

## CEQA FINDINGS OF FACT

### 1.0 INTRODUCTION

The New High School No. 8 Project Final Environmental Impact Report (SCH No. 2019029101) (hereafter “Final EIR” or “FEIR”) has been prepared pursuant to the California Environmental Quality Act (CEQA) to address the potential environmental effects of the New High School No. 8 Project inclusive of curriculum programs (hereafter “proposed Project”) and considered by the Oxnard Union High School District (hereinafter “District”) in connection with its public consideration of requested approvals for the proposed Project. The Final EIR analyzed the environmental effects of a range of Project alternatives as well. The Final EIR (including citations within) and its technical appendices are incorporated herein by reference as though fully set forth.

While the full scope of the proposed Project and associated approvals are more detailed in Section 1.4, the proposed Project would be developed on approximately 49.75-acres of the Maulhardt Property (hereafter “Site” or “Project Site”), a 107.25-acre property located on the northeast corner of Camino Del Sol and Rose Avenue. The Project Site is located in the City of Oxnard, California, and is in the Northeast Community Specific Plan (NECSP) area of Oxnard, Ventura County, California. The zoning designations are Single Family Residential Planned Development (R1PD) and Community Reserve (C-R).

### 1.1 PURPOSE OF CEQA FINDINGS; TERMINOLOGY

CEQA Findings play an important role in the consideration of projects for which an EIR is prepared. Under Public Resources Code (PRC) §21081 and Guidelines §15091 below, where a Final EIR identifies one or more significant environmental effects, a project may not be approved until the public agency makes written findings supported by substantial evidence in the administrative record regarding each of the significant effects. In turn, the three possible findings specified in Guidelines §15091 are:

- (a) (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
  - (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
  - (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.
- (b) The findings required by subsection (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives.

The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other materials, which constitute the record of the proceedings upon which its decision is based.

(f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

In turn, **Guidelines §15092(b)** provides that no agency shall approve a project for which an EIR was prepared unless either:

- (1) The project as approved would not have a significant effect on the environment, or
- (2) The agency has:
  - (A) Eliminated or substantially lessened all significant effects on the environment where feasible as shown in the findings under Section 15091, and
  - (B) Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093.

Based on the foregoing, the Guidelines do not provide a bright distinction between the meaning of “avoid” or “substantially lessen.” The applicable Guidelines are based on PRC §21081, which uses the phrase “mitigate or avoid”, and hence it is generally considered that to “avoid” is to include changes or alterations that result in the significant effect being reduced to below a level of significance. In contrast, the phrase “substantially lessen” is used to describe changes or alterations that materially reduce the significant effect, but not below a level of significance, thus, while mitigated, the effect remains significant. These Findings would distinguish, for the purposes of clarity, between effects that have been “avoided” (thereby reduced below a level of significance) and those that have been “substantially lessened” (and thus remain significant).

In combination with the mitigation and monitoring program discussed in Section 1.7, the following Findings and Statement of Overriding Considerations are binding obligations of the project to implement all required mitigation measures.

## 1.2 PURPOSE AND LEGAL AUTHORITIES

The California Environmental Quality Act (hereafter “CEQA”) was adopted in 1970 and is codified in California Public Resources Code §§ 21000 et.seq. (hereafter “PRC §21000”). CEQA is an important environmental law applicable to most public agency decisions to carry out, authorize or approve projects that could have adverse effects on the environment. CEQA does not directly regulate project implementation or approvals through substantive standards or prohibitions, but rather CEQA generally requires only that agencies inform themselves about the potential environmental effects of a Proposed Project, carefully consider all pertinent environmental information effects of a Proposed Project, carefully consider all pertinent environmental information before they act, provide the public an opportunity to review and comment on any environmental issues, and include conditions or other requirements to avoid or reduce potential significant adverse effects of the project or action when feasible.

The District’s consideration of Findings of Fact and a Statement of Overriding Considerations are key steps in the process of considering the approval of the Proposed Project while concurrently protecting and enhancing the environment. The applicable standards and scope of the District’s responsibilities are detailed in the following excerpts from the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §§ 15000 et. seq.; hereafter “Guidelines §15000”).

### **Guidelines §15040. Authority Provided by CEQA**

- (a) CEQA is intended to be used in conjunction with discretionary powers granted to public agencies by other laws.
- (b) CEQA does not grant an agency new powers independent of the powers granted to the agency by other laws.
- (c) Where another law grants an agency discretionary powers, CEQA supplements those discretionary powers by authorizing the agency to use the discretionary powers to mitigate or avoid significant effects on the environment when it is feasible to do so with respect to projects subject to the powers of the agency. Prior to January 1, 1983,

CEQA provided implied authority for an agency to use its discretionary powers to mitigate or avoid significant effects on the environment. Effective January 1, 1983, CEQA provides express authority to do so.

