



## ENVIRONMENTAL CHECKLIST

# Shoals Energy Storage Project



Prepared for:



December 2024

County of Ventura  
Planning Commission Hearing  
Case No. PL24-0024  
Exhibit 17 - CEQA Guidelines 15183  
Environmental Checklist

## ENVIRONMENTAL CHECKLIST

# Shoals Energy Storage Project

Prepared for:



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# LIST OF ABBREVIATIONS

2022 AQMP	Ventura County 2022 Air Quality Management Plan
AB	Assembly Bill
AGP	Agricultural Preserves
ALOHA	Area Locations of Hazardous Atmospheres
AQMP	Air Quality Management Plan
BESS	Battery Energy Storage System
BMP	best management practice
CAAQS	California Ambient Air Quality Standards
CAISO	California Independent System Operator
CA-MUTCD	<i>California Manual on Uniform Traffic Control Devices</i>
CAP	Climate Action Plan
CBC	California Building Code
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CNEL	community noise equivalent level
CO	carbon monoxide
COI	change of information
CSP	County Stormwater Program
CUP	conditional use permit
CUPA	Certified Unified Program Agency
dBA	A-weighted decibels
DFIRM	Ventura County Digital Flood Insurance Rate Maps
DWR	California Department of Water Resources
EIR	environmental impact report
Envicom	Envicom Corporation
EO	Executive Order
EOP	Emergency Operations Plan
ESHA	Environmentally Sensitive Habitat Areas
FCGMA	Fox Canyon Groundwater Management Agency
FEMA	Federal Emergency Management Agency
FHSV	fire hazard severity zone
General Plan EIR	2040 General Plan and certified a program environmental impact report
GHG	greenhouse gases
GSA	groundwater sustainability agency
GSP	groundwater sustainability plan
HMBP	hazardous materials business plan
IFC	International Fire Code
ISAG	Initial Study Assessment Guidelines
kV	kilovolt
lb/day	pounds per day
LCA	Land Conservation Act
LFP	lithium iron phosphate
LOC	level of concern
MGS	Mandalay Generating Station

MHMP	Ventura County Multi-Hazard Mitigation Plan
MRP	Mineral Resource Protection
MRZ	mineral resource zones
MS4	municipal separate storm sewer systems
NAAQS	National Ambient Air Quality Standards
NCZO	Non-Coastal Zoning Ordinance
NFPA	National Fire Protection Association
NO <sub>x</sub>	oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
OwTS	onsite wastewater treatment systems
PCSMF	post-construction stormwater management plan
PM <sub>10</sub>	respirable particulate matter with an aerodynamic resistance diameter of 10 micrometers or less
PPV	peak particle velocity
PRC	Public Resources Code
Project	Shoals Energy Storage Project
RHNA	regional housing needs assessment
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RWQCB	regional water quality control board
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCAB	South Central Coast Air Basin
SCE	Southern California Edison
SCH	State Clearinghouse
SGMA	Sustainable Groundwater Management Act
SOAR	Save Open Space and Agricultural Resources
SQMP	Stormwater Quality Management Program
SWN	State Well Number
SWPPP	stormwater pollution prevention plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminate
TGM	Ventura County Technical Guidance Manual for Stormwater Quality Control Measures, 2018 Errata Update
VCAPCD	Ventura County Air Pollution Control District
VCFD	Ventura County Fire Department
VCOC	Ventura County Ordinance Code
VdB	vibration decibels
VMT	vehicle miles traveled
WUI	wildland urban interface



# Statement of Reasons for Exemption From Additional Environmental Review and Section 15183 Checklist

Pursuant to CEQA Guidelines Section 15183

**Project Name:** Shoals Energy Storage Project ("Project")  
**Case No.:** PL24-0024  
**APN(s):** 183-0-010-105, 183-0-010-410, and 183-0-010-400

**Lead Agency Name and Address:**

County of Ventura  
800 S. Victoria Ave., L#1740  
Ventura, CA 93009-1700

**County Staff Contact:**

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**Project Location:**

The Shoals Energy Storage Project ("Project") is located in unincorporated western Ventura County, south of the Santa Clara River and W. Gonzales Road, west of N. Victoria Avenue and the City of Oxnard, north of W. Wooley Road, and east of N. Harbor Boulevard (Figure 1). The surrounding area is generally level, with drainage flowing from north to south and with a relatively high-water table. The Project is located in the approximate center of the Oxnard-Ventura Greenbelt, surrounded primarily by agricultural fields and greenhouses. Soils at the Project site are classified as Prime and Farmland of Statewide Importance. There are three oil well/pump "islands" immediately west of the Project site. The Coastal Zone is approximately 0.5 miles to the west and south of the Project site.

The Project site comprises 84.97 acres at 4400 West Gonzales Road (Figure 2). The nearest structures to the Project site are grow/greenhouses located north of Gonzales Road. The closest residential use is a single-family home located approximately 1,500 feet north of the Project site across Gonzales Road. Residential areas are also located approximately 3,145 feet (0.6 miles) to the east of the Project, north of Gonzales Road, east of Victoria Avenue, south of Wooley Road, and southwest of the Edison Canal in the City of Oxnard. Oxnard High School is approximately 4,400 feet (0.83 miles) east of the Project. The nearest water features include the network of agricultural drains that connect to the Edison Canal, a man-made channel that connects the Channel Islands Harbor to the decommissioned Mandalay Generating Station (MGS) for transporting cooling water. The MGS was built in 1959 and decommissioned in 2017. Two de-energized 220-kilovolt (kV) transmission lines and one energized 66kV line are located on a Southern California Edison (SCE)-owned parcel along the east side of the Project site ; these transmission lines are connected to SCE's regional Santa Clara substation located north of the city of Ventura.

**Project Applicant Name and Address:**

Wellhead Power Solutions, LLC  
650 Bercut Drive, Suite C  
Sacramento, CA 95811

**General Plan:**

Land Use Designation: ECU – Agriculture  
Minimum Lot Size: 40 acres  
Maximum Lot Coverage: 5 percent

**Zoning:**

Use Regulation: Agricultural Exclusive (AE)-40

Minimum Lot Size: 40-acre minimum lot size

**Description of Project:**

The applicant requests a conditional use permit (CUP) for the construction and use of a Battery Energy Storage System (BESS) for a 30-year period. This use is classified as "Energy Production from Renewable Sources and Energy Storage" pursuant to Section 8105-4 of the Ventura County Non-Coastal Zoning Ordinance (NCZO).

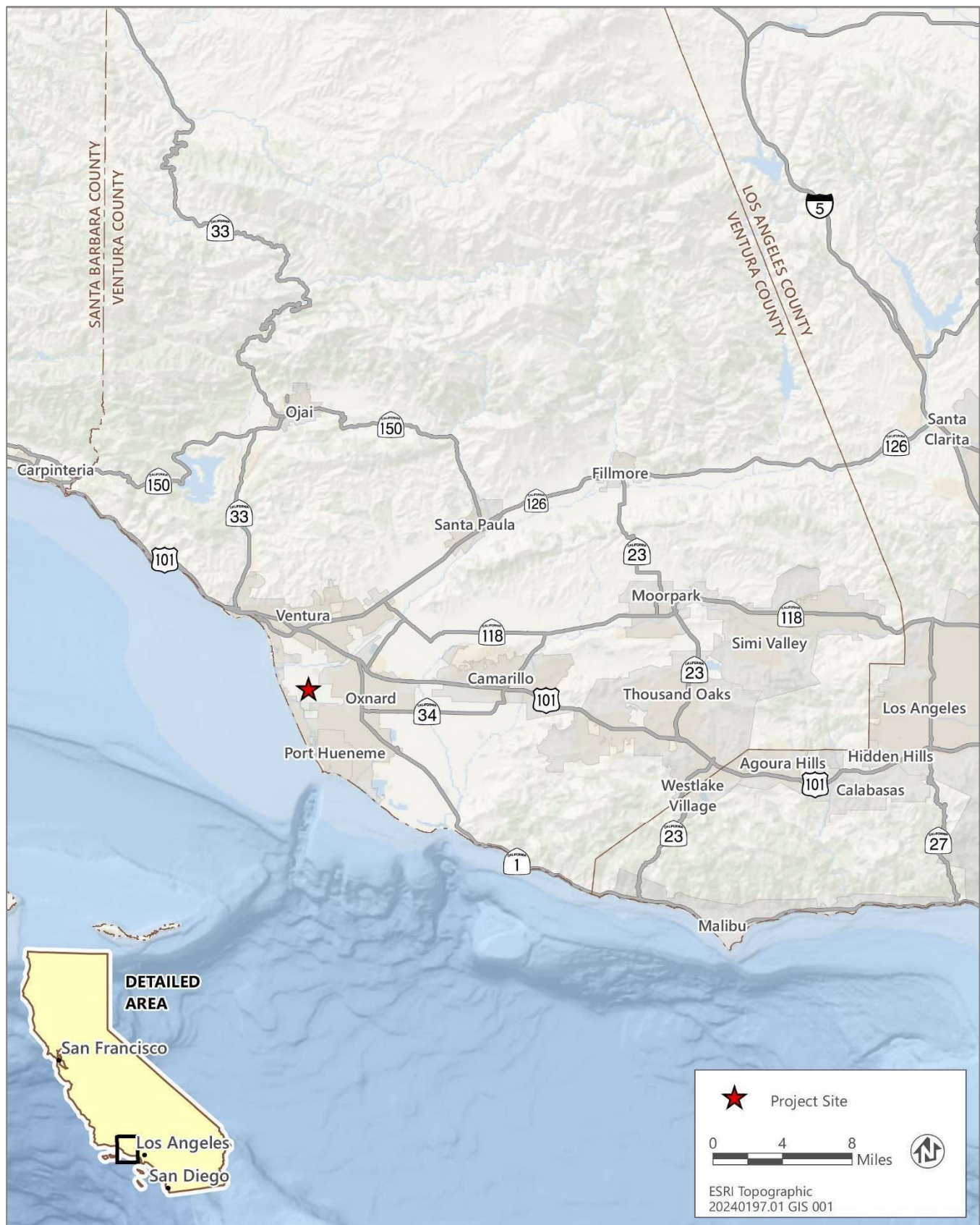
The Project would be operated as a stand-alone resource, with dispatch instructions provided by the California Independent System Operator (CAISO) and/or Southern California Edison (SCE). The BESS consists of arrays of interconnected lithium iron phosphate (LFP) batteries within fully enclosed, California Fire Code compliant, purpose-built containers. The BESS will be charged from the regional grid primarily during low-demand hours (typically between 9am and 3pm), and discharged back to the grid during high-demand hours (typically an hour before sunset to 10pm). The BESS will also discharge electricity, as needed by CAISO and/or SCE, to stabilize grid voltage in the event of system emergencies.

The Project would use Tesla-manufactured lithium-ion battery energy storage technology and related equipment. Underground conductors will connect the project's electrical substations to centrally located SCE switchyard facilities, which in turn directly connect via underground conductors to SCE's existing Santa Clara 220 Kilovolt transmission line situated adjacent to the project site. The BESS includes bi-directional inverters and transformers, space for future augmentation equipment units, switchgear, and necessary safety equipment specified by SCE for electrical interconnection to the grid. Construction of the project may occur in multiple phases and therefore subject to a construction phasing plan, if applicable (Condition of Approval No. 17).

The project would be unmanned. Regular maintenance visits will occur weekly and on an emergency basis. Portable restroom and handwashing facilities for service technicians will be provided and maintained in accordance with the conditions of approval set forth by the Ventura County Environmental Health Division (Condition No. 35). Water for fire suppression and irrigation of the agricultural screening is provided by an existing onsite well. Primary access to the site is provided via driveway and secured-gated entrance from Gonzales Road. The project is conditioned to require the Permittee to hold an insurance policy to cover loss or damage to adjacent crops that could occur in the event of an emergency related to the project (Condition of Approval No. 31).

Following tribal cultural consultation with the Coastal Band of the Chumash Nation, the presence of potential archeological resources within the project site was identified. Therefore, the Permittee has agreed to the condition below for Agricultural Resources (Condition of Approval No. 23) for monitoring of development below 12 inches in depth to avoid impacting any potential resources.

The site will be fully secured and remotely monitored at all times in accordance with a Security Plan (Exhibit 15 of the Planning Commission Staff Report dated December 19, 2024). The project security features include a security system for remote monitoring and a seven-foot-tall, chain-link, vine-covered, perimeter fence topped with barbed wire. Remotely monitored security cameras will be installed with lighting that is conditioned to minimize on-site and eliminate off-site glare (Condition of Approval No. 22). Finally, the site will be screened with productive agriculture to provide visual screening from public roads and adjacent agricultural operations while allowing for continued onsite agricultural production (Condition of Approval No. 20).



Source: Adapted by Ascent in 2024.

**Figure 1** Project Vicinity





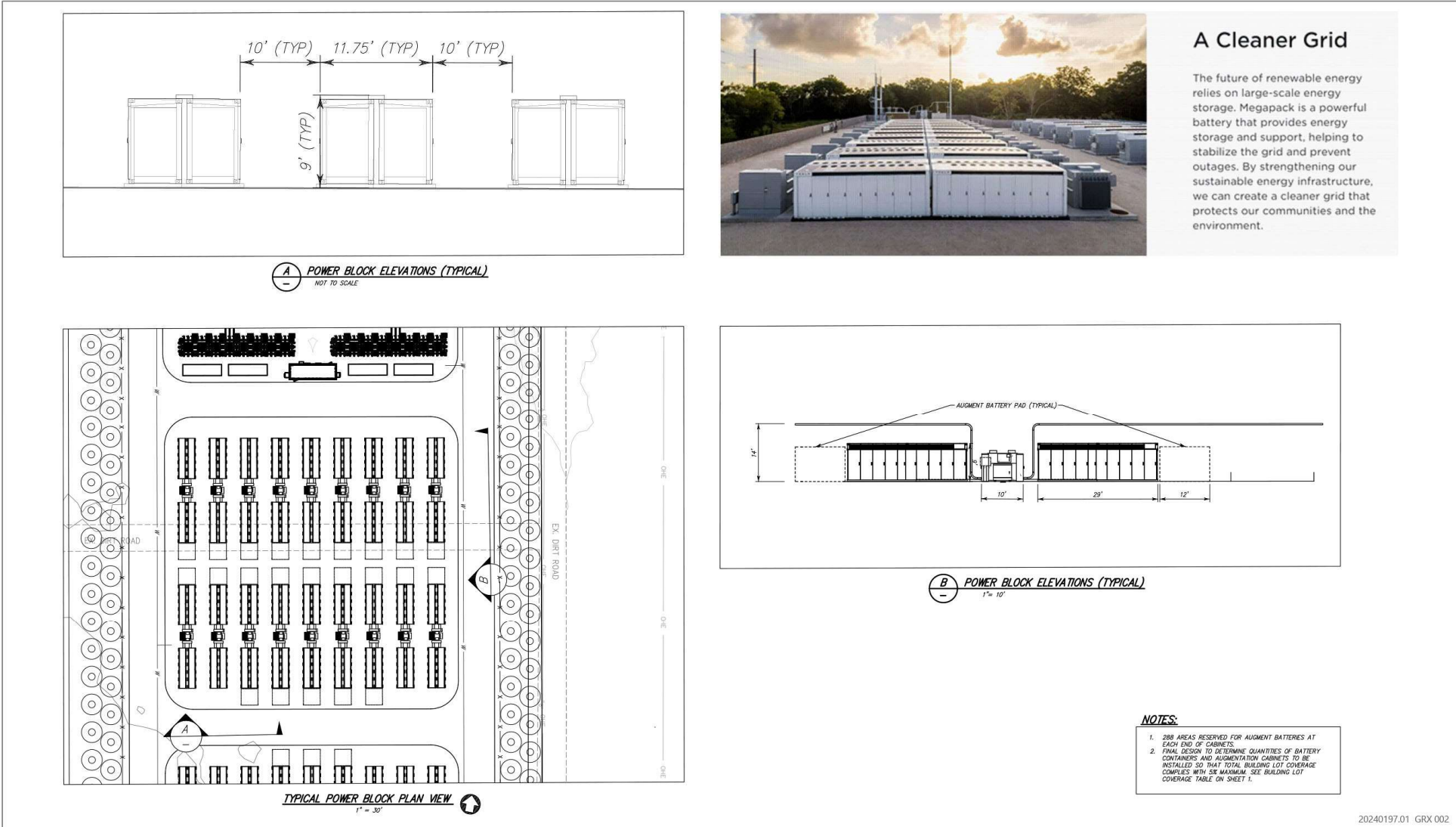
Source: Adapted by Ascent in 2024.

**Figure 2** Project Site





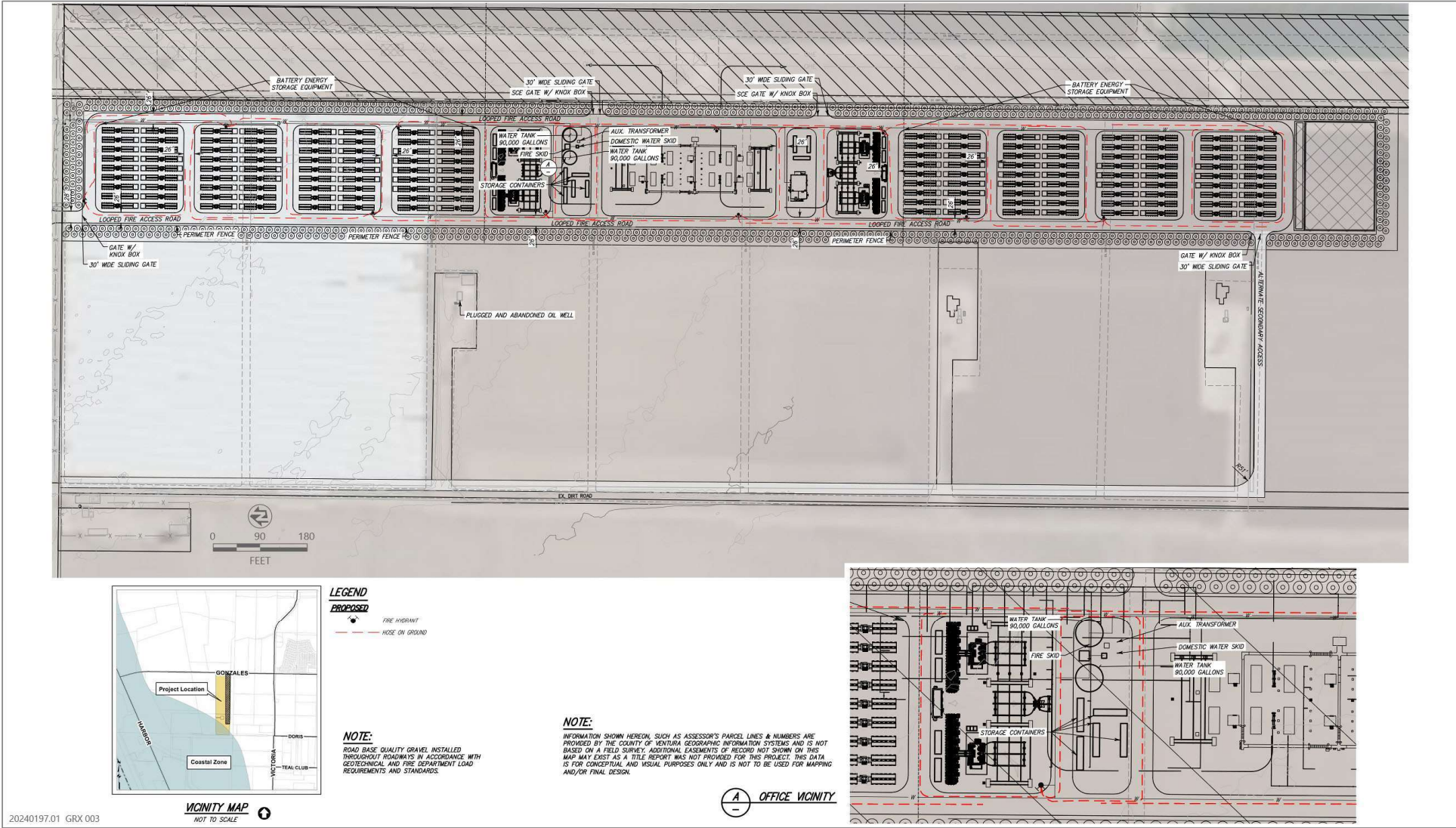
Ventura County  
Shoals Battery Energy Storage Project Environmental Review



Source: Image produced and provided by Jenson Design & Survey, Inc. in 2024; Adapted by Ascent in 2024.

Figure 4 Battery Pack Elevations





Source: Image produced and provided by Jenson Design & Survey, Inc. in 2024; Adapted by Ascent in 2024.

Figure 5 Fire Access

Ventura County  
Shoals Battery Energy Storage Project Environmental Review

The detailed Project components are summarized in Table 1.

**Table 1                      Summary of Project Components**

Component	Quantity	Square Feet (each)	Gross Floor Area
Power Blocks	144	900	129,600
Low Voltage Augmentation Equipment	172	144	24,768
Southern California Edison (SCE) Switchyard Foundations and Footings*	N/A	7,767	7,767
Project Substations Foundations and Footings	N/A	13,932	13,932
Storage Containers	8	320	2,560
Water Tanks	2	962	1,924
Fire Pump Equipment Enclosure	1	824	824
Well Pads (outside CUP boundary)	N/A	2,130	2,130
Portable Toilet and Wash Stations	2	11	22
<b>Total square footage authorized by CUP PL24-0024</b>			<b>183,527</b>

\*The Project is subject to an interconnection agreement between SCE and the Permittee. The SCE switchyard may be permitted and constructed by SCE or developed to SCE standards by the Permittee and deeded to SCE.

Source: County of Ventura 2024.

A list of Conditions of Approval (COAs) referenced in the analysis is included as Exhibit 4 of the Planning Commission Hearing Staff Report dated December 19, 2024. Pursuant to Section 15183 of the California Environmental Quality Act (CEQA) Guidelines, the requirements described in the COAs are uniformly applied development policies or standards.

## OVERVIEW OF CEQA SECTION 15183 CHECKLIST

California Public Resources Code section 21083.3 and CEQA Guidelines Section 15183 provide an exemption from additional environmental review for projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an environmental impact report (EIR) was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: (1) Are peculiar to the project or the parcel on which the project would be located, and were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent, (2) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or (3) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR. Section 15183(c) further specifies that if an impact is not peculiar to the parcel or to the Project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for that project solely on the basis of that impact.

## 2040 GENERAL PLAN PROGRAM EIR

The Ventura County Board of Supervisors adopted the County's 2040 General Plan and certified a program environmental impact report (herein, "General Plan EIR"; State Clearinghouse [SCH] No. 2019011026) in September 2020. The General Plan EIR was prepared as a Program EIR pursuant to CEQA (California Public Resources Code, Sections 21000, et seq.) and the State CEQA Guidelines (California Code of Regulations [CCR], Title 14, Sections 15000, et seq.). According to Section 15168 of the CEQA Guidelines, a Program EIR may be prepared on a series of actions that can be characterized as one large project. The use of a Program EIR gives the Lead Agency an opportunity to



consider broad policy alternatives and program-wide mitigation measures, as well as greater flexibility to address project-specific and cumulative environmental impacts on a comprehensive scale.

## SUMMARY OF FINDINGS

The Project is consistent with the General Plan. Further, the General Plan EIR adequately anticipated and described the impacts of the Project. Finally, the Project includes EIR mitigation measures and uniformly applied development standards necessary to reduce Project-specific impacts. Please see <https://vcrma.org/wp-content/uploads/2024/10/general-plan-mitigation-monitoring-and-reporting-program.pdf> for complete list of General Plan Mitigation Measures.

A comprehensive environmental evaluation has been completed for the Project as documented in the attached Section 15183 Exemption Checklist. This evaluation concludes that the Project qualifies for an exemption from additional environmental review because it is consistent with the development density and use characteristics established by the Ventura County 2040 General Plan, as analyzed by the Ventura County 2040 General Plan Update Final Program EIR (General Plan EIR, SCH #2019011026), and all required findings can be made.

In accordance with CEQA Guidelines Section 15183, the Project qualifies for an exemption because the following findings can be made:

**1. The Project is consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified.**

The Project would develop 25.05-acres within an 84.97-acre agricultural parcel with a 400 MW BESS. The Project parcel is zoned AE-40, "Agricultural Exclusive – 40-acre minimum lot size" and the approximately 85-acre parcel will be conforming and legal upon the approval of the companion lot merger application. On May 21, 2024, the Board of Supervisors adopted a Ventura County NCZO amendment that allows "Energy Production from Renewable Sources and Energy Storage" as a permitted use with a CUP approved by the Planning Commission. The Project is, therefore, an allowed conditional use subject to applicable AE-40 development standards, which is consistent with the zoning established by the General Plan and the certified General Plan EIR.

**2. There are no Project specific effects which are peculiar to the Project or its site, and which the General Plan EIR failed to analyze as significant effects.**

The subject property is no different than other properties in the surrounding area, and there are no Project-specific effects that are peculiar to the Project or its site. The Project site is located in an area developed with similarly sized agricultural fields and greenhouses. The property does not support any peculiar environmental features, and the Project would not result in any peculiar effects.

In addition, as explained further in the Section 15183 Checklist below, all Project impacts were adequately analyzed by the General Plan EIR. Pursuant to Section 15183 of the CEQA Guidelines, applicable uniformly applied development policies or standards have been incorporated into the conditions of approval for this Project to substantially mitigate any potentially significant impacts.

**3. There are no potentially significant off-site and/or cumulative impacts which the General Plan EIR failed to evaluate.**

The Project is an allowed conditional use subject to applicable AE-40 development standards which are consistent with the zoning established by the General Plan and the certified General Plan EIR. The General Plan EIR considered the incremental impacts of the Project, and as explained further in the Section 15183 Exemption Checklist below, no potentially significant off-site or cumulative impacts have been identified which were not previously evaluated.

**4. There is no substantial new information which results in more severe impacts than anticipated by the General Plan EIR.**

As explained in the Section 15183 Exemption Checklist below, no new information has been identified which would result in a determination of a more severe impact than what had been anticipated by the General Plan EIR.

### 5. The Project will undertake feasible mitigation measures specified in the General Plan EIR.

As explained in the Section 15183 Exemption Checklist below, the Project will undertake feasible mitigation measures specified in the General Plan EIR. These General Plan EIR mitigation measures will be undertaken through Project design, compliance with regulations and ordinances, or through the Project's conditions of approval.

### 6. County of Ventura Acknowledgement of the use of Uniformly Applied Development Policies or Standards from previously adopted County Policies or Standards.

Section 15183 of the CEQA Guidelines states, "Where a city or county, in previously adopting uniformly applied development policies or standards for imposition on future projects, failed to make a finding as to whether such policies or standards would substantially mitigate the effects of future projects, the decision-making body of the city or county, prior to approving such a future project pursuant to this section, may hold a public hearing for the purpose of considering whether, as applied to the project, such standards or policies would substantially mitigate the effects of the project. Such a public hearing need only be held if the city or county decides to apply the standards or policies as permitted in this section." The County has determined that numerous policies or standards can be uniformly applied to the Project, as summarized below in Table 2 and discussed in detail of the 15183 Exemption Checklist. Further, the County through this finding acknowledges that the use of the uniformly applied development policies or standards summarized below are appropriate for application to the Project, will be incorporated into the conditions of approval of the Project, and that a finding by the decision-maker for the use of uniformly applied development policies or standards will be made in the CEQA exemption, consistent with the 15183 provision.

**Table 2 Summary of Uniformly Applied Development Policies or Standards**

Issue Area	Impact Summary	Conditions of Approval	Uniformly Applied Development Policies or Standards
Aesthetics, Scenic Resources, and Light Pollution	Potential impacts to visual character and from nighttime lighting (see discussion in Aesthetics, Scenic Resources, and Light Pollution Section).	COA No. 22	NCZO Section 8106-8.6
Agricultural and Forestry Resources	Impacts from conversion of 19.61 acres of Classified Farmland (see discussion in Agricultural and Forestry Resources Section).	COA No. 27	Ventura County General Plan Policy AG-1.1, Agricultural Land Protection and Preservation Ventura County General Plan Implementation Measure AG-O
Air Quality	Impacts from construction emissions (see discussion in Air Quality Section).	COA No. 45 COA No. 46	Ventura County General Plan Policy HAZ-10.13: Construction Air Pollutant Best Management Practices Ventura County General Plan Policy HAZ-10.14: Fugitive Dust Best Management Practices Ventura County General Plan Implementation Program HAZ-Y: Construction Air Pollutant Best Management Practices. Ventura County General Plan Implementation Program HAZ-Z: Fugitive Dust Best Management Practices. VCAPCD Rules and Regulations, which include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust)
Biological Resources	Potential conflicts with any local policies or ordinances protecting biological resources (see discussion in Biological Resources Section).	COA No. 22 COA No. 26	NCZO Section 8106-8.6 Ventura County General Plan Policy HAZ-9.2: Noise Compatibility Standards
Cultural Resources	Potential disturbance of unknown archaeological resources (see Discussion in Cultural Resources Section).	COA No. 23 COA No. 24	Ventura County General Plan Implementation Program II: Cultural, Historical, Paleontological, and Archaeological Resource Assessment Procedures.

Issue Area	Impact Summary	Conditions of Approval	Uniformly Applied Development Policies or Standards
Geologic Hazards	Potential for impacts from seismic shaking, erosion of topsoil, subsidence, and disturbance of unknown paleontological resources (see Discussion in Geologic Hazards).	COA No. 24 COA No. 35 COA No. 36	Ventura County Building Code. Ordinance Number 4608. Ventura County General Plan Policy HAZ-4.6: Vegetative Resource Protection. Ventura County General Plan Policy HAZ-4.16: Subsidence and Hydroconsolidation Hazard – Structural Design Ventura County General Plan Implementation Program II: Cultural, Historical, Paleontological, and Archaeological Resource Assessment Procedures. California Code of Regulations, Title 14, section 17409.2.
Hazards, Hazardous Materials, and Wildfire	Potential hazards associated with operations and maintenance of battery energy storage facility (see Discussion in Hazards, Hazardous Materials, and Wildfire)	COA No. 34 COAs Nos. 48-72	Ventura County Environmental Health Division/Certified Unified Program Agency Hazardous Materials Business Plan Program Ventura County Fire Protection District Codes, Ordinances, and Standards California Code of Regulations Title 8, Industrial Relations California Code of Regulations Title 22, Division 4.5, Environmental Health Standards for the Management of Hazardous Waste California Code of Regulations, Title 24, Building Standards Code California Fire Code California Public Utilities Code Section 761.3
Hydrology and Water Quality	Potentially significant impacts to Surface Water Quality due to the size and quantity of impervious surfaces proposed with the project (see discussion in Hydrology and Water Quality Section).	COA No. 37 COA No. 41 COA No. 42 COA No. 43	NPDES Permit No. CAS004002 NPDES Permit No. CAS000002, Order WQ 2022-0057-DWQ, and Ventura County's Stormwater Quality Management Ordinance Ventura County's Stormwater Quality Management Ordinance
Land Use and Planning	Potential conflict with a regional plan, policy, or program (see discussion in Land Use and Planning Section).	COA No. 2 COA No. 20	NCZO Section 8114-3 NCZO Section 8111-1.1.1.1a
Mineral and Petroleum Resources	Potential impacts related to the compatibility with mineral resource areas (see Discussion in Mineral and Petroleum Resources Section).	N/A	Ventura County General Plan Policy COS-6.5 Mineral Resource Land Use Compatibility.
Noise and Vibration	Potential impacts from construction noise (see Discussion in Noise Section).	COA No. 26	Ventura County General Plan Policy HAZ-9.2: Noise Compatibility Standards County of Ventura Construction Noise Threshold Criteria and Control Plan
Public Services	Potential impacts to fire protection services (see Discussion in Public Services Section).	COAs Nos. 48-72	Ventura County Fire Protection District Codes, Ordinances, and Standards California Public Utilities Code Section 761.3
Transportation and Traffic	Potential impacts related to transportation hazards and access (see Discussion in Transportation and Traffic).	COA No. 44 COA No. 48 COA No. 49 COA No. 58	Section 12305 of the Ventura County Ordinance Regarding Encroachments on County Highways Ventura County General Plan Policy CTM-2.3: County Road Access California Public Utilities Code Section 761.3

Issue Area	Impact Summary	Conditions of Approval	Uniformly Applied Development Policies or Standards
Tribal Cultural Resources	Potential disturbance of unknown tribal cultural resource resources (see Discussion in Tribal Cultural Resources Section).	COA No. 23 COA No. 24	Ventura County General Plan Implementation Program II: Cultural, Historical, Paleontological, and Archaeological Resource Assessment Procedures.
Utilities	Potential impacts associated with the construction of a new BESS facility, and generation of solid waste (see Discussion in Utilities Section).	COA No. 35 COAs No. 38 - 40	California Code of Regulations, Title 14, Section 17409.2 Ventura County Ordinance Code, Division 4, Chapter 7, Article 3



Signature

12/12/24

Date

Dave Ward

Printed Name

Planning Director

Title



# CEQA Guidelines Section 15183 Exemption Checklist

## OVERVIEW

This checklist provides an analysis of potential environmental impacts resulting from the Project. Following the format of CEQA Guidelines Appendix G, environmental effects are evaluated to determine if the Project would result in a potentially significant impact triggering additional review under Guidelines Section 15183. Although the document is formatted to follow Appendix G, the analysis from the 2040 County General Plan Final Environmental Impact Report and related thresholds specific to the County's Initial Study Assessment Guidelines (ISAGs) has been cited throughout the checklist. The checklist addresses each environmental topic included in the CEQA Guidelines Appendix G, and the following criteria from Guidelines Section 15183.

