁷ The project's Phase I Environmental Site Assessment (ESA), prepared by Stantec Consulting Services Inc., does not cite any oil and gas issues for the site, including prior wells.¹⁸ The site has not been utilized for mineral extraction in the past, and the project site is currently in use for a commercial office building, parking lot and associated landscaping. Thousand Oaks General Plan Conservation Element 2013 Update states that there are no significant mineral resources that exist within the planning area.¹⁹ As the site has not historically been utilized for mineral resource extraction and neither the state or the City has designated the site for mineral resource conservation or use, there is no potential for a significant impact to the environment from the loss of availability of a regionally, statewide, or locally important mineral resource, and no further analysis in the EIR is necessary.

¹⁷ California Department of Conservation, Special Report 145, Plate 1.17, Newbury Park Quadrangle.

¹⁸ Stantec Consulting Services Inc., Phase I Environmental Site Assessment, March 3, 2022.

¹⁹ City of Thousand Oaks, Thousand Oaks General Plan Conservation Element 2013 Update; Preface, Date accessed August 11, 2022 at: <https://www.toaks.org/home/showpublisheddocument?id=332>.

Wildfire

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? (*Wildfire*)
- 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? (*Wildfire*)
- Does the project require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may result in temporary or ongoing impacts to the environment? (*Wildfire*)
- Would the project expose people or structures to significant risk, including downslope or downstream flooding or landslides, as a result of runoff, post-fires slope instability, or drainage changes? (*Wildfire*)

Wildfire

A project may have a significant impact if the project site is located near state responsibility areas or land classified as a Very High Fire Hazard Severity Zone (VHFHSZ) and would substantially impact an adopted emergency response plan or emergency evacuation plan.

The proposed project is a mixed-use development with commercial and residential components. The project will replace the existing structure and parking lot within a C-3 zoned area with urban infrastructure, including water supply and fire hydrants. The project will comply with all Ventura County Fire Protection District design requirements to ensure accessibility for firefighting equipment and activities in the event of a fire. See Section 4.10.1, Fire Service for additional discussion of fire protection for the site. The project site is not located within or near an existing or proposed State Responsibility Area (SRA).²⁰ Additionally, the land is not classified as a VHFHSZ.²¹ The project site is currently developed with a commercial building, paved parking lot and landscaping that will be demolished and replaced with the proposed mixed-use development. No public roadway modifications would be made as there is sufficient roadway infrastructure. The project site is located adjacent to U.S. 101 and associated entrance ramps, which would generally provide residents of the project as the most likely evacuation route during a wildfire evacuation scenario. Thus, the new proposed project will not impair any adopted emergency response plan or evacuation plan. The project would not require any further installation of associated infrastructure that may exacerbate fire risk within the area. Further, as proposed development on an existing urban infill site, outside of VHFHSZ areas, and outside the wildland urban interface, is considered by the state to be preferable land use development to reduce wildfire risks. As such, the project impacts would avoid significant impacts, and no further analysis in the EIR is necessary.

4.13.2 Residual Impacts

Impacts for the issues above were found to be avoided, do not require mitigation measures, and further EIR analysis is not required. Thus, residual impacts would likewise be less than significant.

²⁰ Board of Forestry and Fire Protection, State Responsibility Area Viewer, Accessed on August 11, 2022 at: <https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=468717e399fa4238ad86861638765ce1>

²¹ California Department of Forestry and Fire Protection, Fire and Resources Assessment Program, Very High Fire Hazard Severity Zones in LRA Thousand Oaks, Accessed on August 11, 2022; at https://osfm.fire.ca.gov/media/6024/thousand_oaks.pdf

4.13.3 Cumulative Impacts

Under CEQA, a project's impact may be cumulatively considerable if the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. In considering the effects of probable future projects, Chapter 3.0, Cumulative Projects, considers buildout of the current City of Thousand Oaks to be the overall cumulative project set, with a list of currently known or reasonably foreseeable projects provided in Table 3-1 of that Chapter as a sub-set of the cumulative project set. For the issues above, the individual project effect would be one of no impact or less than significant impact, and thus, the project would not substantially contribute to a cumulative impact. Further, the related projects are not reasonably close to the project site to have combined impacts that would make the project's lack of effects be of concern, and none of these related projects are expected to substantially add to a cumulatively shared impact with the project with regard to the above issues. No further analysis of cumulative impacts of the above issue areas is required in the EIR.

5.0 ALTERNATIVES

Introduction & Methodology

The California Environmental Quality Act (CEQA) and CEQA Guidelines require that an Environmental Impact Report (EIR) identify and evaluate a reasonable range of alternatives that are designed to avoid or substantially lessen one or more of the significant environmental impacts of the proposed project, while meeting most of the basic project objectives. The CEQA Guidelines also set forth the intent and extent of alternatives analysis to be provided in an EIR. Those considerations are discussed below.

Alternatives to the Project

Section 15126.6(a) of the State CEQA Guidelines states:

“An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.”

Purpose

Section 15126.6(b) of the State CEQA Guidelines states that:

“Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment, the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.”

Selection of a Range of Reasonable Alternatives

Section 15126.6(c) of the State CEQA Guidelines states:

“The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency’s determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.”

Evaluation of Alternatives

Section 15126.6(d) of the State CEQA Guidelines states:

“The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and

significant environmental effects of each alternative may be used to summarize the comparison. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.”

No Project Alternative

Section 15126.6(e) of the State CEQA Guidelines states:

“(1) The specific alternative of “no project” shall also be evaluated along with its impact. The purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The no project alternative analysis is not the baseline for determining whether the proposed project’s environmental impacts may be significant, unless it is identical to the existing environmental setting analysis which does establish that baseline.

(2) The “no project” analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the “no project” alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

(3) A discussion of the “no project” alternative will usually proceed along one of two lines:

(A) When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the “no project” alternative will be the continuation of the existing plan, policy or operation into the future. Typically, this is a situation where other projects initiated under the existing plan will continue while the new plan is developed. Thus, the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan.

(B) If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the “no project” alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. If disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this “no project” consequence should be discussed. In certain instances, the no project alternative means “no build” wherein the existing environmental setting is maintained. However, where failure to proceed with the project will not result in preservation of existing environmental conditions, the analysis should identify the practical result of the project’s non-approval and not create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment.

(C) After defining the no project alternative using one of these approaches, the lead agency should proceed to analyze the impacts of the no project alternative by projecting what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.”

Rule of Reason

Section 15126.6(f) of the State CEQA Guidelines states:

“The range of alternatives required in an EIR is governed by a ‘rule of reason’ that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision making.

(1) Feasibility. Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives.”

(2) Alternative locations.

(A) Key question. The key question and first step in analysis 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 be considered for inclusion in the EIR.

(B) None feasible. If the lead agency concludes that no feasible alternative locations exist, it must disclose the reasons for this conclusion, and should include the reasons in the EIR. For example, in some cases there may be no feasible alternative locations for a geothermal plant or mining project which must be in close proximity to natural resources at a given location.

(C) Limited new analysis required. Where a previous document has sufficiently analyzed a range of reasonable alternative locations and environmental impacts for projects with the same basic purpose, the lead agency should review the previous document. The EIR may rely on the previous document to help it assess the feasibility of potential project alternatives to the extent the circumstances remain substantially the same as they relate to the alternative.

(3) An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative.”

Project Objectives & Significant Effects

Objectives

The project objectives are as follows:

- Provide a mixed-use community on the 8.19-net acre site, located near the intersection of West Hillcrest Drive and Rancho Conejo Boulevard (an area with business and shopping opportunities in the immediate vicinity, and a multi-family residential development to the east), to create a more cohesive, interactive urban environment in this portion of the City.
- Revitalize an underutilized property to achieve City planning objectives to a greater extent than the existing vacant commercial Amgen administrative building and surface parking areas, consistent with the 2021-2029 Housing Element which identifies the site as a target site for housing.

- Provide market rate units and units affordable to very low-income households to help alleviate the state’s housing crisis and support the City’s Regional Housing Needs Assessment (RHNA) goals, consistent with the Draft Preferred Land Use Map for the Thousand Oaks 2045 General Plan which identifies the subject property for Mixed Use Low which allows up to 30 du/acre.
- Include green features and use green and healthy development principles that serve to reduce project impacts on the environment, including greenhouse gas emissions.
- Reduce vehicle miles traveled by locating housing close to job centers in the Rancho Conejo Industrial Park, and away from wildland urban interface areas, which are natural hazard areas.

Significant Effects

The significant effects of the project upon which the alternatives analysis should focus are as follows. This EIR evaluates a comprehensive list of environmental impact topics in Chapter 4.0, Impact Analysis. In determining potential impacts of the Latigo Hillcrest project, the analysis sections take into account project design features of the project and regulatory requirements. Where impacts are found to be significant even with the importation of stated project design features, mitigation measures have been recommended where potentially feasible, in order to reduce impacts to below the significance threshold. All significant impacts were found to be avoidable, meaning they would be mitigated to less than significant with the indicated mitigation measures. No impacts were found to be significant and unavoidable.

The following impacts were found to be significant prior to mitigation, but less than significant with the incorporation of mitigation measures. A brief identification of the type of mitigation is provided (see individual analysis Sections for the full text of the impacts and mitigation measures:

- Biological Resources:
 - 4.2.3.1 Native Species (Construction only; Mitigation requires roosting bat surveys prior to site disturbance)
- Cultural Resources:
 - 4.3.3.3 Paleontological Resources (Mitigation addresses preparation of a paleontological monitoring plan, monitoring and protocol for discovery of resources)
- Hazards and Hazardous Materials:
 - 4.6.3.2 Listed Hazardous Materials Site (Mitigation requires limited soil vapor testing and potential vapor barrier under residential buildings, due to nearby off-site conditions)
- Noise:
 - 4.8.3.1 Temporary or Permanent Noise Increase (Construction only; Mitigation requires a noise barrier on the eastern boundary)
 - 4.8.3.2 Groundborne Vibration (Construction only; Mitigation prohibits impact pile drivers and limits equipment usage near the eastern boundary)

Alternatives Selected for Evaluation

As noted above, alternatives shall be limited to those that would avoid or substantially lessen any of the significant effects of the proposed project, and of those alternatives, the EIR need only examine those that could feasibly attain most of the basic project objectives. In considering whether to evaluate the listed alternatives, the ability to satisfy the project objectives was considered.

The City considered potential alternatives during the design phase of the proposed project and Specific Plan and also during CEQA discussions. These processes were used to consider suitable alternatives for analysis.

As described above in the CEQA statute, for this alternatives analysis, the goal was to find potentially feasible alternatives to foster informed decision making and public participation, looking at design or location changes that would feasibly attain most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant project effects.

For the no project requirement, two approaches are evaluated, both of which explore “what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.” These are presented under names that are self-explanatory, though individual descriptions are provided: 1) No Project / Reuse of Existing Building and 2) No Project / Existing General Plan and Zoning (All Commercial). Alternatives 1 and 2 are both potential results of what might “reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and adopted policies and consistent with available infrastructure and community services.” (See CEQA Guidelines 15126.6(e)3.c, cited above.) To explore an alternate land use, a third alternative was examined: 3) Biotech Research and Development Facility. Finally, to directly explore how the proposed project’s effects could be reduced, a reduced density alternative was explored: 4) Reduced Density Alternative.

With regard to an alternative location several thoughts were considered in order to determine whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location: 1) the EIR analysis (e.g., Sections 4.5 Greenhouse Gas Emissions and 4.8 Land Use and Planning) found that the project site is a good location to maximize the benefits of a mixed-use project, 2) no significant unavoidable project impacts were found, and 3) the project’s significant but mitigable impacts would be common to most or many urban sites in the City. As such, further exploration of alternative locations was found to be unproductive for the purpose of finding a location that “would avoid or substantially lessen any of the significant effects of the proposed project.”

5.1 ALTERNATIVE 1: NO PROJECT / REUSE OF EXISTING BUILDING

Environmental Impacts of Alternative 1

Under the No Project/Reuse of Existing Alternative (or, building reuse alternative), without the new development on the site, the existing office would be re-used as a commercial office building. The site is currently developed with a 56,667 square feet (sf) two-story office building surrounded with paved parking lots, internal circulation driveways, and landscaping. The building was originally approved in 1982 and constructed in 1983. Past tenants of the building include Hewlett-Packard Company, followed by the City of Thousand Oaks as a brief, temporary City Hall, and finally Amgen up until 2021. Due to the reuse of the existing building, no demolition, grading, or construction would be required. The site use would be 100 percent commercial with no residential component.