(d) The exercise of the discretionary powers may take forms that had not been expected before the enactment of CEQA, but the exercise must be within the scope of the power.

(e) The exercise of discretionary powers for environmental protection shall be consistent with express or implied limitations provided by other laws.

#### **Guidelines §15041. Authority to Mitigate**

Within the limitations described in Section 15040,

(a) A lead agency for a project has authority to require feasible changes in any or all activities involved in the project in order to substantially lessen or avoid significant effects on the environment, consistent with applicable constitutional requirements such as the “nexus” and “rough proportionality” standards established by case law (*Nollan v. California Coastal Commission* (1987) 483 U.S. 825; *Dolan v. City of Tigard*, (1994) 512 U.S. 374; *Ehrlich v. City of Culver City*, (1996) 12 Cal. 4<sup>th</sup> 854.).

(b) When a public agency acts as a responsible agency for a project, the agency shall have more limited authority than a lead agency. The responsible agency may require changes in a project to lessen or avoid only the effects, either direct or indirect, of that part of the project that the agency would be called on to carry out or approve.

(c) With respect to a project which includes housing development, a lead or responsible agency shall not reduce the proposed number of housing units as a mitigation measure or alternative to lessen a particular significant effect on the environment if that agency determines that there is another feasible, specific mitigation measure or alternative that would provide a comparable lessening of the significant effect.

#### **Guidelines §15042. Authority to Disapprove Projects**

A public agency may disapprove a project if necessary in order to avoid one or more significant effects on the environment that would occur if the project were approved as proposed. A lead agency has broader authority to disapprove a project than does a responsible agency. A responsible agency may refuse to approve a project in order to avoid direct or indirect environmental effects of that part of the project that the responsible agency would be called on to carry out or approve. For example, an air quality management district acting as a responsible agency would not have authority to disapprove a project for water pollution effects that were unrelated to the air quality aspects of the project regulated by the district.

#### **Guidelines §15043. Authority to Approve Projects Despite Significant Effects**

A public agency may approve a project even though the project would cause a significant effect on the environment if the agency makes a fully informed and publicly disclosed decision that:

There is no feasible way to lessen or avoid the significant effect (see Section 15091); and

Specifically identified expected benefits from the project outweigh the policy of reducing or avoiding significant environmental impacts of the project. (See Section 15093)

#### **Guidelines §15090. Certification of the Final EIR**

(a) Prior to approving a project the lead agency shall certify that:

- (1) The Final EIR has been completed in compliance with CEQA;
- (2) The Final EIR was presented to the decision-making body of the lead agency and that the decision-making body reviewed and considered the information contained in the Final EIR prior to approving the project; and
- (3) The Final EIR reflects the lead agency’s independent judgment and analysis.

(b) When an EIR is certified by a non-elected decision-making body within a local lead agency, that certification may be appealed to the local lead agency's elected decision-making body, if one exists. For example, certification of an EIR for a tentative subdivision map by a city's planning commission may be appealed to the city council. Each local lead agency shall provide for such appeals.

### **Guidelines §15091. Findings**

The purpose of this resolution is to adopt the findings required by this CEQA Guideline section and the underlying California Public Resource Code § 20181.

(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

(b) The findings required by subsection (a) shall be supported by substantial evidence in the record.

(c) The finding in subsection (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

(d) When making the findings required in subsection (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes, which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

(e) The public agency shall specify the location and custodian of the documents or other materials, which constitute the record of the proceedings upon which its decision is based.

(f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

### **Guidelines § 15364. Feasible**

Feasible means capable of being accomplished in a successful manner within a reasonable period of time taking into consideration economic, environmental, legal, social and technological factors. Feasibility must also be considered in the context of alternatives, which obtain most of the basic objectives of the project, but would avoid and substantially lessen any significant effects of the project. See Guideline § 15126.6(a).

### **Guidelines §15092. Approval**

(a) After considering the Final EIR and in conjunction with making findings under Section 15091, the lead agency may decide whether or how to approve or carry out the project.

(b) A public agency shall not decide to approve or carry out a project for which an EIR was prepared unless either:

- (1) The project as approved would not have a significant effect on the environment, or
- (2) The agency has:

(A) Eliminated or substantially lessened all significant effects on the environment where feasible as shown in findings under Section 15091, and

(B) Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093.