### **Where was Impact Analyzed in the General Plan EIR?**

This column directs the reader to the relevant location of the General Plan EIR.

### **Any Peculiar Impact?**

Pursuant to CEQA Guidelines Sections 15183(b)(1) and 15183(f), this column addresses whether the Project would result in a peculiar impact, including a physical change that belongs exclusively or especially to the project or that is a distinctive characteristic of the project or the project site.

### **Any Impact Not Analyzed as Significant Effect in General Plan EIR?**

Pursuant to CEQA Guidelines Section 15183(b)(2), this column indicates whether the project would result in a significant effect that was not analyzed as significant in the General Plan EIR. A new EIR is not required if such a project impact can be substantially mitigated by the imposition of uniformly applied development policies or standards.

### **Any Off-Site or Cumulative Impact Not Analyzed as Significant Effect in General Plan EIR?**

Pursuant to CEQA Guidelines Section 15183(b)(3), this column indicates whether the project would result in a significant off-site or cumulative impact that was not discussed in the General Plan EIR. A new EIR is not required if such an off-site or cumulative impact can be substantially mitigated by the imposition of uniformly applied development policies or standards.

### **Any Adverse Impact More Severe Based on Substantial New Information?**

Pursuant to CEQA Guidelines Section 15183(b)(4), this column indicates whether there is substantial new information that was not known at the time the General Plan EIR was certified, indicating that there would be a more severe adverse impact than discussed in the General Plan EIR. A new EIR is not required if such an impact can be substantially mitigated by the imposition of uniformly applied development policies or standards.

### **Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/Resolve Impacts?**

This column indicates whether the General Plan EIR and adopted CEQA Findings provide mitigation measures to address effects in the related impact category. This column also indicates whether uniformly applied development standards or policies address identified impacts. A "yes" response will be provided if the impact is addressed by a General Plan EIR mitigation measure or uniformly applied development standards or policies. If "NA" is indicated, this Environmental Checklist Review concludes that there was no impact, the adopted mitigation measures do not apply to this project, or the impact was less than significant with the implementation of County requirements, including uniformly applied development standards, and therefore, no mitigation measures are needed.

- ▶ Items checked "Significant Project Impact" indicate that the Project could result in a significant effect that requires mitigation to be reduced to a less-than-significant level or has a significant, unmitigated impact.
- ▶ Items checked "Impact not identified by General Plan EIR" indicates the Project would result in a Project-specific significant impact (peculiar off-site or cumulative that was not identified in the General Plan EIR).
- ▶ Items checked "Substantial New Information" indicates that there is new information which leads to a determination that a Project impact is more severe than what had been anticipated by the General Plan EIR.

A Project does not qualify for a Section 15183 exemption if it is determined that it would result in: 1) a peculiar impact that was not identified as a significant impact under the General Plan EIR; 2) a more severe impact due to new information; or 3) a potentially significant off-site impact or cumulative impact not discussed in the General Plan EIR.

## **Discussion and Mitigation Sections**

### **SUMMARY OF FINDINGS**

A discussion of the findings relating to the criteria in Section 15183 of the CEQA Guidelines is contained in each section.

### **DISCUSSION**

The checklist elements are discussed under each environmental category to clarify the answers. The discussion provides information about the particular environmental issue, how the project relates to the issue, and the status of any mitigation that may be required or that has already been implemented.

### **APPLICABLE MITIGATION MEASURES OR UNIFORMLY APPLIED DEVELOPMENT POLICIES OR STANDARDS**

Applicable mitigation measures from the General Plan EIR or uniformly applied development policies or standards that would apply to the project are listed under each environmental category.

### **CONDITIONS OF APPROVAL AND IMPACT MINIMIZATION MEASURES**

Applicable conditions of approval and impact minimization measures that are incorporated into the project that would further minimize impact are listed under each environmental category.

# AESTHETICS, SCENIC RESOURCES, AND LIGHT POLLUTION

## Summary of Findings

With regard to Aesthetics, Scenic Resources, and Light Pollution, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the General Plan EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the General Plan EIR.
4. No mitigation measures contained within the General Plan EIR would be required because Project specific impacts would be less than significant.
5. Uniformly applied development policies or standards would be incorporated to substantially mitigate impacts to aesthetics, scenic resources, and light pollution, and conditions of approval and impact minimization measures would be incorporated to further minimize impacts to aesthetics, scenic resources, and light pollution.

Environmental Issue Area	Where Was Impact Analyzed in General Plan EIR?	Any Peculiar Impact Not Analyzed as Significant Effect in General Plan EIR?	Any Impact Not Analyzed As Significant Effect in General Plan EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed in General Plan EIR?	Any Previously Identified Significant Impact More Severe due to Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Substantially Mitigate Impacts?
<b>1. Aesthetics, Scenic Resources, and Light Pollution</b>						
Would the Project:						
a) Have a substantial adverse effect on a scenic vista?	GP EIR pp.4.1-20 to 4.1-25 Impact 4.1-1, Impact 4.1-2	No	No	No	No	N/A
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	GP EIR pp.4.1-20 to 4.1-25 Impact 4.1-1, Impact 4.1-2	No	No	No	No	N/A
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	GP EIR pp.4.1-20 to 4.1-25 Impact 4.1-1, Impact 4.1-2	No	No	No	No	N/A

Environmental Issue Area	Where Was Impact Analyzed in General Plan EIR?	Any Peculiar Impact Not Analyzed as Significant Effect in General Plan EIR?	Any Impact Not Analyzed As Significant Effect in General Plan EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed in General Plan EIR?	Any Previously Identified Significant Impact More Severe due to Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Substantially Mitigate Impacts?
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	GP EIR pp.4.1-25 to 4.1-31 Impact 4.1-3 Impact 4.1-4	No	No	No	No	Yes

## Discussion

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

The General Plan EIR concluded that implementation of the General Plan would not physically alter a scenic resource that is visible from a public viewing location (Impact 4.1-1) or substantially obstruct, degrade, obscure, or adversely affect the character of a scenic vista that is visible from a public viewing location (Impact 4.1-2); these impacts were identified as less than significant. A scenic resource is an aesthetically pleasing natural physical feature visible from a public viewing location. A public viewing location is defined as any physical area accessible to the public and from which a scenic resource is visible.

As described in the General Plan EIR, many scenic areas and natural features exist throughout the county, including valleys and mountain ranges and the Channel Islands. The County has developed a Scenic Resource Protection Overlay Zone to protect scenic resources throughout the county, which includes all scenic areas designated by the County surrounding Lake Casitas, Lake Matilija, Lake Piru, and Lake Sherwood; ridgelines surrounding the city of Ojai; and 40 miles of SR 33 that wind through the coastal mountain range from Pine Mountain Summit to the northwestern boundary of the County with the County of Santa Barbara, which are designated as a State scenic highway by the California Scenic Highway Program. Portions of Hidden Valley, located in the Santa Monica Mountains and along the southwestern border of Simi Valley and the southern border of Thousand Oaks, to the north of the border with Los Angeles County, are also part of the Scenic Resource Protection Overlay Zone.

The Project site is generally flat and located in a non-urbanized area in the center of the Ventura-Oxnard Greenbelt, surrounded by agricultural fields and grow/greenhouses. It is not located within an area subject to the Scenic Resource Protection Overlay Zone or between a public viewing location and a scenic resource. In addition, the entire perimeter of the 25-acre site would be screened with productive agriculture (Figures 6-9), to match the visual character of the surrounding agricultural fields and grow/greenhouses. A vine-covered perimeter fence would separate the productive agriculture from the interior of the site where the power blocks, substations, switchyards, and other proposed infrastructure would be located. In accordance with the project's conditions of approval COA, the proposed productive agriculture would screen the Project site from Gonzales Road, 5th Street, and adjacent properties to ensure compatibility with the character of the surrounding development as required by NCZO Section 8111-1.2.1.1a (Condition of Approval No. 20). The applicant would be required to submit a draft screening plan to the

Planning Division and Ventura County Department of Agriculture/Weights and Measures for review and approval. Viewers of the Project site from Gonzalez Road would have views of the productive agriculture, with some structures, such as elements of the proposed substations, visible above the trees due to their proposed height of up to 35 feet. These elements of the Project would also be consistent with the existing visual character of the Project area, which includes existing 220kV transmission lines with heights of approximately 100 feet.

There are five state-designated scenic highways located in Ventura County (Caltrans 2024). The nearest are Route 27 and 46, located 2.5 miles northeast of the Project site. Route 187 (Near Santa Monica)/Route 101 (Near El Rio) is an eligible state-scenic highway 5 miles east of the Project Site. Due to the distance, the Project site would not be visible from these roadways. Although the Project site is not within the City of Oxnard, Gonzales Road is considered a scenic road in the city. As described above, the Project is required to install productive agriculture along Gonzales Road to screen the BESS and related infrastructure from view (Condition of Approval No. 20).

As previously discussed, the General Plan EIR did not identify significant impacts related to scenic resources, scenic vistas, visual character, or scenic quality, and the Project would not result in significant impacts for these topics. Further, the requirement to screen the project site with productive agriculture would also minimize the potential for impacts (Condition of Approval No. 20). Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts or increase the severity of previously identified significant impacts as a result of substantial new information that was not known when the General Plan EIR was certified.

**d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

The General Plan EIR concluded that General Plan implementation would result in a potentially significant impact related to creating a new source of disability glare or discomfort glare for motorists traveling along the County Regional Road Network (Impact 4.1-3); this impact was identified as less than significant with implementation of Mitigation Measure AES-1, which requires the County to implement a program to review discretionary development for glare effects along Regional Roadway Network roadways. The General Plan EIR concluded that General Plan implementation would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area (Impact 4.1-4); this impact was identified as less than significant. New light sources identified in General Plan EIR included light from new residential developments, street lighting, parking lot lights, security-related lighting, and lighting associated with increased traffic volumes. These new light sources could result in adverse effects on adjacent land uses by "spilling over" of light into these areas and creating "sky glow." Daytime glare could be produced by increased commercial, industrial, and residential structures, which could introduce materials, such as metal and glass, that reflect sunlight.

As described in the General Plan EIR, development within the Open Space, Agricultural and Rural land use designations are subject to the Save Open Space and Agricultural Resources (SOAR) ordinance, which prohibits the conversion of these land uses to urban type development without a majority vote of the electorate. Based on the development allowed under Agriculture land use designation, larger lot sizes, lot coverage restrictions, and fire code issues such as lack of secondary access in remote or geologically restrictive areas, and more limited access to water, utilities, and infrastructure, any or all which can effectively prohibit or increase the cost of future development for allowed uses, thereby reducing potential development that may introduce new light sources and daytime glare to these areas. Additionally, adverse effects on adjacent land uses through light "spillover" and the introduction of "sky glow" are lower in these areas due to the lower density and intensity type of development allowed in these rural areas. In addition, the Non-Coastal Zoning Ordinance (NCZO) and CZO include development standards that reduce potential light and glare impacts.





Source: Jensen Design & Survey, Inc. in 2024.

Gonzales Aerial (looking south-west).



Source: Jensen Design & Survey, Inc. in 2024.

Main Entry Point of View (looking south-east).

## Figure 6 Visual Simulations





Source: Jensen Design & Survey, Inc. in 2024.

Substation point of view (looking north-east).



Source: Jensen Design & Survey, Inc. in 2024.

Southern Boundary Aerial (looking north-west).

## Figure 7 Visual Simulations





Source: Jensen Design & Survey, Inc. in 2024.

Typical Orchard Screening (looking east).



Source: Jensen Design & Survey, Inc. in 2024.

Gonzales Orchard Screening Point of View (looking south).

## Figure 8 Visual Simulations - Screening



Source: Jensen Design & Survey, Inc. in 2024.

Gonzales Point of View (looking east).



Source: Jensen Design & Survey, Inc. in 2024.

Gonzales Point of View (looking west).

## Figure 9 Visual Simulations - Screening



The Project site is located in a non-urbanized area in the center of the Ventura-Oxnard Greenbelt, surrounded by agricultural fields and grow/greenhouses. The Project site is not located along a road identified as part of the County Regional Road Network. It is located within an area subject to the SOAR ordinance and the perimeter of the 25-acre Project site would consist of productive agriculture, which would shield the Project materials that could result in a new source of disability glare or discomfort glare for motorists.

No light-sensitive residential uses are located immediately adjacent to the Project site. The nearest residential land use is a single-family home located approximately 1,500 feet north of the Project site across Gonzales Road. The Project would introduce new sources of nighttime lighting on the Project site by installing exterior light fixtures required for security. Exterior security lighting would be equipped with motion-sensing features to minimize lighting durations. Pursuant to NCZO Section 8109-2.1.2, the Project would not be allowed to emit illumination or glare from commercial sites onto adjacent properties or streets that may be considered either objectionable by residents or hazardous to motorists, and NCZO Section 8110-6.5 requires that signs in open space, agricultural and residential zones have indirect or diffused illumination which shall not result in glare being directed toward surrounding properties. Lighting on the Project site is required to be in compliance with NCZO Sections 8106-8.6 and ensures that Project lighting: avoids interference with reasonable use of adjoining properties; avoids conflicts with landscape features; minimizes on-site and eliminates off-site glare, including glare that may impact drivers along Gonzales Road; provides adequate on-site lighting for security; minimizes energy consumption; and includes devices that are compatible with the design of the permitted facility (Condition of Approval No. 22). The applicant would be required to submit a lighting plan to the Planning Division for review and approval.

As previously discussed, the General Plan EIR identified a significant impact related to substantial light or glare. The Project would not result in a significant impact for this topic. Through compliance with uniformly applied development policies or standards, the potential impact from lighting would be reduced to less than significant. Further, the applicant will be required to submit a lighting plan to ensure lighting on the project site is provided in compliance with NCZO Sections 8106-8.6, and to ensure that project minimizing light and glare impacts (Condition of Approval No. 22). Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

### **Applicable Mitigation Measures or Uniformly Applied Development Policies or Standards**

Mitigation measures identified in the General Plan EIR are not applicable to the Project. The Project would incorporate the following uniformly applied development policies or standards:

- ▶ **NCZO Sections 8106-8.6:** Lighting would avoid interference with reasonable use of adjoining properties; avoid conflicts with landscape features; minimize on-site and eliminates off-site glare, including glare that may impact drivers along Gonzales Road; provide adequate on-site lighting for security; minimize energy consumption; and include devices that are compatible with the design of the permitted facility.

### **Conditions of Approval and Impact Minimization Measures**

The Project would incorporate the following conditions of approval and impact minimization measures to further minimize impacts:

#### **Condition of Approval Number 20: Productive Agriculture Screening Requirement.**

The project site will be screened from Gonzales Road, 5th Street, and adjacent properties with an productive agriculture and vine-covered fencing to ensure compatibility with the character of the surrounding development as required by NCZO Section 8111-1.2.1.1a (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

#### **Condition of Approval Number 22: Lighting Plan**

Lighting on the project site will be provided in compliance with NCZO Sections 8106-8.6 to ensure that project lighting:



- a. Avoids interference with reasonable use of adjoining properties;
- b. Avoids conflicts with landscape features;
- c. Minimizes on-site and eliminates off-site glare, including glare that may impact drivers along Gonzales Road;
- d. Provides adequate on-site lighting for security;
- e. Minimizes energy consumption; and
- f. Includes devices that are compatible with the design of the permitted facility.

(see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting)

# AGRICULTURAL AND FORESTRY RESOURCES

## Summary of Findings

With regard to Agricultural and Forestry Resources, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the General Plan EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the General Plan EIR.
4. No mitigation measures contained within the General Plan EIR would be applicable.
5. Uniformly applied development policies or standards would be incorporated to substantially mitigate impacts to agricultural and forestry resources and conditions of approval and impact minimization measures would be incorporated to further minimize impacts to agricultural and forestry resources.

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
<b>2. Agricultural and Forestry Resources.</b>						
<p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997, as updated) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.</p> <p>In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>						
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	GPEIR pp.4.2-9 to 4.2-17 Impact 4.2-1	No	No	No	No	Yes
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	GPEIR pp.4.2-18 to 4.2-20 Impact 4.2-3	No	No	No	No	N/A
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public	GPEIR pp.4.2-20 to 4.2-21 Impact 4.2-4	No	No	No	No	N/A

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?						
d) Result in the loss of forest land or conversion of forest land to non-forest use?	GPEIR pp.4.2-20 to 4.2-21 Impact 4.2-4	No	No	No	No	N/A
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	GPEIR pp.4.2-17 to 4.1-21 Impact 4.2-2, Impact 4.2-4	No	No	No	No	N/A

## Discussion

a) **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

b) **Conflict with existing zoning for agricultural use or a Williamson Act contract?**

The General Plan EIR concluded that implementation of the General Plan would not conflict with Williamson Act Contracts or Agricultural Preserves (Impact 4.2-3); this impact was identified as less than significant. The General Plan EIR identified that the Land Conservation Act (LCA) establishes eligibility criteria for Agricultural Preserves (AGP) and Land Conservation Act Contracts in the plan area. The 2040 General Plan also includes various policies and programs that would limit the conversion of agricultural lands to nonagricultural uses and several policies to minimize conflicts between LCA contracts and AGP with urban land to maintain LCA contracts and AGP designations. For example, Policies AG-1.1 and AG-1.2 protect and preserve agricultural land. The County's SOAR ordinance requires countywide voter approval of most changes to the general plan involving the Agricultural, Open Space, or Rural land use designations and most changes to a general plan goal or policy related to those land use designations. Policy AG-2.1 ensures discretionary development adjacent to Agriculturally designated lands does not conflict with the agricultural use of those lands.

The Project site is subject to LCA contract No. 29-1.10 with a 10-year self-renewing term, which was recorded December 27, 2000. Ventura County LCA Guidelines (2019 ed.) Section V(A)(4)(b) state: "In accordance with Government Code Sections 51231, 51238, and 51238.1, "compatible uses" are those which are permitted, or conditionally permitted by the Ventura County Coastal or Non-Coastal Zoning Ordinance in the AE-40 ac or CA zones, respectively." Furthermore, Section V(A)(5), Table 1 requires that at least 50 percent of a parcel sized greater than 40 acres be in agricultural utilization.

The entire Project site would be surrounded by productive agriculture compatible with adjacent row-crop production. The Project would be in compliance with the LCA contract and no LCA action is required because the proposed BESS

use is a conditionally-allowed compatible use in the AE-40 zone, is situated on a parcel of 85 acres, occupies about 30 percent of the parcel (i.e., approximately 70 percent of the 85-acre parcel would remain utilized for agriculture), and would be screened by an active agricultural use. In addition, the Project would not interfere with agricultural operations on adjacent parcels. Therefore, the Project would not conflict with existing zoning for agricultural use or a Williamson Act contract, and the impact would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to a conflict with existing zoning for agricultural use or a Williamson Act contract, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**

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

The General Plan EIR concluded that implementation of the General Plan would not conflict with or result in a loss of land zoned as forestland, timberland, or Timberland Production Zone (Impact 4.2-4); this impact was identified as less than significant. The county does not contain land that produces timber commercially for eventual use as lumber or pulp; however, there are six Christmas tree farms totaling approximately 94 acres that are zoned Timber-Preserve (T-P) pursuant to the provisions of the Timberland Preserve Zone of the County NCZO.

The Project site is not zoned as forest land (as defined in Public Resources Code (PRC) section 12220(g), timberland (as defined in PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code section 4526). The Project site is zoned Agricultural Exclusive (AE)-40, which primarily allows for agricultural uses, with some other uses allowed with a minor use permit or conditional use permit, and the Project site is designated as "ECU – Agriculture" which allows for a physical transition between the outer edges of an Existing Community or Urban Area and nearby agricultural and open space areas and uses. Land uses surrounding the site include three oil wells/pumps to the west, Oxnard High School to the east, and grow/greenhouses to the north. No impacts associated with forest land, timberland, or timberland zoned as Timberland Production would occur. Therefore, the Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland-zoned Timberland Production or result in the loss of forest land or conversion of forest land to non-forest use, and the impact would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to forest land or conversion of forest land to non-forest use, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?**

The General Plan EIR concluded that implementation of the General Plan would not be expected to result in adverse impacts to agricultural uses by locating non-agricultural development near classified farmland due to policies and programs that limit conflicts to agricultural uses, establish buffers between crop production, orchard production, classified farmland, and nonagricultural uses, to minimize agricultural land conversion (Impact 4.2-2); this impact was identified as less than significant.

The Project site is surrounded by agricultural land uses and the Project would not develop the site with a use that has the potential to result in land use conflicts. The proposed productive agriculture would establish a buffer between

surrounding farmland and agricultural uses, to minimize agricultural land conversion. Therefore, the Project would not involve other changes in the existing environment, which, due to their location or nature, could result in the conversion of Farmland to non-agricultural use or the conversion of forest land to non-forest use, and the impact would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to the conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

### **Applicable Mitigation Measures or Uniformly Applied Development Policies or Standards**

Mitigation measures identified in the General Plan EIR are not applicable to the Project. The following uniformly applied development policies or standards would be incorporated into the project:

- ▶ **Ventura County General Plan Policy AG-1.1, Agricultural Land Protection and Preservation:** The County shall continue to protect and preserve agricultural land by directing growth away from productive agricultural lands into cities, unincorporated urban areas, or existing communities and by supporting the acquisition or voluntary dedication of agriculture conservation easements.
- ▶ **Ventura County General Plan Implementation Measure AG-O, Establishment of an Agricultural Conservation Easement:** discretionary Projects that exceed a threshold of 5 acres of prime agricultural land shall ensure the permanent protection of off-site farmland of equal quality at a 1:1 ratio (acres preserved: acres converted) through the establishment of an off-site agricultural conservation easement.

### **Conditions of Approval and Impact Minimization Measures**

The Project would incorporate the following conditions of approval and impact minimization measures to further minimize impacts:

#### **Condition of Approval Number 27: Establishment of an Agricultural Conservation Easement**

The applicant will comply with Ventura County General Plan Agricultural Element Implementation Measure O and Policies AG-1.1 and AG-1.8; and establish an agricultural conservation easement that ensures the protection of offsite farmland at a 1:1 ratio (acres preserved: acres converted) to compensate for the direct and indirect loss of Prime Farmland ("Classified Farmland") from the project. Based on the current project description, the project is expected to result in the loss of 19.61 acres of Classified Farmland (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

#### **Condition of Approval Number 29: Decommissioning and Site Restoration**

Upon expiration or termination of the CUP or abandonment of use of the BESS facility, the Permittee or Property Owner shall ensure the BESS facility is decommissioned and that the site is restored so that agricultural activities can resume on the project site (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

#### **Condition of Approval Number 30: Financial Security for Decommissioning and Site Restoration**

The Permittee shall file, in a form acceptable to the Operations Division of the Resource Management Agency, a surety bond or cash equivalent to ensure that funds are available for facility decommissioning and site restoration upon expiration or termination of the CUP or abandonment of the BESS facility use (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).



# AIR QUALITY

## Summary of Findings

With regard to air quality, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the General Plan EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the General Plan EIR.
4. Mitigation Measures identified in the General Plan EIR are not applicable to the Project.
5. Uniformly applied development policies or standards would be incorporated to substantially mitigate impacts to air quality and conditions of approval and impact minimization measures would be incorporated to further minimize impacts to air quality.

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
<b>3. Air Quality.</b>						
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied on to make the following determinations.						
Would the project:						
a) Conflict with or obstruct implementation of the applicable air quality plan?	GP EIR pp. 4.3-11 to 4.3-12 Impact 4.3-1	No	No	No	No	N/A
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	GP EIR pp. 4.3-12 to 4.3-19 Impact 4.3-2 Impact 4.3-3	No	No	No	No	Yes
c) Expose sensitive receptors to substantial pollutant concentrations?	GP EIR pp. 4.3-19 to 4.3-23 Impact 4.3-4 Impact 4.3-5	No	No	No	No	N/A
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	GP EIR pp. 4.3-23 to 4.3-24 Impact 4.3-6	No	No	No	No	N/A

## Discussion

### a) Conflict with or obstruct implementation of the applicable air quality plan?

Impact 4.3-1 of the General Plan EIR concluded that impacts related to obstruction of an air quality plan would be less than significant because the population estimates under implementation of the 2040 General Plan would be less than the population estimates assumed in the 2016 Ventura County Air Quality Management Plan (AQMP), and policies under 2040 General Plan would be consistent with the ozone control strategy. The General Plan EIR identified that General Plan policies HAZ-10.2, HAZ-10.3, CTM-4.2, CMT-2.1 through CTM-2.25, CTM-3.1 through CTM-3.8, CTM-4.1, and CTM-4.3 would ensure consistency with the 2016 Ventura County AQMP. These policies would prohibit discretionary development that is inconsistent with the 2016 AQMP, require all discretionary development to comply with all applicable Ventura County Air Pollution Control District (VCAPCD) rules and permit requirements, reduce vehicle trips through increasing the availability of alternative modes, and accommodating the infrastructure needed to encourage bicycling and walking, and reduce vehicle miles traveled (VMT).

The most current air quality plans adopted by VCAPCD are the Ventura County 2022 Air Quality Management Plan (2022 AQMP), adopted On December 13, 2022, and the Southern California Association of Governments (SCAG) Connect SoCal 2024 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (Connect SoCal 2024), adopted in April 2024. The emission inventories used to develop these plans are based primarily on projected population and employment growth and associated VMT for the South Central Coast Air Basin (SCCAB) where the project is located. This growth is estimated for the region based, in part, on the planned growth identified in regional and local land use plans such as general plans or distinct area plans. Therefore, projects that would result in population and/or employment growth beyond that projected in regional or local plans could increase VMT above that forecasted in the attainment plans, resulting in mobile source emissions that could conflict with or obstruct the implementation of the air quality plans. Increases in VMT beyond that projected in the 2040 General Plan, SCAG's regional VMT modeling and VCAPCD regional air quality plans generally would be considered to have a significant adverse incremental effect on the SCCAB's ability to attain the California Ambient Air Quality Standards (CAAQS) and the National Ambient Air Quality Standards (NAAQS) for all criteria air pollutants.

Air quality plans utilize the land use zoning designations identified in city and county general plans to develop their growth assumptions used in emissions reduction planning. Because the 2040 General Plan was adopted prior to the adoption of the 2022 AQMP and Connect SoCal 2024, these air quality plans would account for the growth assumed in the 2040 General Plan. As detailed in Section 1.11, "Land Use and Planning," the Project would not result in changes to the General Plan zoning designations and the Project site would remain zoned as AE-40, or land designated for agriculture, within which "Energy Production from Renewable Sources" is a permitted use with a CUP approved by the Planning Commission. Further, the Project would be unoccupied and controlled remotely, with maintenance visits anticipated to weekly and on an emergency basis. Due to the Project being unoccupied and controlled remotely, with minimal in-person maintenance, the Project would not generate new permanent jobs in the County and would thus not generate growth beyond what was accounted for in the 2040 General Plan. Therefore, emissions related to the development of the Project would not result in additional emissions beyond those already accounted for in the General Plan EIR and utilized in the development of the 2022 AQMP and Connect SoCal 2024. Thus, the Project would not result in significant impacts and would be consistent with the analysis within the General Plan EIR because it would not create new impacts or increase impacts, and there is no new information of substantial importance than identified within the General Plan EIR.

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

Impact 4.3-2 of the General Plan EIR evaluated impacts related to construction of the 2040 General Plan, while Impact 4.3-3 evaluated impacts related to operational emissions from the 2040 General Plan. To remain consistent with the most current CEQA Guidelines Appendix G checklist, these impacts are evaluated together under the single impact

criteria "[r]esult 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."

According to Impact 4.3-2, Policy HAZ-10.3 of the 2040 General Plan would reduce construction emissions by requiring all discretionary projects to comply with applicable VCAPCD rules, including Rule 51 (Nuisance), Rule 50 (Opacity), and Rule 55 (Fugitive Dust); Policy COS-8.7 would additionally promote sustainable building practices to reduce energy associated with construction. Impact 4.3-2 identified that, although fugitive dust emissions would be reduced through mitigation, respirable particulate matter with an aerodynamic resistance diameter of 10 micrometers or less (PM<sub>10</sub>) emissions could still occur from the construction of individual development projects. Because Ventura County is in nonattainment for PM<sub>10</sub> with respect to the CAAQS, construction emissions under the 2040 General Plan were found to potentially exacerbate this existing air quality condition. Despite the application of General Plan EIR Mitigation Measures AQ-1a, AQ-1b, AQ-2a, and AQ-2b, ozone precursor emissions were estimated to remain above recommended thresholds, and due to Ventura County's nonattainment designation for ozone with respect to the NAAQS and CAAQS, this impact was concluded to be significant and unavoidable.

Regarding operational air pollutant emissions, Impact 4.3-3 of the General Plan EIR identified policies within the 2040 General Plan that would reduce emissions of air pollutants associated with individual development projects. Policies HAZ-10.5, HAZ-10.6, HAZ-10.12, COS-7.7, COS-7.8, CTM-2.11, CTM-2.13, CTM-3.1, CTM-4.1, CTM-4.2, and CTM-6.1 would reduce operational emissions through actions such as requiring that discretionary development with significant adverse air quality impacts only be approved if it is conditioned with all reasonable mitigation measures to avoid, minimize, or compensate for the impact; require that gases emitted from all new discretionary oil and gas wells be collected and used or removed for sale or proper disposal; reducing vehicle miles traveled (VMT) through land use planning and the availability of alternative transportation options; and encouraging trips made by biking, walking, and public transportation, which would reduce vehicular trips and thus reduce mobile-source air pollutant emissions. Impact 3.4-3 concluded that because Ventura County is in nonattainment for ozone with respect to the CAAQS and NAAQS and is in nonattainment for PM<sub>10</sub> with respect to the CAAQS, future development under the 2040 General Plan could contribute to the existing nonattainment status and result in a significant and unavoidable impact, despite mitigation.

The attainment status of Ventura County for the NAAQS and CAAQS has not changed since the certification of the General Plan EIR, and Ventura County is still in nonattainment for ozone and PM<sub>10</sub> with respect to the CAAQS and ozone with respect to the NAAQS.

Due to the nature of the Project, the majority of total Project emissions (i.e., combined construction and operational emissions) would be attributable to the construction phase. As stated above, the Project site is zoned AE-40, or land designated for agriculture, in the General Plan. This means that the emissions estimations conducted for the General Plan EIR would have accounted for the Project site being used for agricultural land use types. Agricultural land uses would be expected to result in greater total emissions than a renewable energy project. This is because agricultural operations typically involve prolonged and consistent use of diesel-powered heavy farm equipment for planting, harvesting, and applying products to crops and soil, such as fertilizers and pesticides, while the operation of renewable energy projects typically only involves occasional maintenance trips. In contrast, the operation of the Project would not be expected to result in substantial emissions exceeding VCAPCD thresholds, designed to attain and maintain the NAAQS and CAAQS, as the project would only serve as a battery energy storage facility. Some indirect emissions would occur from energy generated by the local utility utilized to operate the coolant systems meant to cool the battery containers during operation; however, electricity generation does not typically result in substantial criteria pollutant emissions.

Therefore, while the Project would result in temporary emissions of air pollutants during the construction phase, overall project emissions (i.e., total emissions related to the project from both the construction and operational phases) would be less than those that were accounted for in the General Plan EIR because the Project would emit significantly less emissions than if the Project site were to be occupied by an agricultural land use site, as was accounted for in the General Plan EIR. Furthermore, the Project would be required to adhere to Policy HAZ-10.13 and Implementation Program HAZ-Y which were established in response to General Plan EIR Mitigation Measures AQ-1a and AQ-1b, respectively, which require construction air pollutant best management practices (BMPs); and

Policy HAZ-10.14 and Implementation Program HAZ-Z, which were established in response to General Plan EIR Mitigation Measures AQ-2a and AQ-2b, respectively, which require fugitive dust BMPs to reduce construction air pollutant emissions. Emissions of air pollutants would be further reduced through compliance with VCAPCD rules relating to construction dust (Condition of Approval No. 45). These requirements include minimizing the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust, limiting construction-related traffic to 15 miles per hour or less, and discontinuing all clearing, grading, earth moving, or excavation activities during periods of high winds. Emissions of air pollutants would also be reduced through compliance with State laws and VCAPCD requirements regarding construction equipment emissions of ozone precursors and diesel PM (Condition of Approval No. 46). These requirements include compliance with the California State Regulation for In-Use Off-Road Diesel Vehicles (Title 13, CCR Section 2449) to reduce oxides of nitrogen (NO<sub>x</sub>) and diesel PM exhaust emissions, compliance with the vehicle idling limits of Title 13, CCR Section 2485, Section 2449(d)(3), and lengthening the construction period during smog season (May through October), to minimize the number of vehicles and equipment operating at the same time. Thus, the Project would not result in significant impacts and would be consistent with the analysis within the General Plan EIR because it would not create new impacts or increase impacts, and there is no new information of substantial importance than identified within the General Plan EIR.

**c) Expose sensitive receptors to substantial pollutant concentrations?**

Impact 4.3-4 of the General Plan EIR evaluated impacts related to carbon monoxide (CO) emissions, while Impact 4.3-5 of the General Plan EIR addressed impacts related to toxic air contaminants (TACs). To remain consistent with the most current CEQA Guidelines Appendix G checklist, these impacts are evaluated under the single impact criteria "[e]xpose sensitive receptors to substantial pollutant concentrations." This impact analysis focuses specifically on the potential for sensitive receptors to be exposed to project-generated TACs (pollutants that may cause serious, long-term effects, such as cancer, even at low levels), and CO in the form of CO hotspots (CO is a pollutant of localized concern due to its highly dispersive properties and typically only poses a serious health risk when concentrated to a small area, known as a "hotspot" which occurs when CO emissions in a localized area exceed the limits of the NAAQS and/or CAAQS, which are scientifically substantiated in protecting human health). Therefore, by definition, CO hotspots cannot have a safe concentration. Similarly, TACs are not known to have a safe concentration; it is therefore appropriate to analyze these pollutants together as they pose a higher risk of adverse health effects than other pollutants. Sensitive receptors (e.g., children, the elderly, asthmatics, and others who are at a heightened risk of negative health outcomes due to exposure to air pollution) are the populations at the greatest risk of experiencing negative health effects related to exposure to these pollutants, which themselves are considered to pose the highest risk to human health among air pollutants.