Air Quality

Under the building reuse alternative, the site would remain the same with no demolition or construction for new development. The alternative project would not add new population density and would not conflict with the 2016 Ventura County Air Quality Management Plan (AQMP) as no residential population would be added on the site. No demolition and construction-generated emissions would be proposed. Operation of the current abandoned building would increase the operational emissions from existing conditions, through transportation of employees to and from the area, but impacts would be substantially less than with the proposed project. Toxic Air Contaminants (TACs) would not increase since there would be no construction or substantial diesel truck usage during construction. Some diesel truck usage during operation may be expected, as in most urban settings. Additionally, no adverse odors would be introduced to the

project site. This alternative would have a less than significant impact which would be reduced from the proposed project's less than significant impact after mitigation.

Biological Resources

The project site is developed with an office building and paved parking lot with landscaping and this alternative would utilize these features rather than disturbing the area and constructing a new development. There are no natural communities located on the site due to the urban build on and around the vicinity of the project site. The Arroyo Creek runs adjacent to the south of the project site, but it is not considered wetland or waters of the United State, and no sediment would be released into the water due to the reuse of the existing building. Since the project site has been fully developed for decades, there is very little capacity for the project to serve as a habitat corridor. The proposed project would remove 17 oak trees which requires approval by the Planning Commission (or a higher approval body). Unlike the proposed project, this alternative would leave the landscaping in place, so no oak tree removal would be required. The analysis of the proposed project includes mention of the regulatory requirement for nesting bird surveys to assure no protected bird species are disturbed during construction; however, the alternative project would result in no tree removals or encroachments and thus would not require attention to this issue. Both the project and the alternative would require bat surveys given that the existing building has remained idle for a substantial amount of time. Both the proposed project and the alternative would result in less than significant impacts after the requirement for bat surveys. As the project would remove oak trees and the alternative would not, the alternative would overall have reduced impacts.

Cultural, Tribal and Paleontological Resources

Under the building reuse alternative, the site would maintain the existing building and bring in new tenants. This alternative would not interfere with any cultural resources sites because the project is already developed and no earth excavation would occur; therefore, construction would not lead to the potential discovery of any new tribal or cultural resources at the project site and thus not require the mitigation measure included for the proposed project to assure no significant impacts to paleontological resources. Therefore, the impact would change from a less than significant impact after mitigation with the project to a less than significant to no impact with this alternative.

Energy

The current project site is developed with an existing vacant office building. This alternative would maintain the existing building and bring in new tenants. The existing building was built under older less energy-efficient codes, and the proposed project would comply with modern more energy-efficient codes. However, overall, the alternative's building would be a less than significant increase energy use over existing conditions. As with the proposed project, the impact would be less than significant, but the proposed project is larger and would use more energy.

Greenhouse Gas Emissions

The current project site is developed with an existing abandoned office building and emits minimal greenhouse gas (GHG) emissions. Since the existing building was constructed under older less energy-efficient codes and because it does not propose mixed-use which is a preferred land use pattern to reduce vehicle miles traveled (VMT), the alternative would not be as compatible as the project with many of the 2022 Climate Scoping Plan or Southern California Association of Governments Regional Transportation Plan/Sustainable Communities Strategy (SCAG RTP/SCS) goals and policies. However, as a much smaller project, its overall GHG emissions would be lower than the project's emissions.

Hazards and Hazardous Materials

Without developing a new project on the site, demolition and construction would not occur, so there would be no significant hazard created through the transport, use, or disposal with hazardous materials. Although not mentioned in the project Phase I Environmental Site Assessment (ESA), since the building was constructed in the early 1980s, lead-based paint (LBP) and asbestos containing materials (ACM) may still have been used in some building products. With proper building maintenance, LBP and asbestos are not a hazard to building tenants. If the building were to undergo a remodel, regulations would need to be followed to ensure safety from potential hazards such as LBP and ACM¹. Neither operation of the office building under this alternative or operation of the proposed mixed-use project under the proposed project are anticipated to generate use of hazardous materials except for basic commercially sold household items, such as supplies for cleaning, repairs and maintenance. The Phase I ESA identifies several Recognized Environmental Conditions (RECs) within the project vicinity with a potential Vapor Encroachment Condition (VEC). Although the possibility of hazardous material migrating beneath the project site from the RECs is considered low, based on the Phase I ESA, limited soil vapor testing in the areas of the site proposed buildings intended for human occupancy is required as a mitigation measure for the project. Similarly, the alternative could experience the same effects, and testing and abatement would be recommended. However, no ability to provide a vapor barrier would exist as no demolition would occur. Impacts would be similarly less than significant after mitigation as with the proposed project. Overall, the alternative would be considered more impactful, since it assumes no ability to mitigate impacts by testing and responding with a design that removes ACM and LBP materials or provides barriers should vapor intrusion be anticipated.

Land Use and Planning

The building reuse alternative would keep the existing office building and reuse the building for commercial use. The project site would not require a General Plan Amendment or Zone Change. However, the alternative would not be as compatible as the project with many of the City General Plan goals and policies, including those for which a mixed-use land use pattern would be preferred as identified in the endorsed General Plan preferred land use map. Overall, the reuse of the existing building would likely be less than significant, but more impactful than the project.

Noise

The project site is currently non-operational, but under the building reuse alternative, new tenants would be sought and the existing office building reused. Since the office building is already developed, there would be no construction noise or vibration impacts with the alternative, resulting in a no impact conclusion, compared to the project's less than significant impact after mitigation. Thus, the requirement for the project construction mitigation in the form of sound barrier and restricted equipment usage near the eastern and northern property boundaries would not be necessary with the alternative. Traffic created by employees commuting to and from work would, given the substantially smaller size of the project, result in reduced traffic noise impacts over the project's impact. Like the project, the alternative would not exceed the City's applicable threshold of a 1.5 decibel (dBA) increase when average existing ambient noise levels with the project site range from 60-70 dBA Community Noise Equivalent Level (CNEL). The alternative would have a less than significant operational impact, similar to the project, but the impact of this alternative would be further reduced.

¹ Codes of Federal Regulations (CFR) Title 40, Chapter I, Subchapter C, Part 61, Subpart M National Emission Standard for Asbestos, amended on August 8, 2022.

Population and Housing

The building reuse alternative would be 100 percent commercial, with no residential use. Since there would be no residential dwelling units for the alternative project, the project would not assist the City with reaching its RHNA and Housing Element goals. This alternative project would include an estimated 138 employees² which would be an increase from the estimated 13 employees from the commercial use component of the proposed project. Additionally, since there are no residences on the site, the alternative, like the project, would not displace any people or housing. While the alternative and proposed project have similar less than significant impacts, the alternative would not help the City meet its RHNA and Housing Element goals. Impacts would be less than significant, but the project would be preferred due to the strong need for additional housing, including affordable housing.

Public Services

Police and Fire Protection

Under this alternative, the existing office building would be re-occupied, resulting in increased use of a site that is currently served by governmental facilities and services for fire by the Ventura County Fire District (VCFD) and police protection by the Ventura County Sheriff Department (VCSD). The alternative would not add any additional residents unlike the proposed mixed-use project, and as a smaller project, would generally place reduced demands on fire and police services. Approval of the past building would have included fire and police department's review and acceptance of the project design. Thus, issues related to site layout would not be anticipated. Occupancy of the existing building would result in a smaller project, with reduced fire and police protection demands. This alternative would have a similarly less than significant impact as the project, but the alternative's impact would be further reduced.

Schools, Parks and Recreation

Under this alternative, reuse of the existing office building would result in increased use of a site that is currently served by governmental facilities for school facilities and parks and recreational facilities. Unlike the project, the alternative would not introduce new residential population and thus would have no direct impact on schools or parks and recreation. The alternative would generally have little to no impact on these facilities, and thus have a reduced impact over the project's less than significant impact.

Transportation

New tenants in the existing office building would increase traffic from the baseline conditions. Based on the project's Traffic, Circulation and Vehicle Miles Traveled (VMT) Study (Traffic Study) (provided in **Appendix H**)³, the proposed mixed-use project would generate approximately 1,788 average daily trips. Using an ITE rate for commercial office of 10.84 trips/1,000 sf, the alternative would generate approximately 614 average daily trips. As such, the alternative would generate fewer trips than the project. The alternative would be a single-use commercial project within a largely commercial area, which is a land use pattern that generally results in longer trip lengths and higher VMT. The alternative would have a less desirable land use pattern for VMT reduction, which is a worse impact than the proposed project's less than significant impact. Overall, impacts would be anticipated to be less than significant, but the less desirable land use pattern for VMT reduction would make the project preferred on this issue.

² Calculation is based on an Employment Density Summary Report, October 31, 2001, Prepared for Southern California Association of Governments, Prepared by The Natelson Company Inc, using the square footage of a commercial use building and the average employment density (sf per employee). (Source used in Section 4.9 Population and Housing)

³ Stantec, 2150 Hillcrest Drive Traffic, Circulation and Vehicle Miles Traveled (VMT) Study, March 23, 2023

Utilities and Service Systems

Water

The building reuse alternative project would reuse the existing building and find tenants to operate the office for commercial use only. The site is served potable water by California American Company (CalAm) through the Calleguas Municipal Water District (CMWD). Existing facilities already exists at the project site to provide water to the building. As discussed in the water analysis section, the proposed project would need a small fraction of a percent of CalAm's project water supply for 2025 and for 2045. Both the project and the alternative would have a less than significant impact, but the alternative impact would be reduced.

Sewer

Like the project, the reuse alternative would be served by an existing 30-inch City wastewater main located approximately 36-feet from the rearmost portion of the subject property, and an existing 8-inch lateral that ties into the 18-inch main located parallel to the eastern property line, which then connects to an existing manhole within the roadway of the flood control channel. The Hill Canyon Treatment Plan (HCTP) has a capacity of 14 million gallons per day (gpd) and currently treats 8 million gpd, so there is an excess capacity of 6 million gpd. The project would have a negligible effect on the remaining capacity portion, and as a smaller development, the alternative would have an even lesser effect. Both the project and the alternative would have a less than significant impact, but this alternative project's impact would be reduced.

Solid Waste

The alternative would not require any demolition or construction, so unlike the proposed project, there would not be any construction or demolition waste generated. During operations, the majority of the waste from the proposed project would be from the residential portion of the mixed-use project. The proposed project would only use less than one percent of the maximum daily capacity of the Sun Valley Materials Recovery Facility and would result in negligible increase in operational solid waste generation. Both the project and the alternative would be subject and follow federal, state, and local statutes and regulations governing waste reduction. Both the project and the alternative would have a less than significant impact, but the alternative impact would be reduced.

Effects Determined Not Significant

Aesthetics

Although the Thousand Oaks General Plan designates U.S. Route 101 (U.S. 101, or 101 Freeway) as a City Scenic Highway. However, views from nearby vantage points on the 101 Freeway do not provide scenic vistas of distant ridgelines. With the proposed project, the current existing vegetation and landscaping trees within the freeway right-of-way would remain to the south of the project site, and no significant impacts to scenic vistas or character would be anticipated. The same screening and lack of distant views would occur with reuse of the existing vacant building. The alternative would similarly be classified as having aesthetics effects that were "determined not significant." As the proposed project would be smaller, and small insignificant views of the project itself would be more substantial, the impacts of the alternative would be slightly reduced.

Agriculture and Forestry Resources

The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance⁴ and has been built with the existing office and parking lot since the 1980s. As with the proposed

⁴ California Department of Conservation, California Important Farmland Finder, Accessed on January 16, 2023 at: <https://maps.conservation.ca.gov/DLRP/CIFF/>.

project, there would be no impact regarding agriculture and forestry resources. Impacts would be equivalent.

Geology and Soils

The building reuse alternative and proposed project would be located at the same project site, so they would have the same impact regarding rupture due to not being located in or near a state-designated Alquist-Priolo Earthquake Fault Zone or active fault, liquefaction, and landslide area. Since the project site is not located within an earthquake fault zone and the Geotechnical Assessment states the probability of landslides is considered remote due to the lack of slopes, the alternative would have a similar less than significant impact as the proposed project. The Geotechnical Report also states the project site is located on expansive soils, but since the existing building previously underwent City engineering review and approval to assure consistency with building codes, the alternative would be less than significant. The alternative and proposed project would similarly have a less than significant impacts.