(C) With respect to a project, which includes housing development, the public agency shall not reduce the proposed number of housing units as a mitigation measure if determines that there is another feasible mitigation measure available that would provide a comparable level of mitigation.

### 1.3 ENVIRONMENTAL IMPACT REPORT PROCESS

Based on preliminary review of the Proposed Project, the District concluded that the Proposed Project could have a significant impact on the environment and that preparation of an environmental impact report was necessary. The District issued its Notice of Preparation (“NOP”) in accordance with CEQA, on February 19, 2019. The NOP was mailed to the State Clearinghouse, county, city, state and federal agencies, other public agencies, and various interested private organizations and individuals. A scoping meeting was held on March 6, 2019. A copy of the NOP and the written comments received in response to the NOP are included in Appendix A to the Final EIR.

Mr. Doug Spondello, Senior Planner for the City of Oxnard (City) was the only attendant of the scoping meeting. No other individuals from other public agencies or the general public attended. After the formal presentation there was a general discussion of the proposed Project. Mr. Doug Spondello indicated the City would be submitting written comments. Comment letters received by OUHSD from agencies and individuals in response to the NOP are identified in Table 1-1 in the Final EIR. After the NOP process, the District identified that the Draft EIR should analyze the potential for environmental impacts associated with the following 16 substantive potential impact areas in the Environmental Analysis section:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural and Tribal Cultural Resources
- Energy
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards/Hazardous Materials
- Hydrology/Water Quality
- Land Use and Planning
- Noise
- Public Services
- Recreation
- Transportation
- Utilities and Service Systems

Additionally, the Draft EIR was directed to include other CEQA substantive sections including **Executive Summary, Environmental Effects Found Not To Be Significant, Project Description and Environmental Setting, Significant Irreversible Environmental Change, Growth-Inducing Impacts, Environmental Effects Which Cannot be Avoided, Project Alternatives, Organizations and Persons Consulted, Citations, and Report Preparers.**

### 1.4 DESCRIPTION OF PROPOSED PROJECT

The OUHSD proposes to construct and operate a new state of the art neighborhood high school to accommodate existing and anticipated future enrollment in the District. The new school facilities are designed to meet the educational and recreational needs of up 2,500 students in grades 9-12 onsite.

### Legal Lot

Per the current vesting deed (20171124-00152497 O.R.), the existing parcel at the northeast corner of Rose Avenue and Camino Del Sol (APN 214-0-020-595) is essentially one large rectangle with the exception of some road right-of-way dedications along the north side of Camino Del Sol and the east side of Rose Avenue (near Camino Del Sol).

The California statutes pertaining to Subdivision Map Act state that the transfer in ownership of a portion of existing parcel, to a public agency, may be accomplished by recordation of a proper grant deed without the necessity of a subdivision map. The OUHSD qualifies as 'a public agency', relative to these statutes. After the recordation of the grant deed transferring title of the school Site parcel to the OUHSD, the remaining portions of the original 'rectangle' will consist of two separate (non-adjointing) parcels – one northerly of the school Site parcel and one at the northeast corner of Rose Avenue and Camino Del Sol. If necessary, a Certificate of Compliance can be recorded covering both of these parcels.

### Land Use Planning

Notwithstanding a General Plan or Zoning Amendment, School Districts are not required to comply with the local building ordinances, except for City and/or county ordinances (1) regulating drainage improvements and conditions; (2) regulating road improvements and conditions; and (3) requiring the review and approval of grading plans, to the extent such ordinance provisions relate to the design and construction of on-Site improvements that affect drainage, road conditions and traffic flow.

However, The District shall give consideration to the specific requirements and conditions of City or county ordinances relating to the design and construction of off-Site improvements and related items.

The District is coordinating with the City relative to conformance of its Site use with the existing General Plan and zoning ordinances pursuant to Government Code Sections 65402 and Public Resources Code Section 21151.2.

To the extent any such use is not in conformance, the District either will work with the City for any necessary General Plan and/or Zoning Amendments or consider State Law for overruling such requirements as to applicable school facilities construction per Government Code Section 53094.

### School Facilities

The proposed Project would comprise approximately 281,311 square feet (sq. ft.) of building and structures and provide approximately 722 parking spaces on the Project Site. In addition, the proposed Project includes a variety of recreational areas to accommodate the recreational needs of the student's onsite. These facilities include a variety of play fields, hard courts, and a pool. The proposed buildings would be of wood or metal frame construction or cast in place concrete tilt up construction with concrete slab-on-grade foundations. Access to the school would be provided from Camino Del Sol and half width of a proposed new "Central Road" to the north of the Project Site that would connect to the existing Camino De La Luna and Jacinto Drive. The proposed circulation is being planned in cooperation with City Planning, Public Works, and Traffic staff. A summary of anticipated development is provided in Table 2-1 of the Final EIR.