Regarding CO emissions, the analysis in Impact 4.3-4 of the General Plan EIR evaluated CO emissions based on guidance available from VCAPCD as well as the numerical CO threshold of 550 pounds per day (lb/day), recommended by South Coast Air Quality Management District (SCAQMD) and utilized in the General Plan EIR analysis. Impact 4.3-4 stated that individual discretionary projects implemented under the 2040 General Plan would be dispersed throughout the unincorporated county, and because mobile-source CO emissions from the 2040 General Plan were shown would not exceed the SCAQMD-recommended screening threshold of 550 lb/day, local mobile-source CO emissions generated by future development that could be accommodated under the 2040 General Plan would not result in or substantially contribute to concentrations of CO that exceed the 1-hour or 8-hour CAAQS and NAAQS. Impact 4.3-4 therefore concluded that CO-related impacts would be less than significant.

Regarding construction-related TACS, Impact 4.3-5 stated that, due to the long-term project horizon of 2040 and distribution of construction activities throughout the county, it is unlikely that any one sensitive receptor would be exposed to construction-related TACs for extended periods of time and construction activities would not result in the exposure of existing or new sensitive receptors to a substantial increase in TAC emissions. Regarding operational TACs, Impact 4.3-5 stated that despite potentially significant TAC emissions related to new sensitive receptors that could be exposed to roadway traffic levels that could result in adverse health effects from TACs, implementation of Mitigation Measure AQ-3 would reduce this impact by requiring that new sensitive receptors not be located within 500 feet of any freeway, urban or rural roadways experiencing traffic volumes that exceed 100,000 and 50,000

vehicles per day, respectively, which is the CARB-recommended setback distance (CARB 2005: 10), unless a site-specific VCAPCD-approved HRA shows that associated levels of cancer risk at the sensitive receptors would not exceed 10 in 1 million. This impact was concluded to be less than significant with mitigation incorporated.

Regarding project-related TACs, construction of the Project may involve the use of diesel-powered equipment that emits diesel particulate matter (diesel PM), the primary pollutant of concern when discussing TACs as the potential cancer risk from inhaling diesel PM outweighs the potential for all other diesel PM-related health impacts (i.e., noncancer chronic risk, short-term acute risk) and health impacts from other TACs. However, construction phase intensity and associated TAC emissions would be minimal due to the Project's relatively short construction period (i.e., approximately seven months) and land use type (emissions from construction of electric battery storage facilities would be far less than land use types typically associated with more intense construction periods and emissions such as strip malls, large apartment complexes, and housing developments). Dose is a function of the concentration of a substance or substances in the environment and the duration of exposure to the substance. Dose is positively correlated with time, meaning that a longer exposure period would result in a higher exposure level for any exposed receptor. Therefore, the risks estimated for an exposed individual are higher if a fixed exposure occurs over a longer period. Because construction activities would not occur for an extended period, receptors would not experience prolonged exposure to high concentrations of construction-generated TACs. Further, the nearest residential areas are a single residence approximately 1,500 feet to the north and others located within the City of Oxnard, approximately 0.58 miles east of the Project site. Oxford High School is located approximately 4,400 feet west of the Project site. Due to the Project site's rural location and distance from receptors (over 1,000 feet), it is unlikely that receptors would be exposed to substantial concentrations of TACs for an extended period of time. Emissions of TACs would be reduced through compliance with State laws and VCAPCD requirements regarding construction equipment emissions of diesel PM (Condition of Approval No. 46). These requirements include compliance with the California State Regulation for In-Use Off-Road Diesel Vehicles (Title 13, CCR Section 2449) to reduce NO<sub>x</sub> and diesel PM exhaust emissions, compliance with the vehicle idling limits of Title 13, CCR Section 2485, Section 2449(d)(3), and lengthening the construction period during smog season (May through October), to minimize the number of vehicles and equipment operating at the same time.

Project operation would involve occasional maintenance-related vehicle trips. These operational activities would not include any major stationary sources of TACs. Mitigation Measure AQ-3 would not apply to the project requiring setbacks as the project is not a sensitive land use and it does not propose to site new sensitive receptors within 500 feet of any freeway, urban, or rural roadways experiencing traffic volumes that exceed 100,000 and 50,000 vehicles per day. For these reasons, the project would not generate emissions during construction or operations or result in long-term exposure of sensitive receptors to TACs. Thus, the Project would not result in significant impacts and would be consistent with the analysis within the General Plan EIR because it would not create new impacts, increase impacts, and there is no new information of substantial importance than identified within the General Plan EIR.

**d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

Impact 4.3-6 of the General Plan EIR assessed odor impacts related to the construction and operation of the 2040 General Plan. The analysis concluded that because odors have a localized impact and construction activities related to the implementation of the 2040 General Plan would occur sporadically throughout the county, construction odors, specifically those from diesel exhaust, would be less than significant. Regarding operations, Impact 4.3-6 concluded that operational odors would also be less than significant because the Land Use and Community Character Element of the 2040 General Plan includes land use compatibility policies that would reduce potential impacts from receptors near existing odors sources. Additionally, VCAPCD Rule 51 (Nuisance), which regulates nonagricultural uses that potentially emit odors, would further reduce the potential for odor impacts on existing and new sensitive receptors in the county.

The Project would not result in any major source of odors or involve the operation of any common types of facilities known to produce odors (e.g., landfills and wastewater treatment plants). Moreover, the Project would not entail any agricultural operations, which was the assumed land use type for the Project site in the 2040 General Plan EIR.



Therefore, operational odors could be far less than the agricultural operations allowable at the project site. Odors associated with diesel exhaust emissions from construction equipment use may occasionally be noticeable by any nearby receptors. However, odors would be intermittent and temporary and would dissipate rapidly from the source with an increase in distance. Further, as required by 13 CCR Section 2449(d)(3), no in-use off-road diesel vehicles may idle for more than 5 consecutive minutes. Therefore, it is not expected that odor impacts could occur from Project implementation. Thus, the Project would not result in significant impacts and would be consistent with the analysis within the General Plan EIR because it would not create new impacts, increase impacts, and there is no new information of substantial importance than identified within the General Plan EIR.

### **Applicable Mitigation Measures or Uniformly Applied Development Policies or Standards**

Mitigation measures from the General Plan EIR would not be applicable to the Project. The following uniformly applied development policies or standards would be incorporated into the Project:

- ▶ **Policy HAZ-10.13: Construction Air Pollutant Best Management Practices.** Discretionary development projects that will generate construction-related air emissions shall be required by the County to incorporate best management practices (BMPs) to reduce emissions. These BMPs shall include the measures recommended by VCAPCD in its Air Quality Assessment Guidelines or otherwise to the extent applicable to the project.
- ▶ **Policy HAZ-10.14: Fugitive Dust Best Management Practices.** The County shall ensure that discretionary development which will generate fugitive dust emissions during construction activities will, to the extent feasible, incorporate appropriate BMPs to reduce emissions to be less than applicable thresholds.
- ▶ **Implementation Program HAZ-Y: Construction Air Pollutant Best Management Practices.** Discretionary development projects that will generate construction-related air emissions shall be required to include the following types of emission reduction measures and potentially others, as recommended by VCAPCD in its Air Quality Assessment Guidelines or otherwise, to the extent applicable to the project as determined by the County: maintaining equipment per manufacturer specifications; lengthening construction duration to minimize number of vehicle and equipment operating at the same time during the summer months; use of Tier 3 at a minimum, or Tier 4 if commercially available diesel engines in all off-road construction diesel equipment; and, if feasible using electric-powered or other alternative fueled equipment in place of diesel powered equipment.
- ▶ **Implementation Program HAZ-Z: Fugitive Dust Best Management Practices.** Discretionary development projects that will generate construction-related fugitive dust emissions shall be required by the County to include dust reduction measures recommended by VCAPCD in its Air Quality Assessment Guidelines, or otherwise.
- ▶ **VCAPCD Rules and Regulations**, which include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust).

### **Conditions of Approval and Impact Minimization Measures**

The following conditions of approval and impact minimization measures would be incorporated into the Project to further minimize impacts:

#### **Condition of Approval 45: Dust Control During Construction**

Fugitive dust and particulate matter that may result from site preparation and construction activities shall be minimized to the greatest extent feasible (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

#### **Condition of Approval 46: Construction Equipment**

Ozone precursor and particulate emissions from diesel-powered mobile construction equipment shall be reduced to the greatest amount feasible (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

## BIOLOGICAL RESOURCES

### Summary of Findings

With regard to Biological Resources, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the General Plan EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the General Plan EIR.
4. No mitigation measures contained within the General Plan EIR would be required because Project specific impacts would be less than significant.
5. No uniformly applied development policies or standards would be required to substantially mitigate impacts to biological resources. However, conditions of approval and impact minimization measures would be incorporated to further minimize impacts to biological resources.

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
<b>4. Biological Resources. Would the project:</b>						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	GPEIR pp. 4.4-20 to pp. 4.4-25 Impact 4.4-1	No	No	No	No	N/A
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	GPEIR pp. 4.4-25 to pp. 4.4-28 Impact 4.4-2	No	No	No	No	N/A
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal,	GPEIR pp. 4.4-28 to pp. 4.4-30 Impact 4.4-3	No	No	No	No	N/A

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
filling, hydrological interruption, or other means?						
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	GPEIR pp. 4.4-30 to pp. 4.4-33 Impact 4.4-4	No	No	No	No	N/A
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	GP EIR pp. 4.4-33 to pp. 4.4-34 Impact 4.4-5	No	No	No	No	Yes
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	GP EIR p.4.4-14 Impact: was dismissed	No	No	No	No	N/A

## Discussion

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

The General Plan EIR concluded that implementation of the General Plan could result in adverse effects to special-status species (Impact 4.4-1). Although the implementation of Mitigation Measure BIO-1, which requires the County to include a program in the General Plan to update the ISAG Biological Assessment report criteria to evaluate discretionary development that could potentially impact sensitive biological resources, would reduce impacts to special-status species and habitats, the wide variety of future project types, site conditions, and other circumstances associated with future development may have project-specific instances where Mitigation Measure BIO-1 would not reduce impacts. The General Plan concluded that there were no additional actions or policies that the General Plan could feasibly mandate to fully protect special-status species and habitats; the General Plan EIR concluded this impact to be significant and unavoidable.

The Project site is located on an agricultural field currently used to produce strawberries and is predominately covered with exposed topsoil. A Biological Resources memorandum was prepared by the Ventura County Planning Division for the Project. A site visit was conducted on March 2024, and no known protected biological resources were identified, as defined by the Ventura County ISAG (Ventura County 2024a). Since the Project site has been previously disturbed, and no known protected Biological Resources, including plant and animal species and their habitats, plant communities, and ecosystems, were identified during the site visit, the Project is not anticipated to disturb or result in the loss of special-status species or habitat. Therefore, the Project would not result in a substantial adverse effect,

either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service, and the impact would be less than significant.

As previously discussed, the General Plan EIR identified a significant and unavoidable impact related to the loss of special-status species and habitat; however, the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?**

The General Plan EIR concluded that implementation of the General Plan could result in disturbance or loss of riparian habitat, sensitive plant communities, Environmentally Sensitive Habitat Areas (ESHA), coastal beaches, sand dunes, and other sensitive natural communities (Impact 4.4-2). Although the implementation of Mitigation Measure BIO-1, which requires the County to include a program in the General Plan to update the ISAG Biological Assessment report criteria to evaluate discretionary development that could potentially impact sensitive biological resources, would lessen potential impacts, the wide variety of future project types, site conditions, and other circumstances associated with future development may have project-specific instances where Mitigation Measure BIO-1 would not reduce impacts. The General Plan EIR concluded no additional actions or policies that the General Plan could feasibly mandate to fully protect sensitive habitats; this impact was concluded to be significant and unavoidable.

The Project site does not contain riparian habitat, sensitive plant communities, ESHA, coastal beaches, sand dunes, or other natural communities. McGarth State Beach is located approximately 1 mile west of the Project site. Due to the distance from McGarth State Beach, the Project would not result in impacts to the coastal area. Further, the Project site has been previously disturbed, and the site visit did not identify any known protected biological resources. Therefore, the Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the US Fish and Wildlife Service. As such, the impact would be less than significant.

As previously discussed, the General Plan EIR identified a significant and unavoidable impact related to disturbance or loss of riparian habitat, sensitive plant communities, ESHA, and other sensitive natural communities; however, the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

The General Plan EIR concluded that implementation of the General Plan could result in potential disturbance or loss of State or federally protected wetlands (Impact 4.4-3). Although the implementation of Mitigation Measure BIO-1, which required the County to include a program in the General Plan to update the ISAG Biological Assessment report criteria to evaluate discretionary development that could potentially impact sensitive biological resources, would lessen potential impacts, the wide variety of future project types, site conditions, and other circumstances associated with future development may have project-specific instances where Mitigation Measure BIO-1 would not reduce impacts. The General Plan concluded that there were no additional actions or policies that the General Plan could feasibly mandate to fully protect wetlands or other waters; this impact was concluded to be significant and unavoidable.

The Project site does not contain any wetlands or other bodies of water. Therefore, the Project would not result in a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool,

coastal, etc.) through direct removal, filling, hydrological interruption, or other means and the impact would be less than significant.

As previously discussed, the General Plan EIR identified a significant and unavoidable impact related to disturbance or loss of wetlands or other waters; however, the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

The General Plan EIR concluded that implementation of the General Plan could result in the interference of resident or migratory wildlife movement corridors or native nursery sites (Impact 4.4-4). Although implementation of Mitigation Measure BIO-1, which required the County to include a program in the General Plan to update the ISAG Biological Assessment report criteria to evaluate discretionary development that could potentially impact sensitive biological resources, would lessen potential impacts, the wide variety of future project types, site conditions, and other circumstances associated with future development may have project-specific instances where Mitigation Measure BIO-1 would not reduce impacts. The General Plan concluded that there were no additional actions or policies that the General Plan could feasibly mandate to reduce impacts to a less than significant level; this impact was concluded to be significant and unavoidable.

The Project site is located on agricultural-zoned land previously used for farming produce. Per the County's Habitat Connectivity and Wildlife Corridors Map, the Project site is not located within a habitat connectivity or wildlife corridor area (Ventura County 2024b). The Project site does not contain any known protected biological resources and would thus not interfere with native wildlife nursery sites. The proposed productive agriculture surrounding the Project site could potentially attract wildlife. Thus, the Project would not interfere with wildlife corridors or nursery sites. Therefore, the Project would not 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. As such, this impact would be less than significant.

As previously discussed, the General Plan EIR identified a significant and unavoidable impact related to the interference with resident or migratory wildlife movement corridors or native nursery sites; however, the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

The General Plan EIR concluded that implementation of the General Plan would not conflict with local policies or ordinances protecting biological resources (Impact 4.4-5). Ventura County contains several plans and regulations, such as the Ventura County Oak Woodland Management Plan, Ventura County Non-Coastal Zoning Ordinance, and Coastal Zoning Ordinance Tree Protection Regulations that would require projects to abide by the restrictions contained therein and implement mitigation to reduce potential impacts on native tree species. The General Plan EIR noted that other sections of the EIR include an analysis of local ordinances concerning lighting, noise, and water quality that may have an indirect effect on biological resources.

The Project would be required to comply with all applicable local policies and ordinances that pertain to protecting biological resources. A site visit was conducted in March 2024, and no known significant biological resources were observed. The Project would comply with Ventura County General Plan Policy HAZ-9.2 and would implement noise control measures for demolition and construction activities (Condition of Approval No. 26), as well as NCZO Section 8106-8.6 and would implement light and glare design features (Condition of Approval No. 22) to reduce potential

impacts on surrounding biological resources. Therefore, the Project would not result in a conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, and the impact would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to a conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

The General Plan EIR concluded that no habitat conservation plans or natural community conservation plans have been adopted within the plan area of the General Plan. Therefore, no impact would occur, and this issue was not discussed further.

No habitat conservation plans or natural community conservation plans have been adopted within the vicinity of the Project site. As a result, the project would not result in new significant impacts or substantially more severe impacts than were identified in the General Plan EIR. Therefore, the findings of the General Plan EIR remain valid.

**Applicable Mitigation Measures or Uniformly Applied Development Policies or Standards**

Mitigation measures identified in the General Plan EIR are not applicable to the Project. The following uniformly applied development policies or standards applicable for noise would be incorporated into the Project:

- ▶ **Ventura County General Plan Policy HAZ-9.2: Noise Compatibility Standards.** The County shall review discretionary development for noise compatibility with surrounding uses. The County shall determine noise based on the following standards:
  1. New noise sensitive uses proposed to be located near highways, truck routes, heavy industrial activities and other relatively continuous noise sources shall incorporate noise control measures so that indoor noise levels in habitable rooms do not exceed Community Noise Equivalent Level (CNEL) 45 and outdoor noise levels do not exceed CNEL 60 or Leq1H of 65 dB(A) during any hour.
  2. New noise sensitive uses proposed to be located near railroads shall incorporate noise control measures so that indoor noise levels in habitable rooms do not exceed Community Noise Equivalent Level (CNEL) 45 and outdoor noise levels do not exceed L10 of 60 dB(A)
  3. New noise sensitive uses proposed to be located near airports:
    - a. Shall be prohibited if they are in a Community Noise Equivalent Level (CNEL) 65 dB or greater, noise contour; or
    - b. Shall be permitted in the Community Noise Equivalent Level (CNEL) 60 dB to CNEL 65 dB noise contour area only if means will be taken to ensure interior noise levels of CNEL 45 dB or less.
  4. New noise generators, proposed to be located near any noise sensitive use, shall incorporate noise control measures so that ongoing outdoor noise levels received by the noise sensitive receptor, measured at the exterior wall of the building, does not exceed any of the following standards:
    - a. Leq1H of 55dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.;
    - b. Leq1H of 50dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 7:00 p.m. to 10:00 p.m.; and



- c. Leq1H of 45dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 10:00 p.m. to 6:00 a.m.
- 5. Construction noise and vibration shall be evaluated and, if necessary, mitigated in accordance with the Construction Noise Threshold Criteria and Control Plan (Advanced Engineering Acoustics, November 2005).
- **NCZO Sections 8106-8.6:** Lighting would avoid interference with reasonable use of adjoining properties; avoid conflicts with landscape features; minimize on-site and eliminates off-site glare, including glare that may impact drivers along Gonzales Road; provide adequate on-site lighting for security; minimize energy consumption; and include devices that are compatible with the design of the permitted facility.

### Conditions of Approval and Impact Minimization Measures

The following conditions of approval and impact minimization measures would be incorporated into the Project to further minimize impacts:

#### Condition of Approval Number 22: Lighting Plan

Lighting on the project site will be provided in compliance with NCZO Sections 8106-8.6 to ensure that project lighting:

- a. Avoids interference with reasonable use of adjoining properties;
- b. Avoids conflicts with landscape features;
- c. Minimizes on-site and eliminates off-site glare, including glare that may impact drivers along Gonzales Road;
- d. Provides adequate on-site lighting for security;
- e. Minimizes energy consumption; and
- f. Includes devices that are compatible with the design of the permitted facility.

(see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting)

#### Condition of Approval Number 26: Construction Noise

The applicant shall comply with the Ventura County General Plan Policy HAZ-9.2 and the County of Ventura Construction Noise Threshold Criteria and Control Plan (Amended 2010) (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

## CULTURAL RESOURCES

### Summary of Findings

With regard to Cultural Resources, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the General Plan EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the General Plan EIR.
4. Mitigation Measures identified in the General Plan EIR are not applicable to the Project.
5. Uniformly applied development policies or standards would be incorporated to substantially mitigate impacts to cultural resources and conditions of approval and impact minimization measures would be incorporated to further minimize impacts to cultural resources.

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
<b>5. Cultural Resources. Would the project:</b>						
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	GP EIR pp.4.5-16 to 4.5-21 Impact 4.5-2	No	No	No	No	Yes
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	GPEIR pp.4.5-12 to 4.5-16 Impact 4.5-1	No	No	No	No	Yes
c) Substantially disturb human remains, including those interred outside of dedicated cemeteries?	GPEIR p.4.5-6 Impact: was dismissed	No	No	No	No	N/A

### Discussion

#### a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

The General Plan EIR concluded that implementation of the General Plan could result in the potential loss of historical resources because it may not be feasible to design all future development that could occur under the General Plan such that it avoids alteration or demolition of significant historical resources (Impact 4.5-2). Impacts would be reduced through the implementation of Mitigation Measures: CUL-1a, 1b, and 1c would require that discretionary development projects protect existing resources, avoid potential impacts to the maximum extent feasible; and Mitigation Measure CUL-2 would require the identification of listed, eligible, or unevaluated sites in coordination with the Cultural Heritage Board. Further, policy modifications provide the opportunity for the Cultural Heritage Board to

offer project-level recommendations and guidance to ensure that efforts are made to avoid, preserve, or otherwise mitigate impacts to historic resources. Mitigation Measure CUL-3 provides on-site preservation guidance, and in the event that a structure or resource cannot be preserved, it ensures that actions would be taken to record, evaluate, avoid, or otherwise treat a listed, eligible, or previously unevaluated historic resource appropriately, in accordance with pertinent laws and regulations. However, these mitigation measures would not prevent the loss of historical resources. In addition, The General Plan EIR concluded there were no actions or policies that the County could feasibly mandate to fully replace the loss of historical resources; this impact was identified as significant and unavoidable.

Ventura County General Plan Policy COS-4.4 was established in response to General Plan EIR Mitigation Measure CUL-1a, which requires that all discretionary development projects be assessed for potential tribal, cultural, historical, paleontological, and archaeological resources by a qualified professional and shall be designed to protect existing resources. Additionally, Implementation Programs HH and II were established in response to General Plan EIR Mitigation Measures CUL-1b and CUL-1c, respectively, which require a records search and Sacred Lands File search with the South Central Coastal Information Center for discretionary projects, and procedures for the protection and avoidance of cultural resources.

In accordance with Policy COS-4.4 and Implementation Programs HH and II, a records search of the South Central Information Center by Envicom Corporation (Envicom) on August 29, 2024, revealed that no cultural resources had previously been recorded within or adjacent to the Project site (Envicom 2024). A pedestrian survey was conducted on September 9, 2024. At the time of the pedestrian survey, the Project site was covered with strawberry plants, open dirt rows, and bare dirt access road. Surface visibility was 100 percent for most of the Project site, except for the strawberry rows, which were entirely covered. No historical resources were identified as a result of the pedestrian survey. For this reason, Mitigation Measures CUL-2 and CUL-3 are not applicable to the Project. The Project would adhere to Implementation Program II and would be conditioned to follow specific procedures if any historical artifacts are uncovered during ground disturbance or construction activities (Condition of Approval No. 23).

The Project was also submitted to the California Native American Heritage Commission (NAHC) to obtain a consultation list of tribes that are traditionally and culturally affiliated with the geographic area of the project in accordance with Public Resources Code section 21080.3.1(c). On September 30, 2024, the project was submitted to the contacts provided on the NAHC list via email and certified mail, requesting that those tribes interested in consultation request consultation from the County within 30 days of the notice pursuant to Government Code Section 21080.3.1 and 21080.3.2. As of the date of the public hearing for the project, only Chairman Gabriel Frausto with the Coastal Band of the Chumash Nation requested a consultation. Following consultation with the Coastal Band of the Chumash Nation, the presence of potential archeological resources within the project site was identified. Therefore, the Permittee has agreed to archaeological monitoring of development below 12 inches in depth to avoid impacting any potential resources (Condition of Approval No. 23). Finally, the project is conditioned to require that the Permittee stops work and analyzes any paleontological or archaeological finds should they be discovered during ground disturbance (Condition of Approval Nos. 23 and 24). As previously discussed, the General Plan EIR identified that projects within the county may have significant and unavoidable impacts related to a substantial adverse change in the significance of a historical resource; however, as identified above, the Project would not result in a significant impact for this topic. Further, implementation of Condition of Approval No. 23 would further minimize the potential for impacts. As a result, the project would not result in new significant impacts or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?**

The General Plan EIR concluded that implementation of the General Plan could result in the potential loss of archaeological resources because ground-disturbing activities associated with project-level construction activities could damage or destroy previously undiscovered archaeological features or sites, thereby resulting in a substantial change in the significance of an archaeological resource (Impact 4.5-1). The General Plan EIR identified that impacts

would be reduced with the implementation of Mitigation Measures: CUL-1a, 1b, and 1c, which would require that discretionary development projects protect existing resources and avoid potential impacts to the maximum extent feasible regulations. However, these mitigation measures would not prevent the loss of archaeological resources. Further, it is still possible that future development resulting from the General Plan could uncover previously unknown archaeological resources during project-level construction activities, the discovery of which may result in damage, destruction, or changes in significance, of archaeological resources. Therefore, the full protection of archaeological resources cannot be guaranteed at the program level of analysis. In addition, the General Plan EIR concluded there were no actions or policies that the County could feasibly mandate to fully replace the loss of archaeological resources; this impact was identified as significant and unavoidable.

As discussed above, no archaeological sites were identified within the Project site as a result of this investigation (Envicom 2024). Implementation of Condition of Approval No. 23 would comply with Ventura County General Plan Policy COS-4.4, and Implementation Programs HH and II to avoid potential impacts to the maximum extent feasible, and implement feasible measures to minimize impacts to archaeological resources. The Project would be conditioned to follow specific procedures if any archaeological artifacts are uncovered during ground disturbance or construction activities (Condition of Approval No. 23). As a result, the project would not result in new significant impacts or substantially more severe impacts than were identified in the General Plan EIR. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

### c) Substantially disturb human remains, including those interred outside of dedicated cemeteries?

The General Plan EIR concluded that California law recognizes the need to protect Native American human burials, skeletal remains, and items associated with Native American burials from vandalism and inadvertent destruction. The procedures for the treatment of Native American human remains are contained in California Health and Safety Code Sections 7050.5 and 7052 and California PRC Section 5097. Future development that could occur during the planning horizon of the General Plan would be required to comply with the California Health and Safety Code and the California PRC. Therefore, no impact would occur, and this issue was not discussed further.

As discussed above, the records search and reconnaissance survey conducted by Envicom revealed that no human remains were identified within the Project site (Envicom 2024). While the Project would not directly affect human remains, implementation of the Project would result in ground disturbing activities that could result in the discovery of human remains. However, California Health and Safety Code Section 7050.5, State CEQA Guidelines Section 15064.5, and California Public Resources Code Section 5097.98 mandate the process to be followed in the event of accidental discovery of human remains in a location other than a dedicated cemetery. These sections also provide guidance if the remains are determined to be Native American. The actions required under these regulatory sections would ensure there would be no impact to human remains. As a result, the project would not result in new significant impacts or substantially more severe impacts than were identified in the General Plan EIR. Therefore, the findings of the General Plan EIR remain valid.

### Applicable Mitigation Measures or Uniformly Applied Development Policies or Standards

Mitigation measures identified in the General Plan EIR are not applicable to the Project. The following uniformly applied development policy or standard would be incorporated into the Project:

- ▶ **Ventura County General Plan Implementation Program II: Cultural, Historical, Paleontological, and Archaeological Resource Assessment Procedures.** For discretionary projects, the County shall require the following:
  - Projects shall be designed to protect existing resources and shall avoid potential impacts to the maximum extent feasible.
  - If determined necessary by the County, an archaeological or paleontological and/or Native American monitor shall be retained to monitor ground-disturbing activities during construction.

- If any materials or artifacts are discovered during ground disturbance and/or construction activities, construction shall halt until a qualified archaeologist, paleontologist, or Native American monitor can access the discovery. A report or memorandum shall be prepared by the qualified monitor documenting any findings and identifying recommendations for protection or avoidance of discovered resources. Recommendations or mitigation identified by the qualified monitor shall be implemented prior to commencing

### **Conditions of Approval and Impact Minimization Measures**

The following conditions of approval and impact minimization measures would be incorporated into the Project to further minimize impacts:

#### **Condition of Approval Number 23: Archaeological Resources**

In order to mitigate potential impacts to archaeological resources inadvertently discovered during ground disturbance, the Permittee shall implement procedures and recommendations for monitoring and the proper disposition of resources prior to continuation of construction (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

#### **Condition of Approval Number 24: Paleontological Resources Inadvertently Discovered During Grading**

In order to mitigate potential impacts to archaeological resources inadvertently discovered during ground disturbance, the Permittee shall implement procedures and recommendations for proper disposition of the resource prior to continuation of construction (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

## ENERGY

### Summary of Findings

With regard to energy, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the General Plan EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the General Plan EIR.
4. No mitigation measures contained within the General Plan EIR would be required because Project specific impacts would be less than significant.
5. No uniformly applied development policies or standards would be required to substantially mitigate impacts related to energy and no conditions of approval or impact minimization measures would be incorporated to further reduce impacts related to energy.

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
<b>6. Energy. Would the project:</b>						
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	GPEIR pp. 4.6-18 to 4.6-22 Impact 4.6-1	No	No	No	No	N/A
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	GPEIR pp. 4.6-18 to 4.6-22 Impact 4.6-1	No	No	No	No	N/A

### Discussion

#### a) Result in the Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources

Impact 4.6-1 of the General Plan EIR details that the 2040 General Plan would include policies and programs that would encourage future sustainable building practices that would promote efficient energy consumption associated with construction activities, decrease reliance on fossil fuels by supporting the electrification of vehicles by deploying charging infrastructure, promote building electrification, and encourage alternative modes of transportation. The analysis also describes that deploying additional renewable energy generation sources at the distributed and utility-scale would increase reliance on renewable sources of electricity in the County and that the above policies and programs would support the goals of State and local energy plans. Impact 4.6-1 of the General Plan EIR therefore concludes that the 2040 General Plan would result in a less than significant impact related to the wasteful, inefficient, or unnecessary consumption of energy and would not conflict with or obstruct State and local plans for energy efficiency or renewable energy; it would support the goals outlined in these plans.

Energy would be consumed during the construction phase and future decommissioning of the Project through the use of heavy-duty construction equipment, from the transportation and use of construction materials, and for worker commutes. This short-term energy expenditure required to construct the project would be nonrecoverable. The energy needs for construction on the Project site would be primarily met through the use of fuel for transportation of workers and materials and operation of equipment and would not require additional capacity or increase peak- or base-period demands for electricity. In addition, construction-related fuel consumption would ultimately improve the state's electric grid and provide reliable power. Implementation of the project would align with the goals of the 2022 Scoping Plan and 2023 Integrated Energy Policy Report (IEPR) to increase renewable energy generation and decrease the consumption of fossil fuels. The Project would be unoccupied during operation and is designed for remote operations at all times. Maintenance visits are anticipated weekly, or on an emergency basis and would thus not result in large quantities of fuel being consumed during operation. Construction and operation of the Project would not result in inefficient, wasteful, or unnecessary consumption of energy resources, nor would it conflict with the goals of the 2023 IEPR. Notably, the Project would be comparatively beneficial in regard to energy as compared to an agricultural land use, which was the zoning designation of the Project site that was accounted for in the General Plan EIR. Because the General Plan EIR accounted for the energy consumption of an agricultural land use, which typically involves fuel consumption associated with the operation of heavy-duty agricultural equipment and vehicle trips related to vendors and workers, the Project would be relatively beneficial because it would consume far less energy during operation as well as contribute to the statewide goal of increasing energy storage and improving energy reliability. Thus, the Project would not result in significant impacts and would be consistent with the analysis within the General Plan EIR because it would not create new impacts or increase impacts, and there is no new information of substantial importance than identified within the General Plan EIR.

**b) Impede State or Local Plans for Renewable Energy or Energy Efficiency?**

See the discussion under criterion a) above.

**Applicable Mitigation Measures or Uniformly Applied Development Policies or Standards**

No mitigation measures were identified in the General Plan EIR for energy. There are no uniformly applied development policies or standards applicable to energy.

**Conditions of Approval and Impact Minimization Measures**

There are no conditions of approval or impact minimization measures applicable to energy.



## GEOLOGIC HAZARDS

### Summary of Findings

With regard to Geologic Hazards, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the General Plan EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the General Plan EIR.
4. No mitigation measures contained within the General Plan EIR would be required because Project specific impacts would be less than significant.
5. Uniformly applied development policies or standards would be incorporated to substantially mitigate impacts related to geologic hazards and conditions of approval and impact minimization measures would be incorporated to further minimize impacts related to geologic hazards.

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
<b>7. Geology and Soils. Would the project:</b>						
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> <li>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)</li> <li>ii) Strong seismic ground shaking?</li> <li>iii) Seismic-related ground failure, including liquefaction?</li> <li>iv) Landslides?</li> </ul>	GPEIR pp.4.7-5 to 4.7-11  Impact 4.7-1, Impact 4.7-2, Impact 4.7-3, Impact 4.7-4	No	No	No	No	N/A

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
b) Result in substantial soil erosion or the loss of topsoil?	GP EIR p.4.7-2 Impact: was dismissed	No	No	No	No	N/A
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	GPEIR p. 4.7-12 Impact 4.7-6	No	No	No	No	N/A
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?	GPEIR pp.4.7-11 to 4.7-12 Impact 4.7-5	No	No	No	No	Yes
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	GPEIR pp. 4.10-22 to 4.10-23 Impact 4.10-17	No	No	No	No	N/A
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	GPEIR pp.4.5-24 to 4.5-26 Impact 4.5-4	No	No	No	No	Yes

## Discussion

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)
  - ii) Strong seismic ground shaking?
  - iii) Seismic-related ground failure, including liquefaction?