Hydrology and Water Quality

The existing office building is currently developed with stormwater and sewage infrastructure. Since the alternative does not require demolition and construction, the alternative project would not be required to obtain National Pollutant Discharge Elimination System (NPDES) coverage under the General Permit for Storm Water Discharge Associated with Construction Activity (known as the Construction General Permit, or CGP) from the State Water Resource Control Board (SWRCB). The alternative would be served by existing water infrastructure and would not require infrastructure modifications. The project as already constructed, would not have an opportunity to implement more recent water quality measures that reduce stormwater runoff. However, overall, as the alternative would not involve construction and currently has sufficient drainage infrastructure, the project would have a lower impact than the proposed project.

Mineral Resources

The project site is located in Mineral Resources Zone (MRZ-1), meaning, the areas where adequate information indicates no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.⁵ The project's Phase I ESA confirms there are no gas or oil issues including prior wells at the project site. Since the site is located in MRZ-1 and has no experienced gas or oil, the alternative project is comparable to the proposed project and would be similarly classified as having no impact.

Wildfire

The project site is currently within an area where the Ventura County Fire Protection District provides fire protection services. The site is not classified within a Very High Fire Hazard Severity Zone (VHFHSZ)⁶ and does not expose people to risk of downslope or downstream flooding or landslides. The 101 Freeway is adjacent from the project site and provides people with an evacuation route during a wildfire evacuation scenario. Since the alternative would reuse the existing building, no changes in the current conditions would occur. The alternative project impact conclusion would be no impact, similar to the conclusion for the proposed project.

⁵ California Department of Conservation, Special Report 145, Plate 1.17, Newbury Park Quadrangle.

⁶ California Department of Forestry and Fire Protection, Fire and Resources Assessment Program, Very High Fire Hazard Severity Zones in Local Responsibility Area, Thousand Oaks, Accessed on January 17, 2023 at: https://osfm.fire.ca.gov/media/6024/thousand_oaks.pdf.

Alternative 1's Ability to Meet Project Objectives

As discussed above, the reuse alternative would have similar or reduced impacts from the proposed project. Yet it would not provide the preferred land use pattern provided by a mixed-use project, which would reduce VMT impacts and other goals for City urbanized areas. The alternative would also not provide any housing units or affordable housing to assist in meeting the City's RHNA and Housing goals or address the state's declared housing crisis. The alternative would also not meet many of the basic project-specific objectives described in this EIR, which include providing a mixed-use project with amenities and green features, the provision of residences including affordable units, a land use pattern that promotes reduced VMT, and revitalization of an underutilized urban infill site.

5.2 ALTERNATIVE 2: NO PROJECT / EXISTING GENERAL PLAN AND ZONING (ALL COMMERCIAL)

Environmental Impacts of Alternative 2

The proposed project requires a General Plan Land Use Amendment to change the plan designation for the site from Commercial to Commercial/Residential and a Zone Change to change the site's C-3 zone classification to Specific Plan-24. By contrast, the No Project / Existing General Plan and Zoning Alternative (or, existing planning and zoning alternative) assumes a project that is compliant with existing General Plan designation and zoning for the site. The alternative development would be a three-story, 35-foot-tall commercial building. The commercial building would have a total 267,450 sf (less square footage than the proposed project), which would be divided by use and levels as follows: 44,575 sf of ground floor retail, 44,575 sf of ground floor restaurant, and 178,300 sf of commercial office at levels two and three. The alternative would provide 1,478 surface parking spaces (compliant with TOMC Sec. 9-42402), which would be broken down as follows: 714 commercial office spaces, 179 retail spaces, and 585 restaurant spaces. Additionally, the alternative would have an 89,150-sf building footprint, which equates to 25 percent lot coverage (consistent with TOMC Sec. 9-4.1404). There would be no residential component with this alternative. As with the proposed project, the alternative development would require demolition of the existing commercial office building and surrounding surface level parking. Grading amounts are assumed to be less for the purposes of this analysis.

Air Quality

Daily air quality emissions during construction would be expected to be less as compared to those of the proposed project since, the overall grading required would be less. The duration of construction is assumed to be shorter. The projected construction emissions from the proposed project would not exceed the daily emissions thresholds set by the Ventura County Air Pollution Control District (VCAPCD) for Reactive Organic Gases (ROG) and Nitric Oxides (NO_x). Best management practices, such as required compliance with dust control rules, would be employed to ensure the minimization of construction fugitive dust emissions. It is assumed that the project's use of more energy-efficient, reduced-emissions equipment (i.e., Tier 4 Final construction grading equipment) would also be applied for the alternative. Both the project and the alternative would have less than significant criteria pollutant emissions impact during construction, but the alternative would have reduced emissions compared to the project.

Emissions of TACs during construction would occur with the alternative as well as the project. As impacts with the larger proposed project would result in less than significant impacts to nearby sensitive receptors, the same conclusion is assumed for the alternative. The alternative's impact would be reduced but would share the same less than significant CEQA impact conclusion.

The source of operational impacts of the project and of the alternative would be from area sources (i.e., consumer products, architectural coatings, and landscaping equipment), energy sources (electricity and natural gas usage), and mobile sources (vehicle use). Designs of the both the project and alternative would include features that would reduce emissions, such providing EV facilities on-site; however, the alternative would only provide features commensurate with code requirements (e.g., CALGreen). The proposed project's operational emissions were analyzed using the California Emission Estimator Model (CalEEMod), which determined that the project would not exceed VCAPCD thresholds, assuming project features. Since the alternative project would be reduced in size, it is assumed the alternative would have a reduced operational emissions impact than the proposed project. Both the alternative and the project would have a less than significant impact during the operational phase.

Biological Resources

The existing planning and zoning alternative would still remove the existing office structure and paving and replace it with new development including residential and commercial uses, new paving, and landscaping. The alternative would create buildings with a smaller project site footprint than the proposed project (25 percent lot coverage) and therefore would likely remove fewer than the 17 oak trees that the project would remove. As with the project, tree impacts would be resolved through regulatory compliance with the Thousand Oaks Oak Tree and Landmark Tree Preservation and Protection regulations and Guidelines, which would require three trees to be planted for each one removed (or an in lieu fee payment, where applicable). The alternative would be subject to pre-construction bat surveys, which are required as a mitigation measure of the proposed project. The alternative's impacts would be slightly less than the project's impact, and both would be less than significant with mitigation.

Cultural and Tribal Resources

Under both the project and the proposed alternative, demolition of existing structures and paved parking areas would occur, with grading and construction of new buildings and parking area which would excavate the project site. Due to this, the alternative construction activities could lead to the inadvertent discovery of unknown cultural/tribal archaeological resources or human remains. The area of excavation would be less than with the project, reducing the hypothetical amount of potentially unknown resources to be disturbed and also reducing the amount of monitoring required. The potential for inadvertent discovery of unknown cultural/tribal archaeological resources or human remains would be the same within the area to be monitored. Regulatory compliance would assure less than significant impacts for these topics under both the alternative and the project. The site's sensitivity for paleontological resources would remain the same under either the alternative or the project, and thus the paleontological mitigation measures would be required for both. The existing planning and zoning alternative would require the same mitigation measure as the project, and the paleontological resource conclusion would be the same as well, which is less than significant with mitigation. However, there would be a slight reduction in potential impacts to unknown resources.

Energy

The existing planning and zoning alternative would employ required energy conserving project features of the California Green Building Standards Code (CALGreen) (i.e., the alternative would provide 10 percent EV capable and 5 percent EV Chargers, compared to the project's 40 percent and 10 percent, respectively). The alternative would not have additional energy conservation features beyond the regulatory requirements. Thus, on this point, the alternative would not result in a reduction in the operational phase use of fossil fuels beyond the requirements, and thus the proposed project would be preferred.

The project's energy analysis used CalEEMod to calculate the estimated energy usage during construction and operation of the project. Like the project, the alternative would follow applicable California Code of Regulations and Tier 4 Final construction equipment to improve efficiency during construction. Electricity, natural gas, and transportation fuels would generate energy use during operation. The proposed project would only amount for 0.05 percent of the County's current electric consumptions rate and 0.02 percent of the County's current consumption rate of natural gas. Because of the increase in commercial use (compared to the project, which has much less commercial and no-gas residential units), the alternative would use more natural gas and produce greater associated energy impacts. Also, the alternative would generate a much higher number of trips than the project (see Transportation, below), and thus the associated gasoline and diesel fuel usage for this alternative would be greater than the project's usage, though both would use a negligible amount of the statewide annual figures. The City would review plans to verify compliance with Title 24 standards which includes the 2022 Energy Code and CALGreen. Since the project would comply with regulatory standards, the proposed project would have a less than significant impact. The same would be true for the alternative and impacts of both would be less than significant.

Greenhouse Gas Emissions

As mentioned above, the existing planning and zoning alternative would meet CALGreen standards; however, the alternative would not provide a residential component, eliminating the benefit to state, regional and City policies that promote mixed-use urban infill as a way to reduce the overall VMT and GHG emissions of development, while providing needed housing to meet RHNA and Housing Element numbers. The GHG analysis used CalEEMod to calculate the estimated project emissions from construction and operation. Although the alternative project would have a reduced overall square footage compared to the project, the alternative would likely generate more than the proposed project's estimated emissions since the alternative the alternative's trip generation would be substantially more, at approximately 9,898 ADT compared to the project's 1,788 ADT (see Transportation, below). Although emissions may be lower, the overall benefit of a mixed-use project would not be achieved. The alternative project would be consistent with the SCAG RTP/SCS and the 2022 Climate Scoping Plan, but would not provide mixed-use, which again does not provide as much benefit to the goals of VMT and GHG reduction and corresponding goals and intentions of the RTP/SCS and Scoping Plan. Additionally, the alternative would comply with applicable regulations and energy conservation standards from Title 24 Building Energy Efficiency Standards (Part 6) and Green Building Standards (Part 11). Like the project, the alternative would have a less than significant impact to GHG emissions, but would be less preferred based on broader state, regional and local goals for housing and mixed-use development on urban infill sites.

Hazards and Hazardous Materials

Like the proposed the project, demolition of the existing project site structures could release hazardous materials into the atmosphere, such as lead and asbestos. Implementation of the alternative would obtain a demolition permit which requires a preliminary site inspection to be conducted an approved from Building, Planning, Public Works, and other agencies as required.⁷ If hazardous materials are found to be contained within the existing building, then the project would follow regulations from the Thousand Oaks Municipal Code and Code of Federal Regulations Title 40 for removal, which is considered regulatory compliance. A debris recycling plan and a hazardous waste plan would also need to be approved by the City of Public Works Department for wasted generated by either the project or the alternative.

During operation of the alternative, hazardous materials would not be used aside from basic commercially sold items, such as supplies for cleaning, repairs, and maintenance. The project site is located near several RECs, with the closest being located on the northwest corner of West Hillcrest Drive and Rancho Conejo

⁷ City of Thousand Oaks Municipal Code, Sec. 8-1.06. Amendments: Chapter 1, Division II, Section 105 Permits.

Boulevard. The Phase I ESA used for the proposed project would also apply to the alternative, so the alternative would need to conduct limited soil vapor testing to evaluate whether vapor controls are needed for the redevelopment of the project site. The alternative and proposed project would have to follow the same regulations and mitigation measure for the issue of potential soil vapor remediation; therefore, they would have similar impacts, which would be less than significant with mitigation.

Land Use and Planning

Under this alternative, the existing building would be demolished, and the site would be developed to be consistent with the current commercial General Plan land use designation and zoning. Development of the alternative project would be consistent with local standards and regulations. The infill redevelopment would not divide the community. As such, the new development would be consistent with current zoning and land use element, resulting in a less than significant impact. However, the existing planning and zoning alternative would not satisfy RHNA and Housing Element goals for the provision of housing, including affordable housing, and would be inconsistent with the endorsed Preferred Land Use Map, and would thus not be preferred on this issue.