### Recreational Facilities and Civic Center Act

This proposed Project includes a variety of recreational features including a pool, football/ track and field stadium, baseball/softball fields, soccer fields, tennis courts and basketball courts. A CCA is proposed for community use with the community to provide additional recreation opportunities to the community after school hours. Facilities proposed for community use under the CCA include practice fields, JV baseball and softball fields, pool, outdoor basketball courts, tennis courts, performing arts center and parking.

### Project Construction

Phased construction is anticipated to begin in February 2020 and would take approximately 25 months to construct. The Project construction activities are anticipated to occur in phases and include grading, building construction, paving, building interiors, and off-Site street work; some portions of construction phases will occur concurrently with other phases. Project construction shall be under the supervision of the OUHSD and state inspector as applicable.

Anticipated construction equipment includes graders/compactors, backhoes, bulldozers, excavators, pavers, and water trucks. During the building construction phases, material delivery trucks, including tractor trailers, would be bringing raw and finished materials and equipment. Paving for parking areas and hardcourts are expected to be asphalt. Concrete for foundations floor slabs and walkways and plazas shall be delivered via concrete mixing vehicles.

The number of construction workers at the proposed Project Site would vary day by day. Typical days would have an average of 30 personnel on-Site, while peak levels may reach 150 personnel, depending on activities and the Project schedule. Personnel working on the Project Site will park on-Site. Contractor field personnel for each phase would typically include a Project superintendent, assistant superintendent, and a clerk. A Project manager may also be assigned to be on-Site for a portion of each work day. One Project inspector is expected to be on-Site for each phase. Specialty inspectors would be on-Site for various activities such as welding or masonry. Periodically architects, engineers, public agency and District staff would be on-Site to review progress (typically weekly). Planned construction hours are Monday through Friday from 7:00 am to 6:00 pm.

### Operation and Staffing

Operation of the new high school is anticipated for the 2022-2023 school year. The approximate number of employees for the high school opening was estimated to be 150 based on the educational specifications approved by the District Board. This includes administrative staff, teachers, coaching staff, aides, librarians, technology teachers, cafeteria workers, janitors and groundskeeping staff.

## 1.5 PROJECT OBJECTIVES

The following objectives of the proposed Project describe the underlying purpose of the Project and provide a basis of identification of a reasonable range of alternatives evaluated in the Final EIR:

- Accommodate existing and projected future student enrollment within the District;
- Provide new facilities that meet the District's educational specifications;
- Provide a new neighborhood high school to accommodate 2,500 students in permanent classroom facilities;
- Build and maintain school facilities that reflect the wise and efficient use of limited land resources; and
- Provide for new community appropriate recreational facilities.

## 1.6 ENVIRONMENTAL SETTING

The Project Site includes approximately 49.75-acres of the Maulhardt Property, a 107.25-acre property (APN 214-002-059) located in the City of Oxnard, California. Access to the Project Site is provided from Camino Del Sol and Rose Avenue. The geographic coordinates of the Site are approximately Latitude 34°12' 29.47" North, Longitude 119°09' 19.07" West.

Surface elevations at the Site are approximately 54-60 feet above mean sea level (amsl) (Google Earth Pro 2018). The Project Site is located in the southern area of the Santa Clara River flood plain. As of March 2017, the Santa Clara River Levee in Oxnard was in the process of rehabilitation construction and undergoing design/engineering/CEQA work (City of Oxnard 2017b). The Santa Clara River is located approximately 2.8 miles northwest of the Project Site. The Site

topography is relatively flat with surface elevations ranging from approximately 54 feet amsl in the south to 60 feet amsl in the north (Google Earth Pro 2018).

The Project Site has a General Plan Land Use designation of RLM and OS, Urban Village. The Project Site is located in the Northeast Community Specific Plan (NECSP) area of Oxnard, Ventura County, California. The zoning designations are Single Family Residential Planned Development (R1PD) and Community Reserve (C-R).