#### iv) Landslides?

The General Plan EIR concluded that implementation of the General Plan would not expose people or structures to fault rupture hazards, or directly or indirectly cause fault rupture (Impact 4.7-1). As described in the General Plan EIR, there are several earthquake faults in the County that are classified as active or potentially active (Ventura County 2020). The major faults and fault systems located in the county are the Malibu Coast Fault System, Oak Ridge Fault System, Pine Mountain Thrust Fault and Big Pine Fault, San Cayetano-Red Mountain-Santa Susana Fault System, Semi-Santa Rosa Fault System, and Ventura-Pitas Point Fault. The General Plan EIR concluded that several General Plan Policies, such as HAZ-4.1, HAZ-4.2, HAZ-4.3, HAZ-4.8, and HAZ-4.17, would substantially lessen the adverse effects from future development within active fault areas. Adherence to existing regulations would additionally safeguard future development under the General Plan and would require that development is sited away from State of California– Earthquake Fault Zone designated by the Alquist-Priolo Earthquake Fault Zoning Act County– Designated Fault Hazard Areas. Therefore, impacts related to exposing people or structures to fault rupture hazards or directly or indirectly causing fault rupture were concluded to be less than significant.

The General Plan EIR concluded that implementation of the General Plan would not expose people or structures to ground-shaking hazards (Impact 4.7-2). As described in the General Plan EIR, there are several earthquake faults in the County that are classified as active or potentially active (Ventura County 2020). The General Plan EIR concluded that several General Plan Policies, such as HAZ-4.3 and HAZ-4.8, would substantially lessen the adverse effects from ground-shaking hazards. Adherence to existing regulations would require that development is sited away from State of California– Earthquake Fault Zone designated by the Alquist-Priolo Earthquake Fault Zoning Act County– Designated Fault Hazard Areas to further reduce impacts. Therefore, impacts related to the risk of loss, injury, or death involving ground-shaking hazards were concluded to be less than significant.

The General Plan EIR concluded that implementation of the General Plan would not expose people or structures to liquefaction hazards or directly or indirectly cause the risk of loss, injury, or death involving liquefaction (Impact 4.7-3). Areas with liquefaction potential have been identified throughout the County. The General Plan EIR identified that future development would be subject to building permit review procedures and construction standards and be required to comply with the Ventura County Building Code, which includes the California Building Code (CBC). Measures such as soil improvement methods or removal or densification of liquefiable soils would be required for the design of individual future projects to reduce potential hazards from liquefaction. The General Plan EIR concluded that several General Plan Policies, such as HAZ-4.8, would substantially lessen the adverse effects from liquefaction by restricting development in liquefaction areas unless a geotechnical investigation is performed, and appropriate and sufficient safeguards are incorporated. Therefore, the General Plan EIR concluded the impact to be less than significant.

The General Plan EIR concluded that implementation of the General Plan would not expose people or structures to landslide hazards (Impact 4.7-4). A large majority of land in the county is also located in a Very High Landslide Susceptibility area. Several General Plan policies were identified to lessen the potential for impacts from landslide hazards such as HAZ-4.9, HAZ-4.10, and HAZ-4.11. These General Plan Policies would direct development away from areas prone to landslides, require geotechnical reports that demonstrate adequate slope stability and construction methods for building and road construction on slopes greater than 50 percent, and restrict the alteration of land in landslide/debris flow hazard areas. The General Plan EIR concluded compliance with the General Plan Policies, Ventura County Building Code, CBC, and the California Geological Survey Special Publication 117A would substantially lessen impacts by requiring future development to be designed to minimize potential risks. Impacts were concluded to be less than significant.

The Project site is located in Ventura County, a seismically active area of Southern California. The Project would consist of a BESS facility that would be remotely maintained. All structures associated with the Project would be designed to meet applicable earthquake and geotechnical study recommendations and would satisfy building permit requirements. A Geotechnical Engineering Investigation was prepared for the Project that identified that the nearest significant active fault is the Oak Ridge Fault, located approximately 2.3 miles north of the Project site, as well as Ventura-Pitas Point and Simi-Santa Rosa Faults being located approximately 5.2 northwest and 7.4 northeast miles from the Project site, respectively. The Project site does not have any mapped faults on site, nor does the site have

any evidence of surface faulting. Additionally, as discussed in the Geotechnical Engineering Investigation, the State has not prepared a Fault Zones Map for the area that the Project site is located in, and the site is therefore not located within an area designated by the State as a Fault-Rupture Hazard Zone (Krazan & Associates, Inc 2024). The County of Ventura Building Code adopted from the California Building Code, dated 2022, Chapter 16, Section 1613 requires structures be designed to withstand this ground shaking. All structures associated with the Project would be designed and constructed in accordance with the County of Ventura Building Code, which includes requirements for structures that reduce the potential for exposure of people or structures to seismic risks to the maximum extent possible.

The Project site is located in an area designated by the State as a Liquefaction Hazard Zone. A soil liquefaction study was conducted for the Project, and it was determined that the liquefaction potential at the site is considered to be fair to moderate (Krazan & Associates, Inc 2024). The report provides design recommendations for the proposed structures to minimize the potential hazards related to liquefaction. During operation, the Project would be remotely maintained. The site is relatively level with no major changes in grade. Compliance of applicable regulations, such as the Ventura County Building Code, as well as General Plan Policies, would reduce impacts related to liquefaction hazards. Therefore, the Project would not expose people or structures to liquefaction hazards or directly or indirectly cause the risk of loss, injury, or death involving liquefaction and the impact would be less than significant.

The Project site is not located within or near an area of known landslide susceptibility (Ventura County 2020). The site is also relatively level with no major changes in grade. Therefore, the Project would not expose people or structures to landslide and the impact would be less than significant.

As previously discussed, the General Plan EIR identified a less than significant impact related to substantial adverse effects, including the risk of loss, injury, or death involving exposing people or structures to fault rupture hazards or directly or indirectly causing fault rupture; strong seismic ground shaking; liquefaction hazards; and landslides. The Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

#### **b) Result in substantial soil erosion or the loss of topsoil?**

The General Plan EIR identified that impacts on soil erosion and the loss of topsoil are not addressed in ISAG. General Plan Policy HAZ-4.6, which requires discretionary development to minimize the removal of vegetation to protect against soil erosion, debris flows, and landslides would reduce soil erosion. Therefore, no impact would occur, and this issue was not discussed further.

Project construction would involve a balanced grading plan in which approximately 4,700 cubic yards of soil would be cut and balanced on site. The Project would also comply with General Plan Policy HAZ-4.6, which requires development to minimize the removal of vegetation to protect against soil erosion, rockslides, and landslides. During operation, the Project site would be developed with the BESS enclosures located on concrete pads, limiting the amount of exposed soil. Therefore, impacts associated with soil erosion or loss of topsoil would be less than significant. As a result, the project would not result in new significant impacts or substantially more severe impacts than were identified in the General Plan EIR. Therefore, the findings of the General Plan EIR remain valid.

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

The General Plan EIR concluded that implementation of the General Plan would not result in the risk of loss, injury, or death associated with future development located within a subsidence hazard zone, and safeguard future development from direct or indirect cause subsidence (Impact 4.7-6). Future development would be required to comply with standards of the Ventura County Building Code and the CBC. General Plan Policy HAZ-4.15 requires potential ground surface subsidence to be evaluated for new oil, gas, water or other extraction well drilling permits and that appropriate and sufficient safeguards are incorporated into project design. General Plan Policy HAZ-4.16

would require structural design to recognize the potential for subsidence and hydroconsolidation and provide mitigation recommendations. This impact was concluded to be less than significant.

The Project site would be remotely maintained and does not include structures intended for human occupancy. A subsidence hazard to an area may be caused by the removal of oil, gas and/or water such that the overburden load that the liquid used to support is placed on the rock or sediment structure and this material becomes compressed producing a net loss in volume and a depression in the land surface. The Project site is located in an area prone to subsidence due to groundwater pumping, per Figure 4.7-1 in the General Plan EIR. There are three oil well/pump "islands" immediately west of the Project site that would end production when the oil field is exhausted. However, the Project is not expected to affect the oil well/pump uses. Groundwater extraction in the Oxnard Subbasin is regulated by the Fox Canyon Groundwater Management Agency (FCGMA). The Project does not propose the construction of new extraction wells and any new wells must be permitted through FCGMA and the County Groundwater Section.

The Project would be required to comply with General Plan Policy HAZ-4.16 to reduce potential impacts from subsidence hazards, as well as comply with the Ventura County Building Code and CBC. Compliance with these policies and regulations would minimize adverse effects from subsidence and the impact would be less than significant.

As previously discussed, the General Plan EIR identified a less than significant impact related to the risk of loss, injury, or death associated with future development located within a subsidence hazard zone, and safeguard future development from direct or indirect cause subsidence, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

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

The General Plan EIR concluded that implementation of the General Plan would minimize risks associated with expansive soils (Impact 4.7-5). Most of the County is located within zones of medium expansive soil potential, and areas with high expansive soil potential are scattered throughout the County. The General Plan EIR identified that future development could potentially be located on expansive soils and would be required to comply with the Ventura County Building Code, CBC, and State requirements, as well as General Plan Policies HAZ-4.13, which would require a geotechnical engineering investigation and incorporation of appropriate safeguards into the project design. If expansive soils have been identified at the project site, foundations of structures would be required to implement special design considerations in accordance with Section 1808.6 of the Ventura County Building Code. This impact was concluded to be less than significant.

The Project site is located in the Oxnard coastal plain, an alluvial plain underlain by deep alluvium over primarily sedimentary bedrock. Based on findings from the Geotechnical Engineering Investigation completed for the Project, subsurface soils consisted of approximately 3 to 6 feet of stiff to very stiff clayey sand/sandy clay and sandy clay. Below the clayey sand/sandy clay and sandy clay, loose to dense poorly graded sand and silty sand/sand was encountered from a depth of approximately 3 to 6 feet below site grades to a depth of approximately 24 feet below current site grades. Water was also encountered at a depth of approximately 13 feet below existing site grades. Field and laboratory tests conducted suggest that the soils are relatively strong and slightly compressible (Krazan & Associates, Inc 2024). Project construction would involve a balanced grading plan in which approximately 4,700 cubic yards of soil would be cut and balanced on the Project site. The Project would be required to comply and implement design standards and standard industry practices included in the Ventura County Building Code. Further, the project would be conditioned to submit a grading plan (Condition of Approval No. 36). Compliance with these regulations would minimize risks associated with expansive soils.

As previously discussed, the General Plan EIR identified a less than significant impact related to expansive soil, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of

previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

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

The General Plan EIR concluded that implementation of the General Plan would accommodate future development that could result in the need for onsite wastewater treatment systems (OWTS) (Impact 4.10-17). Certain areas of the county may have geologic features or soils that are incapable of supporting, or incompatible with, the installation of OWTS, thereby causing adverse groundwater impacts. The County requires OWTS be properly sited pursuant to the findings of a geotechnical report as part of the discretionary and ministerial review process required by the Local Agency Management Program for Onsite Wastewater Treatment Systems. If the moisture content and/or soil type differs at various locations, localized or nonuniform movement may occur, which cause damage to the septic tank or alternative public sewer utility system. Damage caused by expansive soils can be slow and long term, and not attributable to any particular event. However, construction of OWTS would be required to comply with the existing local regulations including Ventura County Building Code, Articles 1 and 6, Ventura County Sewer Policy, Ventura County Ordinance Code, Division 4, California Plumbing Code, the Environmental Health Division Onsite Wastewater Treatment System Technical Information Manual, and the California Regional Water Quality Control Board Basin Plans. Further, the General Plan EIR identified all future OWTS would be required to comply with the Local Agency Management Program for Onsite Wastewater Treatment systems, which includes requirements for permitting of OWTS and limitations of OWTS development. The California State Water Resources Control Board (SWRCB) also adopted the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems in 2012, which sets standards for OWTS that are constructed or replaced, that are subject to a major repair, that pool or discharge waste to the surface of the ground, and that have affected, or will affect, groundwater or surface water to a degree that makes it unfit for drinking water or other uses, or cause a health or other public nuisance condition (SWRCB 2019). Through adherence with these regulations, the impact related to construction of OWTS was concluded to be less than significant.

The Project includes the installation of a BESS facility that would be operated remotely. Wastewater generated from maintenance visits and service technicians would be processed by portable restroom and handwashing facilities in accordance with standards set forth by the Ventura County Environmental Health Division (Condition of Approval No. 35). The Project does not include the installation of an onsite wastewater treatment system, septic tanks or alternative wastewater disposal systems. Therefore, the Project would not result in an impact related to 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.

As previously discussed, the General Plan EIR did not identify a significant impact related to 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, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

The General Plan EIR concluded that implementation of the General Plan could result in adverse effects to paleontological resources could occur through project-level construction activities, such as earth-moving and ground disturbance. Specifically, grading and excavation of known fossiliferous rock would result in the loss of known or yet undiscovered paleontological resources. Further, unsecure areas could result in increased access to paleontologically sensitive areas and subsequently, the unauthorized collection of fossil materials. As a result, known and yet undiscovered resources could be lost and/or destroyed (Impact 4.5-4). The General Plan EIR identified that, impacts would be reduced with implementation of Mitigation Measures: CUL-1a, CUL-1b, CUL-1c, CUL-4, CUL-5, and CUL-6

which would require that discretionary development projects protect existing resources, provide clearer language identifying the maintenance of a paleontological resource inventory and indicate that inclusion of previous studies and reports filed with natural history programs and CHRIS, provide clearer language related to the preservation of paleontological resources and encourages consultation with local preservation groups, require that proper security measures be taken during project-level development to prevent the unauthorized access to paleontologically rich sites and the unlawful collection of fossil materials, would avoid potential impacts to the maximum extent feasible. However, protection of paleontological resources may not always be feasible, as it is possible that materials and sites could be accessed unlawfully or could not be entirely avoided during construction activity. Therefore, because the potential for permanent loss of a paleontological resource cannot be guaranteed, impacts to paleontological resources, including fossiliferous rock and fossil sites would be, the General Plan EIR concluded this impact to be significant and unavoidable.

Ventura County General Plan Policy COS-4.4 was established in response to General Plan EIR Mitigation Measure CUL-1a, which requires that all discretionary development projects be assessed for potential tribal, cultural, historical, paleontological, and archaeological resources by a qualified professional and shall be designed to protect existing resources. Implementation Programs HH and II were established in response to General Plan EIR Mitigation Measures CUL-1b and CUL-1c, respectively, which require a records search and Sacred Lands File search with the South Central Coastal Information Center for discretionary projects, and procedures for the protection and avoidance of cultural resources. Ventura County General Plan Policy COS-4.1 was established in response to General Plan EIR Mitigation Measure CUL-4, which requires that the County maintain an inventory of tribal, cultural, historical, paleontological, and archaeological resources. Ventura County General Plan Policy COS-4.2 was established in response to General Plan EIR Mitigation Measure CUL-5, which requires the County to cooperate with other jurisdictions and organizations to identify known cultural, archaeological, historical, and paleontological resources to preserve identified resources within the county and to engage in consultation with tribes to preserve and determine the appropriate handling of, identified resources within the county. Finally, Ventura County Implementation Program COS-KK was developed in response to General Plan EIR Mitigation Measure CUL-6, which requires project security measures in areas where paleontologically rich sites or tribal cultural resources are known to be present.

In accordance with Policy COS-4.4 and Implementation Program HH, a records search and reconnaissance survey were conducted by Envicom. The local area is entirely recent (Holocene) alluvial material, covered with roughly 6 feet of modern added agricultural soil and field tile. The US Geological Survey geological map shows the entire region being composed of modern Holocene alluvial fans. This material is not sensitive for fossil resources (Envicom 2024). Incorporation of Implementation Program II and Condition of Approval No. 24 would minimize the potential for impacts to paleontological resources to occur in the event any paleontological resources are uncovered during ground disturbance or construction activities. Implementation Program COS-KK would not be applicable to the Project since the Project site is not anticipated to be sensitive for paleontological resources. The Project would not result in new significant impacts or substantially more severe impacts than were identified in the General Plan EIR. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

### Applicable Mitigation Measures or Uniformly Applied Development Policies or Standards

Mitigation measures identified in the General Plan EIR are not applicable to the Project. The following uniformly applied development policy or standard would be incorporated into the Project:

- ▶ **California Code of Regulations.** Title 14, section 17409.2.
- ▶ **Ventura County Building Code.** Ordinance Number 4608.
- ▶ **Ventura County General Plan Policy HAZ-4.6: Vegetative Resource Protection.** The County shall require discretionary development to minimize the removal of vegetation to protect against soil erosion, rockslides, and landslides.



- ▶ **Ventura County General Plan Policy HAZ-4.16: Subsidence and Hydroconsolidation Hazard – Structural Design.** Structural design of buildings and other structures shall recognize the potential for subsidence and hydroconsolidation and provide mitigation recommendations for structures that may be affected.
- ▶ **Ventura County General Plan Implementation Program II: Cultural, Historical, Paleontological, and Archaeological Resource Assessment Procedures.** For discretionary projects, the County shall require the following:
  - Projects shall be designed to protect existing resources and shall avoid potential impacts to the maximum extent feasible.
  - If determined necessary by the County, an archaeological or paleontological and/or Native American monitor shall be retained to monitor ground-disturbing activities during construction.
  - If any materials or artifacts are discovered during ground disturbance and/or construction activities, construction shall halt until a qualified archaeologist, paleontologist, or Native American monitor can access the discovery. A report or memorandum shall be prepared by the qualified monitor documenting any findings and identifying recommendations for protection or avoidance of discovered resources. Recommendations or mitigation identified by the qualified monitor shall be implemented prior to commencing.

### Conditions of Approval and Impact Minimization Measures

The following conditions of approval and impact minimization measures would be incorporated into the Project to further minimize impacts:

#### **Condition of Approval Number 24: Paleontological Resources Inadvertently Discovered During Grading**

The permittee shall follow appropriate steps to minimize the potential for impacting paleontological resources that may be encountered during ground disturbance or construction activities (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

#### **Condition of Approval Number 35: Portable Toilet and Handwashing Facilities**

The permittee shall include appropriate sanitary facilities for personnel at the site and ensure septage from portable toilets be removed and properly disposed of at an approved septage disposal site (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

#### **Condition of Approval Number 36: Grading Permit**

The Permittee shall submit a grading plan, geotechnical and hydrology reports as necessary, for review and approval to ensure the Permittee performs all grading in compliance with Appendix J of the Ventura County Building Code (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

# GREENHOUSE GAS EMISSIONS

## Summary of Findings

With regard to GHGs, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the General Plan EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the General Plan EIR.
4. No mitigation measures contained within the General Plan EIR would be required because Project specific impacts would be less than significant.
5. No uniformly applied development policies or standards are required to substantially mitigate impacts from greenhouse gas emissions and no conditions of approval and impact minimization measures are incorporated to further reduce impacts from greenhouse gas emissions.

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
<b>8. Greenhouse Gas Emissions. Would the project:</b>						
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	GP EIR pp. 4.8-37 to 4.8-49 Impact 4.8-1	No	No	No	No	N/A
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	GP EIR pp. 4.8-49 to 4.8-52 Impact 4.8-2	No	No	No	No	N/A

## Discussion

### a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Impact 4.8-1 of the General Plan EIR identified that, while many of the policies identified would support greenhouse gases (GHG) reduction measures as part of future development under the 2040 General Plan, they do not, on their own, specify the detailed steps that would be needed to achieve GHG reduction. The analysis ultimately concluded that the policies meant to reduce GHG emissions in the county do not contain enough specificity for their numeric contribution to the established 2030 and 2040 targets to be quantified and recommended the implementation of Mitigation Measures GHG-1, GHG-2, GHG-3, and GHG-4, each containing implementation programs. The analysis also proposes the implementation of Mitigation Measures CTM-1, CTM-2, and CTM-3.

Mitigation Measure GHG-1, includes an implementation program that directs the County to update the building code to include reach codes that require new construction and major alterations to existing structures to exceed the mandatory energy performance requirements set by the 2019 building code in Title 24, encourages zero net carbon

emissions building design, which was assumed for quantifying GHG reduction benefits of the program, and prohibits the installation of new natural gas infrastructure in new residential construction through amendments to the County's zoning codes. Mitigation Measure GHG-2 includes an implementation program which reduces GHG emissions by achieving energy savings at existing and future industrial buildings through benchmarking of energy consumption and providing recommendations for energy efficiency retrofitting within large, energy intensive facilities operating in the county. Mitigation Measure GHG-3 was meant to prevent the inclusion of Implementation Program COS-EE in the 2040 General Plan. Mitigation Measure GHG-3 specified that the CEQA streamlining provision proposed as COS-EE in the 2040 General Plan be removed, and that the potential GHG emissions impacts of future, discretionary projects be reviewed in accordance with the most recent adopted version of the ISAGs at the time of project-level environmental review. Mitigation Measure GHG-4 could result in additional GHG emission reductions by prompting the County to explore subprograms based on the recommendations of a Climate Emergency Council that support the policies and implementation programs of the 2040 General Plan. This approach would allow the County to develop programs and actions with increased specificity using the latest available research, tools, and methodologies available in the evolving field of climate action planning and GHG reduction.

Mitigation Measures CTM-1, CTM-2, and CTM-3 would reduce the rate of VMT associated with existing and future development in Ventura County, which would also reduce GHG emissions associated with vehicle travel. Policies and Implementation Programs of the 2040 General Plan and mitigation measures that would reduce the rate of VMT associated with existing and future development in the county. The analysis concluded that the policies and programs and mitigation measures targeting would not achieve sufficient GHG reductions to meet the 2030 target because the majority of the GHG reduction policies, implementation programs, and mitigation measures are targeted to future development (as opposed to existing development), while most emissions that are forecast to occur in the county are from energy use in existing buildings, vehicle use, and travel behavior influenced by the existing land use pattern and transportation systems, landfilled waste, and established agricultural operations. Lastly, the analysis in Impact 4.8-1 concludes that if California could not implement its Advanced Clean Car Standards and zero-emission vehicle program, this would impair the County's ability to achieve GHG reductions consistent with the State's 2030 goal. For these reasons, Impact 4.8-1 states that impacts would be significant and unavoidable.

The Project would result in GHG emissions associated with construction and eventual decommissioning of the Project from the use of off-road equipment, material delivery trips, and on-road vehicle trips associated with worker commute trips. However, it is recognized by multiple air quality planning agencies, in their respective CEQA guidance documents, that construction-related GHG emissions from projects occur over a relatively short-term period of time and contribute a relatively small portion of the overall lifetime project GHG emissions (SCAQMD 2008: 3-9; BAAQMD 2022: 6-7). Further, due to the Project's nature, the operation would result in minimal GHG emissions, as the project will only be used as a battery energy storage facility. Some indirect emissions would occur from energy generated by the local utility utilized to operate the coolant systems meant to cool the battery containers during operation.

However, Senate Bill 1020 serves to reduce GHG emissions associated with statewide electricity generation by requiring 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 of all retail sales of electricity to California end-use customers by December 31, 2040; and 100 percent of all retail sales of electricity to California end-use customers by December 31, 2045. Additionally, the Project aligns with the State's goal of increasing statewide energy storage capacity to improve grid reliability and decarbonize the electricity sector. The Project would be unoccupied during operation and is designed for remote operations at all times. Maintenance visits are anticipated weekly and on an emergency basis and would thus not result in large quantities of GHG emissions from fuel mobile sources during operation.

As discussed in Section 1.3, "Air Quality," the Project site is zoned as AE-40, or land designated for agriculture, in the General Plan, meaning that the emissions estimations conducted for the General Plan EIR would have accounted for the Project site being used for agricultural land use types. Agricultural land uses would be expected to result in greater total GHG emissions than a renewable energy project. This is because agricultural operations typically involve prolonged and consistent use of diesel-powered heavy farm equipment for planting, harvesting, and applying products to crops and soil such as fertilizers pesticides (themselves potential sources of GHG emissions). As discussed above, because construction-related GHG emissions from projects are recognized by multiple air districts to

contribute a relatively small portion of the overall lifetime project GHG emissions and because operation of the project would result in minimal GHG emissions, overall project emissions would be less than those that were accounted for in the General Plan EIR because the Project would emit significantly less GHG emissions than if the Project site were to be occupied by an agricultural land use site, as was accounted for in the General Plan EIR. The Mitigation Measures identified in the General Plan EIR relate to natural gas infrastructure in new residential development, adoption of a building energy saving ordinance for industrial buildings, program-level GHG policy implementation, and county-wide VMT reduction programs. Thus, these measures do not apply to the Project.

The Project would not result in significant impacts and would be consistent with the analysis within the General Plan EIR because it would not create new impacts or increase impacts, and there is no new information of substantial importance than identified within the General Plan EIR.

**b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

Impact 4.8-2 addressed impacts related to potential conflict between the 2040 General Plan and the 2017 Scoping Plan. The analysis determined that because the 2040 General Plan would likely not, on its own, result in a sufficient level of GHG reductions for the County to meet the longer-term goal for 2050 expressed in Executive Order (EO) S-3-05, or the 2030 target established by Senate Bill (SB) 32, the impact would be significant and Mitigation Measures GHG-1, GHG-2, GHG-3, GHG-4, CTM-1, CTM-2, and CTM-3 were recommended [see impact criterion a) above] above for a summary these mitigation measures). Despite the application of Mitigation Measures GHG-1, GHG-2, GHG-3, GHG-4, CTM-1, CTM-2, and CTM-3, the analysis concluded that while the 2040 General Plan would set future GHG emissions on a downward trajectory consistent with State reduction targets and would not conflict with State GHG reduction targets and recommended local actions established in the 2017 Scoping Plan, it could not be determined at a programmatic level of analysis that future emissions within the county meet State 2030 and post-2030 targets for GHG reduction. The impact was, therefore, determined to be significant and unavoidable. The most current GHG reduction plan applicable to the Project is the Ventura County Climate Action Plan (CAP), which was incorporated into the 2040 General Plan and adopted along with the 2040 General Plan in September of 2020. The ultimate objective of the CAP is to identify and reduce community GHG emissions from existing and future activities and sources within the unincorporated areas of Ventura County. The CAP's GHG reduction goals are tied to the state's GHG reduction targets for 2020 and 2030 (outlined in Assembly Bill [AB] 32 of 2006 and SB 32, respectively), the horizon year for the Ventura County General Plan, and a longer-term state policy goal for 2050 (EO S-3-05).

The GHG reduction measures included in the CAP focus on reducing GHG emissions through actions such as transportation demand management plans to reduce VMT; electric vehicle (EV) facilities such as EV charging stations to further the transition from fossil fuel-powered vehicles to EVs; energy and water efficient utilities is building design; and renewable energy systems such as solar PV generation and battery storage systems. By creating additional battery energy storage to be used in the county, the Project would align with CAP Policy COS-8.10, which encourages battery energy storage systems as an option for optimizing the management of electricity generated by renewable resources. This would support the implementation of Policy COS-8.1, which aims to increase renewable energy generation in the county, by providing energy storage for electricity produced by future renewable energy projects. The Project would also support the implementation of other CAP policies such as HAZ-AA, which prohibits natural gas infrastructure in new residential and commercial development, and CTM-6.5, which aims to increase EV charging stations in the county. The Project would support these measures by increasing the availability and reliability of electricity provided within the to facilitate the transition to all-electric in the building energy and transportation sectors, the two largest contributors to overall GHG emissions in Ventura County. For these reasons, the Project would be consistent with the goals of the CAP to reduce countywide GHG emissions by increasing battery storage for electricity generated by renewable sources and facilitating the transition to all-electric throughout the county by providing reliable and readily available electricity. The Project would not result in significant impacts and would be consistent with the analysis within the General Plan EIR because it would not create new impacts or increase impacts, and there is no new information of substantial importance than identified within the General Plan EIR.

**Applicable Mitigation Measures or Uniformly Applied Development Policies or Standards**

The General Plan EIR does not include GHG-related mitigation measures that would apply to the Project. There are no uniformly applied development policies or standards applicable to greenhouse gas emissions.

**Conditions of Approval and Impact Minimization Measures**

There are no conditions of approval or impact minimization measures applicable to greenhouse gas emissions.



# HAZARDS, HAZARDOUS MATERIALS, AND WILDFIRE

## Summary of Findings

With regard to Hazards, Hazardous Materials, and Wildfire the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the General Plan EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the General Plan EIR.
4. No mitigation measures contained within the General Plan EIR would be required because Project specific impacts would be less than significant.
5. No uniformly applied development policies or standards would be required to substantially mitigate impacts to hazards, hazardous materials, and wildfire. However, conditions of approval and impact minimization measures have been incorporated to further minimize potential impacts related to hazards, hazardous materials, and wildfire.

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
<b>9. Hazards, Hazardous Materials, and Wildfire. Would the project:</b>						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	GPEIR pp.4.9-11 to 4.9-13 Impact 4.9-1	No	No	No	No	N/A
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?	GPEIR pp.4.9-13 to 4.9-14 Impact 4.9-2	No	No	No	No	N/A
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	GPEIR pp.4.9-14 to 4.9-16 Impact 4.9-3	No	No	No	No	N/A
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant	GPEIR pp.4.9-16 to 4.9-17 Impact 4.9-4	No	No	No	No	N/A

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
hazard to the public or the environment?						
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	GPEIR pp.4.9-17 to 4.9-19 Impact 4.9-5	No	No	No	No	N/A
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	GPEIR pp.4.9-19 to 4.9-24 Impact 4.9-6	No	No	No	No	N/A
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	GPEIR pp.4.9-19 to 4.9-24 Impact 4.9-6	No	No	No	No	N/A

## Discussion

### a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

The General Plan EIR concluded that implementation of the General Plan would accommodate future development that could involve the use, storage, disposal, and transportation of hazardous materials or hazardous waste that could create a significant hazard (Impact 4.9-1). However, as identified in the General Plan EIR, County activities and discretionary development would be required to comply with State law, federal law, and General Plan policies and implementation programs that would substantially lessen potential impacts related to the use, storage, transport, or disposal of hazardous materials or hazardous waste. For example, Policies HAZ-5.1, HAZ-5.3, HAZ-5.4, HAZ-5.6, and HAZ-12.3 address hazardous materials by directing the County to manage its hazardous materials and provide regulatory oversight for discretionary projects and all facilities that store, use, or handle hazardous materials. This impact was concluded to be less than significant.

The Project includes the installation of arrays of interconnected LFP batteries within fully enclosed, California Fire Code-compliant, purpose-built containers. Applicable federal, State, and local regulations regulate the storage, use, transport, and disposal of hazardous materials. The Project would be required to obtain a permit to operate from Ventura County Environmental Health Division/Certified Unified Program Agency due to the storage of hazardous materials onsite typically associated with BESS. A hazardous materials business plan (HMBP) must be submitted electronically to the California Environmental Reporting System within 30 days of storing hazardous materials in amounts at or above reporting thresholds (55 gallons liquid, 500 pounds solid, 200 cubic feet gas), and annually after that. The Project would also be subject to compliance with existing hazardous materials regulations, which are

codified in the California Code of Regulations Titles 8, 22, and 24 and their enabling legislations outlined in Health and Safety Code Chapter 6.95.

Compliance with federal, State, and local requirements would minimize health and safety risks to people or structures associated with hazardous materials stored or used for the Project. The Project would store, handle, and dispose of any potentially hazardous material associated with BESS in accordance with applicable state and local regulations (Condition of Approval No. 34). Therefore, the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and impacts would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to the routine use, storage, disposal, or transport of hazardous materials, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?**

The General Plan EIR concluded that implementation of the General Plan could result in a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment (Impact 4.9-2). Hazardous materials and hazardous waste are regularly used and transported in the county. Although such activities involve strict regulations under State and federal law regarding monitoring and handling, accidental release of hazardous materials or hazardous waste due to natural disasters, human error, or misuse is possible. Numerous federal, State, and local regulations exist to protect people and the environment from potential accidental release of hazardous materials or hazardous waste. Additionally, the General Plan EIR identified policies and implementation programs that would help protect people and the environment from accidental upset of hazardous materials or hazardous waste. For example, Policies HAZ-5.1, HAZ-5.3, HAZ-5.4, HAZ-5.6, and HAZ-12.3 address hazardous materials by directing the County to manage its hazardous materials and provide regulatory oversight for discretionary development and all facilities that store, use, or handle hazardous materials, thus reducing the potential for accidental upset or spill. Policies HAZ-5.2, HAZ-5.5, HAZ-5.8, and HAZ-7.1 guide the location, operation, and management of discretionary developments, including oil and gas exploration and production sites, to minimize the potential for adverse effects on people and the environment in the event of accidental spills. The General Plan EIR concluded that compliance with applicable federal, State, and local regulations and General Plan policies related to the transportation, use, storage, and disposal of hazardous materials and hazardous waste would minimize the potential for accidental release to occur and provide planning mechanisms for prompt and effective cleanup if an accidental release did occur. Therefore, the impacts related to accidental hazardous materials or waste release were concluded to be less than significant.

The Project includes the installation of LFP batteries. As a general category, the use of LFP batteries has the potential to result in overheating, smoke, swelling, electrolyte leakage, venting, fires, thermal runaway, and explosion. Thermal runaway involves converting stored chemical energy to thermal energy within the batteries, which can lead to increased temperatures, cell rupture, and release of toxic or flammable gases. Gases produced from fire, smoke, or thermal runaway can accumulate to a combustible level and cause an explosion (Exhibit 16 of the Planning Commission Hearing Staff Report dated December 19, 2024). Despite the potential risks of BESS, incidents are rare when proper measures are taken to assure the quality of BESS engineering, construction, maintenance, and the design and manufacture of the battery modules themselves. Applicable requirements and regulations on batteries are described in Section 5.1 of the Hazard Analysis prepared for the project (Exhibit 16 of the Planning Commission Hearing Staff Report dated December 19, 2024).