Noise

The existing planning and zoning alternative would generate similar maximum noise levels associated with construction as the project. The construction period for the alternative would be shorter since the development would be less square footage, one story shorter, and not include subterranean parking. During construction, the alternative project would have to implement the same mitigation measure to ensure a reduction in dBA by installing a 12-foot-high barrier on the eastern portion of the boundary to protect the nearby residential area. Assuming the use of a limited number of large equipment pieces on the eastern boundary and proving sound barriers would reduce noise impacts to less than significant for both the alternative and the project. Additionally, prohibiting impact pile drivers would reduce a potentially significant vibration impact to an assumed nearby vibration sensitive use north of the site to a less than significant impact. While duration of construction would be less than the proposed project, similar impacts would occur for the alternative, and the same project mitigation measures would be required.

Operation of the project would be expected to result in a noise increase of less than 1.0 dBA, which is typically not perceptible, and would be lower than the applicable threshold. The commercial uses would not be considered vibration-generating uses; thus, vibration during operations is not a concern for the project or the alternative. Like the proposed project, operation of the existing planning and zoning alternative would result in less than significant impacts.

Population and Housing

The alternative project would be 100 percent commercial, with no residential use. Since there would be no residential dwelling units for the alternative project, the project would provide no housing and would not assist the City with reaching its RHNA or Housing Element goals for housing, including affordable housing. The alternative would generate more employees than the estimated 13 employees from the commercial use portion of the proposed project. The alternative project would not displace any people or housing units since the project site is developed with an existing, unused office building. While the alternative project would have a less than significant impact, it would not help the City reach its RHNA and Housing Element goals.

Public Service

Police and Fire Protection

Under this alternative, the project would build a commercial development with retail, restaurants and offices totaling approximately 267,450 gross sf. The site is currently served by government facilities and services for fire and police protection. Just as the proposed project would, the alternative project site plan and building plans would be reviewed and commented upon by the VCFD and VCSD to assure the project's design and operation would facilitate service by these service providers. The alternative would have the same impact the proposed project, which was found to be a less than significant impact.

Schools, Parks and Recreation

Under this alternative, the project would build a commercial development with retail, restaurants and offices totaling approximately 267,450 gross sf and no residential uses. No direct impact to school facilities would occur, which is reduced from the proposed project impact. Both the project and the alternative would pay school fees at rates applicable at the time of building permits, pursuant to Education Code 17620 and Government Code 65995, which assure no significant impact for either the project or the alternative.

Transportation

As with the proposed project, development of the alternative would increase the traffic within the project site vicinity. Based on the project's transportation study, the proposed mixed-use project would generate 1,788 daily trips, and using Institute of Transportation Engineers (ITE) generation rates, the alternative's trip generation would be substantially more, at approximately 9,898 ADT. With regard to VMT, the proposed project would provide local residences with closer commercial retail and restaurant options, and generally meet VMT and GHG reduction goals better than the alternative. Both the project and the alternative would retain the existing ingress and egress access points. No traffic conflicts or hazards are anticipated with the proposed project, which has substantially lower ADT. Given the substantially increased ADT with the alternative, City review would be required to assure the alternative design allows safe ingress and egress. The alternative would have a greater impact and as an all-commercial development, would not reduce VMT as the project would. This alternative project would be preferred over the proposed project on the issue of VMT.

Utilities and Service Systems

Water

Potable water by CalAm through the CMWD was previously used and is available at the site, so both the project and the existing planning and zoning alternative would be served by these agencies. Both developments would connect to the existing water facilities to provide potable water. The alternative's water demand is estimated to be less than the proposed project, and would be a negligible percent of available water. The alternative would demand less water than the proposed project, and both would be less than significant impacts.

Sewer

The subject property is served by existing sewer lines, available to both the proposed project and the alternative. The HCTP has a capacity of 14 million gpd and currently treats 8 million gpd, so there is an excess capacity of 6 million gpd. The alternate would generate less wastewater than the proposed project; however, both the existing planning and zoning alternative and proposed project would be well within the available HCTP capacity. Both the project and the alternative would have a less than significant impact, but the alternative's impact would be smaller.

Solid Waste

Waste generated from demolition of existing onsite development for both the project and the existing planning and zoning alternative would be the same. However, the alternative commercial development would be at a smaller development (267,450 sf compared to the project's 628,632 sf) than the proposed project and as such would create somewhat less construction waste. Less operational waste would also likely be less as well due to the reduced size and change in land uses from the project. The alternative would have a reduced impact compared to the project's less than significant construction waste impact on the Sun Valley Materials Recovery Facility (SVLRC) (construction phase) and the Calabasas Landfill (operational phase). Both the project and the alternative would be subject to federal, state, and local statutes and regulations governing waste reduction. Both the project and the alternative would have a less than significant impact, but the alternative's impact would be smaller.

Effects Determined Not Significant

Aesthetics

The Thousand Oaks General Plan designates U.S. 101 as a City Scenic Highway. However, views from nearby vantage points on the freeway do not provide scenic vistas of distant ridgelines. With the proposed project, the current existing vegetation and landscaping trees within the freeway right-of-way would remain to the south of the project site, and no significant impacts to scenic vistas or character would be anticipated. The same screening and lack of distant views exists and would continue with the existing planning and zoning alternative. The alternative development would be reduced in size and one story lower (three stories as opposed to the project's four stories), and thus, as with the project, would be classified as having aesthetics effects that were "determined not significant." As the proposed project would be smaller, and small insignificant views of the project itself would be more substantial, the impacts of the alternative would be slightly reduced.

Agricultural and Forest Resources

The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance⁸ and has been developed with the existing office and parking lot since the early 1980s. As with the proposed project, there would be no impact regarding agriculture and forestry resources. Impacts would be equivalent.

Geology and Soils

The alternative and proposed project would be located at the same project site, so they would have the same impact regarding rupture due to not being located in or near the state-designated Alquist-Priolo Earthquake Fault Zones or active faults, seismic ground shaking, liquefaction, and landslides. Since the project site is not located within an earthquake fault zone and the Geotechnical Assessment states the probability of landslides is considered remote due to the lack of slopes, the alternative would have a similar less than significant impact as the proposed project. The Geotechnical Report also states the project site is located on expansive soils, so both the project and the alternative would need to follow the geologist's recommendations to address structural stability such as use of thicker slab-on-grade and retaining walls. Review of all geotechnical reports and building plans would be provided by the City Engineer, as part of the City's standard permitting process. Since the alternative and proposed project are located on the same project site and both would be required to follow the same recommendations, they would have a similar impact conclusion, which is less than significant. The level of impact would be equivalent.

⁸ California Department of Conservation, California Important Farmland Finder, Accessed on January 16, 2023 at: <https://maps.conservation.ca.gov/DLRP/CIFF/>.

Hydrology and Water Quality

The alternative would be subject to the same regulations and permit approval requirements as the proposed project. Improvements would be scaled to the size and needs of the alternative. Both the proposed project and the alternative would have less than significant impacts. The level of impact would be equivalent.

Mineral Resources

The existing building was built in the 1980s and is located next to residential, commercial, and industrial park zones. The project site is located in MRZ-1, meaning, the areas where adequate information indicates no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.⁹ The ESA confirms there are no gas or oil issues including prior wells at the project site. Since the site is located in MRZ-1 and has no experienced gas or oil, the alternative project is comparable to the proposed project and would have no impact. The level of impact would be equivalent.

Wildfire

The project site is currently within an area where the VCFD provides fire protection services. The site is not classified within a VHFHSZ¹⁰ and does not expose people to risk of downslope or downstream flooding or landslides. U.S. 101 is adjacent from the project site and provides people with an evacuation route during a wildfire evacuation scenario. Prior to construction, the alternative building plans would undergo review by the City Engineer, as part of the City's standard permitting process, assuring the building would comply with building standards for fire protection. During the project review process, the plans are also reviewed by the VCFD, and are required to be updated to VCFD standards. Since the development site is not located within a VHFHSZ, and compliance with fire safety building codes would be enforced through the standard project permitting review process, both the project and the building reuse alternative would have a similar, less than significant impact as the proposed project.

Alternative 2's Ability to Meet Project Objectives

As discussed above, the existing planning and zoning alternative would have similar but generally reduced environmental impacts from the proposed project, due to the alternative's reduced size. The proposed project would develop a mixed-use project, a preferred land use pattern that reduces VMT and GHG impacts and generally meets goals for City urbanized areas. The alternative would provide no housing units and no affordable housing units. As such, it would not contribute at all to the City's RHNA or Housing Element goals. Because the alternative is 100 percent commercial, the alternative would not meet many of the basic project-specific objectives. While green measures applicable to commercial development would be employed to meet CALGreen requirements, the alternative would not provide additional green measures.

⁹ California Department of Conservation, Special Report 145, Plate 1.17, Newbury Park Quadrangle.

¹⁰ California Department of Forestry and Fire Protection, Fire and Resources Assessment Program, Very High Fire Hazard Severity Zones in Local Responsibility Area, Thousand Oaks, Accessed on January 27, 2023 at: https://osfm.fire.ca.gov/media/6024/thousand_oaks.pdf.

5.3 ALTERNATIVE 3: BIOTECH RESEARCH AND DEVELOPMENT FACILITY

Environmental Impacts of Alternative 3

The proposed project would build a mixed-use development approximately 628,632 gross sf which requires a General Plan Land Use Amendment to change the plan designation for the site from Commercial to Commercial/Residential and a Zone Change to change the site's C-3 zone classification to Specific Plan-24. The Research and Development (R&D) alternative (or, R&D alternative) would be compatible with adjacent land uses at Amgen campus and M-1 zoning located north of the proposed project. The alternative would require a General Plan Land Use Amendment to change the plan designation for the site from Commercial to Industrial and a Zone Change to change the site's C-3 zone classification to M-1. The alternative assumes maximum buildout and would be a three-story, 35-foot tall, R&D building(s). The building would be 534,900 gross sf, divided by use as follows: 401,175 sf of R&D and 133,725 sf of incidental office space. The alternative would provide 1,873 parking spaces (compliant with TOMC Sec. 9-4.2402), which would be broken down as the follows: 1,338 R&D spaces and 535 spaces for incidental office space. The alternative would have a 178,300 sf building footprint, which is a 50 percent lot coverage (compliant with Sec. 9-4.1605). There would be no residential component with this alternative. As with the proposed project, the alternative development would require demolition of the existing commercial office building and surrounding surface level parking. Grading amounts would be similar to the project's and are assumed to be equivalent for the purposes of this analysis.

Air Quality

Daily air quality emissions during construction would be expected to remain similar as those of the proposed project since, the equipment usage would be roughly the same, since the lot coverage and depth of excavation for the semi-subterranean parking would be similar. The duration of construction is assumed to be shorter, given the smaller building and one less story. The projected construction emissions from the proposed project would not exceed the daily emissions thresholds set by the VCAPCD for ROG and NO_x. Best management practices, such as required compliance with dust control rules, would be employed to ensure the minimization of construction fugitive dust emissions. It is assumed that the project's use of more energy-efficient, reduced-emissions equipment (i.e., Tier 4 Final construction grading equipment) would also be applied for the alternative. Both the project and the alternative would have less than significant criteria pollutant emissions impact during construction, but the alternative would have reduced emissions compared to the project.

Emissions of TACs during construction would occur with the alternative as well as the project. As impacts with the larger proposed project would result in less than significant impacts to nearby sensitive receptors, the same conclusion is assumed for the alternative. The alternative's impact would be reduced but would share the same CEQA conclusions classification.

The source of operational impacts of the project and of the alternative would be from area sources (i.e., consumer products, architectural coatings, and landscaping equipment), energy sources (electricity and natural gas usage), and mobile sources (vehicle use). Designs of the both the project and alternative would include features that would reduce emissions, such providing EV facilities on-site not installing natural gas appliances to residences; however, the alternative would only provide features commensurate with code requirements (e.g., CALGreen). The proposed project's operational emissions were analyzed through CalEEMod and the project would not exceed VCAPCD thresholds, assuming project features. Both the alternative and the project would have a less than significant impact during the operational phase.

Biological Resources

The alternative would still remove the existing office structure and paving and replace it with new development, including R&D building(s), new paving, parking, and landscaping. It is assumed that the area of excavation would be the same as with the project, and thus a similar amount of the site area would be disturbed. Tree impacts are resolved through regulatory compliance with the Thousand Oaks Oak Tree and Landmark Tree Preservation and Protection regulations and Guidelines, which would require three trees to be planted for each one removed (or an in lieu fee payment, where applicable). The alternative would be subject to the same pre-construction surveys and monitoring for nesting/breeding season (which is a required by law) as the proposed project. Both the project and the alternative would require mitigation in the form of bat surveys since the existing building to be demolished has remained idle for a substantial amount of time. The alternative and the project would have same impacts, which would be than significant with mitigation.

Cultural and Tribal Resources

Under both the project and the proposed alternative, demolition of existing structures and paved parking areas would occur, with grading and construction of new buildings and parking area which would excavate the project site. Due to this, the alternative construction activities could lead to the inadvertent discovery of unknown cultural/tribal archaeological resources or human remains. It is expected that the area of excavation would be the same as with the project, and thus large amount of the site would be disturbed. Thus, the amount and area of excavation would be similar for both the alternative and the project, and thus the potential for inadvertent discovery of unknown cultural/tribal archaeological resources or human remains would be the same. Regulatory compliance would assure less than significant impacts for these topics under both the alternative and the project. The site's sensitivity for paleontological resources would remain the same under either the alternative or the project, and thus the paleontological mitigation measures would be required for both. Therefore, the existing planning and zoning alternative would require the same mitigation measure as the project, and the paleontological resource conclusion would be the same as well, which is less than significant with mitigation.

Energy

The R&D alternative would keep similar project features as the project, in order to help reduce energy use, such as bike parking with electric bicycle charging stations, and EV parking. However, the alternative would provide EV features only at levels meeting the requirements of CALGreen (i.e., the alternative would provide 10 percent EV capable and 5 percent EV Chargers, compared to the project's 40 percent and 10 percent, respectively). Thus, on this point, the alternative would not result in a reduction in the operational phase use of fossil fuels beyond the requirements, and thus the proposed project would be preferred.

The project's energy analysis used CalEEMod to calculate the estimated energy usage during construction and operation of the project. Like the project, the alternative would follow applicable California Code of Regulations and Tier 4 Final construction equipment to improve efficiency during construction. Electricity, natural gas, and transportation fuels would generate energy use during operation. The proposed project would only amount for 0.05 percent of the County's current electric consumptions rate and 0.02 percent of the County's current consumption of natural gas, and since the alternative project is smaller, it would consume less electricity. However, due to the nature of the R&D alternative, more natural gas would be used than the proposed project. Gasoline and diesel fuel used during operation would be a negligible amount of the statewide annual figures. The City would review plans to verify compliance with Title 24 standards which includes the 2022 Energy Code and CALGreen. Since the project would comply with regulatory standards, the proposed project would have a less than significant impact, but would have a greater impact than the proposed project.

Greenhouse Gas Emissions

As mentioned above, the R&D alternative meet CALGreen standards; however, the alternative would develop an R&D building(s), reducing the level of benefit to state, regional and City policies that promote mixed-use urban infill as a way to reduce the overall VMT and GHG emissions of development, while providing needed housing to meet RHNA and Housing Element numbers. The GHG analysis used CalEEMod to calculate the estimated project emissions from construction and operation. It is assumed that since the alternative project would have a reduced overall square footage compared to the project; however, alternative would likely be increased from the proposed project's estimated emissions because the R&D alternative would have a substantially higher VMT generation rate, at approximately 5,927 trips generated. Although emissions may be lower, the overall benefit of a mixed-use project would not be achieved. The alternative project would be consistent with the SCAG RTP/SCS and the 2022 Climate Scoping Plan, but would not provide mixed-use development, which again does not provide as much benefit to the goals of VMT and GHG reduction and corresponding goals and intentions of the RTP/SCS and Scoping Plan. Additionally, the alternative would comply with applicable regulations and energy conservation standards from Title 24 Building Energy Efficiency Standards (Part 6) and Green Building Standards (Part 11). Like the project, the alternative would have a less than significant impact to GHG emissions, but would be less preferred based on broader state, regional and local goals for housing and mixed-use development on urban infill sites.

Hazards and Hazardous Materials

Like the proposed the project, demolition of the project site could release hazardous materials into the atmosphere, such as lead and asbestos. Implementation of the alternative would obtain a demolition permit which requires a preliminary site inspection to be conducted an approved from Building, Planning, Public Works, and other agencies as required.¹¹ If hazardous materials are found to be contained within the existing building, then the project would follow regulations from the Thousand Oaks Municipal Code and Code of Federal Regulations Title 40 for removal, which is considered regulatory compliance. A debris recycling plan and a hazardous waste plan would need to be approved by the City of Public Works Department for wasted generated by either the project or the R&D alternative.

Due to the nature of R&D buildings, the alternative may involve the use, storage and handling of hazardous materials, instruments or machinery or use of regulated hazardous processes. If so, the alternative project must follow the Ventura County Certified Unified Program Agency (CUPA), which implement state and federal laws and regulations, County ordinance code, and local policies for hazardous materials and waste. Ventura County CUPA would require a Hazardous Material Business Plan for if the R&D alternative store, use, or handle hazardous materials at or above threshold amounts.¹² This topic would require further evaluation and potentially additional mitigation measures once the specific R&D use is known and development permits are requested.

The project site is located near several RECs, with the closest being located on the northwest corner of West Hillcrest Drive and Rancho Conejo Boulevard. The Phase I ESA used for the proposed project would also apply to the alternative, so the alternative would need to conduct limited soil vapor testing to evaluate whether vapor controls are needed for the redevelopment of the project site. The alternative and proposed project would have to follow the same regulations and mitigation measure for the issue of potential soil vapor remediation; therefore, they would have similar impacts, which would be less than significant with mitigation. However, given the potential additional potential impacts of the use, storage, and handling of hazardous materials, this alternative could have additional concerns beyond the proposed project's concerns

¹¹ City of Thousand Oaks Municipal Code, Sec. 8-1.06. Amendments: Chapter 1, Division II, Section 105 Permits.

¹² County of Ventura, CUPA – Certified Unified Program Agency, Accessed on March 23, 2023 at: <https://vcrma.org/en/cupa>

and thus the alternative impacts are considered increased but assumed to be less than significant with regulatory compliance and potentially mitigation measures.

Land Use and Planning

Under this alternative, the existing building would be demolished and built with a R&D that would require a General Plan Land Use Amendment to change the site's general plan land use designation from Commercial to Industrial and a Zone Change to change the site's C-3 zone classification to M-1. It is assumed that development of the alternative project would be consistent with local standards and regulations. The alternative development would be compatible with the adjacent land uses at the Amgen campus and M1-zoning north of the project site but would not provide any housing to satisfy the City's RHNA and Housing Element goals for the provision of housing, including affordable housing, and would thus not be preferred on this issue. The R&D alternative, however, would be generally responsive to the City's goals to facilitate commercial use and employment, particularly in the high-tech and bio-medical fields. As infill redevelopment of an existing urban site, neither the proposed project nor the alternative would divide the community. It is expected that some of the City's land use, planning, and general development goals and policies would be satisfied by the alternative, more goals and policies would be accomplished by the proposed mixed-use project. Both the project and the alternative's impact conclusion would be less than significant.

Noise

The alternative's construction phases would generate similar maximum noise levels associated with construction as the project. During construction, the alternative project would have to implement the same mitigation measure to ensure a reduction in dBA by installing a 12-foot high barrier on the eastern portion of the boundary to protect the nearby residential area. Assuming the use of a limited number of large equipment pieces on the eastern boundary and proving sound barriers would reduce noise impacts to less than significant. Additionally, prohibiting impact pile drivers would reduce a potentially significant vibration impact to less than significant for both the alternative and the project. While duration of construction would be less with the alternative than the proposed project, similar impacts would occur for the R&D alternative, and the same construction mitigation measures would be required.

Operation of the R&D alternative would be expected to result in a noise increase of less than 1.0 dBA, which is typically not perceptible, so it would be lower than the City's applicable threshold. The development would not be considered vibration-generating uses; thus, vibration during operations is not a concern for the project or the alternative. Like the proposed project, operation of the alternative would result in less than significant impacts.

Population and Housing

The alternative project would be 100 percent /industrial R&D, with no residential use. Since there would be no residential dwelling units for the alternative project, including no affordable housing, the project would not assist the City with reaching its RHNA and Housing Element goals at all. It is assumed that the alternative would generate more employees than the estimated 13 employees from the commercial use portion of the proposed project, as much more building space would be provided for the R&D than the project's 5,300 sf of commercial space. The alternative project would not displace any people or housing, since the project site is developed with an existing, unused office building. While the alternative project would have a less than significant impact, it would not help the City reach its RHNA and Housing Element goals.

Public Service

Police and Fire Protection

Under this alternative, the project would build a R&D facility that would total approximately 534,900 gross sf. The site is currently served by government facilities and services for fire and police protection. Just as the proposed project would, the alternative project site plan and building plans would be reviewed and commented upon by the VCFD and VCSD to assure the project's design and operation would facilitate service by these service providers. The alternative would have the same impact the proposed project, which was found to be a less than significant impact.

Schools, Parks and Recreation

Under this alternative, the project would build an R&D facility that would total approximately 534,900 gross sf an no residential units. No direct impact to school facilities would occur, which is reduced from the proposed project impact, which is reduced from the proposed project impact. Both the project and the alternative would pay school fees at rates applicable at the time of building permits, pursuant to Education Code 17620 and Government Code 65995, which assure no significant impact for either the project or the alternative.

Transportation

As with the proposed project, development of the alternative would increase the traffic within the project site vicinity. Based on the project's transportation study, the proposed mixed-use project would generate 1,788 daily trips, and using Institute of Transportation Engineers (ITE) generation rates, the R&D alternative's trip generation would be substantially more, at approximately 5,927. With regard to VMT, project would provide local residences with closer commercial retail and restaurant options, and generally meet VMT and GHG reduction goals better than the alternative. Both the project and the alternative would retain the existing ingress and egress access points. No traffic conflicts or hazards are anticipated with the proposed project, which has substantially lower ADT. Given the substantially increased ADT with the alternative, City review would be required to assure the alternative design allows safe ingress and egress. Due to the R&D alternative being an all-industrial use and the expected increased employee VMT, the alternate would not reduce VMT as the proposed mixed-used project development would. The project would be preferred over the project on the issue of VMT.

Utilities and Service Systems

Water

Potable water by CalAm through the CMWD was previously used and is available at the site, so both the project and the alternative would be served by these agencies. Both developments would connect to the existing water facilities to provide potable water. Based on square footage and R&D usage rate category assumptions, it is anticipated that the R&D alternative would result in a somewhat higher water demand than the proposed project, but still would only be less than one percent of the CalAm's projected water supply for 2025 and for 2045. The alternative would demand more water than the proposed project, although both would be less than significant impacts.

Sewer

The subject property is served with by existing sewer lines, available to both the proposed project and the alternative. The HCTP has a capacity of 14 million gpd and currently treats 8 million gpd, so there is an excess of 6 million gpd. The R&D alternate, based on square footage and use assumptions, is anticipated to generate more wastewater than the proposed project, although both the alternative and proposed project

would use a negligible portion the capacity at the HCTP. The R&D alternative and the proposed project would have a less than significant impact; however, the alternative project would generate more wastewater.

Solid Waste

Waste generated from demolition for both the project and the R&D alternative would be the same. The alternative and proposed project would also have similar construction waste, though the alternative may generate a bit less, given its smaller size (534,900 sf of R&D compared to 628,632 sf of mixed-use). The alternative would generate more waste during operations, but both would have a less than significant impact on the SVLRC (construction phase) and the Calabasas Landfill (operational phase). Both the project and the alternative would be subject to federal, state, and local statutes and regulations governing waste reduction. Both the project and the alternative would have a less than significant impact; however, the alternative would generate more operational solid waste.

Effects Determined Not Significant

Aesthetics

The Thousand Oaks General Plan designates U.S. 101 as a City Scenic Highway. However, views from nearby vantage points on the freeway do not provide scenic vistas of distant ridgelines. With the proposed project, the current existing vegetation and landscaping trees within the freeway right-of-way would remain to the south of the project site, and no significant impacts to scenic vistas or character would be anticipated. The same screening and lack of distant views would exist and continue with the R&D alternative. The alternative development would be reduced in size and one story lower (three stories as opposed to the project's four stories), and thus, as with the project, would be classified as having aesthetics effects that were "determined not significant." As the alternative would be smaller, and small insignificant views of the project itself would be more substantial, the impacts of the alternative would be slightly reduced.