The proposed BESS facility would include active design measures to prevent or limit fire incidents. The Tesla-manufactured lithium-ion battery energy storage technology design would include a battery management system, a thermal management system, and an explosion control system. The battery management system provides information on performance, voltage, current, and state of charge. It reacts to fault conditions such as over-

temperature and over-voltage, which can prevent thermal runaway from occurring in the cell or prohibit propagation of thermal runaway to adjacent cells. The battery management system would isolate an affected battery module temporarily or permanently disconnect the module. The thermal management system contains a closed-loop liquid cooling system that circulates coolant throughout the power electronics and battery modules to maintain an optimum operating temperature. The explosion control system includes sparkers designed to ignite flammable gases during a thermal runaway event before they accumulate within the enclosure, reducing the risk of an explosion hazard.

Further, the Project would comply with the requirements of the California Fire Code and industry standards to ensure that passive design measures are incorporated into the Project to limit and slow the spread of any thermal runaway or fire event. Each enclosure would be encased within a non-combustible casing, as required by Section 1207.3.5 of the California Fire Code. The Project layout would be designed to ensure spacing between enclosures. This spacing, along with each enclosure's fire protection and safety systems, would reduce the likelihood of a fire spreading to another enclosure. The Ventura County Fire Department (VCFD) would be able to access an enclosure in case of an emergency response scenario.

An emergency response plan would be prepared for the Project, as required by Public Utility Code section 761.3(g)(1), as may be amended. The plan would establish the response procedures for an equipment malfunction or failure; develop procedures to ensure the safety of surrounding residents, properties, emergency responders, and the environment; create notification and communication procedures between the facility and local emergency management agencies; and be developed in consultation with the local emergency management agencies. An Emergency Response Guide for the Tesla Megapack proposed as part of the BESS facility, is included as Appendix B of the Hazards Analysis prepared for the Project (Exhibit 16 of the Planning Commission Hearing Staff Report dated December 19, 2024). The Emergency Response Guide serves as a resource for emergency responders and authorities with jurisdiction surrounding facilities that house Tesla Energy Products, including rechargeable lithium-ion battery energy storage products.

As described in the Hazards Analysis prepared for the Project, the Area Locations of Hazardous Atmospheres (ALOHA) model was developed to produce results for the use of first responders during a real emergency. The model estimates the potential hazard impacts by generating hazard threat zone estimates based on user-defined scenarios such as toxic and flammable vapor clouds. A hazard impact area or threat zone estimated by the ALOHA model encloses an area where a hazard could exceed a specific level of concern (LOC) surrounding a release point. LOCs relevant to the Project are identified in the Hazards Analysis prepared for the Project. In the unlikely occurrence of a thermal runaway event, the largest of the predicted hazard threat zones were found to encroach on properties immediately adjacent to the Project site, which are cultivated lands with active agricultural workers. Alarm systems and emergency response procedures of the Emergency Response Plan would ensure the immediate evacuation of agricultural workers, property owners and bystanders, thus the Project would not pose a significant hazard to the public or the environment.

Therefore, the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment, and impacts would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

The General Plan EIR concluded that implementation of the General Plan could result in the use, storage, disposal, or transport of hazardous materials within 0.25-mile of an existing or proposed school (Impact 4.9-3). However, as identified in the General Plan EIR, federal and State regulations exist to protect public health and the environment from hazardous emissions and hazardous materials handling. When a project located within 0.25-mile of a school involves the construction or alteration of a facility that might emit or handle acutely hazardous materials in a quantity equal to or greater than that specified in Section 25536(a) of the Health and Safety Code, the lead agency must consult with the affected school district regarding the potential impact of the project when circulating the environmental document and notify the affected school district in writing prior to approval and certification of the environmental document. Moreover, all County permits that include storage, handling, transport, emission and disposal of hazardous substances must comply with local, State, and federal regulations. Hazardous materials are governed by regulations that require proper storage and handling, business and environmental management plans, spill contingency plans, employee and public noticing, and other emergency preventive and response measures to minimize the risk of accidental releases and related environmental effects. California Government Code Section 65850.2 requires that a final certificate of occupancy or its substantial equivalent cannot be issued unless there is verification that the owner or authorized agent has met, or is meeting, the applicable requirements of the Health and Safety Code Sections 25500 through 25520. This impact was concluded to be less than significant.

The nearest school to the Project site is Oxnard High School, located approximately 4,400 feet (0.83 mile) east of the Project site. Therefore, the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of a school. Furthermore, the Project would be required to comply with applicable regulations pertaining to hazardous waste to ensure that impacts related to hazardous emissions near schools would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to the use, storage, disposal, or transport of hazardous materials within 0.25 mile of an existing or proposed school, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

The General Plan EIR concluded that implementation of the General Plan could result in future development on or near a site identified in one of the regulatory databases, compiled pursuant to Government Code Section 65962.5 (Impact 4.9-4). However, as identified in the General Plan EIR, federal and State regulations exist that prevent or reduce hazards to the public and environment from existing hazardous waste sites or hazardous substances release sites. These regulations include the Occupational Safety and Health Act; the Comprehensive Environmental Response, Compensation, and Liability Act; the Superfund Amendments and Reauthorization Act Title III; the Resource Conservation and Recovery Act; and the Toxic Substances Control Act. These regulations protect people and the environment through guidelines that require proper storage and handling, business and environmental management plans, spill contingency plans, employee and public noticing, and other emergency preventive and response measures to minimize the risk of accidental releases and related environmental effects. This impact was concluded to be less than significant.

The Project site is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and does not propose structures for human occupancy. There is one leaking underground storage tank site within 1,000 feet of the Project Site, located at 3779 Gonzalez Road. However, the site cleanup has been completed and the case was closed as of September 28, 1998 (SWRCB 2024).



As previously discussed, the General Plan EIR did not identify significant impacts related to development on or near a site identified in one of the regulatory databases, compiled pursuant to Government Code Section 65962.5, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?**

The General Plan EIR concluded that implementation of the General Plan would not introduce incompatible land uses within the airport safety zones. The General Plan EIR identified some activities allowed to occur under the land use designations of the General Plan, such as future residential, commercial, and industrial development, which would increase the number of people residing or working near an airport, who in turn could be exposed to aircraft hazards (Impact 4.9-5). However, as identified in the General Plan EIR, federal and State regulations prevent public and environmental hazards near airports. These include FAA regulations, which establish safety standards for civil aviation, and the State Aeronautics Act, which establishes air safety standards. This impact was concluded to be less than significant.

The Project site is approximately 0.8 mile northwest of Oxnard Airport but is not within an Airport Influence Area or Compatibility Zone (Ventura County ALUCP 2000). The Project is not located within the immediate vicinity of an airport and would not substantially increase the risk of people living or working in these areas to hazards associated with airport operations because the Project does not include the development of structures for human occupancy and would be unoccupied during operation. Therefore, the Project would not result in a safety hazard or excessive noise for people residing or working in the project area, and impacts would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to a safety hazard or excessive noise for people residing or working in the project area, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

**g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?**

The General Plan EIR concluded that implementation of the General Plan would expose people to the risk of wildfire by locating development in a high fire hazard severity zone (FHSV) and could potentially substantially impair an adopted emergency response plan or evacuation plan or exacerbate wildfire risk (Impact 4.9-6); these impacts were identified as potentially significant. The General Plan EIR identifies that the Ventura County 2021 Emergency Operations Plan (EOP) addresses the County's planned response to extraordinary situations and natural, human-caused, or technological disasters (Ventura County 2022). The EOP does not address routine day-to-day emergencies or the established and routine procedures used in coping with such emergencies. Instead, the operational concepts reflected in the EOP focus on potential large-scale disasters that can generate unique situations requiring unusual emergency responses. The General Plan EIR noted that implementation of the General Plan would not change the plans or policies of the EOP or any other emergency plan and anticipated that future development implemented under the General Plan would be reflected in the update of the EOP.

The County has adopted and implemented programs to minimize wildfire risks, including the Ventura County Multi-Hazard Mitigation Plan (MHMP). In addition, the Ventura County Community Wildfire Protection Plan is used by

communities to prioritize fuel reduction projects and reduce structural ignitability in at-risk communities. The Fire Hazard Reduction Program requires 100 feet of brush clearance around structures in or adjacent to Hazardous Fire Areas. Many communities within the County have adopted their emergency response plans. The General Plan EIR also identified existing federal and State building code standards that require development to be designed to minimize fire risk. Because the effects of a wildfire are not limited to development within high FHSZs but can easily spread to adjacent communities, any development in or adjacent to designated FHSZs or near wildland areas is at risk for wildfire. While compliance with federal, State, and local requirements can limit risk, this risk cannot be completely eliminated.

Where future development could interfere with an adopted emergency response or evacuation plan, such as the MHMP or EOP, it would result in an adverse physical effect on people or the environment by potentially increasing the loss of life and property in the event of a disaster. Failure to provide reasonable access to emergency equipment and evacuation of civilians can also result in major loss of life, property, and natural resources. Further, While General Plan policies require periodic updates of emergency plans, there may be a gap between new development and plan updates. The General Plan EIR concluded that no additional feasible policies or implementation programs (i.e., mitigation measures) are available to reduce the risk of wildfire exposure, exacerbation, or resulting adverse environmental effects, and therefore, this impact was concluded to be significant and unavoidable.

The Project site is not located within a very high FHSZ, HFA, or Hazardous Watershed Fire Area (CAL FIRE 2024). The Project site is located within an agricultural area, surrounded by active agricultural operations. Therefore, the Project site is not in an area susceptible to wildfire risk that could spread in the event of a fire. The Project site is located approximately 0.58 mile from the nearest residences and 0.83 mile west of Oxnard High School. The proposed productive agriculture would buffer the site, which would further separate a fire at the Project site from spreading to adjacent areas, should it occur.

The Project includes the installation of Tesla-manufactured lithium-ion battery energy storage technology, related storage equipment and associated infrastructure that may exacerbate fire risk. Batteries can pose thermal hazards, such as fire, due to thermal runaway, depending on the chemistry and system design. Applicable codes and standards would address potential fire hazards related to battery energy storage technologies. The proposed batteries would be within fully enclosed purpose-built containers that are temperature-controlled and constructed in compliance with California Fire Code requirements. The International Fire Code (IFC) Chapter 12, Section 1207 delineates Electrical Energy Storage Systems requirements. Stationary BESS are also regulated by Section 608 of the California Fire Code to minimize the risk of loss, injury, or death involving fires to nearby people and structures. Megapack enclosures would meet National Fire Protection Association (NFPA) 855, NFPA 68, and NFPA 69 requirements for explosion prevention and deflagration relief panels. Infrared cameras would be used for exterior heat monitoring of Megapacks and medium voltage transformers. The Project would also be equipped with an alarm system, including lights and sirens that would be activated in the event of a fire to warn people within the Project site vicinity to evacuate the area.

An access road loop would be located within the Project site around the perimeter and in between BESS equipment (Figure 5). A fire skid, which is a skid or pallet for a self-contained fire-fighting system to be mounted on, and two water tanks with a capacity of 90,000 gallons would be located in the central portion of the Project site. Access to the Project site would be provided through four gates, each equipped with a knox box, which holds access keys for fire departments, emergency medical services, and police to retrieve in emergencies. In addition, 10 fire hydrants would be installed within the Project site. As such, the Project design is intended to reduce the risk associated with fire and would not impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

The Project does not include development that would expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Further, the Project would be conditioned to comply with all current Ventura County Fire Protection District Codes, Ordinances, and Standards (Conditions of Approval No. 48 through 72). Through compliance with applicable regulations and uniformly applied development policies or standards, the Project would not impair the implementation of or physically interfere with an adopted emergency response plan or emergency

evacuation plan or expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

The Project would be consistent with the analysis within the General Plan EIR because it would not create new impacts or increase impacts that were concluded to be significant and unavoidable in the General Plan EIR. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

### **Applicable Mitigation Measures or Uniformly Applied Development Policies or Standards**

No mitigation measures were identified in the General Plan EIR. The following uniformly applied development policies or standards applicable to hazards, hazardous materials, and wildfire would be incorporated into the Project:

- ▶ Ventura County Environmental Health Division/Certified Unified Program Agency Hazardous Materials Business Plan Program
- ▶ Ventura County Fire Protection District Codes, Ordinances, and Standards
- ▶ California Code of Regulations Title 8, Industrial Relations
- ▶ California Code of Regulations Title 22, Division 4.5, Environmental Health Standards for the Management of Hazardous Waste
- ▶ California Code of Regulations, Title 24, Building Standards Code
- ▶ California Fire Code
- ▶ California Public Utilities Code Section 761.3

### **Conditions of Approval and Impact Minimization Measures**

The following conditions of approval and impact minimization measures would be incorporated into the Project to further minimize impacts:

#### **Condition of Approval Number 34: Hazardous Materials / Waste Reporting and Management - Battery Storage**

Used batteries would be properly disposed of or recycled in accordance with state and local regulations to ensure the storage, handling, and disposal of any potentially hazardous material associated with battery energy storage systems with applicable state and local regulations (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

#### **Condition of Approval Number 48: Code Compliance**

Applicant shall comply with all current Ventura County Fire Protection District Codes, Ordinances, and Standards.

#### **Condition of Approval Number 49: Apparatus Access Roads**

Fire apparatus access roads shall comply with Public Road Standards, Ventura County Fire Apparatus Access Code: Ordinance 29, and Ventura County Fire Department Standard 501, whichever is most restrictive. Fire apparatus access roads designed for two-way traffic shall have an unobstructed width of not less than 24 feet.

#### **Condition of Approval Number 50: Dead-End Roads and Secondary Access**

The maximum length of dead-end roads shall not exceed 800 feet. Two means of ingress/egress shall be provided in accordance with VCFPD access standards.

#### **Condition of Approval Number 51: Secondary Access**

When secondary access is required, the width, grade, vertical and horizontal curves, and construction standards shall be the same as required for the primary access road. The minimum separation of primary and secondary access roads in areas determined non-hazardous fire areas shall be 300 feet. Separation shall be measured at the point which each road terminates at a location where a vehicle operator can choose two independent directions in which to travel.

**Condition of Approval Number 52: Roadway Extensions**

Where the access road extends beyond the access point, the extended roadway shall comply with all of the requirements for fire apparatus access roads.

**Condition of Approval Number 53: Road Surface Construction and Grade Limitations**

Fire apparatus access roads serving commercial and industrial occupancies shall have a structural cross section and surface complying with the public for road standards the jurisdiction in which the project is located and grades shall not exceed 10%.

**Condition of Approval Number 54: Vertical Curve**

The vertical curve of a fire apparatus access roads serving commercial and industrial occupancies shall not allow for transitions between grades that exceed 6% elevation change along any 10-foot section. These transitions shall include angle of approach, angle of departure, and high centering of fire apparatus.

**Condition of Approval Number 55: Vertical Clearance**

All access roads shall have a minimum vertical clearance of 13 feet 6 inches (13' 6"). Clear of building to sky.

**Condition of Approval Number 56: Access Road Certification**

The access road(s) shall be certified by a registered civil engineer as having an all-weather surface in conformance with Public Works and/or Fire District standards. This certification shall be submitted to the Fire District for review and approval prior to occupancy.

**Condition of Approval Number 57: Fire Lanes**

Prior to construction the applicant shall submit a scaled site plan to the Fire District for approval of the location of fire lanes. Prior to occupancy, all fire lanes shall be posted "NO PARKING-FIRE LANE-TOW AWAY" in accordance with California Vehicle Code, the California Fire Code and current VCFD Fire Lane Standards. All signs and or Fire Lane markings shall be within recorded access easements.

**Condition of Approval Number 58: Access Road Gates**

Any gates to control vehicle access are to be located to allow a vehicle waiting for entrance to be completely off the intersecting roadway. A minimum clear open width of 15-feet in each direction shall be provided for separate entry/exit gates and a minimum 20-feet for combined entry/exit gates. If gates are to be locked, a Knox system shall be installed. The method of gate control, including operation during power failure (battery back-up), shall be subject to review by the Fire Prevention Division. Gate plan details shall be submitted to the Fire District for approval prior to installation. A final acceptance inspection by the Fire District is required prior to placing any gate into service.

**Condition of Approval Number 59: Fire-Flow Verification**

The minimum fire-flow required shall be determined as specified by the current adopted edition of the California Fire Code Appendix B with adopted Amendments and the applicable Water Works Manual for the jurisdiction (whichever is more restrictive). The applicant shall provide to the Fire District verification from the water purveyor that the purveyor can provide the required fire flow of 1,500 gallons per minute at 20 psi for a minimum 2-hour duration, 180,000 gallons total volume.

**Condition of Approval Number 60: Alternate Water Supply**

If the water purveyor certifies that the system cannot provide the required fire flow and duration and approves the use of a private water system, or there is no water purveyor, a private fire water supply shall be installed in accordance with current VCFD requirements, the current California Fire Code, and NFPA Standards 22 and 24. Plans shall be submitted to the Fire District for review and approval prior to installation. Adequate water storage for fire protection shall be provided prior to construction in accordance with Fire District standards.

**Condition of Approval Number 61: Fire Hydrant(s) Required**

Fire hydrant(s) shall be provided in accordance with the current adopted edition of the California Fire Code, Appendix C and adopted amendments. On-site fire hydrants shall be required as determined by the Fire District.

**Condition of Approval Number 62: Fire Hydrant Design (Commercial, Industrial, Multi-family buildings)**

Fire hydrants shall be installed and in service prior to combustible construction and shall conform to the minimum standard of the Ventura County Waterworks Manual and the following.

- ▶ Each hydrant shall be a 6-inch wet barrel design and shall have one 4-inch and two 2 ½-inch outlet(s).
- ▶ The required fire flow shall be achieved at no less than 20-psi residual pressure.
- ▶ Fire hydrants shall be set back from the curb face 24-inches on center.
- ▶ No obstructions, including walls, trees, lights, signposts, and meters shall be placed within three feet of any hydrant.
- ▶ A concrete pad shall be installed extending 18-inches in all directions from the fire hydrant.
- ▶ Ground clearance to the lowest operating nut shall be between 18 to 24-inches.

**Condition of Approval Number 63: Water System Plans**

Plans for water systems supplying fire hydrants and/or fire sprinkler systems and not located within a water purveyor's easement, shall be submitted to the Fire District for review and approval prior to issuance of grading and/or building permits or signing of grading plans, whichever is first. Plans shall reflect only dedicated private fire service lines and associated appurtenances.

**Condition of Approval Number 64: Hydrant Location Markers**

Prior to occupancy of any structure, blue reflective hydrant location markers shall be placed on the access roads in accordance with Fire District standards. If the final asphalt cap is not in place at time of occupancy, hydrant location markers shall still be installed and shall be replaced when the final asphalt cap is completed.

**Condition of Approval Number 65: Fire Sprinklers**

All structures shall be provided with an automatic fire sprinkler system in accordance with California Building Code and California Fire Code requirements, and current Ventura County Fire Ordinance at time of building permit application.

**Condition of Approval Number 66: Fire Protection System Plans**

Plans for all fire protection systems (sprinklers, dry chemical, hood systems, etc.) shall be submitted to the Fire District for review and approval prior to installation. Note: Fire sprinkler systems with 20 or more heads shall be supervised by a fire alarm system in accordance with Fire District requirements.

**Condition of Approval Number 67: Fire Alarm System**

A fire alarm system shall be installed in all buildings in accordance with the California Building Code and California Fire Code requirements.

**Condition of Approval Number 68: Fire Alarm/Sprinkler Monitoring Plans**

Plans for any fire alarm system or sprinkler monitoring system shall be submitted to the Fire District for review and approval prior to installation.

**Condition of Approval Number 69: Electrical Energy Storage Systems**

The design, construction, installation, commissioning, operation, maintenance, and decommissioning of stationary energy storage systems shall comply with 2022 California Fire Code Section 1207 and NFPA 855 as applicable.

**Condition of Approval Number 70: Construction Permits**

A construction permit is required to install Electrical Energy Storage Systems regulated by 2022 California Fire Code Section 1207. Plans shall be submitted to the Fire District for review and approval prior to installation.

**Condition of Approval Number 771: Fire Department Clearance**

Applicant shall submit VCFD Form #610, Fire Permit Application, prior to obtaining a building permit for any new structures.

**Condition of Approval Number 72: Address Numbers (Commercial, Industrial, Multi-family buildings)**

Building address numbers, a minimum of 10-inches high, shall be installed prior to occupancy, shall be of contrasting color to the background, and shall be readily visible at night. Brass or gold-plated numbers shall not be used. Where structures are set back more than 150-feet from the street, larger numbers will be required so that they are distinguishable from the street. In the event a structure(s) is not visible from the street, the address number(s) shall be posted adjacent to the driveway entrance on an elevated post. Individual unit numbers shall be a minimum of 4-inches in height and shall be posted at the front and rear entrance to each unit. Additional address directional signs may be required at common building entrances and stairways.



# HYDROLOGY AND WATER QUALITY

## Summary of Findings

With regard to Hydrology and Water Quality, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the General Plan EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the General Plan EIR.
4. No mitigation measures contained within the General Plan EIR would be required because Project specific impacts would be less than significant.
5. Uniformly applied development policies or standards would be incorporated to substantially mitigate Project specific impacts and conditions of approval and impact minimization measures would be incorporated to further minimize impacts.

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
<b>10. Hydrology and Water Quality. Would the project:</b>						
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	GP EIR pp.4.10-11 to 4.10-13 Impact 4.10-4	No	No	No	No	Yes
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	GP EIR pp.4.10-6 to 4.10-11 Impact 4.10-1, Impact 4.10-2, Impact 4.10-3, Impact 4.10-5	No	No	No	No	N/A
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:						
i) Result in substantial on- or offsite erosion or siltation;	GP EIR pp.4.10-19 Impact 4.10-12	No	No	No	No	Yes

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	GP EIR pp.4.10-18; pp. 4.10-20 Impact 4.10-10, Impact 4.10-11, Impact 4.10-13	No	No	No	No	Yes
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	GP EIR pp.4.10-19; pp. 4.10-21 to 4.10-22 Impact 4.10-12, Impact 4.10-15, Impact 4.10-16	No	No	No	No	Yes
iv) Impede or redirect flood flows?	GP EIR pp.4.10-20 to 4.10-21 Impact 4.10-13 Impact 4.10-14	No	No	No	No	N/A
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	GP EIR pp. 4.10-17 to 4.10-18, p.4.10-20 Impact 4.10-9, Impact 4.10-10, Impact 4.10-11, Impact 4.10-13	No	No	No	No	N/A
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	GP EIR pp. 4.10-22 to 4.10-23 Impact 4.10-17	No	No	No	No	N/A

## Discussion

### a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

The General Plan EIR concluded that implementation of the General Plan would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality (Impact 4.10-4). The General Plan EIR identified that various other groundwater quality regulations exist throughout the county. For instance, the County Subdivision Ordinance includes provisions meant to ensure adequate provision of water, to protect water supply, and to protect surface water and groundwater quality. Pursuant to ISAG, potential

effects on water quality are determined in relationship to the objectives and beneficial uses in the applicable Basin Plan to ensure consistent and complete assessment of potential impacts. The Basin Plans contain the regulations adopted by the regional water quality control board (RWQCB) to control the discharge of waste and other controllable factors affecting the quality of waters of the State. RWQCB orders cite the Basin Plan's water quality standards, prohibitions, and other programs of implementation applicable to a particular discharge or category of discharge. The General Plan EIR concluded compliance with requirements would eliminate or substantially lessen impacts to water quality and the impact was less than significant.

The General Plan EIR identified that the SWRCB and the RWQCBs, through powers granted by the federal Clean Water Act, require specific permits for a variety of activities that have potential to discharge pollutants to waters of the State and adversely affect water quality. To receive a National Pollutant Discharge Elimination System (NPDES) permit, a notice of intent to discharge must be submitted to the RWQCB and design and operational BMPs must be implemented to reduce the level of contaminated runoff. BMPs can include the development and implementation of regulatory measures (local authority of drainage facility design), various practices, including educational measures (workshops informing public of what impacts result when household chemicals are dumped into storm drains), regulatory measures (local authority of drainage facility design), public policy measures (label storm drain inlets as to impacts of dumping on receiving waters), and structural measures (filter strips, grass swales, and retention basins). All NPDES permits also have inspection, monitoring, and reporting requirements. This impact was concluded to be less than significant.

The Project would include temporary grading and construction activities which will comply with grading and building code ordinances and the requirements of the Ventura County Ordinance Code No. 4450, Division 6, Chapter 9, Stormwater Quality Management for Unincorporated Areas. Necessary drainage system improvements and Storm Water BMPs would be incorporated in accordance with County requirements. In addition, projects that disturb 1 acre or more of soil, are required to obtain coverage under the SWRCB's General Permit for Discharges of Stormwater Associated with Construction Activity Construction General Permit Order 2022-0057-DWQ (General Construction Permit). The General Construction Permit requires the project applicant to prepare and implement a stormwater pollution prevention plan (SWPPP). The SWPPP would specify BMPs to be used during construction of the Project and project-related offsite improvements to minimize or avoid water pollution, thereby reducing potential short-term impacts to water quality.

The Project would be subject to the construction requirements for surface water quality and storm water runoff, in accordance with the Los Angeles Regional Water Quality Control Board NPDES Municipal Stormwater Permit, No. CAS004002 ("Permit"), (Condition of Approval No. 41). Further, the Project would be conditioned to comply with all water quality provisions in NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, No. CAS000002 (CGP) (Condition of Approval No. 42). Therefore, the Project would not violate any water quality standards, waste discharge requirements or otherwise substantially degrade surface water quality, and the impact would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to the potential to violate any water quality standards, waste discharge requirements or otherwise substantially degrade surface water quality, and the Project would not result in a significant impact for this topic. Further, uniformly applied development policies or standards would also minimize the potential for impacts. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

The General Plan EIR concluded that implementation of the General Plan would result in a less than significant impact related to groundwater. Pursuant to ISAG, potential effects on groundwater are determined based on if a project would directly or indirectly decrease the net quantity of groundwater in a groundwater basin that is overdrafted or

create an overdrafted groundwater basin (Impact 4.10-1); result in net groundwater extraction that results in overdrafting the groundwater basins or associated hydrologic units (Impact 4.10-2); result in a net increase in groundwater extraction that would adversely affect the underlying groundwater basins (Impact 4.10-3); or result in the pumping of groundwater within 2 miles of areas used for rocket testing (Impact 4.10-5). The General Plan EIR identified that several groundwater basins exist within the County. The Sustainable Groundwater Management Act (SGMA) provides a framework for sustainable management of groundwater supplies by local authorities, with the potential for State intervention, if necessary. SGMA requires the formation of local groundwater sustainability agencies (GSAs) for high- or medium-priority basins, which include critically overdrafted basins. For critically overdrafted high- or medium-priority basins, GSAs are required to create and adopt groundwater sustainability plans (GSPs). As defined in SGMA, a basin is subject to critical overdraft when continuation of present water management practices would probably result in significant adverse overdraft-related environmental, social, or economic impacts. Three overdrafted basins are present in the county, as identified by the California Department of Water Resources (DWR). These include the Cuyama Groundwater Basin, Pleasant Valley Groundwater Basin, and the Oxnard Plain Basin. Both Pleasant Valley Groundwater Basin and Oxnard Plain Basin are under the jurisdiction of the Fox Canyon Groundwater Management Agency. Several additional groundwater basins are present throughout the county, including the Ojai Valley Groundwater Basin, Simi Valley Groundwater Basin, and Piru Groundwater Basin. General Plan policies, such as Policy COS-2.10, which requires the County to enhance groundwater management to prevent excessive pumping and reduce saltwater intrusion were identified to reduce impacts to ground water. Related to the use of groundwater within two miles of the boundary of a former or current test site for rocket engines, the General Plan EIR identified two constituents associated with rocket engine testing, perchlorate and trichloroethylene, that have been detected in southeast Ventura County at the Santa Susana Field Laboratory site. However, the General Plan EIR identified all discretionary projects proposing to utilize groundwater in any capacity that are located within two miles of the boundary of a former or current test site for rocket engines are required to test the groundwater for perchlorate and TCE which would reduce impacts. The General Plan EIR concluded through compliance with GSPs and Ordinance 4468, which prohibits new wells for the extraction of groundwater in many groundwater basins, and General Plan policies, the General Plan would not result in impacts to groundwater. These impacts were concluded to be less than significant.

The Project site lies within the Santa Clara River Valley – Oxnard Subbasin (DWR Basin No. 4-0004.04, designated as a critically overdrafted subbasin. The Project site is within the boundaries of the Fox Canyon Groundwater Management Agency (FCGMA). In addition to being the Groundwater Management Agency, FCGMA is the GSA for the basins under the SGMA. FCGMA's basin management includes regulation of wells and establishment of groundwater extraction allocations for well owners and operators within its boundary. The Project would include the operation of productive agriculture that would require water usage. Water for the Project would be supplied from an existing agricultural on-site well designated as State Well Number (SWN) 02N22W31C02S. FCGMA records indicate the well use is registered for Agricultural use with an allocation of 213.852 acre-feet per year (Ventura County 2024c). The existing well would be used to fill the proposed water storage tanks and to irrigate setback areas. Water use from the existing well would not result in excessive pumping of groundwater resources. In addition, the Project site is not located within two miles of the boundary of a former or current test site for rocket engines. Therefore, the Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

As previously discussed, the General Plan EIR did not identify significant impacts related to groundwater impacts, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:**

**i) Result in substantial on- or offsite erosion or siltation;**

The General Plan EIR concluded that implementation of the General Plan would accommodate future development that could alter the existing drainage pattern, which could expose bare soil to rainfall and stormwater runoff, which could accelerate erosion and could result in sedimentation or siltation of stormwater or add impervious surfaces that could promote increased erosion and sedimentation (Impact 4.10-12). However, as identified in the General Plan EIR, all future development under the General Plan would be required to comply with the Ventura Countywide Stormwater Quality Management Program (SQMP), meant to improve water quality and mitigate potential water quality impacts. Compliance with the SQMP would require the implementation of stormwater BMPs. Also, the General Plan incorporates comprehensive policies that require drainage studies and BMPs for future development projects. For instance, Policy PFS-6.1 requires that all discretionary development provides flood control and drainage facilities, as deemed necessary by the County Public Works Agency and Watershed Protection District, and that discretionary development projects fund improvements to existing flood control facilities necessitated by or required by the development. This impact was concluded to be less than significant.

During construction, approximately 25 acres would be disturbed. In accordance with Ventura Countywide Municipal Stormwater NPDES Permit CAS004002, "Development Construction Program" Subpart 4.F, the Project would be required to include BMPs designed to ensure compliance and implementation of an effective combination of erosion and sediment control measures for construction activities exceeding 1 acre of disturbed area to protect surface water quality during any soil disturbance activities (Condition of Approval No. 41). The Project is also subject to coverage under the NPDES General Construction Permit (No. CAS000002) (Condition of Approval No. 42). Added runoff from increased impervious surface area during operation would be captured in a proposed detention basin at the south end of the site with any release maintained in the pre-project condition. In addition, the Project would be conditioned to prepare a drainage plan and hydrologic and hydraulic calculations, which are prepared by a civil engineer registered in the State of California, to the PWA's Land Development Services Division for review and approval (Condition of Approval No. 37). Compliance with these regulations would reduce on- or offsite erosion or siltation that would occur as a result of the Project. Therefore, the impact would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to erosion or siltation, and the Project would not result in a significant impact for this topic. Further, uniformly applied development policies or standards would minimize potential impacts. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or**

The General Plan EIR concluded that implementation of the General Plan would accommodate future development that could alter the existing drainage pattern which could increase runoff that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff (Impact 4.10-12 and Impact 4.10-15). However, as identified in the General Plan EIR, all future development under the General Plan would be required to comply with the Ventura Countywide SQMP, meant to improve water quality and mitigate potential water quality impacts. Compliance with the SQMP would require implementation of stormwater BMPs. Also, the General Plan incorporates comprehensive policies that require drainage studies and BMPs for future development projects. For instance, Policy PFS-6.1 requires that all discretionary development provides flood control and drainage facilities, as deemed necessary by the County Public Works Agency and Watershed Protection District, and that discretionary development projects fund improvements to existing flood control facilities necessitated by or required

by the development. As described in the ISAG, any project that does not comply with the applicable requirements of the listed regulations, manuals and standards is considered to have a potentially significant impact. These regulations include the Ventura County Building Code, Ventura County Land Development Manual, and the Ventura County Subdivision Ordinance, among others. The General Plan EIR identified future development under the General Plan would be required to comply with all applicable federal, State, and local regulations, including County regulations related to drainage (Impact 4.10-16). These impacts were concluded to be less than significant.