Agricultural and Forest Resources

The project site is not designated as Prime farmland, Unique Farmland, or Farmland of Statewide Importance¹³ and has been developed with the existing office and parking lot since the early 1980s. As with the proposed project, there would be no impact regarding agriculture and forestry resources. Impacts would be equivalent.

Geology and Soils

The alternative and proposed project would be located at the same project site, so they would have the same impact regarding rupture due to not being located in or near the state-designated Alquist-Priolo Earthquake Fault Zones or active faults, seismic ground shaking, liquefaction, and landslides. Since the project site is not located within an earthquake fault zone and the Geotechnical Assessment states the probability of landslides is considered remote due to the lack of slopes, the R&D alternative would have a similar less than significant impact as the proposed project. The Geotechnical Report also states the project site is located on expansive soils, so both the project and the alternative would need to follow the geologist's recommendations to address structural stability such as use of thicker slab-on-grade and retaining walls. Review of all geotechnical reports and building plans would be provided by the City Engineer, as part of the City's standard permitting process. Since the alternative and proposed project are located on the same project site and both would be required to follow the same recommendations, they would have a similar impact conclusion, which is less than significant. The level of impact would be equivalent and determined not significant.

¹³ California Department of Conservation, California Important Farmland Finder, Accessed on January 16, 2023 at: <https://maps.conservation.ca.gov/DLRP/CIFF/>.

Hydrology and Water Quality

The R&D alternative would be subject to the same regulations and permit approval requirements as the proposed project. Improvements would be scaled to the size and needs of the alternative. Both the proposed project and the alternative would have less than significant impacts. The level of impact would be equivalent, and determined not significant.

Mineral Resources

The existing building was built in the 1980s and is located next to residential, commercial, and industrial park zones. The project site is located in MRZ-1, meaning, the areas where adequate information indicates no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.¹⁴ The ESA confirms there are no gas or oil issues including prior wells at the project site. Since the site is located in MRZ-1 and has no experienced gas or oil, the alternative project's effect is comparable to the proposed project and would have no impact. The level of impact would be equivalent, and determined not significant.

Wildfire

The project site is currently within an area where the VCFD provides fire protection services. The site is not classified within a VHFHSZ¹⁵ and does not expose people to risk of downslope or downstream flooding or landslides. U.S. 101 is adjacent from the project site and provides people with an evacuation route during a wildfire evacuation scenario. Prior to construction, the alternative building plans would undergo review by the City Engineer, as part of the City's standard permitting process, assuring the building would comply with building standards for fire protection. During the project review process, the plans are also reviewed by the VCFD, and are required to be updated to VCFD standards. Since the alternative is not located within a VHFHSZ and compliance with fire safety building codes and undergo the standard project permitting review process to verify compliance, the alternative would have a similar, "determined not significant" impact as the proposed project.

Alternative 3's Ability to Meet Project Objectives

As discussed above, the R&D alternative would have some similar and reduced impacts and in a few cases increased environmental impacts compared to the proposed project, due to the alternative's expected higher employee count and trip generation with a lack of residential uses. The proposed project would develop a mixed-use project, a preferred land use pattern that reduces VMT and GHG impacts and generally meets goals for City urbanized areas. The alternative would provide no housing units and no affordable housing units. As such, it would not contribute at all to the City RHNA and Housing Element goals or addressing the state's declared housing crisis. Because the alternative is 100 percent industrial, with no uses in common with the project, the alternative would not meet many of the basic project-specific objectives. While green measures applicable to commercial development would be employed to meet CALGreen requirements, the alternative would not provide additional green measures.

¹⁴ California Department of Conservation, Special Report 145, Plate 1.17, Newbury Park Quadrangle.

¹⁵ California Department of Forestry and Fire Protection, Fire and Resources Assessment Program, Very High Fire Hazard Severity Zones in Local Responsibility Area, Thousand Oaks, Accessed on January 27, 2023 at: https://osfm.fire.ca.gov/media/6024/thousand_oaks.pdf.

5.4 ALTERNATIVE 4: REDUCED DENSITY

Environmental Impacts of Alternative 4

The Reduced Density Alternative (or reduced density alternative) consists of the proposed project without the requested density bonus with no change to the commercial component. Thus, in this alternative scenario, construction would consist of 246 dwelling units, comprising approximately 465,000 gross sf of residential building floor area (i.e., assuming the same proportionate reduction in space as the reduction in units), with proportionately adjusted parking and amenity space, and 5,300 gross sf of commercial retail and restaurant space. The commercial component is assumed to remain the same, because it is likely a certain critical mass of space is needed to attract commercial tenants and maintain a viable commercial component. While some of the green features would be provided, the higher costs of development without the density bonus would result in the developer not being able to provide green features beyond the existing regulatory requirements. The project commitment, compared to the CALGreen requirement is as follows:

- The project would provide 226 EV Capable parking spaces (40 percent of overall Parking) with pre-wiring installed for future Level 2 EV Charging (the alternative would provide only the 10 percent required per CALGreen).
- The project would provide 141 EV Ready parking spaces (25 percent of overall Parking) equipped with low power Level 2 EV charging 120-240 volt 30 Amp receptacles (both the alternative and the project would provide 25 percent, which is the CALGreen requirement).
- The project would provide 57 EV Chargers (10 percent of Overall Parking) equipped with Level 2 Electrical Vehicle Supply Equipment (EVSE) (the alternative would provide only the 5 percent required per CALGreen) available at initial occupancy.

Also, given the smaller size of the project and no density bonus to allow an increased number of market-rate dwelling units, it is assumed no affordable units would be provided by the developer in this alternative. The architectural style and general layout would be similar, with subterranean parking and landscaping. Building heights would be 3-stories above ground. Like the project, the top floor of each building to be stepped back from adjacent roadways and public views to reduce massing.

Air Quality

Daily air quality emissions during construction would be expected to remain similar as those of the proposed project since the site size and the equipment to be used would be roughly the same. The duration of construction is assumed to be shorter. The projected construction emissions from the proposed project would not exceed the daily emissions thresholds set by the VCAPCD for ROG and NO_x. Best management practices, such as required compliance with dust control rules would be employed to ensure the minimization of construction fugitive dust emissions. It is assumed that the project's use of more energy-efficient, reduced-emissions equipment (i.e., Tier 4 Final construction grading equipment) would also be recommended for the alternative. Both the project and the alternative would have less than significant construction impacts, but the alternative would have reduced construction emissions compared to the project.

Emissions of TACs during construction would occur with the alternative as well as the project. As impacts with the larger proposed project would result in less than significant impacts to nearby sensitive receptors, the same conclusion is assumed for the alternative. The alternative's impact would be reduced but would share the same less than significant CEQA impact conclusion.

The source of operational impacts of the project and of the alternative would be from area sources (i.e., consumer products, architectural coatings, and landscaping equipment), energy sources (electricity and

natural gas usage), and mobile sources (vehicle use). Designs of the both the project and alternative would include features that would reduce emissions, such providing Electric Vehicle (EV) facilities on-site not installing natural gas appliances to residences; however, the alternative would only provide features commensurate with code requirements (e.g., California Green Building Standards Code (CALGreen)). The proposed project's operational emissions were analyzed using CalEEMod, which determined that the project would not exceed VCAPCD thresholds, assuming project features. Since the alternative project would be reduced in size, it is assumed the alternative would have a reduced operational emissions impact than the proposed project. Both the alternative and the project would have a less than significant impact during the operational phase.

Biological Resources

The reduced density alternative would still remove the existing office structure and paving and replace it with new development including residential and commercial uses, new paving, and landscaping. In order to achieve the lower height (3-stories), it is assumed the same footprint as the project would be disturbed and built-upon. The same amount and area of excavation as with the project would occur, and thus the alternative would also remove the 17 oak trees that the project would remove. As with the project, tree impacts would be resolved through regulatory compliance with the Thousand Oaks Oak Tree and Landmark Tree Preservation and Protection regulations and Guidelines, which would require three trees to be planted for each one removed (or an in lieu fee payment, where applicable). The reduced alternative would be subject to the same pre-construction surveys and monitoring for nesting/breeding season, which is required by law in either scenario, and both would require mitigation in the form of bat surveys since the building has remained idle for a substantial amount of time. The alternative's impacts and the conclusion would be the same as the project's; both would be less than significant with mitigation requiring bat surveys.

Cultural, Tribal Cultural, and Paleontological Resources

Under both the project and the reduced density alternative, demolition of existing structures and paved parking areas would occur, with grading and construction of new buildings and parking area which would excavate the project site. Due to this, the project construction activities could lead to the inadvertent discovery of unknown cultural/tribal archaeological resources or human remains. It is expected that the area of excavation would be the same as with the project, and thus large amount of the site would be disturbed. The amount and area of excavation would be similar for both the alternative and the project, and thus the potential for inadvertent discovery of unknown cultural/tribal archaeological resources or human remains would be the same as with the project. Regulatory compliance would assure less than significant impacts for these topics under both the alternative and the project. The site's sensitivity for paleontological resources would remain the same under either the alternative or the project, and thus the paleontological mitigation measures would be required for both. Therefore, this alternative would the same have less than significant impacts to archaeology and tribal cultural resources including human remains and require the same paleontological mitigation measure as the project, and the paleontological resource conclusion would be the same as well, which is less than significant with mitigation.

Energy

The reduced density alternative would keep similar project features as the project, in order to help reduce energy use, such as bike parking with electric bicycle charging stations, and EV parking. However, the alternative would provide EV features only at levels meeting the requirements of CALGreen (i.e., the alternative would provide 10 percent EV capable and 5 percent EV Chargers, compared to the project's 40 percent and 10 percent, respectively). Thus, on this point, the alternative would not encourage a reduction in the operational phase use of fossil fuels or reduce GHG to the extent that the project would.

The project's energy analysis used CalEEMod to calculate the estimated energy usage during construction and operation of the project. Like the project, the alternative would follow applicable California Code of Regulations and Tier 4 Final construction grading equipment to improve efficiency during construction. Electricity, natural gas, and transportation fuels would generate energy use during operation. The proposed project would only amount for 0.05 percent of the County's current electric consumptions rate, and since the alternative is at reduced density, it would utilize even less than 0.05 percent of the current consumption rate. The proposed project would consume 0.02 percent of the County's current consumption of natural gas; therefore, the alternative project would utilize even less. Gasoline and diesel fuel used during operation would be a negligible amount of the statewide annual figures. The City would review plans to verify compliance with Title 24 standards which includes the 2022 Energy Code and CALGreen. Since the project would comply with regulatory standards, this alternative project would have a less than significant impact.

Greenhouse Gas Emissions

As mentioned above, the reduced density alternative would use similar project features to help reduce GHG emissions such as no natural gas appliances for residents, bike parking with electric charging stations, and EV parking that meets CALGreen standards; however, the project would provide a smaller mixed-use project with no affordable housing, reducing the level of benefit to state, regional and City policies that promote mixed-use urban infill as a way to reduce the overall VMT and GHG emissions of development, while providing needed housing to meet RHNA and Housing Element numbers. The GHG analysis used CalEEMod to calculate the estimated project emissions from construction and operation. Since the alternative is at a reduced density, it can be safely assumed the emissions would not exceed the estimations for the proposed project. Thus, emissions would be lower, though the overall benefit of a larger mixed-use project would not be achieved. The alternative project would be consistent with the SCAG RTP/SCS and the 2022 Climate Scoping Plan, but would not provide as much residential use or affordable housing to support the provided commercial use, which again does not provide as much benefit to the goals of VMT and GHG reduction. Additionally, the alternative would comply with applicable regulations and energy conservation standards from Title 24 Building Energy Efficiency Standards (Part 6) and Green Building Standards (Part 11). Like the project, the alternative would have a less than significant impact to GHG emissions, but would be less preferred based on broader state, regional and local goals for housing and mixed-use development on urban infill sites.

Hazards and Hazardous Materials

Just as the proposed the project, demolition of the existing project site structures could release hazardous materials into the atmosphere, such as lead and asbestos. Implementation of the alternative would require a demolition permit and a preliminary site inspection to be conducted by Building, Planning, Public Works, and other agencies as required.¹⁶ If hazardous materials are found to be contained within the existing building, then the project would follow regulations from the Thousand Oaks Municipal Code and Code of Federal Regulations Title 40 for removal, which is considered regulatory compliance. A debris recycling plan and a hazardous waste plan would need to be approved by the City of Public Works Department for wasted generated by either the project or the alternative.

During operation of the alternative, hazardous materials would not be used aside from basic commercially sold household items, such as supplies for cleaning, repairs and maintenance. The project site is located near several RECs, with the closest being located on the northwest corner of West Hillcrest Drive and Rancho Conejo Boulevard. The Phase I ESA used for the proposed project would also apply to the alternative, so the alternative would need to conduct limited soil vapor testing to evaluate whether vapor controls are needed for the redevelopment of the project site. The alternative and proposed project would

¹⁶ City of Thousand Oaks Municipal Code, Sec. 8-1.06. Amendments: Chapter 1, Division II, Section 105 Permits.

have to follow the same regulations and mitigation measures; therefore, they would have similar impacts, which would be less than significant with regulatory compliance.

Land Use and Planning

The alternative would still develop a mixed-use project but with reduced density at the project site. The infill redevelopment would not divide the community, resulting in no impact. The alternative project would be consistent with the Thousand Oaks General Plan but would not meet the Housing Element's goal of providing affordable housing on a target site. The project would receive a general plan amendment to go from commercial to commercial/residential. The project would create a specific plan that would allow for mixed-used development at the project site. The alternative project would result in similar land use and planning impacts as the proposed project, which would be less than significant. However, the reduced density alternative would not satisfy RHNA and Housing Element goals to the extent as the project, and would thus not be preferred on this issue.

Noise

The reduced density alternative would generate similar maximum noise levels associated with construction as the project; however, the overall duration of construction is assumed to be shorter since the development has less square footage and a one less story. During construction, the alternative project would have to implement the same mitigation measure to ensure a reduction in dBA by installing a 12-foot high barrier on the eastern portion of the boundary to protect the nearby residential area. Assuming the use of a limited number of large equipment pieces on the eastern boundary and proving sound barriers would reduce noise impacts to less than significant for both the alternative and the project. Additionally, prohibiting impact pile drivers would reduce a potentially significant vibration impact to an assumed nearby vibration sensitive use north of the site to a less than significant impact. While duration of construction would be less than the proposed project, similar impacts would occur for the reduced density alternative, and the same construction mitigation measures would be required

Operation of the proposed project would result in an increase of less than 1.0 dBA, which is not typically perceptible, and lower than the applicable threshold. The residential and commercial uses would not be considered vibration-generating uses; thus, vibration during operations is not a concern for the project or the alternative. The alternative is a smaller project with less trip generation, which would result in less of a noise increase than the proposed project. Like the proposed project, operation of the reduced density alternative would result in less than significant impacts.

Population and Housing

The reduced density alternative would provide a mixed-use development, albeit, at a lower density than the proposed project. No density bonus would be sought. The commercial use would stay consistent with the proposed project at 5,300 gross sq for restaurant or retail. The alternative would introduce 245 residential units which would help the City of Thousand Oaks with its RHNA or Housing Element goals for additional market rate housing, but to a lesser extent than the proposed project. The alternative would not benefit the RHNA or Housing Element goals for affordable housing at all, where the proposed project would provide 30 very-low income housing units. Like the project, the alternative would have a less than significant impact with regard to land use and planning, but would be less preferred as it would not contribute as many market rate dwelling units for RHNA and Housing Element and would not provide any affordable housing units.

Public Service

Police and Fire Protection

Under this alternative, the project would develop a mixed-used project that would include 245 dwelling units totaling approximately 465,000 gross sq and 5,300 gross sq of commercial use for restaurants or retail that is currently served by government facilities and services for fire and police protection. Just as the proposed project would, the alternative project site plan and building plans would be reviewed and commented upon by the VCFD and VCSD to assure the project's design and operation would facilitate service by these service providers. The reduced density alternative would have the same impact the proposed project, which was found to be a less than significant impact.

Schools, Parks and Recreation

Under the reduced density alternative, the project would develop a mixed-used project that would include 226 dwelling units totaling approximately 465,000 gross sq and 5,300 gross sq of commercial use for restaurants or retail. As with the project, the site is currently within school district boundaries and would be served by existing school facilities. Based on information for the proposed from the Conejo Valley Unified School District (CVUSD) regarding the ability to serve a greater number of students, the CVUSD schools that are located within the project vicinity would have the ability to serve the proposed project¹⁷. Since the alternative is a smaller project, the impact on the school facilities would be less than the impact created by the proposed project. Further, the both the project and the alternative would pay school fees at rates applicable at the time of building permits, pursuant to Education Code 17620 and Government Code 65995. The reduced density alternative would also utilize parks and recreational facilities in the area. As the proposed project would have a less than significant impact on these facilities, and the alternative would include fewer residential units, impacts would be similarly less than significant, but reduced.

Transportation

As with the proposed project, development of the reduced density alternative would increase the traffic within the project site vicinity. Based on the project's transportation study, the proposed mixed-use project would generate 1,788 daily trips. The alternative's trip generation would be less than the proposed project due to its reduced number of housing units (commercial square footage would be the same). With regard to VMT, the proposed project would provide more residences within a predominantly commercial location, and thus by providing more residential units, would generally meet VMT and GHG reduction goals better than the project, from a policy perspective. Both the project and the alternative would retain the existing ingress and egress access points, and as no traffic conflicts or hazards are anticipated with the proposed project, and the alternative would allow less development, no traffic or conflicts or hazards would occur with the project. Due to the alternative being reduced density, Alternate 3 would have a less of an impact compared to the proposed project.

Utilities and Service Systems

Water

Potable water by CalAm through the CMWD was previously used and is available at the site, so both the project and the reduced density alternative would be served by these agencies. Both developments would connect to the existing water facilities to provide potable water. Since the proposed project would use only a small fraction of a percent of CalAm's project water supply for 2025 and for 2045, the alternative, as a reduced sized development, would require even less. No major infrastructure additions or other impacts

¹⁷ Hanna, Debra, Planning Specialist, Conejo Valley Unified School District, Email Correspondence with Envicom Corporation, October 4, 2022.

would occur under either scenario. Both the project and the alternative would have a less than significant impact, but the alternative's impact would be smaller.

Sewer

The subject property is served with by a 30-inch City wastewater main located approximately 36-feet from the rearmost portion of the subject property, and an existing 8-inch lateral that ties into the 18-inch main located parallel to the eastern property line, which then connects to an existing manhole within the roadway of the flood control channel. The HCTP has a capacity of 14 million gpd and currently treats 8 million gpd, so there is an excess of 6 million gpd. The proposed project was found to have a negligible effect on the remaining capacity. As a reduced development, the alternative project would generate less wastewater and utilize even less of a negligible portion of the remaining capacity. Both the project and the alternative would have a less than significant impact, but the alternative's impact would be smaller.

Solid Waste

Waste generated from demolition for both the project and the reduced density alternative would be the same. Waste generated for later phases of construction would be less for the alternative, since it would be a smaller development. As with the project, solid waste from construction and demolition would be anticipated to go to SVLRC and the Calabasas Landfill, and since the proposed project would only represent less than one percent of the daily permitted capacity and total remaining capacity of the SVLRC and the Calabasas Landfill, the alternative would represent a smaller fraction of the one percent. During operations, the proposed project waste would go to the Sun Valley Materials Recovery Facility, and would use less than one percent of the maximum daily capacity of that facility. The alternative would generate less waste and would therefore have a further reduced impact on the capacity at the facility. Both the project and the alternative would be subject to federal, state, and local statutes and regulations governing waste reduction. Both the project and the alternative would have a less than significant impact, but the alternative's impact would be smaller.

Effects Determined Not Significant

Aesthetics

The Thousand Oaks General Plan designates U.S. 101 as a City Scenic Highway. However, views from nearby vantage points on the freeway do not provide scenic vistas of distant ridgelines. With the proposed project, the current existing vegetation and landscaping trees within the freeway right-of-way would remain to the south of the project site, and no significant impacts to scenic vistas or character would be anticipated. The same screening and lack of distant views would occur with the reduced density alternative. The alternative buildings would be reduced in size and height (3-story structures instead of the project's 4-story structures), and thus, while both would be classified as having aesthetics effects that were "determined not significant," the insignificant views of the project itself would be more substantial than the alternative. The impacts of the alternative would be slightly reduced.

Agricultural and Forest Resources

The project site is not designated as Prime farmland, Unique Farmland, or Farmland of Statewide Importance¹⁸ and has been developed with the existing office and parking lot since the early 1980s. As with the proposed project, there would be no impact regarding agriculture and forestry resources. Impacts would be equivalent.

¹⁸ California Department of Conservation, California Important Farmland Finder, Accessed on January 16, 2023 at: <https://maps.conservation.ca.gov/DLRP/CIFF/>.

Geology and Soils

The alternative and proposed project would be located at the same project site, so they would have the same impact regarding rupture due to not being located in or near a state-designated Alquist-Priolo Earthquake Fault Zone or active fault, liquefaction, and landslide area. Since the project site is not located within an earthquake fault zone and the Geotechnical Assessment states the probability of landslides is considered remote due to the lack of slopes, the alternative would have a similar less than significant impact as the proposed project. The Geotechnical Report also states the project site is located on expansive soils, so both the project and the alternative would need to follow the geologist's recommendations to address structural stability such as use of thicker slab-on-grade and retaining walls. Review of all geotechnical reports and building plans would be provided by the City Engineer, as part of the City's standard permitting process. Since the alternative and proposed project are located on the same project site and both would be required to follow the same recommendations, they would have a similar impact conclusion, which is less than significant. The level of impact would be equivalent.

Hydrology and Water Quality

The alternative would be subject to the same regulations and permit approval requirements as the proposed project. Improvements would be scaled to the size and needs of the alternative. Both the proposed project and the alternative would have less than significant impacts. The level of impact would be equivalent.

Mineral Resources

The existing building was built in the 1980s and is located next to residential, commercial, and industrial park zones. The project site is located in MRZ-1, meaning, the areas where adequate information indicates no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.¹⁹ The ESA confirms there are no gas or oil issues including prior wells at the project site. Since the site is located in MRZ-1 and has no experienced gas or oil, the alternative project is comparable to the proposed project and would have no impact. The level of impact would be equivalent.

Wildfire

The project site is currently within an area where the VCFD provides fire protection services. The site is not classified within a VHFHSZ²⁰ and does not expose people to risk of downslope or downstream flooding or landslides. U.S. 101 is adjacent from the project site and provides people with an evacuation route during a wildfire evacuation scenario. Prior to construction, the alternative project building plans would undergo review by the City Engineer, as part of the City's standard permitting process, assuring the building would comply with building standards for fire protection. During the project review process, the plans are also reviewed by the VCFD, and are required to be updated to VCFD standards. Since the development site is not located within a VHFHSZ, and compliance with fire safety building codes would be enforced through the standard project permitting review process, both the project and the building reuse alternative would have a similar, less than significant impact as the proposed project.

Alternative 4's Ability to Meet Project Objectives

As discussed above, the building reuse alternative would have similar but generally reduced environmental impacts from the proposed project, due to the alternative's reduced size. The proposed project would develop a mixed-use project, a preferred land use pattern that reduces VMT and GHG impacts and generally

¹⁹ California Department of Conservation, Special Report 145, Plate 1.17, Newbury Park Quadrangle.

²⁰ California Department of Forestry and Fire Protection, Fire and Resources Assessment Program, Very High Fire Hazard Severity Zones in Local Responsibility Area, Thousand Oaks, Accessed on January 27, 2023 at: https://osfm.fire.ca.gov/media/6024/thousand_oaks.pdf

meets goals for City urbanized areas. The alternative would also provide a mixed-use project, which has benefits; however, it would not provide as many housing units and no affordable housing units. As such, it would not contribute as much to meeting the City’s RHNA or Housing Element goals, or addressing the state’s declared housing crisis. Because it’s a similar but reduced project, the alternative would meet many of the basic project-specific objectives described in this EIR and in the project Specific Plan, but to a lesser extent.