The Project would potentially generate additional stormwater runoff due to an increased amount of impervious area compared to existing conditions. Construction activities would be required to comply with current codes and standards that require that no increase in runoff occurs as a result of the Project. Further, stormwater controls including the proposed drainage ditch around the perimeter of the Project site, would be constructed to reduce the possibility of sediment and debris materials entering existing channels. The Project would not directly drain or discharge directly into a jurisdictional channel and will not affect the capacity or create a potential for runoff or overflow. Added runoff from increased impervious surface area during operation would be captured in a proposed detention basin at the south end of the site with any release maintained in the pre-project condition. The Project would be conditioned to prepare a post-construction stormwater management plan (PCSMP) to retain/treat runoff from the new impervious surface, a maintenance plan, and annual verification of ongoing maintenance (Condition of Approval No. 43). Therefore, the Project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff and impacts would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, and the Project would not result in a significant impact for this topic. Further, uniformly applied development policies or standards would minimize potential impacts. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;**

**iv) Impede or redirect flood flows?**

The General Plan EIR identified that various areas of the county are mapped as areas susceptible to flood hazards, as identified by Federal Emergency Management Agency (FEMA's) Ventura County Digital Flood Insurance Rate Maps (DFIRM) and Ventura County Watershed Protection District (Impact 4.10-13). Inundation hazards in the county include inundation because of development location within a 100-year flood zone, as defined by FEMA, and dam failure inundation. Various dams, including 16 dams that constitute failure hazards exist throughout the county. The General Plan includes various policies to reduce potential impacts related to flooding. These include Policy HAZ-2.1, which limits development within these zones, and HAZ-2.8, which requires that the County consider natural, or nature-based flood protection measures for discretionary development or County-initiated development, when feasible. Further, Policy PFS-6.1 requires discretionary developments to provide flood control facilities. The DWR, Division of Dam Safety, is charged with the inspection of dams greater than 6 feet in height with impoundments of 50 acre-feet of water or more and all dams greater than 25 feet in height that impound more than 15 acre-feet of water. To minimize loss of life, injury, property damage related to dam failure, the General Plan includes Policy HAZ-2.6, which requires the County to record a Notice of Dam Inundation Hazard with the County Recorder for new discretionary entitlements (including subdivisions and land use permits) within areas subject to flooding from a dam breach as identified by DWR's Dam Inundation Maps.

The General Plan EIR identified implementation of the General Plan could result in development that directly obstructs, diverts, or impedes the flow of water in a manner that could expose adjacent property or the community to increased risk of flood hazards (Impact 4.10-13). The General Plan EIR also concluded that implementation of the



General Plan could result in development that directly obstructs, diverts, or impedes the flow of water in a manner that could expose adjacent property or the community to increased risk of flood hazards (Impact 4.10-14). The General Plan includes Policy PFS-6.1, which requires discretionary developments to provide flood control facilities and drainage facilities, as deemed necessary by the County Public Works Agency and Watershed Protection District. Further, the General Plan EIR identified that the County has existing regulations, such as the Ventura County Flood Plain Management Ordinance 4521, the Ventura County Flood Control District Design Manual and the Watershed Protection District Hydrology Manual 2006, that also address flood control and drainage facilities. The County's existing regulations also address flood control and drainage facilities and implement design standards to ensure that no overflow of watercourses would occur that would result in flooding. Through compliance with existing regulations and implementation of General Plan policies, impacts were concluded to be less than significant. Therefore, impacts related to flooding hazards were concluded to be less than significant.

The Project would potentially generate additional runoff due to an increase in impervious area compared to existing conditions. A Hydrology Memorandum was prepared for the Project in August 2024, which identified that peak stormwater runoff for the 100-year storm event would be attenuated to not exceed the existing condition by installation of the proposed detention basin (Jensen Design & Survey, Inc. 2024). The project would be conditioned to prepare a drainage plan and hydrologic and hydraulic calculations, which are prepared by a civil engineer registered in the State of California, to the PWA's Land Development Services Division for review and approval (Condition of Approval No. 37). Therefore, the Project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite or impede or redirect flood flows. Impacts would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to flooding hazards, and the Project would not result in a significant impact for this topic. Further, uniformly applied development policies or standards would minimize potential impacts. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

As described above in Section 1.10 (c)[ii][iv]), the General Plan EIR identified that various areas of the county are mapped as areas susceptible to flood hazards, as identified by FEMA's Ventura County DFIRM and Ventura County Watershed Protection District (Impact 4.10-13). The General Plan EIR identified projects located within about 10 to 20 feet of vertical elevation from an enclosed body of water such as a lake or reservoir are considered more likely to be exposed to a seiche hazard (Impact 4.10-10). The General Plan EIR identified the tsunami hazard zone extends along the coastal portion of the county and for most portions of the north and south coastal areas, the tsunami hazard does not extend to areas more than 30 feet above sea level (Impact 4.10-11). County plans to assess and address these hazards are outlined in the Tsunami Operational Area Response Guide. For tsunamis hazards, a warning system and evacuation plan is in place that is considered to provide adequate protection in the event of a major tsunami being generated beyond the Santa Barbara Channel. The General Plan EIR identified implementation of the General Plan could result in development that directly obstructs, diverts, or impedes the flow of water in a manner that could expose adjacent property or the community to increased risk of flood hazards (Impact 4.10-13). The General Plan includes Policy PFS-6.1, which requires discretionary developments to provide flood control facilities and drainage facilities, as deemed necessary by the County Public Works Agency and Watershed Protection District. Further, the General Plan EIR identified that the County has existing regulations, such as the Ventura County Flood Plain Management Ordinance 4521, the Ventura County Flood Control District Design Manual and the Watershed Protection District Hydrology Manual 2006, that also address flood control and drainage facilities. The County's existing regulations also address flood control and drainage facilities and implement design standards to ensure that no overflow of watercourses would occur that would result in flooding. Through compliance with existing regulations and implementation of General Plan policies, impacts were concluded to be less than significant. Therefore, impacts related to flooding hazards were concluded to be less than significant.

The General Plan EIR identified that the SWRCB and the RWQCBs, through powers granted by the federal Clean Water Act, require specific permits for a variety of activities that have potential to discharge pollutants to waters of the State and adversely affect water quality. The NPDES program also regulates stormwater discharges from municipal separate storm sewer systems (MS4). Pursuant to the Federal Water Pollution Control Act (Clean Water Act) Section 402(p), storm water permits are required for discharges from an MS4 serving a population of 100,000 or more. The Municipal Storm Water Program manages the Phase I Permit Program (serving municipalities over 100,000 people), the Phase II Permit Program (for municipalities less than 100,000), and the Statewide Storm Water Permit for the State of California Department of Transportation. The General Plan EIR concluded that all stormwater discharge conveyance from future development under the General Plan would be required to occur within MS4 systems and would not result in substantial risk of release of pollutants due to inundation in a flood hazard, tsunami, or seiche zone (Impact 4.10-9). This impact was concluded to be less than significant.

The Project site is not located within an Area of Special Flood Hazard, tsunami, or seiche zone. Therefore, the Project would not risk release of pollutants due to project inundation. Impacts would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to flooding hazards, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

The General Plan EIR concluded that implementation of the General Plan would accommodate future development that could result in the need for onsite wastewater treatment systems (OWTS) (Impact 4.10-17). Certain areas of the county may have geologic features or soils that are incapable of supporting, or incompatible with, the installation of OWTS, thereby causing adverse groundwater impacts. The County requires OWTS be properly sited pursuant to the findings of a geotechnical report as part of the discretionary and ministerial review process required by the Local Agency Management Program for Onsite Wastewater Treatment Systems. If the moisture content and/or soil type differs at various locations, localized or nonuniform movement may occur, which cause damage to the septic tank or alternative public sewer utility system. Damage caused by expansive soils can be slow and long term, and not attributable to any particular event. However, construction of OWTS would be required to comply with the existing local regulations including Ventura County Building Code, Articles 1 and 6, Ventura County Sewer Policy, Ventura County Ordinance Code, Division 4, California Plumbing Code, the Environmental Health Division Onsite Wastewater Treatment System Technical Information Manual, and the California Regional Water Quality Control Board Basin Plans. Further, the General Plan EIR identified all future OWTS would be required to comply with the Local Agency Management Program for Onsite Wastewater Treatment systems, which includes requirements for permitting of OWTS and limitations of OWTS development. The California SWRCB also adopted the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems in 2012, which sets standards for OWTS that are constructed or replaced, that are subject to a major repair, that pool or discharge waste to the surface of the ground, and that have affected, or will affect, groundwater or surface water to a degree that makes it unfit for drinking water or other uses, or cause a health or other public nuisance condition (SWRCB 2019). Through adherence with these regulations, the impact related to construction of OWTS was concluded to be less than significant.

The Project includes the installation of a BESS facility that would be operated remotely and no structures intended for human occupancy are proposed. The Project would not generate wastewater and does not include the installation of an onsite wastewater treatment system. Therefore, the Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan, and impacts would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to a conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the

General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

### **Applicable Mitigation Measures or Uniformly Applied Development Policies or Standards**

No mitigation measures were identified in the General Plan EIR that are applicable to hydrology and water quality. The following uniformly applied development policies and standards would be incorporated into the Project:

- ▶ NPDES Permit No. CASOO4002
- ▶ NPDES Permit No. CAS000002, Order WQ 2022-0057-DWQ, and Ventura County's Stormwater Quality Management Ordinance
- ▶ Ventura County's Stormwater Quality Management Ordinance

### **Conditions of Approval and Impact Minimization Measures**

The following conditions of approval and impact minimization measures would be incorporated into the Project to further minimize impacts related to hydrology and water quality:

#### **Condition of Approval Number 37: Drainage Plan**

The Permittee shall submit drainage plans and hydrologic and hydraulic calculations for review and approval to ensure runoff is discharged in accordance with the Ventura County Building Code and PWA – Watershed Protection District, state, and national standards (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

#### **Condition of Approval Number 41: Regional Stormwater Permit Construction Program**

The permittee shall include effective construction best management practices during ground disturbing activities to ensure compliance with the Los Angeles Regional Water Quality Control Board NPDES Municipal Stormwater Permit, No. CAS004002 ("Permit") (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

#### **Condition of Approval Number 42: State Construction Stormwater General Permit**

The permittee shall prepare compliance documents required under the CGP to ensure compliance with all water quality provisions in NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, No. CAS000002 (CGP) (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

## LAND USE AND PLANNING

### Summary of Findings

With regard to Land Use and Planning, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the General Plan EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the General Plan EIR.
4. No mitigation measures contained within the General Plan EIR would be required because Project specific impacts would be less than significant.
5. No uniformly applied development policies or standards would be required to substantially mitigate impacts to land use and planning. However, conditions of approval and impact minimization measures have been incorporated to further minimize potential impacts related to land use and planning.

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
<b>11. Land Use and Planning. Would the project:</b>						
a) Physically divide an established community?	GP EIR pp 4.11-21 to 4.11-22 Impact 4.11-2	No	No	No	No	N/A
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	GPEIR pp 4.11-22 to 4.11-24 pp. 4.11-18 to pp. 4.11-21 Impact 4.11-1 Impact 4.11-3	No	No	No	No	N/A

### Discussion

#### a) Physically divide an established community?

The General Plan EIR concluded that implementation of the General Plan would not physically divide established communities (Impact 4.11-2). The General Plan EIR identified that General Plan policies LU-1.1, LU-3.1, LU-17.4, CTM-5.5, and HAZ-6.7 would continue to promote orderly and compact development, identify existing urban residential, commercial, or industrial enclaves outside of incorporated areas and unincorporated urban centers within the Existing Community area designation, prohibit the introduction of new incompatible land uses into or abutting existing residential areas, prohibit discretionary development that would endanger the efficient, safe operation of an airport or would result in significant land use incompatibility impact with an airport, and condition discretionary development to minimize, to the maximum extent practical through site design or setbacks, the risk for exposure to railroad and

trucking hazards. By promoting land use compatibility, the General Plan minimizes the potential for allowing future development or other physical changes that would physically divide an established community. The General Plan EIR concluded this impact to be less than significant.

The Project site is located within an area of the County zoned as agricultural, specifically AE-40, and is not located within the County's Coastal Zone. The Project site lies approximately in the center of the Oxnard-Ventura Greenbelt, which is comprised primarily of agricultural fields and greenhouses. A single-family home is located approximately 1,500 feet north of the Project site across Gonzales Road and the nearest residential areas are located within the City of Oxnard, approximately 0.58 mile east of the Project site. Additionally, Oxnard High School is located approximately 4,400 feet west of the Project site. The proposed BESS would include underground conductors that would connect the Project's electrical substations to SCE switchyard facilities, which directly connects via underground conductors to SCE's existing Santa Clara-Mandalay 220kV transmission lines situated directly adjacent on a parallel 20-acre SCE-owned parcel, thereby eliminating any need for new offsite-infrastructure. Additionally, the Project would not result in changes to the General Plan zoning designations, and the Project site would remain zoned as AE-40, nor would the Project result in off-site infrastructure being constructed. Because the Project is located within an agricultural zoned area, the Project would not result in the physical division of an established community.

Therefore, the Project would not physically divide an established community, and the impact would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to physically dividing an established community, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**b) Cause a significant environmental impact due to a conflict with a regional plan, policy, or program?**

The General Plan EIR concluded that implementation of the General Plan would not conflict with an applicable regional plan, policy, or program (Impact 4.11-3); this impact was identified as less than significant. The General Plan EIR identified that General Plan policies and programs, coordination of the regional housing needs assessment (RHNA) with housing element updates, and compliance with applicable regulations would ensure that development under the General Plan would be consistent with the RHNA. Additionally, SCAG developed the 2016-2040 RTP/SCS, which is a long-range plan with a combination of transportation and land use strategies to achieve the region's goals of balancing future mobility and housing needs.

The General Plan's Circulation, Transportation, and Mobility Element would be consistent with the 2016 RTP/SCS by requiring coordination with Caltrans, SCAG, Ventura County Transportation Commission, and cities to plan, develop, and maintain regional transportation facilities and services, identify existing and future transportation corridors, provide a regional multimodal system, and discourage approval of projects that would have significant transportation impacts with compliance of Policies CTM-1.2, CTM-2.6, and CTM-2.11 through CTM-2.22. Further, the General Plan EIR identified that the General Plan would be subject to the Land Use and Community Character Element policies and implementation programs that emphasize efficient use of land and infrastructure and walkable neighborhoods, encourage infill development within Existing Communities and within or adjacent to existing development, and promote ease of pedestrian/bicycle access to encourage walk-in business through Policies LU-1.3 through LU-1.5 and LU-16.5. The Ventura County Airport Land Use Commission also adopted the Airport Comprehensive Land Use Plan for Ventura County in July 2000, which seeks to protect the public from the adverse effects of aircraft noise, to prevent concentration of people and facilities in areas that are susceptible to aircraft accidents, and to ensure that no structures or activities encroach upon or adversely affect the use of navigable airspace. The plan considers land use compatibility of surrounding land uses with airport noise levels, with respect to the safety of persons, and protection of airspace needed for safe navigation. The General Plan includes policies to ensure compatible land use with airports consistent with the Airport Comprehensive Land Use Plan through Policies HAZ-6.1 through HAZ-6.8 and Policy HAZ-9.6. Therefore, the General Plan EIR concluded that the impact was less than significant.

The General Plan EIR concluded that implementation of the General Plan would not result in physical development that is incompatible with existing land uses, architectural form or style, site design/layout, or density/parcel sizes within existing communities (Impact 4.11-1). The General Plan includes several policies that would require land use compatibility and architectural designs and feature compatibility within existing communities and areas. In addition, the County's Guidelines for Orderly Development and County's SOAR initiative promotes orderly and compact development within the County. Article 4: Permitted Uses of the Ventura County Non-Coastal Zoning Ordinance and Article 6: Lot Area and Coverage, Setbacks, Height and Related Provisions of the Ventura County Non-Coastal Zoning Ordinance designates allowable uses within the area and specifies standards for setbacks, building heights, and lot coverage, which further restrict development allowed is compatible with surrounding land uses. The General Plan EIR concluded policies and programs of the General Plan would not result in physical development that is incompatible and the impact was concluded to be less than significant.

The Project site is located on agriculture zoned land and would thus not conflict with the RHNA or RTP/SCS. The nearest airport, Oxnard Airport, is located approximately 0.8 mile southeast. However, the Project site is not located within an Airport Influence Area or Compatibility Zone, and thus would not conflict with the airport compatibility land use plan. The Project site is located within an area of the County zoned as AE-40 and is not located within the County's Coastal Zone. The Project site's parcel is subject to Land Conservation Act (LCA) contract No. 29-1.10 with a 10-year self-renewing term. Ventura County LCA Guidelines (2019 ed.) Section V(A)(b) state: "In accordance with Government Code Sections 51231, 51238, and 51238.1, "compatible uses" are those which are permitted, or conditionally permitted by the Ventura County Coastal or Non-Coastal Zoning Ordinance in the AE\_40 ac or CA zones, respectively". Furthermore, Section V(A)(5), Table 1 requires that at least 50 percent of a parcel sized greater than 40 acres be in agricultural utilization.

The Project site would be surrounded by productive agriculture compatible with adjacent row-crop production. In addition, the Project would be in compliance with the LCA contract and no LCA action is required because the proposed BESS use is an allowable compatible use in the AE-40 zone with a CUP, is situated on a parcel of 85 acres, occupies about 30 percent of the parcel, and would be screened by an productive agricultural use. The Project would also not interfere with surrounding agricultural operations or parcels. The proposed productive agriculture would screen the Project site from Gonzales Road, 5<sup>th</sup> Street, and adjacent properties to ensure compatibility with the character of the surrounding agricultural development as required by NCZO Section 8111-1.2.1.1a (Condition of Approval No. 20). Through compliance with the LCA contract and General Plan policies, the Project would not be incompatible with land uses, architectural form or style, site design/layout, or density/parcel sizes. The Project would also be required to ensure all off-site and on-site improvements are in compliance with approved plans by submitting all final building and site plans to the County for review (Condition of Approval No. 2). Therefore, the Project would not cause a significant environmental impact due to a conflict with a regional plan, policy, or program, and the impact would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to a conflict with a regional plan, policy, or program, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

### **Applicable Mitigation Measures or Uniformly Applied Development Policies or Standards**

No mitigation measures were identified in the General Plan EIR. The Project would incorporate the following uniformly applied development policies or standards:

- ▶ **NCZO Section 8114-3:** The County Building Inspector, Public Works Agency Grading Inspector, Fire Marshall, and Planning Division staff have the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance.
- ▶ **NCZO Section 8111-1.2.1.1a:** The Project is compatible with the character of surrounding, legally established development.



## Conditions of Approval and Impact Minimization Measures

The following conditions of approval and impact minimization measures would further minimize the potential for impacts related to land use and planning:

### Condition of Approval Number 2: Required Improvements for CUP

The permittee shall ensure all required offsite and onsite improvements are completed in conformance with the approved plans to ensure the project site conforms to the plans approved at the Planning Commission hearing in support of the project (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

### Condition of Approval Number 20: Agricultural Screening and Cultivation Requirement

The permittee shall prepare a screening plan and install screening to screen the project site from Gonzales Road, 5th Street, and adjacent properties with an avocado orchard and vine covered fencing to ensure compatibility with the character of the surrounding development as required by NCZO Section 8111-1.2.1.1a (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

## MINERAL AND PETROLEUM RESOURCES

### Summary of Findings

With regard to Mineral and Petroleum Resources, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the General Plan EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the General Plan EIR.
4. No mitigation measures contained within the General Plan EIR would be required because Project specific impacts would be less than significant.
5. Uniformly applied development policies or standards would be incorporated to substantially mitigate Project specific impacts to mineral and petroleum resources. No conditions of approval or impact minimization measures would be incorporated to further minimize potential impacts to mineral and petroleum resources.

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
<b>12. Mineral and Petroleum Resources. Would the Project:</b>						
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	GP EIR pp. 4.12-9 to pp. 4.12-22 Impact 4.12-1 Impact 4.12-3	No	No	No	No	N/A
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	GP EIR pp. 4.12-10 to pp. 4.12-11; pp. 4.12-22 to 4.12-32 Impact 4.12-2 Impact 4.12-4	No	No	No	No	Yes

### Discussion

#### a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

The General Plan EIR concluded that implementation of the General Plan would not result in the potential for development on or adjacent to mineral resources that are zoned, mapped, or permitted for extraction, which could hamper or preclude extraction of the resources (Impact 4.12-1). As described in the General Plan EIR, aggregate resources (i.e., construction-grade sand and gravel) are the primary mineral resources extracted in Ventura County. General Plan Policies COS-6.1 through COS-6.5 would minimize impacts by requiring the County to maintain maps of mineral deposits, balance the development and conservation of mineral resources, promote the local extraction of mineral resources, subject future development to the provisions of the Mineral Resource Protection (MRP) Overlay,

and promote mineral resource land use compatibility. With implementation of General Plan policies Plan, the potential for development on or adjacent to mineral resources that are zoned, mapped, or permitted for extraction, which could hamper or preclude extraction of the resources, were concluded to be less than significant.

The General Plan EIR identified that implementation of the General Plan would allow for development in areas with existing oil wells or new oil well development that are identified as petroleum fields (Impact 4.12-3). The General Plan includes several policies intended to limit the potential for conflict between petroleum resource extraction uses and adjacent land uses, such as Policies COS-7.2, and COS-7.3. Mitigation Measure PR-1, which would revise Policy COS-7.2 to include a broader range of sensitive uses than currently included in the County zoning ordinances' petroleum setback requirements for occupied sensitive uses, which include dwellings, schools, and health care facilities. However, it was concluded would hamper or preclude access to petroleum resources for new discretionary oil and gas wells that cannot comply with the setback criteria set forth in this policy for occupied sensitive uses that exist at the time of a proposed new discretionary well. The General Plan EIR identified that there were no actions or policies that the County could feasibly mandate to fully reduce the impact that Policy COS 7.2 would have on hampering or precluding access to petroleum resources, and impacts were concluded to be significant and unavoidable.

The Project is located within the Ventura-Oxnard Greenbelt and is located on land zoned as AE-40. The Project site is partially located within an MRZ-1 zone, an area with little likelihood for the presence of significant construction aggregate resources, and an MRZ-3 zone, an area of undetermined mineral resource significance, as shown in Figure 8-9 of the Background Report (Ventura County 2020). The Project site does not contain any existing mines, nor are there any mines located within the vicinity of the Project site. Further, the Project site does not contain existing oil wells or new oil well development that are identified as petroleum fields and as such, Mitigation Measure PR-1 would not be applicable. The Project would not result in development that could hamper or preclude extraction of resources. Therefore, the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state and impacts would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to the loss of availability of a known mineral resource that would be of value to the region and the residents of the state, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?**

The General Plan EIR concluded that implementation of the General Plan would not result in the loss of a known mineral resource (Impact 4.12-2); this impact was identified as less than significant. As described in the General Plan EIR, Section 8.4, "Mineral Resources" of the Background Report, aggregate resources (i.e., construction-grade sand and gravel) are the primary mineral resources extracted in Ventura County (Ventura County 2020). Through 2040 General Plan Policy COS-6.2, the County would maintain classification and designation reports and maps of mineral resources dispositions that are recognized as having regional or statewide significance. Policy COS-6.5 would also require future discretionary development to conduct an evaluation to ascertain the significance of the mineral resource deposits located in the area of the proposed development. The County's Mineral Resource Protection (MRP) Overlay includes approximately 225,112 acres of land zoned as mineral resource zones (MRZ)-3 and MRZ-3a that have not been fully evaluated and could contain valuable mineral resources. However, MRZ-3 and MRZ-3a areas have not been established as areas of value to the region or State. It was determined in the General Plan EIR that it would be speculative to assess the potential effects of future development in these areas.

The General Plan EIR identified that implementation of the General Plan would result in new requirements that would apply to new projects subject to discretionary action by the County that could limit petroleum extraction without placing a physical limitation on location or access: Policy COS-7.7 would require oil wells to use pipelines to convey oil and produced water offsite (rather than trucking) and Policy COS-7.8 would require that gases emitted from all new discretionary oil and gas wells be collected and used or removed for sale or proper disposal (rather than flaring)

except for cases of emergency or for testing purposes (Impact 4.12-4). Through implementation of Mitigation Measures PR-2 and PR-3, which would reduce the potential impact regarding a loss of availability of a known petroleum resource that would be of value to the region and the residents of the State, the General Plan EIR concluded that impacts were less than significant.

The Project is located within the Ventura-Oxnard Greenbelt and is located on land zoned as AE-40. The Project site is partially located within an MRZ-1 zone, an area with little likelihood for the presence of significant construction aggregate resources, and an MRZ-3 zone, an area of undetermined mineral resource significance, as shown in Figure 8-9 of the Background Report (Ventura County 2020). The Project would be required to comply with General Plan Policy COS-6.5, see analysis in Exhibit 5 of the Planning Commission Hearing Staff Report dated December 19, 2024. Therefore, the Project would not 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, and impacts would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to 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, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

### **Applicable Mitigation Measures or Uniformly Applied Development Policies or Standards**

Mitigation measures identified in the General Plan EIR are not applicable to the project. The following uniformly applied development policies or standards applicable for mineral and petroleum resources would be incorporated into the Project:

- ▶ **Ventura County General Plan Policy COS-6.5 Mineral Resource Land Use Compatibility.** The County shall ensure that discretionary development is compatible with mineral resources extraction and processing if the development is to be located in areas identified on the Mineral Resource Zone Maps prepared by the California State Geologist or in County identified mineral resource areas. The County shall:
  1. Require an evaluation to ascertain the significance of the mineral resources deposit located in the area of a discretionary development and to determine if the use would significantly hamper or preclude access to or the extraction of mineral resources.
  2. Require discretionary development proposed to be located adjacent to existing mining operations to provide a buffer between the development and mining operations to minimize land use incompatibility and avoid nuisance complaints.
  3. Establish a buffer distance based on an evaluation of noise, community character, compatibility, scenic resources, drainage, operating conditions, biological resources, topography, lighting, traffic, operating hours, and air quality.

### **Conditions of Approval and Impact Minimization Measures**

No conditions of approval or impact minimization measures are applicable to mineral and petroleum resources.

## NOISE AND VIBRATION

### Summary of Findings

With regard to Noise and Vibration, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the General Plan EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the General Plan EIR.
4. No mitigation measures contained within the General Plan EIR would be required because Project specific impacts would be less than significant.
5. Uniformly applied development policies or standards would be incorporated to substantially mitigate Project specific impacts from noise and vibration, and conditions of approval and impact minimization measures would be incorporated to further minimize potential impacts from noise.

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
<b>13. Noise and Vibration. Would the project result in:</b>						
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, or a substantial temporary or permanent increase in noise levels above existing ambient levels that could result in an adverse effect on humans?	GP EIR pp.4.13-11 to 4.13-24 Impact 4.13-1, Impact 4.13-3, Impact 4.13-4	No	No	No	No	Yes
b) Generation of excessive groundborne vibration or groundborne noise levels?	GP EIR pp. 4.13-25 to 4.13-29 Impact 4.13-6, Impact 4.13-7	No	No	No	No	N/A
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing	GP EIR pp. 4.13-24 Impact 4.13-5	No	No	No	No	N/A

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
or working in the project area to excessive noise levels?						

## Discussion

- a) **Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, or a substantial temporary or permanent increase in noise levels above existing ambient levels that could result in an adverse effect on humans?**

Impact 4.13-1 of the General Plan EIR evaluated the potential for construction activities to generate noise levels in excess of the applicable thresholds. The analysis identified that sensitive land uses within 6,033 feet, 6,356 feet, and 11,030 feet of heavy-duty construction equipment could exceed the daytime, evening, and nighttime exterior construction noise thresholds established by the adopted *Construction Noise Threshold Criteria and Control Plan*. However, future development under the Ventura County General Plan must comply with construction noise control measures identified in the *Construction Noise Threshold Criteria and Control Plan*, which would substantially lessen construction noise levels. This impact was identified as less than significant in the Ventura County General Plan EIR.

Impact 4.13-3 of the General Plan EIR identified the potentially significant impact of permanent increases to existing ambient levels due to traffic noise. Specifically, traffic volume increases could result in noise levels exceeding the County's standard of 60 A-weighted decibels (dBA) community noise equivalent level (CNEL) for outdoor noise levels at existing noise-sensitive uses along roadways. Further, the 2040 General Plan could result in a substantial increase of 3 dBA or greater at locations currently exceeding the County's traffic noise standards. Policies HAZ-9.3, HAZ-9.4, and HAZ-9.5 would require noise-generating development to be evaluated and implementation of noise control measures to reduce noise levels to acceptable levels. However, it is uncertain if the recommended noise control measures would be sufficient to reduce noise levels generated by future development to acceptable levels for all future types of development in all locations and circumstances. This impact was identified as potentially significant in the Ventura County General Plan EIR. With implementation of Mitigation Measure NOI-1, the 2040 General Plan would require discretionary development to implement noise reduction measures to reduce project-generated traffic noise. In many cases, noise reduction measures would reduce traffic noise levels generated by a discretionary development at existing noise-sensitive receptors to less than significant levels. However, there may be cases where noise reduction measures are either infeasible or inadequate for reducing traffic noise to less than significant levels, and thus, discretionary development could result in a substantial noise level increase that would exceed County standards at existing noise-sensitive receptors. This impact was identified as significant and unavoidable.

Impact 4.13-4 of the General Plan EIR evaluated the potential for operational stationary noise sources to generate levels that exceed applicable standards. Policies HAZ-9.1, HAZ-9.2 and HAZ-9.5 implemented by the Ventura County General Plan require future developments under the Ventura County General Plan to adhere to County's adopted noise standards and prohibit a 3 dBA or greater increase to the existing ambient noise environment, this impact was identified as less than significant in the General Plan EIR.

The Project's land use and development intensity are consistent with the Ventura County General Plan and would not include the development of any proposed noise-sensitive land use types. The scope of the Project would not be expected to generate any significant trips on the local roadway systems from construction or operation. Operational, stationary noise sources associated with the Project could include the proposed power blocks and corona noise from transmission lines. A reference noise level for a proposed power block, including energy storage equipment and

medium voltage transformer, is 55 dBA  $L_{eq}$  at 50 feet from the source, under operational load conditions, with fans operating (SMUD 2018). In addition, corona noise from a 220 kV transmission line could generate corona discharge with noise levels estimated at less than 25 dBA underneath the conductor during high humidity conditions where it would be the loudest (SMUD 2018). The Project is estimated to generate operational noise levels of 38 dBA  $L_{eq}$  at the nearest noise-sensitive receptor (a residence located approximately 1,500 feet north of the Project site), well below the County standards. In addition, with regard to project-generated construction noise, the Project would comply with construction noise control measures identified in *the Construction Noise Threshold Criteria and Control Plan* (Condition of Approval No. 26). Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**b) Generation of excessive groundborne vibration or groundborne noise levels?**

Impact 4.13-6 of the General Plan EIR evaluated the potential for construction activities to generate excess groundborne vibration and identified that damage to older buildings can occur at 0.25 inch per second of peak particle velocity (PPV) and 0.5 for conventional buildings. This impact was identified as potentially significant. Mitigation Measure NOI-3 requires noise and vibration-reducing techniques shall be employed during construction and will be monitored to ensure no damage to nearby structures occurs (i.e., vibrations above PPVs of 0.25 inch per second at nearby structures) and be limited to 7:00 a.m. to 7:00 p.m. on weekdays or 9:00 a.m. to 7:00 p.m. on weekends and holidays. The General Plan EIR identified that implementation of this Mitigation Measure NOI-3 could potentially reduce the construction vibration impact to a less-than-significant level at noise-sensitive land uses. However, it was not possible to conclude that vibration levels in all locations associated with all future development under the 2040 General Plan would be reduced below human annoyance levels; therefore, considered significant and unavoidable. In addition, Impact 4.13-7 of the General Plan EIR evaluated the potential for railroad vibration to exceed applicable standards. The Ventura County General Plan does not propose new rail or transit uses, nor would the 2040 General Plan expect a substantial increase in transit demand resulting in the development of new transit uses within the county. Therefore, the General Plan EIR concluded there would be no impact regarding railroad vibration.

The most ground vibration-intensive activity that could be performed during construction phases would be the use of a vibratory roller during soil compaction. Unlike construction noise levels, which are often measured from the center of the construction site, vibration levels are measured from the site of the vibration source. Therefore, in this analysis, vibration levels were modeled based on the distance between the location where a vibratory roller could be used and the nearest structure. Vibratory rollers generate ground vibration levels of 0.210 in/sec PPV and 94 vibration decibels (VdB) at 25 feet (FTA 2018: 184). Vibration from construction activities would exceed the significance threshold for structural damage within 26 feet and the threshold for human annoyance of 80 VdB within 73 feet of activities. The nearest structures are located further than 73 feet from where the use of a vibratory roller could occur. Thus, vibration from construction activity would not exceed the threshold for structural damage.

Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

Impact 4.13-5 of the General Plan EIR identified that compliance with the Ventura County Comprehensive Land Use Plan for the four airports within Ventura County effectively reduces potential aircraft noise impacts. Ventura County General Plan Draft EIR page 4.13-24 identified that there is no residential land uses are within the 60 CNEL noise contour of any public or private airfields located near the city and thus there would be no impact. No airstrips have been developed in the project area since certification of the General Plan EIR. Therefore, there are no new circumstances or new information requiring new analysis or verification. Therefore, the conclusions of the General Plan EIR remain valid.