5.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Based on the above analysis of a reasonable range of alternatives, and considering each issue area impact equivalent in importance, the alternative that would reduce the project’s impact, even if the CEQA conclusion would be the same, is the No Project / Reuse of Existing Building Alternative, and the next best in terms of reduced environmental impacts would be the No Project / Existing General Plan and Zoning (All Commercial) Alternative. Since these alternatives are variations on the “no project” alternatives, the next best alternative must be identified, which would be the Reduced Density Alternative. Assuming each impact is of equal importance, a summary of the alternatives’ impacts, even if the CEQA conclusion would be the same, in the order of most reduced impacts is as follows:

- **1st No Project / Reuse of Existing Building Alternative** – Impact Comparison Summary: 4 equivalent, 15 reduced, and 4 increased.
- **2nd No Project / Existing General Plan and Zoning (All Commercial) Alternative** – Impact Comparison Summary: 9 equivalent, 10 reduced, and 5 increased.
- **3rd Reduced Density Alternative** – Impact Comparison Summary: 10 equivalent, 8 reduced, and 5 increased.
- **4th Biotech Research and Development Alternative** – Impact Comparison Summary: 10 equivalent, 4 reduced and 5 increased.

This straightforward accounting may over emphasize the benefit of the alternatives, since neither the project nor the alternatives would have a significant unavoidable impact, and most impacts (of the project and of the alternatives) are addressed by regulatory compliance alone, without the need for substantial mitigation measures. In addition, when considering the importance of City, regional and statewide goals for GHG and VMT reduction and the provision of housing, including affordable housing (collectively “preferred land use pattern” goals), the project itself would be considered preferred. The next best alternatives in the order of best satisfying the land use pattern goals would be the Reduced Density Alternative.

As the project objectives are aligned with the City’s preferred land use pattern goals, none of the alternatives would satisfy the objectives as well as the project (see the Ability to Meet Project Objectives subsections under the analysis of each alternative, earlier in this Chapter 5.0).

6.0 OTHER CEQA CONSIDERATIONS

6.1 SIGNIFICANT ENVIRONMENTAL EFFECTS OF THE PROJECT

The California Environmental Quality Act (CEQA)¹ and the State CEQA Guidelines² specify the requirements for an Environmental Impact Report (EIR) to identify significant environmental effects of a project. These impacts are evaluated in Chapter 4.0, Impact Analysis, of this EIR. The State CEQA Guidelines (Section 15126.2.c) require that the EIR:

*“Describe any significant impacts, including those which can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should be described.”*³ (*Emphasis added.*)

A brief summary of the project’s impacts that remain significant even after the application of mitigation measures is provided below in 6.1.1, Significant Unavoidable Impacts. (For a more detailed summary, see Section ES, Executive Summary or the corresponding impact analysis sections.) The implications and reasons why the project is proposed, notwithstanding these effects, are described below in 6.1.2, Implications and the Reasons Why the Project is Being Proposed.

6.1.1 Significant Impacts – Mitigable and Unavoidable

This EIR evaluates a comprehensive list of environmental impact topics in Chapter 4.0, Impact Analysis. In determining potential impacts of the Latigo Hillcrest project, the analysis sections take into account project design features of the project and regulatory requirements. Where impacts are found to be significant even with the importation of stated project design features, mitigation measures have been recommended where potentially feasible, in order to reduce impacts to below the significance threshold. Issues within this category are listed below, along with a general summary of the type of mitigation provided (see individual analysis Sections for more detail and for the full text of the impacts and mitigation measures).

Significant but Mitigable Impacts (*Less Than Significant With Mitigation*)

The following project impacts were found to be significant prior to mitigation, but less than significant with the incorporation of mitigation measures. No cumulative impacts were found to be significant or require mitigation measures.

- Biological Resources:
 - 4.2.3.1 Native Species (Construction only; Mitigation requires roosting bat surveys prior to site disturbance)
- Cultural Resources:
 - 4.3.3.3 Paleontological Resources (Mitigation addresses preparation of a paleontological monitoring plan, monitoring and protocol for discovery of resources)

¹ California Public Resources Code, Division 13. Environmental Quality, Section 21000 et seq., California Environmental Quality Act (CEQA).

² California Code of Regulations, Title 14, Guidelines for the Implementation of the California Environmental Quality Act, Section 15000 et seq., (State CEQA Guidelines).

³ California Code of Regulations, Title 14, Division 6, Chapter 3, California Environmental Quality Act Guidelines, Section 15126.2(b).

- Hazards and Hazardous Materials:
 - 4.6.3.2 Listed Hazardous Materials Site (Mitigation requires limited soil vapor testing and potential vapor barrier under residential buildings, due to nearby off-site conditions)
- Noise:
 - 4.8.3.1 Temporary or Permanent Noise Increase (Construction only; Mitigation requires a noise barrier on the eastern boundary)
 - 4.8.3.2 Groundborne Vibration (Construction only; Mitigation prohibits impact pile drivers and limits equipment usage near the eastern boundary)

Significant and Unavoidable (*Impacts that Remain Significant After Mitigation*)

Based on the evaluations in Chapter 4.0 Impact Analysis, no project or cumulative impacts were found to be significant or require mitigation. Thus, there are no significant and unavoidable impacts that would occur as a result of the project.

6.1.2 Implications and Reasons the Project is Proposed

The Latigo Hillcrest EIR provides a description of the proposed project features, government regulations, best management practices, and where warranted, mitigation measures, to reduce the significant impacts of the project. Where possible the project has been designed to avoid and reduce significant impacts to the environment. No significant operational-level project impacts or cumulative project impacts would occur as a result of the project, and all of the construction related impacts would be avoided or reduced to a less than significant level with mitigation, as listed above.

The Latigo Hillcrest project is proposed, notwithstanding above-noted impacts that require mitigation, as the proposed project is anticipated to provide benefits, including the following, which coincide with the Project Objectives (see Chapter 2.0, Project Description):

- Latigo Hillcrest would provide a mixed-use community on the 8.19-net acre (8.28-gross acre) site, in an area with work, business and shopping opportunities nearby (job centers in the Rancho Conejo Industrial Park, and other businesses and shopping establishments along Hillcrest Drive and in the greater Newbury Park area), improving the mixed-use quality of the project vicinity. As such, the project connects and integrates development in the area to create a more cohesive, interactive urban environment in this portion of the City. The project would create an infill, mixed-use land use pattern that results in a reduction of vehicle miles traveled (VMT), fuel usage, and greenhouse gas emissions (GHG).
- The development itself would provide on-site amenities for the benefit of the residents and include walkways and paths to serve the residents and visitors. The development would meet California Green Building Code (CALGreen; Part 11, Title 24, California Code of Regulations), which provides more green features than the existing older development that currently exists on site.
- The project would also revitalize an underutilized property to achieve City planning objectives to a greater extent than the existing commercial Amgen administrative building with surface parking areas. Use of the property would create more density in an urban area, providing better utilization on a site previously committed to urban development. The project open space areas would incorporate native plant species to reduce water usage and provide a landscape demonstration area to visitors.
- Latigo Hillcrest would provide additional housing in furtherance of the City's Regional Housing Needs Assessment (RHNA). The project would provide 303 market rate units, plus 30 units

affordable to very low-income households based on the State Density Bonus Law definition, to help alleviate the state's housing crisis and support the City's RHNA goals.

- The project density would be consistent with the Draft Preferred Land Use Map for the proposed Thousand Oaks 2045 General Plan, which identifies the subject property for Mixed Use Low which allows up to 30 du/acre.

6.2 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

The State CEQA Guidelines (Section 15126.2.d) further require that the EIR discuss:

“Uses of nonrenewable resources during the initial and continued phases of the project [that] may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely.”

The CEQA Guidelines dictate that irretrievable commitments of resources should be evaluated to assure that such commitments are considered in the decision as to whether to approve the project.

The project site has been developed for 40 years, with the current on-site office building having been constructed in 1983. As such, the project site was previously directly committed to long term urban development that would not likely be reversed in the future. The proposed project will redevelop the project site, with an infill, mixed-use development, providing an updated, walkable, reduced VMT project, which is a more efficient, desired urban use pattern compared to the prior development of a single commercial office building within a highly commercialized area. The project would not develop or commit any “greenfield” land to urban use.

As with all development, the project would consume limited amounts of nonrenewable resources and slowly renewable resources. The use of such resources would occur initially during the construction phase of the project, and would continue over the operational lifetime of the project. During construction, the project would use building and construction supplies, such as lumber and other wood products; aggregate materials, including sand and gravel, that are used to create concrete and asphalt; metals such as steel and copper; and petrochemical construction materials like plastics; electricity; and nonrenewable fossil fuels, including gasoline and oil, to operate construction vehicles and equipment and to transport materials and construction workers to and from the project site. Throughout the operational phase of the project, the development would continue to consume water, electricity, and gasoline and oil involved in the transportation of goods and people. Given the size of the project and the infill, mixed-use nature of the project, and compared to the range of development projects occurring annually throughout California, the commitment is not considered substantial.

The proposed site usage is for a project that meets many of the City's goals and policies, as discussed in Section 4.9, Land Use and Planning, including residential development to help meet the City's RHNA targets. Infill, mixed-use development provides an optimal land use pattern that reduces VMT (and related fuel usage) and greenhouse gas emissions. Added to the VMT, GHG and fuel usage reductions of the infill mixed-use land development pattern, the new construction will meet the current, more energy-conserving requirements of the CALGreen Building Code (Part 11, Title 24, California Code of Regulations).

6.3 GROWTH INDUCING IMPACT

According to the State CEQA Guidelines (Section 15126.2.e), a project may foster economic or population growth, or additional housing, either directly or indirectly, in a geographical area if it meets any one of the following criteria below:⁴

- A project would remove obstacles to population growth.
- Increases in the population may tax existing community service facilities, causing significant environmental effects.
- A project would encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

CEQA does not consider growth inducement to be necessarily detrimental, beneficial, or of significance to the environment. Typically, the growth-inducing potential of a project is considered significant if it fosters growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning agencies. There are two degrees of project growth impact: 1) where a project constitutes growth beyond current projections, and 2) where the project opens up opportunities for growth off-site, beyond current projections. The latter example can occur where a project's provision of infrastructure or service capacity accommodates growth beyond the levels currently permitted by local or regional plans and policies beyond the project site.

As discussed in Section 4.9, Land Use and Planning, the proposed project would not divide a community or result in any less than significant impacts with regard to policy conflicts. As evaluated in Section 4.11, Population and Housing, the project would fall within the population and housing projections for the City, as adopted by the City and the Southern California Association of Governments. One of the many responsibilities mandated to cities by the state is the development of demographic projections and policies to encourage the provision of housing and affordable housing. The project would provide needed housing to work towards meeting the City's RHNA projections for housing and affordable housing.

As an infill project, the proposed development would use previously developed public service infrastructure and utilities, such as water, stormwater, landfill, and other essential development infrastructure. The effect on those services and utilities would be less than significant, as discussed in Section 4.12, Public Services; 4.13, Recreation and Parks and 4.15, Utility and Service Systems. Based on the infill nature of the project and availability of services and utilities, the development without the need for substantive expansions, the project would not remove obstacles to any unplanned population growth.

As all project and cumulative impacts of the project would be less than significant after development, so the project would also not significantly affect the environment. The analysis did not identify any secondary effects of the project that would encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

As discussed above, the project would not result in unplanned growth; remove obstacles to growth; create increases in the population could tax existing community service facilities, causing significant environmental effects; or encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

⁴ California Public Resources Code, Title 14, Division 6, Chapter 3, Section 15126(d).

7.0 PREPARERS OF THE EIR, PERSONS CONSULTED, AND REFERENCES

7.1 PREPARERS OF THE EIR AND TECHNICAL CONSULTANTS

The City of Thousand Oaks, as lead agency, is the preparer of the Environmental Impact Report (EIR), pursuant to CEQA. The EIR was prepared with the use of a large team of consultants and technical experts.

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7.2 PERSONS AND AGENCIES CONSULTED

Many public agency websites and documents were consulted in the preparation of this EIR. Many of these are listed in notations within the analysis sections, and some relevant letters received are provided in **Appendix A, Notice of Preparation, Early Consultation and Scoping Comments**. In some instances, staff assistance was sought and provided, from the following:

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