The Project site is located outside of the noise contour of Oxnard Airport, the closest airport identified in the Ventura County General Plan. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

### **Applicable Mitigation Measures or Uniformly Applied Development Policies or Standards**

Mitigation measures identified in the General Plan EIR are not applicable to the Project. The following uniformly applied development policies or standards applicable for noise would be incorporated into the Project:

- ▶ **Ventura County General Plan Policy HAZ-9.2: Noise Compatibility Standards.** The County shall review discretionary development for noise compatibility with surrounding uses. The County shall determine noise based on the following standards:
  6. New noise sensitive uses proposed to be located near highways, truck routes, heavy industrial activities and other relatively continuous noise sources shall incorporate noise control measures so that indoor noise levels in habitable rooms do not exceed Community Noise Equivalent Level (CNEL) 45 and outdoor noise levels do not exceed CNEL 60 or Leq1H of 65 dB(A) during any hour.
  7. New noise sensitive uses proposed to be located near railroads shall incorporate noise control measures so that indoor noise levels in habitable rooms do not exceed Community Noise Equivalent Level (CNEL) 45 and outdoor noise levels do not exceed L10 of 60 dB(A)
  8. New noise sensitive uses proposed to be located near airports:
    - a. Shall be prohibited if they are in a Community Noise Equivalent Level (CNEL) 65 dB or greater, noise contour; or
    - b. Shall be permitted in the Community Noise Equivalent Level (CNEL) 60 dB to CNEL 65 dB noise contour area only if means will be taken to ensure interior noise levels of CNEL 45 dB or less.
  9. New noise generators, proposed to be located near any noise sensitive use, shall incorporate noise control measures so that ongoing outdoor noise levels received by the noise sensitive receptor, measured at the exterior wall of the building, does not exceed any of the following standards:
    - a. Leq1H of 55dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.;
    - b. Leq1H of 50dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 7:00 p.m. to 10:00 p.m.; and
    - c. Leq1H of 45dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 10:00 p.m. to 6:00 a.m.
  10. Construction noise and vibration shall be evaluated and, if necessary, mitigated in accordance with the Construction Noise Threshold Criteria and Control Plan (Advanced Engineering Acoustics, November 2005).
- ▶ **County of Ventura Construction Noise Threshold Criteria and Control Plan**

### **Conditions of Approval and Impact Minimization Measures**

The following conditions of approval and impact minimization measures are incorporated into the Project to further minimize potential impacts related to noise:

#### **Condition of Approval Number 26: Construction Noise**

The permittee shall limit construction hours to ensure compliance with the Ventura County General Plan Policy HAZ-9.2 and the County of Ventura Construction Noise Threshold Criteria and Control Plan (Amended 2010) (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

## POPULATION AND HOUSING

### Summary of Findings

With regard to Population and Housing, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the General Plan EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the General Plan EIR.
4. No mitigation measures contained within the General Plan EIR would be required because Project specific impacts would be less than significant.
5. No uniformly applied development policies or standards would be required to substantially mitigate Project specific impacts to mineral and petroleum resources, and no conditions of approval or impact minimization measures would be incorporated to further minimize potential impacts to population and housing.

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
<b>14. Population and Housing. Would the project:</b>						
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	GP EIR pp. 4.14-8 to pp. 4.14-9 Impact 4.14-2	No	No	No	No	N/A
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	GP EIR pp. 4.14-5 to pp. 4.14-8, pp. 4.14-9 to pp. 4.14-10 Impact 4.14-1, Impact 4.14-3	No	No	No	No	N/A

### Discussion

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The General Plan EIR concluded that implementation of the General Plan would not induce substantial unplanned population growth beyond projections prepared by SCAG (Impact 4.14-2); this impact was identified as less than significant. SCAG projected a total population of 101,832 residents by 2040 within Ventura County. The policies and programs within the 2040 General Plan do not promote unplanned growth, but would rather direct where and how

projected growth within the unincorporated county is expected to occur. Policies LU-1.1, LU-1.6, and LU-1.3 are focused on managing and planning for the location of projected future growth within the county and maximizing efficient development patterns.

The Project would be unoccupied and controlled remotely, with maintenance visits anticipated to occur weekly, or on an emergency basis. Only authorized and trained personnel would be permitted on site, with the Project's operations remotely monitored at all times by a remote operations center location in Sacramento, CA, and 24/7 security monitoring via automatic notifications to operations personnel and/or qualified central monitoring station. Due to the Project being unoccupied and controlled remotely, with minimal in-person maintenance, the Project would not generate new permanent jobs that would require the need for new housing units within the county. Additionally, the Project would not require housing units to be located on the Project site or people residing on the Project site in any form of temporary housing. The Project would utilize access to the facility via a driveway entrance off of existing W. Gonzales Road, and would not require the development of new roadways. Underground conductors would connect the Project's electrical substations to centrally located SCE switchyard facilities, which in turn directly connect via underground conductors to SCE's existing Santa Clara-Mandalay 220 Kilovolt transmission lines situated adjacent to the Project site. This would result in the Project not requiring additional infrastructure to be constructed to serve the Project. Because the Project would not result in significant impacts for the reasons detailed above, the Project would be consistent with the analysis within the General Plan EIR because it would not create new impacts, increase impacts, and there is no new information of substantial importance than identified within the General Plan EIR.

**b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

The General Plan EIR concluded that implementation of the General Plan would not displace substantial numbers of existing people or housing through implementation of the 2040 General Plan (Impact 4.14-1); this impact was identified as less than significant. By 2040, it is projected that the county would reach 101,832 residents, and 33,472 housing units. Policies and programs in the 2040 General Plan and compliance with applicable regulations would ensure that future development could be accommodated within plan areas. While housing could be displaced through development of areas near existing communities, these areas would either continue to be under residential land use designations or would add new residential areas within the plan area such that a net gain in residential capacity would be achieved. The County would additionally continue to engage with SCAG through each RHNA planning cycle to ensure adequate land is available to meet its RHNA obligations.

The General Plan EIR concluded that implementation of the General Plan would not result in low-income employment opportunities that could generate demand for new housing (Impact 4.14-3). Several General Plan Policies, such as EV-1.3, LU-4.5, and LU-1.6, state that the County would continue to implement practices and programs to reduce the cost of housing, evaluate employment generating discretionary development to assess the project's impact on lower-income housing demand, and designate adequate land for urban development. Implementation of the General Plan Policies would ensure adequate low-income housing for projected increases in low-income employment opportunities through the planning horizon.

The Project site would be operated remotely with maintenance visits anticipated weekly and on an emergency basis. The Project would not directly create substantial employment opportunities within the County that would generate the demand for new low-income housing. No residential uses are located on the Project site and no residential uses are proposed. Therefore, the Project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere and no impact would occur.

As previously discussed, the General Plan EIR did not identify significant impacts related to the displacement of substantial numbers of existing people or housing, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**Applicable Mitigation Measures or Uniformly Applied Development Policies or Standards**

No mitigation measures were identified in the General Plan EIR. There are no uniformly applied development policies or standards applicable to population and housing.

**Conditions of Approval and Impact Minimization Measures**

There are no conditions of approval and impact minimization measures applicable to population and housing.

## PUBLIC SERVICES

### Summary of Findings

With regard to Public Services, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the General Plan EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the General Plan EIR.
4. No mitigation measures contained within the General Plan EIR would be required because Project specific impacts would be less than significant.
5. No uniformly applied development policies or standards would be required to substantially mitigate Project specific impacts to public services. However, conditions of approval and impact minimization measures would be incorporated to further minimize potential impacts to public services.

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
<b>15. Public Services.</b>						
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:						
Fire protection?	GPEIR pp.4.15-11 to pp.4.15-12 Impact 4.15-3	No	No	No	No	Yes
Police protection?	GPEIR pp.4.15-8 to pp.4.15-11 Impact 4.15-1, Impact 4.15-2	No	No	No	No	N/A

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
Schools?	GPEIR p.4.15-5 Impact: was dismissed	No	No	No	No	N/A
Parks?	GP EIR pp 4.15-14 to 4.15-15 Impact 4.15-5	No	No	No	No	N/A
Other public facilities?	GP EIR pp 4.15-14 to 4.15-15 Impact 4.15-4	No	No	No	No	N/A

## Discussion

- a) **Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:**

### Fire protection?

The General Plan EIR concluded that implementation of the General Plan could result in the expansion or construction of new fire protection facilities (Impact 4.15-3). Future development could be located in excess of 5 miles from a full-time paid fire department or result in response times in excess of 12 minutes. This would potentially require the need for new or expanded fire protection facilities in order to maintain adequate service ratios and other performance standards. The construction of new facilities could result in physical environmental impacts. The General Plan EIR concluded that future development would be subject to applicable laws and regulations, policies and implementation programs of the General Plan, and mitigation measures identified in the EIR. The adverse physical impacts associated with construction of new or expanded fire protection facilities would be consistent with the impacts of the types of development evaluated in the EIR, and potentially significant impacts would be mitigated, to the extent feasible, as described in the relevant resource sections. In some cases, mitigation measures would not reduce impacts; because not all potentially significant impacts can be reduced, the impact related to the construction of new or expanded fire protection facilities was concluded to be significant and unavoidable.

The Project includes the installation of Tesla-manufactured lithium-ion battery energy storage technology and related storage equipment and associated infrastructure that may exacerbate fire risk. Batteries can pose thermal hazards, such as fire, due to thermal runaway, depending on the chemistry and system design. Applicable codes and standards would address potential fire hazards related to battery energy storage technologies. The proposed batteries would be within fully enclosed purpose-built containers that are temperature-controlled and constructed in compliance with California Fire Code requirements. The IFC Chapter 12, Section 1207 delineates Electrical Energy Storage Systems requirements. Stationary BESS are also regulated by Section 608 of the California Fire Code to minimize the risk of loss, injury, or death involving fires to nearby people and structures. Megapack enclosures would

meet National Fire Protection Association (NFPA) 855, NFPA 68, and NFPA 69 requirements for explosion prevention and deflagration relief panels. Infrared cameras would be used for exterior heat monitoring of Megapacks and medium voltage transformers. The Project would also be equipped with an alarm system, including lights and sirens that would be activated in the event of a fire to warn people within the Project site vicinity to evacuate the area.

The proposed BESS facility would include active design measures to prevent or limit fire incidents. The lithium-ion battery energy storage technology and related storage equipment design would include a battery management system, a thermal management system, and an explosion control system. The battery management system provides information on performance, voltage, current, and state of charge. It reacts to fault conditions such as over-temperature and over-voltage, which can prevent thermal runaway from occurring in the cell or prohibit propagation of thermal runaway to adjacent cells. The battery management system would isolate an affected battery module temporarily or permanently disconnect the module. The thermal management system contains a closed-loop liquid cooling system that circulates coolant throughout the power electronics and battery modules to maintain an optimum operating temperature. The explosion control system includes sparkers designed to ignite flammable gases during a thermal runaway event before they accumulate within the enclosure, reducing the risk of an explosion hazard.

An access road loop would be located within the Project site around the perimeter and in between BESS equipment (see Figure 5). Additionally, a fire skid, which is a skid or pallet for a self-contained fire-fighting system to be mounted on, and two water tanks with a capacity of 90,000 gallons would be located in the central portion of the Project site. Access to the Project site would be provided through access gates, each equipped with a Knox box, which holds access keys for fire departments, emergency medical services, and police to retrieve in emergencies. In addition, fire hydrants would be installed within the Project site. As such, the Project design is intended to reduce the risk associated with fire and would not increase the demand for fire protection services.

Further, the Project would comply with the requirements of the California Fire Code and industry standards to ensure that passive design measures are incorporated into the Project to limit and slow the spread of any thermal runaway or fire event. Each enclosure would be encased within a non-combustible casing, as required by Section 1207.3.5 of the California Fire Code. The Project layout would be designed to ensure spacing between enclosures. This spacing, along with each enclosure's fire protection and safety systems, would reduce the likelihood of a fire spreading to another enclosure. The Ventura County Fire Department (VCFD) would be able to access an enclosure in case of an emergency response scenario.

An emergency response plan would be prepared for the Project, as required by Public Utility Code Section 761.3(g)(1), as may be amended. The plan would establish the response procedures for an equipment malfunction or failure; develop procedures to ensure the safety of surrounding residents, properties, emergency responders, and the environment; create notification and communication procedures between the facility and local emergency management agencies; and be developed in consultation with the local emergency management agencies. An Emergency Response Guide for the Tesla Megapack proposed as part of the BESS facility, is included as Appendix B of the Hazards Analysis prepared for the Project (Exhibit 16 of the Planning Commission Hearing Staff Report dated December 19, 2024). The Emergency Response Guide serves as a resource for emergency responders and authorities with jurisdiction surrounding facilities that house Tesla Energy Products, including rechargeable lithium-ion battery energy storage products.

As described in the Hazards Analysis prepared for the Project, the Area Locations of Hazardous Atmospheres (ALOHA) model was developed to produce results for the use of first responders during a real emergency. The model estimates the potential hazard impacts by generating hazard threat zone estimates based on user-defined scenarios such as toxic and flammable vapor clouds. A hazard impact area or threat zone estimated by the ALOHA model encloses an area where a hazard could exceed a specific level of concern (LOC) surrounding a release point. LOCs relevant to the Project are identified in the Hazards Analysis prepared for the project. In the unlikely occurrence of a thermal runaway event, the largest of the predicted hazard threat zones were found to encroach on properties immediately adjacent to the Project site, which are infrequently occupied. Alarm systems and emergency response procedures would ensure the immediate evacuation of bystanders, and the Project would not pose a significant hazard to the public or the environment.



Further, the Project would be required to comply with all Ventura County Fire Protection District Codes, Ordinances, and Standards (Condition of Approval No. 48 through 72), such as requiring fire-flow of 1,500 gallons per minute at 20 psi for a minimum 2-hour duration (Condition of Approval No. 59), having an alternate water supply (Condition of Approval No. 60), requiring fire hydrants (Condition of Approval No. 61), fire sprinklers (Condition of Approval No. 65), fire protection system plans (Condition of Approval No. 66), a fire alarm system (Condition of Approval No. 67), fire alarm/sprinkler monitoring plans (Condition of Approval No. 68), and fire department clearance (Condition of Approval No. 71). Through compliance with applicable regulations and conditions of approval, the Project would not result in the need for expanded or new fire protection facilities.

As previously discussed, the General Plan EIR identified significant and unavoidable impacts related to fire protection services. However, the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

### **Police protection?**

The General Plan EIR concluded that implementation of the General Plan could result in the provision of new or expanded law enforcement and emergency services as a result of inadequate security measures (Impact 4.15-1); this impact was identified as less than significant with implementation of Mitigation Measure PS-1, which requires the County to implement a program to review future projects for incorporation of law enforcement security measures. According to ISAG, land use types that require security measures include most urban land uses, including Residential, Mixed Use, Commercial, and Industrial land uses. The General Plan does not directly require the provision of security measures associated with discretionary projects. However, with implementation of Mitigation Measure PS-1, the County Sheriff's Department would review future discretionary projects to determine whether the project includes adequate security measures and access. Impacts were concluded to be less than significant.

The General Plan EIR concluded that implementation of the General Plan could result in the construction of new or expanded law enforcement and emergency services facilities (Impact 4.15-2). General Plan Policy PFS-11.1 requires that the County provide adequate law enforcement and emergency services to County residents. Future development could result in the need for construction of new or expanded law enforcement and emergency response facilities in order to maintain adequate service ratios and other performance standards. The construction of new facilities could result in physical environmental impacts. The General Plan EIR concluded that future development would be subject to applicable laws and regulations, the policies and implementation programs of the General Plan, and mitigation measures identified in the EIR. The adverse physical impacts associated with construction of new or expanded law enforcement and emergency services facilities would be consistent with the impacts of the types of development evaluated in the EIR, and potentially significant impacts would be mitigated, to the extent feasible, as described in the relevant resource sections. In some cases, mitigation measures would not reduce impacts; because not all potentially significant impacts can be reduced, the impact of constructing new or expanded law enforcement and emergency services facilities, the General Plan EIR concluded this impact to be significant and unavoidable.

The Project site would be served by the Oxnard Police Department and the nearest police station is located approximately 2.9 miles east of the Project site. The Project would be operated remotely from an operations center with monitoring at all times. The Project's perimeter secured by a 7-foot-tall chain-link vine-covered fence topped with barbed wire. The security monitoring would send automatic notifications to operations personnel and/or a qualified central monitoring station in the event of an emergency. Remotely monitored security cameras will also be installed with County Code required lighting designed to maximize a "night sky" effect. Additionally, the entire Project site will be surrounded by productive agriculture, providing year-round visual screening to limit the equipment from public views (Condition of Approval No. 20). Mitigation Measure PS-1 identified in the General Plan EIR is not applicable to the Project as it is a directive to the County to develop a program to require the County to review the Project for law enforcement security measures. However, this Project has been reviewed for law enforcement security measures in accordance with the purpose of Mitigation Measure PS-1 and has been determined to be less than significant. The Project would not alter service ratios or other performance standards that would result in the need for

new or expanded law enforcement and emergency services facilities. Further, uniformly applied development policies or standards would minimize potential impacts.

Therefore, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection services, and impacts would be less than significant. As previously discussed, the General Plan EIR identified significant and unavoidable impacts related to police protection services. However, the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

### **Schools?**

The General Plan EIR identified that the ISAG threshold criterion for Education - Schools addresses potential project interference with operations of an existing school. The General Plan provides for orderly growth and future development, which would be concentrated within the Existing Community area designation (boundary) and Urban area designation (boundary). Programmatic land use planning under the General Plan was determined to reduce the potential for interference with school operations. With respect to school enrollment, ISAG Section 34a notes that the development fees authorized by Senate Bill 50 are deemed to be "full and complete school facilities mitigation" pursuant to Section 65996 of the California Government Code. These provisions would remain in place so long as subsequent State bonds are approved and available. The requisite school fees would be collected before issuance of building permits, which would ensure that potential impacts remain less than significant. Therefore, the General Plan EIR concluded that no impact would occur, and this issue was not discussed further.

The Project would not include the development of residential uses that could result in the generation of a student population. Therefore, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives, and impacts would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to schools, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

### **Parks?**

The General Plan EIR concluded that implementation of the General Plan would result in a potentially significant impact related to requiring expansion or construction of new parks and recreation facilities (Impact 4.15-5); this impact was identified as significant and unavoidable. The General Plan EIR identifies potentially feasible mitigation measures, where impacts are potentially significant, that would avoid or substantially lessen the impact. However, no additional mitigation measures were identified. The forecasted population growth within the County may result in physical deterioration of existing parks and recreational facilities, however, implementation of General Plan policies would require the expansion of existing park and recreation facilities or construction of new facilities in order to avoid physical deterioration from overuse and to maintain an acceptable ratio of parklands to population. The potential physical environmental impacts resulting from the construction of new or expanded public facilities within the county were evaluated throughout the General Plan EIR. The physical environmental impacts that would result from development of new or expanded parks and recreation facilities are similar to the impacts of other types of future development that would be accommodated by the General Plan (e.g., air quality, noise, water quality). Each of these environmental impact areas were evaluated throughout the General Plan EIR, and in some cases, concluded to be significant and unavoidable.

The Project site is located in a non-urbanized area in the center of the Ventura-Oxnard Greenbelt, surrounded by agricultural fields. The nearest park and recreational facilities include Cabrillo Park, located approximately 1.38 miles east of the project site, and River Ridge Golf Course, located approximately 0.57 mile northeast of the project site. The Project does not propose residential uses that would result in an increase in population, and the Project would be unoccupied and monitored remotely. Therefore, the Project would not result in an increase in use of existing parks or other recreational facilities such that substantial physical deterioration occurs or requires the construction or expansion of recreational facilities.

As previously discussed, the General Plan EIR identified a significant and unavoidable impact. However, for reasons stated above, the Project would result in a less than significant impact. Because the Project would not result in significant impacts for the reasons detailed above, the Project would be consistent with the analysis within the General Plan EIR because it would not create new impacts, increase impacts.

### **Other public facilities?**

The General Plan EIR concluded that implementation of the General Plan could result in the expansion or construction of new public libraries or other facilities (Impact 4.15-4). Future development could require the expansion or construction of facilities to meet increased demand or address overcrowding. The General Plan EIR concluded that future development would be subject to applicable laws and regulations, policies and implementation programs of the General Plan, and mitigation measures identified in the EIR. The adverse physical impacts associated with construction of new or expanded public libraries and other facilities would be consistent with the impacts of the types of development evaluated in the EIR, and potentially significant impacts would be mitigated, to the extent feasible, as described in the relevant resource sections. In some cases, mitigation measures would not reduce impacts; because not all potentially significant impacts can be reduced, the impact of constructing new or expanded law enforcement and emergency services facilities, the General Plan EIR concluded this impact to be significant and unavoidable.

The Project would not include the development of residential uses that would result in an increased demand for other public facilities. The Project site would be remotely operated and does not propose any residential uses. As a result, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered public libraries and other facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives, and impacts would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to other public facilities, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

### **Applicable Mitigation Measures or Uniformly Applied Development Policies or Standards**

Mitigation measures identified in the General Plan EIR are not applicable to the Project. The following uniformly applied development policies or standards applicable to public services would be incorporated into the Project:

- ▶ Ventura County Fire Protection District Codes, Ordinances, and Standards
- ▶ California Public Utilities Code Section 761.3

### **Conditions of Approval and Impact Minimization Measures**

The following conditions of approval and impact minimization measures would be incorporated to further minimize impacts to public services:

#### **Condition of Approval Number 20: Productive Agriculture Screening Requirement.**

The project site will be screened from Gonzales Road, 5th Street, and adjacent properties with an productive agriculture and vine-covered fencing to ensure compatibility with the character of the surrounding development as

required by NCZO Section 8111-1.2.1.1a (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

**Condition of Approval Number 48: Code Compliance**

Applicant shall comply with all current Ventura County Fire Protection District Codes, Ordinances, and Standards.

**Condition of Approval Number 49: Apparatus Access Roads**

Fire apparatus access roads shall comply with Public Road Standards, Ventura County Fire Apparatus Access Code: Ordinance 29, and Ventura County Fire Department Standard 501, whichever is most restrictive. Fire apparatus access roads designed for two-way traffic shall have an unobstructed width of not less than 24 feet.

**Condition of Approval Number 50: Dead-End Roads and Secondary Access**

The maximum length of dead-end roads shall not exceed 800 feet. Two means of ingress/egress shall be provided in accordance with VCFPD access standards.

**Condition of Approval Number 51: Secondary Access**

When secondary access is required, the width, grade, vertical and horizontal curves, and construction standards shall be the same as required for the primary access road. The minimum separation of primary and secondary access roads in areas determined non-hazardous fire areas shall be 300 feet. Separation shall be measured at the point which each road terminates at a location where a vehicle operator can choose two independent directions in which to travel.

**Condition of Approval Number 52: Roadway Extensions**

Where the access road extends beyond the access point, the extended roadway shall comply with all of the requirements for fire apparatus access roads.

**Condition of Approval Number 53: Road Surface Construction and Grade Limitations**

Fire apparatus access roads serving commercial and industrial occupancies shall have a structural cross section and surface complying with the public for road standards the jurisdiction in which the project is located and grades shall not exceed 10%.

**Condition of Approval Number 54: Vertical Curve**

The vertical curve of a fire apparatus access roads serving commercial and industrial occupancies shall not allow for transitions between grades that exceed 6% elevation change along any 10-foot section. These transitions shall include angle of approach, angle of departure, and high centering of fire apparatus.

**Condition of Approval Number 55: Vertical Clearance**

All access roads shall have a minimum vertical clearance of 13 feet 6 inches (13' 6"). Clear of building to sky.

**Condition of Approval Number 56: Access Road Certification**

The access road(s) shall be certified by a registered civil engineer as having an all-weather surface in conformance with Public Works and/or Fire District standards. This certification shall be submitted to the Fire District for review and approval prior to occupancy.

**Condition of Approval Number 57: Fire Lanes**

Prior to construction the applicant shall submit a scaled site plan to the Fire District for approval of the location of fire lanes. Prior to occupancy, all fire lanes shall be posted "NO PARKING-FIRE LANE-TOW AWAY" in accordance with California Vehicle Code, the California Fire Code and current VCFPD Fire Lane Standards. All signs and or Fire Lane markings shall be within recorded access easements.

**Condition of Approval Number 58: Access Road Gates**

Any gates to control vehicle access are to be located to allow a vehicle waiting for entrance to be completely off the intersecting roadway. A minimum clear open width of 15-feet in each direction shall be provided for separate

entry/exit gates and a minimum 20-feet for combined entry/exit gates. If gates are to be locked, a Knox system shall be installed. The method of gate control, including operation during power failure (battery back-up), shall be subject to review by the Fire Prevention Division. Gate plan details shall be submitted to the Fire District for approval prior to installation. A final acceptance inspection by the Fire District is required prior to placing any gate into service.

**Condition of Approval Number 59: Fire-Flow Verification**

The minimum fire-flow required shall be determined as specified by the current adopted edition of the California Fire Code Appendix B with adopted Amendments and the applicable Water Works Manual for the jurisdiction (whichever is more restrictive). The applicant shall provide to the Fire District verification from the water purveyor that the purveyor can provide the required fire flow of 1,500 gallons per minute at 20 psi for a minimum 2-hour duration, 180,000 gallons total volume.

**Condition of Approval Number 60: Alternate Water Supply**

If the water purveyor certifies that the system cannot provide the required fire flow and duration and approves the use of a private water system, or there is no water purveyor, a private fire water supply shall be installed in accordance with current VCFD requirements, the current California Fire Code, and NFPA Standards 22 and 24. Plans shall be submitted to the Fire District for review and approval prior to installation. Adequate water storage for fire protection shall be provided prior to construction in accordance with Fire District standards.

**Condition of Approval Number 61: Fire Hydrant(s) Required**

Fire hydrant(s) shall be provided in accordance with the current adopted edition of the California Fire Code, Appendix C and adopted amendments. On-site fire hydrants shall be required as determined by the Fire District.

**Condition of Approval Number 62: Fire Hydrant Design (Commercial, Industrial, Multi-family buildings)**

Fire hydrants shall be installed and in service prior to combustible construction and shall conform to the minimum standard of the Ventura County Waterworks Manual and the following.

- ▶ Each hydrant shall be a 6-inch wet barrel design and shall have one 4-inch and two 2 ½-inch outlet(s).
- ▶ The required fire flow shall be achieved at no less than 20-psi residual pressure.
- ▶ Fire hydrants shall be set back from the curb face 24-inches on center.
- ▶ No obstructions, including walls, trees, lights, signposts, and meters shall be placed within three feet of any hydrant.
- ▶ A concrete pad shall be installed extending 18-inches in all directions from the fire hydrant.
- ▶ Ground clearance to the lowest operating nut shall be between 18 to 24-inches.

**Condition of Approval Number 63: Water System Plans**

Plans for water systems supplying fire hydrants and/or fire sprinkler systems and not located within a water purveyor's easement, shall be submitted to the Fire District for review and approval prior to issuance of grading and/or building permits or signing of grading plans, whichever is first. Plans shall reflect only dedicated private fire service lines and associated appurtenances.

**Condition of Approval Number 64: Hydrant Location Markers**

Prior to occupancy of any structure, blue reflective hydrant location markers shall be placed on the access roads in accordance with Fire District standards. If the final asphalt cap is not in place at time of occupancy, hydrant location markers shall still be installed and shall be replaced when the final asphalt cap is completed.

**Condition of Approval Number 65: Fire Sprinklers**

All structures shall be provided with an automatic fire sprinkler system in accordance with California Building Code and California Fire Code requirements, and current Ventura County Fire Ordinance at time of building permit application.

**Condition of Approval Number 66: Fire Protection System Plans**

Plans for all fire protection systems (sprinklers, dry chemical, hood systems, etc.) shall be submitted to the Fire District for review and approval prior to installation. Note: Fire sprinkler systems with 20 or more heads shall be supervised by a fire alarm system in accordance with Fire District requirements.

**Condition of Approval Number 67: Fire Alarm System**

A fire alarm system shall be installed in all buildings in accordance with the California Building Code and California Fire Code requirements.

**Condition of Approval Number 68: Fire Alarm/Sprinkler Monitoring Plans**

Plans for any fire alarm system or sprinkler monitoring system shall be submitted to the Fire District for review and approval prior to installation.

**Condition of Approval Number 69: Electrical Energy Storage Systems**

The design, construction, installation, commissioning, operation, maintenance, and decommissioning of stationary energy storage systems shall comply with 2022 California Fire Code Section 1207 and NFPA 855 as applicable.

**Condition of Approval Number 70: Construction Permits**

A construction permit is required to install Electrical Energy Storage Systems regulated by 2022 California Fire Code Section 1207. Plans shall be submitted to the Fire District for review and approval prior to installation.

**Condition of Approval Number 71: Fire Department Clearance**

Applicant shall submit VCFD Form #610, Fire Permit Application, prior to obtaining a building permit for any new structures.

**Condition of Approval Number 72: Address Numbers (Commercial, Industrial, Multi-family buildings)**

Building address numbers, a minimum of 10-inches high, shall be installed prior to occupancy, shall be of contrasting color to the background, and shall be readily visible at night. Brass or gold-plated numbers shall not be used. Where structures are set back more than 150-feet from the street, larger numbers will be required so that they are distinguishable from the street. In the event a structure(s) is not visible from the street, the address number(s) shall be posted adjacent to the driveway entrance on an elevated post. Individual unit numbers shall be a minimum of 4-inches in height and shall be posted at the front and rear entrance to each unit. Additional address directional signs may be required at common building entrances and stairways.

## RECREATION

### Summary of Findings

With regard to Recreation, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the General Plan EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the General Plan EIR.
4. No mitigation measures contained within the General Plan EIR would be required because Project specific impacts would be less than significant.
5. No uniformly applied development policies or standards would be required to substantially mitigate Project specific impacts to recreation, and no conditions of approval or impact minimization measures would be incorporated to further minimize potential impacts to recreation.

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
<b>16. Recreation.</b>						
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	GP EIR pp 4.15-14 to 4.15-15 Impact 4.15-5	No	No	No	No	N/A
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	GP EIR pp 4.15-14 to 4.15-15 Impact 4.15-5	No	No	No	No	N/A

### Discussion

- 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?**
- Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?**

The General Plan EIR concluded that implementation of the General Plan would result in a potentially significant impact related to requiring expansion or construction of new parks and recreation facilities (Impact 4.15-5); this impact was identified as significant and unavoidable. The General Plan EIR identifies potentially feasible mitigation

measures, where impacts are potentially significant, that would avoid or substantially lessen the impact. However, no additional mitigation measures were identified. The forecasted population growth within the County may result in physical deterioration of existing parks and recreational facilities, however, implementation of General Plan policies would require the expansion of existing park and recreation facilities or construction of new facilities in order to avoid physical deterioration from overuse and to maintain an acceptable ratio of parklands to population. The potential physical environmental impacts resulting from the construction of new or expanded public facilities within the county were evaluated throughout the General Plan EIR. The physical environmental impacts that would result from development of new or expanded parks and recreation facilities are similar to the impacts of other types of future development that would be accommodated by the General Plan (e.g., air quality, noise, water quality). Each of these environmental impact areas were evaluated throughout the General Plan EIR, and in some cases, concluded to be significant and unavoidable.

The Project site is located in a non-urbanized area in the center of the Ventura-Oxnard Greenbelt, surrounded by agricultural fields. The nearest park and recreational facilities include Cabrillo Park, located approximately 1.38 miles east of the project site, and River Ridge Golf Course, located approximately 0.57 mile northeast of the project site. The Project would not result in an increase in population, as it would be unoccupied and controlled remotely. Therefore, the Project would not result in an increase in use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration occurs or requires the construction or expansion of recreational facilities. As previously discussed, the General Plan EIR identified a significant and unavoidable impact. However, for reasons stated above, the Project would result in a less than significant impact. Because the Project would not result in significant impacts for the reasons detailed above, the Project would be consistent with the analysis within the General Plan EIR because it would not create new impacts, increase impacts.

### **Applicable Mitigation Measures or Uniformly Applied Development Policies or Standards**

No mitigation measures were identified in the General Plan EIR that are not applicable to the Project. There are no uniformly applied development policies or standards applicable to recreation.

### **Conditions of Approval and Impact Minimization Measures**

There are no conditions of approval and impact minimization measures applicable to recreation.



# TRANSPORTATION AND TRAFFIC

## Summary of Findings

With regard to Transportation and Traffic, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts that the General Plan EIR did not discuss.
3. No substantial new information has been identified, which result in an impact that is more severe than anticipated by the General Plan EIR.
4. No mitigation measures contained within the General Plan EIR would be required because Project-specific impacts would be less than significant.
5. No uniformly applied development policies or standards would be required to substantially mitigate impacts to traffic and transportation. However, conditions of approval and impact minimization measures would be incorporated to further minimize potential impacts to transportation and traffic.

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
<b>17. Transportation and Traffic. Would the project:</b>						
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	GPEIR pp. 4.16-34 to 4.16-35 Impact 4.16-4	No	No	No	No	Yes
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	GP EIR pp. 4.16-23 to 4.16-28 Impact 4.16-1	No	No	No	No	N/A
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	GP EIR pp. 4.16-28 to 4.16-33 Impact 4.16-2	No	No	No	No	Yes
d) Result in inadequate emergency access?	GP EIR pp. 4.16-33 to 4.16-34 Impact 4.16-3	No	No	No	No	Yes

## Discussion

### a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

The General Plan EIR concluded that implementation of the General Plan would improve existing bicycle and pedestrian infrastructure in the county and would increase the safety of as well as expand access to public transportation facilities (Impact 4.16-4). This impact was determined to be less than significant.

### Public Transit Services and Facilities

The nearest existing public transit facilities are located approximately 0.5 mile east of the Project site and serve Gold Coast Transit Bus Routes 19 and 21 (Gold Coast Transit District 2024). The Project would involve the construction of a new internal roadway and the construction of ingress/egress access driveways along West Gonzales Road and the existing dirt roads to the east and west of the Project site. The Project would not permanently alter the surrounding physical transportation network and thus would not disrupt existing transit services or facilities or interfere with the implementation of planned transit facilities and services contained in adopted programs, plans, policies, or ordinances.

### Bicycle and Pedestrian

There are no existing pedestrian facilities along West Gonzales Road or the roadway network in the vicinity of the Project site. There are Class II bicycle lanes present along West Gonzales Road and along North Victoria Avenue, approximately 0.5 miles east of the Project site (Ventura County 2023). In addition, the draft *Ventura County Active Transportation Plan* recommends the implementation of Class IIB buffered bicycle lanes along North Victoria Avenue and along West Gonzales Road between North Victoria Road and Harbor Boulevard (Ventura County 2023). Implementation of the Project would not modify the surrounding roadway network, and thus would not adversely affect any existing bicycle or pedestrian facilities or interfere with any proposed facilities included in the *Ventura County Active Transportation Plan*. However, construction activities within the public right-of-way (i.e., along West Gonzales Road) could intermittently reduce, disrupt, or temporarily eliminate access to portions of the Class II bicycle lanes.

The Project would be required to obtain an encroachment permit from the Ventura County Public Works Agency (Condition of Approval No. 44). Section 12305 of the *Ventura County Ordinance Regarding Encroachments on County Highways* requires that the permittee must provide traffic control, in accordance with the *California Manual on Uniform Traffic Control Devices* (CA-MUTCD), for all work within County right-of-way (Ventura County 2019). The CA-MUTCD includes guidance to ensure the safe movement of vehicles, bicyclists, and pedestrian traffic. Therefore, implementation of traffic control would minimize disruption to existing bicycle facilities during construction, consistent with General Plan Policy CTM-2.4 which aims to provide safe operating conditions for all appropriate modes and uses on County roadways (Ventura County 2020). In addition, the Ventura County Public Works Agency would monitor construction and verify that work is performed in accordance with the encroachment permit conditions (Condition of Approval No. 44). For these reasons, the Project would not conflict with planned bicycle or pedestrian facilities, or any adopted guidelines, policies, plans, or standards related to such facilities.

Implementation of the Project would not require the permanent modification of any existing or planned transit, pedestrian, or bicycle facilities. During construction, the Project contractor would implement traffic control measures to provide for the safe movement of vehicles, bicycles, and pedestrians. For these reasons, the Project would not adversely affect any existing or planned roadway, transit, bicycle, or pedestrian facility and would not conflict with plans, policies, or standards related to such facilities. Therefore, the Project would be consistent with the analysis in the General Plan EIR because it would not create new significant impacts or increase the severity of previously identified significant impacts as a result of substantial new information that was not known when the General Plan EIR was certified.

**b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?**

The General Plan EIR identified that implementation of the General Plan would exceed the applied OPR VMT thresholds for residential, office, industrial, retail, agriculture, and infrastructure projects (Impact 4.16-1). The General Plan EIR determined that the policies and implementation programs described in the 2040 General Plan were designed to reduce VMT impacts that would result from implementation of the General Plan to a reasonable extent. For example, CTM-4.1 and CTM Implementation Programs B and C were designed to specifically address VMT evaluation, analysis, and reduction standards for future development projects. Implementation of Mitigation Measure CTM-1 requires the County to include a new implementation program in the 2040 General Plan related to interim VMT CEQA assessment criteria. Mitigation Measure CTM-2 requires the County to include a revised implementation program related to initial study assessment guidelines in the 2040 General Plan, and Mitigation Measure CTM-3 requires the County to include a revised VMT reduction program in the 2040 General Plan. Although Mitigation Measures CTM-1, CTM-2, and CTM-3 would reduce the rate of VMT associated with implementation of the General Plan, the General Plan EIR concluded that it would not be possible to reduce VMT from the growth accommodated by the 2040 General Plan to a less-than-significant level. This impact was identified as significant and unavoidable.

Construction activities associated with the Project would not result in long-term increases in vehicular trips along roadways surrounding the Project area because construction would be temporary and intermittent in nature. In addition, the VMT generated by construction personnel during Project construction would not be newly generated; instead, it is redistributed throughout the regional roadway network based on the different work sites to which construction personnel travel each day. Therefore, because construction personnel travel on the regional roadway network to access various sites each workday, construction personnel would not generate a substantial number of trips, and therefore VMT, over existing conditions.

The Project would be unoccupied on a daily basis and controlled remotely only requiring regular maintenance visits that are anticipated to occur weekly. Therefore, the Project would require a minimal number of trips during operations and is not anticipated to generate a substantial increase in VMT. Therefore, the Project would not conflict or be inconsistent with State CEQA Guidelines Section 15064.3. For the reasons detailed above, the Project would not create new significant impacts or increase the severity of previously identified significant impacts as a result of substantial new information that was not known when the General Plan EIR was certified.

**c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

The General Plan EIR identified that compliance with General Plan Policies CTM-2.3 and LU-16.5 would ensure that discretionary development is consistent with County standards related to geometric design hazards and that, if needed, mitigation measures would be identified and implemented to minimize or eliminate potential hazards (e.g., inadequate sight distance, sharp roadway curvature). The General Plan EIR also identified that implementation of the General Plan could result in transportation hazards along roadways within designated substandard roadway impact areas, including along Box Canyon Road and portions of Katherine Road in the Santa Susana Knolls community, and along portions of Lynn Road, Ventu Park Road, and Haigh Road in the Ventu Park community (Impact 4.16-2). The implementation of Mitigation Measure CTM-4, which requires the County to include an Updated Traffic Fee Mitigation Program in the 2040 General Plan, would reduce hazards due to design features or incompatible use. However, the General Plan EIR determined that no additional feasible mitigation was available to eliminate safety concerns associated with identified substandard roadways. This impact was determined to be significant and unavoidable.

The Project would not require the construction of any new public roadways; however, modification of existing roadways would occur along West Gonzales Road and existing dirt roads to provide access to the Project site. In addition, a 26-foot access road loop around the perimeter and between BESS equipment (see Figure 5) would be constructed within the Project site. The Project would be required to comply with General Plan Policy CTM-2.3 which requires discretionary development with access onto a county road to have the access point(s) designed and built to County standards (Ventura County 2020). The new internal roadway and access driveways would be designed and constructed in accordance with County Road Standards, the Driveways and Curb Cuts Brochure, and the County's

Access Policies (Condition of Approval No. 44). Therefore, modification of existing roadways associated with the Project and the new internal roadway would be constructed to allow for the safe movement of vehicles navigating the vicinity of the Project site.

For the reasons detailed above, the Project would not substantially increase hazards due to a design feature or incompatible use. The Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts or increase the severity of previously identified significant impacts as a result of substantial new information that was not known when the General Plan EIR was certified.

#### **d) Result in inadequate emergency access?**

The General Plan EIR determined that implementation of the General Plan would result in an increased number of users on the County transportation systems which could adversely affect emergency access (Impact 4.16-3). The implementation of Mitigation Measure CTM-5, which requires the County to include a policy in the General Plan to ensure that all new discretionary projects fully evaluate potential impacts to emergency access, and Mitigation Measure CTM-6, which requires the County to include a policy in the General Plan to plan capital improvements to provide appropriate emergency access, would reduce impacts related to emergency access. However, because not all transportation infrastructure with inadequate emergency access would be upgraded and enhanced within the timeframe of the 2040 General Plan, the General Plan EIR identified that this impact would be significant and unavoidable.

The Project would involve the construction of new gated access driveways and an access road loop around the perimeter and in between the BESS equipment. An emergency response plan would be prepared for the Project, as required by Public Utility Code Section 761.3(g)(1), as may be amended. The plan would establish the response procedures for an equipment malfunction or failure; develop procedures to ensure the safety of surrounding residents, properties, emergency responders, and the environment; create notification and communication procedures between the facility and local emergency management agencies; and be developed in consultation with the local emergency management agencies. The Project applicant would be required to comply with all current Ventura County Fire Protection District Codes, Ordinances, and Standards (Condition of Approval No. 48). Ventura County Fire Protection District Ordinance Number 32 adopts the 2022 California Fire Code by reference, which includes standards for emergency vehicle access during construction (VCFD 2023). In addition, as detailed above, the Project applicant would be required to develop and implement traffic control prepared in accordance with the CA-MUTCD for construction work that would occur within public right-of-way. Section 6B.01.7D of the CA-MUTCD states that the needs of emergency service providers should be assessed, and appropriate coordination made when developing traffic control. Therefore, adequate emergency access would be provided and maintained during Project construction.

All fire apparatus access roads would comply with Public Road Standards, Ventura County Fire Apparatus Access Code: Ordinance 29, and VCFD Standard 501, whichever is most restrictive, thus ensuring that adequate emergency access would be provided (Condition of Approval No. 49). Additionally, fire apparatus access roads designed for two-way traffic would have an unobstructed width of not less than 24 feet. Access to the Project site would be provided through four gates, each equipped with a Knox box. Gate plan details would be submitted to the Fire District for approval prior to installation and a final acceptance by the Fire District would be required prior to placing any gate into service (Condition of Approval No. 58).

For these reasons, the Project would be designed to meet applicable access and design standards, and the Project would not result in inadequate emergency access. Therefore, the Project would be consistent with the analysis of the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts as a result of substantial new information that was not known when the General Plan EIR was certified.

## Applicable Mitigation Measures or Uniformly Applied Development Policies or Standards

Mitigation measures identified in the General Plan EIR are not applicable to the Project. The following uniformly applied development policies or standards applicable to transportation and traffic would be incorporated into the project:

- ▶ Section 12305 of the Ventura County Ordinance Regarding Encroachments on County Highways
- ▶ **Ventura County General Plan Policy CTM-2.3: County Road Access.** The County shall require discretionary development with access onto a County road to have the access point(s) designed and built to County standards.
- ▶ California Public Utilities Code Section 761.3

## Conditions of Approval and Impact Minimization Measures

The following conditions of approval and impact minimization measures would be incorporated into the Project to further minimize impacts:

### Condition of Approval No. 44: Driveway Access

Driveway access shall be in accordance with the County Road Standards, the Driveways and Curb Cuts Brochure, and the County's Access Policies (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

### Condition of Approval No. 48: Code Compliance

Applicant shall comply with all current Ventura County Fire Protection District Codes, Ordinances, and Standards.

### Condition of Approval No. 49: Apparatus Access Roads

Fire apparatus access roads shall comply with Public Road Standards, Ventura County Fire Apparatus Access Code: Ordinance 29, and VCFD Standard 501, whichever is most restrictive. Fire apparatus access roads designed for two-way traffic shall have an unobstructed width of not less than 24 feet.

### Condition of Approval No. 58: Access Road Gates

Any gates to control vehicle access are to be located to allow a vehicle waiting for entrance to be completely off the intersecting roadway. A minimum clear open width of 15-feet in each direction shall be provided for separate entry/exit gates and a minimum 20-feet for combined entry/exit gates. If gates are to be locked, a Knox system shall be installed. The method of gate control, including operation during power failure (battery back-up), shall be subject to review by the Fire Prevention Division. Gate plan details shall be submitted to the Fire District for approval prior to installation. A final acceptance inspection by the Fire District is required prior to placing any gate into service.

## TRIBAL CULTURAL RESOURCES

### Summary of Findings

With regard to Tribal Cultural Resources, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the General Plan EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the General Plan EIR.
4. No mitigation measures contained within the General Plan EIR would be required because Project specific impacts would be less than significant.
5. Uniformly applied development policies or standards would be required to substantially mitigate impacts to tribal cultural resources and conditions of approval and impact minimization measures would be incorporated to further minimize potential impacts to tribal cultural resources.

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
<b>18. Tribal Cultural Resources.</b>						
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:						
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	GP EIR pp.4.5-21 to 4.5-24 Impact 4.5-3	No	No	No	No	Yes
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	GP EIR pp.4.5-21 to 4.5-24 Impact 4.5-3	No	No	No	No	Yes

## Discussion

- a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?
- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

The General Plan EIR concluded that implementation of the General Plan could result in the potential loss of tribal cultural resources because it is possible that tribal cultural resources could be identified or discovered during project-specific analysis and/or development of future development under the General Plan. The General Plan EIR concluded that ground-disturbing activities associated with implementation of the General Plan could result in a substantial change in the significance of a tribal cultural resource (Impact 4.5-3). However, impacts would be reduced with implementation of Mitigation Measures: CUL-1a, CUL-1b, and CUL-1c that require discretionary development projects protect existing resources and avoid potential impacts to the maximum extent feasible regulations. However, these mitigation measures would not prevent the loss of archaeological resources that could qualify as tribal cultural resources; implementation of Mitigation Measure CUL-2 would require the identification of listed, eligible, or unevaluated sites in coordination with the Cultural Heritage Board. Further, policy modifications provide the opportunity for the Cultural Heritage Board to offer project-level recommendations and guidance to ensure that efforts are made to avoid, preserve, or otherwise mitigate impacts to historic resources; and Mitigation Measures CUL-4 and CUL-5 would provide clearer language related to the preservation of tribal cultural resources, identify coordination with the Native American Heritage Center, and require when necessary, consultation with tribal and preservation groups. However, it is still possible that future development resulting from the General Plan could uncover previously unknown tribal cultural resources during project-level construction activities, the discovery of which may result in damage, destruction, or changes in significance, of tribal cultural resources. Therefore, the full protection of tribal cultural resources cannot be guaranteed at the program level of analysis. In addition, the General Plan EIR concluded there were no actions or policies that the County could feasibly mandate to fully replace the loss of tribal cultural resources; this impact was identified as significant and unavoidable.

Ventura County General Plan Policy COS-4.4 was established in response to General Plan EIR Mitigation Measure CUL-1a, which requires that all discretionary development projects be assessed for potential tribal, cultural, historical, paleontological, and archaeological resources by a qualified professional and shall be designed to protect existing resources. Additionally, Implementation Programs HH and II were established in response to General Plan EIR Mitigation Measures CUL-1b and CUL-1c, respectively, which require a records search and Sacred Lands File search with the South Central Coastal Information Center for discretionary projects, and procedures for the protection and avoidance of cultural resources. In accordance with Policy COS-4.4 and Implementation Programs HH and II, a records search and reconnaissance survey were conducted by Envicom. No archaeological sites, including those that could qualify as tribal cultural resources, were identified within the Project site as a result of this investigation (Envicom 2024).

The project was also submitted to the NAHC to obtain a consultation list of tribes that are traditionally and culturally affiliated with the geographic area of the project in accordance with Public Resources Code section 21080.3.1(c). On September 30, 2024, the project was submitted to the contacts provided on the NAHC list via email and certified mail, requesting that those tribes interested in consultation request consultation from the County within 30 days of the notice pursuant to Government Code Section 21080.3.1 and 21080.3.2. As of the date of the public hearing for the project, only Chairman Gabriel Frausto with the Coastal Band of the Chumash Nation requested a consultation. Following consultation with the Coastal Band of the Chumash Nation, the presence of potential archeological resources within the project site was identified. Therefore, the Permittee has agreed to archaeological monitoring of

development below 12 inches in depth to avoid impacting any potential resources (Condition of Approval No. 23). Finally, the project is conditioned to require that the Permittee stops work and analyzes any paleontological or archaeological finds should they be discovered during ground disturbance (Condition of Approval Nos. 23 and 24). The Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts or increase the severity of previously identified significant impacts as a result of substantial new information that was not known when the General Plan EIR was certified.

### **Applicable Mitigation Measures or Uniformly Applied Development Policies or Standards**

Mitigation measures identified in the General Plan EIR are not applicable to the Project. The following uniformly applied development policy or standard would be incorporated into the Project:

- ▶ **Ventura County General Plan Implementation Program II: Cultural, Historical, Paleontological, and Archaeological Resource Assessment Procedures.** For discretionary projects, the County shall require the following:
  - Projects shall be designed to protect existing resources and shall avoid potential impacts to the maximum extent feasible.
  - If determined necessary by the County, an archaeological or paleontological and/or Native American monitor shall be retained to monitor ground-disturbing activities during construction.
  - If any materials or artifacts are discovered during ground disturbance and/or construction activities, construction shall halt until a qualified archaeologist, paleontologist, or Native American monitor can access the discovery. A report or memorandum shall be prepared by the qualified monitor documenting any findings and identifying recommendations for protection or avoidance of discovered resources. Recommendations or mitigation identified by the qualified monitor shall be implemented prior to commencing.

### **Conditions of Approval and Impact Minimization Measures**

The following conditions of approval and impact minimization measures would be incorporated into the project to further minimize impacts:

#### **Condition of Approval Number 23: Archaeological Resources**

In order to mitigate potential impacts to archaeological resources inadvertently discovered during ground disturbance, the Permittee shall implement procedures and recommendations for monitoring and the proper disposition of resources prior to continuation of construction (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

#### **Condition of Approval Number 24: Paleontological Resources Inadvertently Discovered During Grading**

In order to mitigate potential impacts to archaeological resources inadvertently discovered during ground disturbance, the Permittee shall implement procedures and recommendations for proper disposition of the resource prior to continuation of construction (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).



## UTILITIES

### Summary of Findings

With regard to the issue area of Utilities, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the General Plan EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the General Plan EIR.
4. No mitigation measures contained within the General Plan EIR would be required because Project specific impacts would be less than significant.
5. No uniformly applied development policies or standards would be required to substantially mitigate impacts to utilities. However, conditions of approval and impact minimization measures would be incorporated to further minimize potential impacts to utilities.

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
<b>19. Utilities. Would the project:</b>						
a) Require or result in the relocation or construction of construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	GP EIR pp. 4.17-10 through 4.17-12 Impact 4.17-1, Impact 4.17-2	No	No	No	No	N/A
b) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	GP EIR pp. 4.17-14 through 4.17-19 Impact 4.17-4	No	No	No	No	N/A
c) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has inadequate capacity to serve the project's projected demand, in addition to the provider's existing commitments?	GP EIR pp. 4.17-12 to 4.17-13 Impact 4.17-3	No	No	No	No	N/A

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/ Resolve Impacts?
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	GP EIR pp. 4.17-19 to 4.17-20 Impact 4.17-5	No	No	No	No	N/A
e) Fail to comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	GP EIR p. 4.17-5 Issue dismissed	No	No	No	No	N/A

## Discussion

- a) **Require or result in the relocation or construction of construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?**

The General Plan EIR identified any necessary connections for future development under the General Plan would be constructed before occupancy and in a manner that would minimize the potential for utility service disruption of existing uses. Therefore, the General Plan EIR concluded implementation of the General Plan would not cause a substantial disruption or rerouting of utility facilities and the impact was concluded to be less than significant (Impact 4.17-1). The General Plan EIR concluded that implementation of the General Plan would result in a potentially significant impact related to the construction of new or expanded utility infrastructure (Impact 4.17-2); this impact was identified as potentially significant. Future development that could be accommodated under the General Plan was discussed in the General Plan EIR and General Plan Policies, such as PFS-1.7, PFS-4.1, PFS-7.1, PFS-7.5, and WR-1.11, which would limit approval of discretionary development to locations where adequate public facilities, services, and infrastructure are available and functional, before occupancy, include coordination between the County and utility companies and service providers to ensure that gas, electric, and communication services are located appropriately to provide adequate services, require adequate provision of water supply for discretionary development, and requires connections to existing wastewater collection and treatment facilities, if available would reduce impacts. Additionally, to maintain adequate levels of services, the County would be required to prepare, adopt, and periodically update capital improvement programs for all County-owned and operated facilities through PFS Implementation Program A. The Ventura Local Agency Formation Commission's authority to regulate the jurisdictional boundaries of public agency service providers would help to ensure that adequate water and wastewater service capacity is available to serve future development. The General Plan EIR identified compliance with the policies and implementation programs of the General Plan could result in the construction of new or expanded infrastructure facilities. The General Plan EIR identified potentially feasible mitigation measures throughout the document, where potentially significant impacts were identified. However, because not all potentially significant impacts of the General Plan could be reduced to less than significant, and some significant and unavoidable impacts would result, the impact of constructing new or expanded utility infrastructure in response to increased demand under the General Plan was concluded to be significant and unavoidable.

The Project proposes the installation of a 400 MW BESS facility with a stored energy duration of 4 to 8 hours. The BESS would be charged from the regional grid primarily during high-renewables-supply/low-demand hours, typically

between 9 a.m. and 3 p.m., and discharged back to the grid during low-renewables-supply/high demand hours, typically an hour before sunset to 10 p.m. Underground conductors would connect the Project's electrical substations to SCE switchyard facilities, which in turn directly connect via underground conductors to SCE's existing Santa Clara-Mandalay 220kV transmission lines situated directly adjacent on a parallel 20-acre SCE-owned parcel, thereby eliminating the need for new offsite connecting transmission lines. The blocks of battery enclosures would gradually step down from north to south to conform with the existing terrain and the Project site would maintain its existing overall drainage pattern. Added runoff from the added imperviousness would be captured in a detention basin at the south end of the site with any release maintained in the pre-project condition. Water would be supplied using the existing on-site well that would be used to fill water storage tanks, for fire-water supply, and for irrigating the proposed agricultural screening that would surround the Project site. Additionally, the Project would install portable restroom and handwashing facilities for service technicians that would be provided and maintained in accordance with the conditions of approval set forth by the Ventura County Environmental Health Division and the project's COA (Condition of Approval No. 35). No public utility connections are needed aside from the underground conductors that would connect the Project's electrical substations to switchyard facilities. The Project would connect to existing electric facilities, and the Project is not expected to increase electrical demand that would result in the development of new or expanded infrastructure. Therefore, the Project would not require or result in the relocation or construction of construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects.

The Project would be consistent with the analysis within the General Plan EIR because it would not create new impacts or increase impacts that were concluded to be significant and unavoidable in the General Plan EIR. Further, uniformly applied development policies or standards would minimize potential impacts. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**b) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

The General Plan EIR concluded that implementation of the General Plan would potentially affect available water supplies during normal, single-dry, and multiple-dry year scenarios from public water suppliers, with adverse effects being more likely during single- and multiple-dry year scenarios (Impact 4.17-4); this impact was identified as potentially significant. The General Plan EIR identified General Plan policies contain various methods of water conservation and water planning for future development, however, existing County standards in the Ventura County Waterworks Manual do not guarantee that water supplies be available to serve all future development during normal, single-dry, and multiple-dry years. Mitigation Measure UTL-1, which requires the county to include Implementation Program WR-X in the 2040 General Plan and require a water supply assessment to be prepared for water-demand projects that require service from a public water system, prior to project approval was identified to reduce impacts. However, at the program level of analysis of the General Plan EIR, it was determined that it was not possible to conclude that adequate water supplies would be available during normal, single-, and multiple dry years to meet future demand in all locations of the county for all potential project types through 2040. As such, the General Plan EIR concluded impacts to be significant and unavoidable.

The Project would include the operation of productive agriculture that would necessitate the use of water supplies. Water for the Project would be supplied from an existing agricultural on-site well designated as SWN 02N22W31C02S. The existing well is registered for Agricultural use with an allocation of 213.852 acre-feet per year (Ventura County 2024c). The existing well would be used to fill the proposed water storage tanks and to irrigate the proposed orchard. Mitigation Measure UTL-1 is not applicable to the Project since the Project would not require the County to include an Implementation Program. Therefore, sufficient water supplies would be available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years. The impact would be less than significant.

As previously discussed, the General Plan EIR identified significant and unavoidable impacts related to water supplies. However, the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**c) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has inadequate capacity to serve the project's projected demand, in addition to the provider's existing commitments?**

The General Plan EIR concluded that implementation of the General Plan would not result in inadequate wastewater services to be provided to new development (Impact 4.17-3); this impact was concluded to be less than significant. The County is served by 16 wastewater collection, treatment, recycling, and disposal service providers, consisting of the County, county services areas, special districts, cities, and contract entities. With implementation of General Plan Policies PFS-4.1, WR-3.4, WR-3.2, and WR-3.3, implementation programs, and compliance with NPDES permitting requirements, the General Plan EIR concluded adequate wastewater services would be available for future development.

The Project does not include the development of uses that would generate wastewater. The Project would be unoccupied during operation and maintenance visits are anticipated to occur weekly and on an emergency basis. Portable restroom and handwashing facilities for service technicians would be provided and maintained in accordance with the Ventura County Environmental Health Division (Condition of Approval No. 35). As such, the Project would utilize portable restroom and handwashing facilities and would not connect to existing sewer infrastructure. The Project would not result in an increase in the amount of wastewater generated at the Project site. Therefore, the Project would not result in a determination by the wastewater treatment provider that serves or may serve the project that it has inadequate capacity to serve the project's projected demand, in addition to the provider's existing commitments, and the impact would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to wastewater treatment facilities, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

**d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

**e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

The General Plan EIR identified that implementation of the General Plan would support the long-term reduction of solid-waste generation in the county (Impact 4.17-5). The General Plan EIR identified General Plan Policies PFS-5.4, PFS-5.5, PFS-5.6, and PFS-5.9, which would promote solid waste reduction, recycling and composting efforts, direct the County to support beneficial reuse of agricultural waste for activities such as composting and energy generation, and value-added alternatives to waste disposal, and would encourage applicants for discretionary development to employ practices that reduce the quantities of waste generated and engage in recycling activities to reduce the volume of waste disposed of in landfills. The General Plan policies would reduce disposal quantities to landfills and would support State statutes and requirements related to waste reduction and diversion goals. The General Plan EIR identified that existing landfills within Ventura County have sufficient capacity to serve the county, and that future development would support waste reduction regulations and would not generate an excess of solid waste. The General Plan EIR concluded this impact to be less than significant.

Project construction may result in the generation of solid waste that would be collected and disposed of in a county landfill. However, existing landfills would have sufficient capacity to accommodate solid waste generated during construction. During operation, the Project would be monitored remotely. The Project would be required to comply with the Ventura County Code of Ordinances pertaining to the diversion of recyclables and organic waste materials from landfills through recycling, reuse, salvage, or compost (Condition of Approval No. 38). Additionally, the Project would be required to submit a comprehensive recycling plan and upload recycling receipts to their Recycling Plan (Conditions of Approval No. 39 and No. 40). However, operation of the Project is not anticipated to generate solid waste. Therefore, the Project would not 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 and would comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Impacts would be less than significant.

As previously discussed, the General Plan EIR did not identify significant impacts related to solid waste, and the Project would not result in a significant impact for this topic. Therefore, the Project would be consistent with the analysis within the General Plan EIR because it would not create new significant impacts, or increase the severity of previously identified significant impacts, as a result of substantial new information that was not known when the General Plan EIR was certified.

### **Applicable Mitigation Measures or Uniformly Applied Development Policies or Standards**

Mitigation measures identified in the General Plan EIR are not applicable to the Project. The following uniformly applied development policies or standards would be incorporated into the Project:

- ▶ **California Code of Regulations.** Title 14, Section 17409.2.
- ▶ **Ventura County Ordinance Code.** Division 4, Chapter 7, Article 3.

### **Conditions of Approval and Impact Minimization Measures**

The following conditions of approval and impact minimization measures would be incorporated into the Project to further minimize impacts:

#### **Condition of Approval Number 35: Portable Toilet and Handwashing Facilities**

The permittee shall include appropriate sanitary facilities for personnel at the site and ensure septage from portable toilets be removed and properly disposed of at an approved septage disposal site (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

#### **Condition of Approval Number 38: Refuse, Organic Waste, and Recycling Requirement**

The permittee shall work with a County-franchised solid waste hauler to ensure the project complies with Division 4, Chapter 7, Article 3 of the Ventura County Ordinance Code pertaining to the diversion of recyclables and organic waste materials generated by this project from local landfills through recycling, reuse, salvage, or compost (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

#### **Condition of Approval Number 39: Construction & Demolition Debris Recycling Plan**

The permittee shall submit a comprehensive recycling plan to ensure the project complies with Division 4, Chapter 7, Article 3 of the Ventura County Ordinance Code (VCOC) relating to the diversion of recyclable construction and demolition (C&D) materials generated by the project (e.g., wood, metal, green waste, soil, concrete, asphalt, paper, cardboard, etc.) from local landfills through recycling, reuse, or salvage (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

#### **Condition of Approval Number 40: Construction & Demolition Debris Reporting**

The permittee must upload recycling receipts to their recycling plan to verify landfill diversion requirements (see Exhibit 4 of the Planning Commission Hearing Staff Report for details on requirement, documentation, timing, and monitoring and reporting).

# WILDFIRE

## Summary of Findings

With regard to Wildfire, the following findings can be made:

1. No peculiar impacts to the Project or its site have been identified.
2. There are no potentially significant off-site and/or cumulative impacts which were not discussed by the General Plan EIR.
3. No substantial new information has been identified which results in an impact which is more severe than anticipated by the General Plan EIR.
4. No mitigation measures contained within the General Plan EIR would be required because Project specific impacts would be less than significant.
5. No uniformly applied development policies or standards would be required to substantially mitigate impacts from wildfire and no conditions of approval and impact minimization measures would be incorporated to further minimize potential impacts related to wildfire.

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
<b>20. Wildfire.</b>						
Is the project located in or near state responsibility areas or lands classified as high fire hazard severity zones?  If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:		<input type="checkbox"/> Yes			<input checked="" type="checkbox"/> No	
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	GP EIR pp.4.9-19 to 4.9-24 Impact 4.9-6	No	No	No	No	N/A
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	GP EIR pp.4.9-19 to 4.9-24 Impact 4.9-6	No	No	No	No	N/A
c) Require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk	GP EIR pp.4.9-19 to 4.9-24 Impact 4.9-6	No	No	No	No	N/A

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
or that may result in temporary or ongoing impacts to the environment?						
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	GP EIR pp.4.9-19 to 4.9-24 Impact 4.9-6	No	No	No	No	N/A

## Discussion

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- c) Require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

The General Plan EIR concluded that implementation of the General Plan would result in development that exacerbates the potential for wildfires to occur and the resulting adverse environmental effects that are associated with these events and substantially impair an adopted emergency response plan or evacuation plan (Impact 4.9-6); these impacts were identified as potentially significant. The General Plan EIR identified that there are over 80 square miles of the county that are within the high FHSV or State Responsibility Area lands and more than 500 square miles in the very high FHSZ of Local Responsibility Area lands. As part of the Ventura County Fire Code, the County also defines Hazardous Fire Areas (HFAs) as a location within 500 feet of forest or brush, grass, or grain covered land, exclusive of small individual lots or parcels of land located outside of a brush, forest, or grass covered area. Also, areas where wildlands are directly adjacent to urban development, known as wildland urban interface (WUI). Because high and very high FHSZs, HFAs, and WUIs generally overlap throughout the county, they are collectively referred to as "fire hazard areas". The General Plan EIR identified that the only way to fully mitigate additional exposure of people to wildfire or exacerbation of wildfire risk is to prohibit all development in or near any areas that are at risk for wildfire and concluded no additional feasible policies or implementation programs are available to reduce the risk of wildfire exposure, exacerbation, or resulting adverse environmental effects to less than significant. The General Plan EIR concluded that implementation of the General Plan would expose people or structures to a significant risk of loss, injury, or death involving wildland fires, and exacerbate wildfire risk, because it would accommodate future development in or adjacent to high and very high FHSZs or Hazardous Fire Areas; these impacts were identified as significant and unavoidable.

The Project site is not located within a very high FHSZ, HFA, or Hazardous Watershed Fire Area (Cal Fire 2024). Therefore, the Project would not substantially impair an adopted emergency response plan or emergency evacuation plan in the area. Further, Project access would be designed, engineered, and constructed in consultation and compliance with VCFD.

The Project involves the installation of Tesla-manufactured lithium-ion battery energy storage technology and related storage equipment and associated infrastructure that may exacerbate fire risk. Batteries can pose thermal hazards, such as fire due to thermal runaway depending on the chemistry and system design. Applicable codes and standards would address potential fire hazards related to battery energy storage technologies. As described above, the proposed batteries would be within fully enclosed purpose-built containers that are temperature controlled and constructed in compliance with California Fire Code requirements. The IFC Chapter 12, Section 1207 delineates requirements for Electrical Energy Storage Systems. Stationary Storage Battery Systems are also regulated by Section 608 of the California Fire Code to minimize risk of loss, injury or death involving fires to nearby people and structures. Megapack enclosures would meet National Fire Protection Association (NFPA) 855, NFPA 68 and NFPA 69 requirements for explosion prevention and deflagration relief panels. Infrared cameras would be used for exterior heat monitoring of Megapacks and medium voltage transformers. As such, the design of the Project is intended to reduce impacts associated with wildfire risks. Because the Project would not result in significant impacts for the reasons detailed above, the Project would be consistent with the analysis within the General Plan EIR because it would not create new impacts, increase impacts, and there is no new information of substantial importance than identified within the General Plan EIR.

### **Applicable Mitigation Measures or Uniformly Applied Development Policies or Standards**

Mitigation measures identified in the General Plan EIR are not applicable to the Project. There are no uniformly applied development policies or standards applicable to wildfire.

### **Conditions of Approval and Impact Minimization Measures**

There are no conditions of approval and impact minimization measures applicable to wildfire.



## MANDATORY FINDINGS OF SIGNIFICANCE

Environmental Issue Area	Where Impact Was Analyzed in the GP Draft EIR?	Any Peculiar Impact?	Any Impact Not Analyzed As Significant Effect in GP Draft EIR?	Any Significant Off-Site or Cumulative Impact Not Analyzed?	Any Adverse Impact More Severe Based on Substantial New Information?	Do EIR Mitigation Measures or Uniformly Applied Development Policies or Standards Address/Resolve Impacts?
<b>21. Mandatory Findings of Significance.</b>						
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?	GP EIR Sections 4.4, Biological Resources, and 4.5, Cultural, Tribal, and Paleontological Resources	No	No	No	No	Yes
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	GPEIR Chapter 5	No	No	No	No	Yes
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	GP EIR Sections 4.3, Air Quality, and 4.13, Noise and Vibration	No	No	No	No	Yes

## Discussion

Since the General Plan Final EIR was certified, no changes have occurred that would affect the analysis or conclusions of the General Plan EIR. Regarding the above-listed mandatory findings of significance, with the implementation of applicable mitigation measures and the application of uniformly applied development standards and policies, the project would have no (1) peculiar impacts, (2) impacts not analyzed in the General Plan EIR, or (3) significant off-site impacts and cumulative impacts not discussed in the General Plan EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the General Plan EIR.

All applicable mitigation measures in the General Plan EIR or uniformly applied development policies or standards would continue to be implemented with the Project. Therefore, no new significant impacts would occur with implementation of the Project.

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## LIST OF PREPARERS

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