The Project Site is currently used for agriculture and the cultivation of strawberries, as observed during the January 29, 2019, Site visit. Historical aerial photographs, Google Earth images, and information from the Project Site owners indicate that the Site has been used for cultivation of row crops from as early as 1869 to the present. The Site is adjacent to agricultural land to the north; single family residential land and Rio Rosales Elementary School to the east; single and multi-family residential and commercial land to the south; and single-family residential land to the west. There are three public parks within 0.5-mile of the Site: Del Sol Park to the southwest, Thompson Park to the south, and West Village Park to the northwest.

## 1.7 MITIGATION MONITORING PROGRAM

Pursuant to PRC §21081.6, the District has also adopted a detailed mitigation and monitoring program prepared by Tetra Tech under the direction of the District. The program is designed to assure that all mitigation measures as hereafter required are in fact implemented on a timely basis as the Project progresses through its development, construction, and operational phases.

## 1.8 RECORD OF PROCEEDINGS

For all purposes of CEQA compliance, including these Findings of Fact and Statement of Overriding Considerations, the administrative record of all District proceedings and decisions regarding the environmental analysis of the Proposed Project shall include but are not limited to the following:

- The Draft and Final EIR for the Proposed Project, together with all appendices and technical reports referred to therein, whether separately bound or not, or on a thumb drive/CD;
- All reports, letters, applications, memoranda, maps or other planning and engineering documents prepared by the District, environmental consultant, or others presented to or before the Board of Education as determined by the District;
- All letters, reports or other documents submitted to the District by members of the public or public agencies in connection with the District's environmental analysis on the Proposed Project;
- All minutes of any public workshops, meetings or hearings, including the scoping meeting, and any recorded or verbatim transcripts/videotapes thereof;
- Any letters, reports or other documents or other evidence submitted into the record at any public workshops, meetings or hearings; and
- Matters of common general knowledge to the District, which they may consider, including applicable state or local laws, and ordinances and policies.
- Documents or other materials which constitute the record of proceedings upon which these Findings are made are located at:

Oxnard Union High School District  
District Office  
309 South K Street  
Oxnard, California 93030



## 2.0 FINDINGS OF SIGNIFICANT IMPACTS, REQUIRED MITIGATION MEASURES AND SUPPORTING FACTS

The District, having reviewed and considered the information contained in the EIR, finds pursuant to Public Resources Code §21081(a)(1) and Guidelines §15091(a)(1) that changes or alterations have been required in, or incorporated into, the Project which would mitigate, avoid, or substantially lessen the level of significance of the following potential significant environmental effects identified in the EIR.

### 2.1 PROJECT-LEVEL IMPACTS DETERMINED TO BE SIGNIFICANT AND UNMITIGABLE

These issues were found in the EIR as having potential to cause significant and unavoidable impacts. As described below in the findings for these impacts, there are either no feasible mitigation measures or the feasible mitigation measure(s) would only partially mitigate this significant impact and the residual effect would remain significant.

#### 2.1.1 Aesthetics

The proposed Project will not have significant impacts associated with: scenic resources along a scenic highway; or a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area.

##### Scenic Vista and Scenic Quality

**Impact.** The scenic route portions of Rose Avenue are located to the west of the Project Site. Windrow trees are located on the east side of Rose Avenue between Camino del Sol and Cesar Chavez Drive. The proposed Project includes roadway improvements to Rose Avenue that would require removing the mature existing windrow trees found on the east side of Rose Avenue. City of Oxnard 2030 General Plan Goals and Policies include the protecting and enhancing scenic resources including windrows. Removal of these trees would result in the loss of a significant scenic resource, resulting in a significant impact.

**Finding.** Specific economic, legal, social, technological, or other considerations make any additional potential mitigation infeasible. Mitigation Measure AES-1 would minimize this impact, however Project impact from windrow tree removal would remain significant and unavoidable with mitigation incorporated.

##### Mitigation Measure.

**AES-1:** Removal of windrow trees shall be subject to the following requirements:

- A certified arborist report shall be required, which contains a description of the health of each tree.
- A tree valuation report shall be provided for each tree (as prepared by a certified arborist) based upon, *Valuation of Landscape Trees, Shrubs, and Other Plants* (an official publication by the International Society of Arborists).
- Tree rows authorized for removal shall be replaced and/or additional landscape enhancement shall be provided to the same dollar value as the trees designated to be removed. This is in addition to the minimum landscaping required per the City's Landscape Standards. The species to be replanted shall be approved by the Oxnard Parks Division.

**Factual Support and Rationale.** City of Oxnard 2030 General Plan Goals and Policies include the protecting and enhancing scenic resources including windrows. Removal of these trees would result in the loss of a significant scenic resource, resulting in a significant impact. Implementation of Mitigation Measure AES-1 reflects the East Village Phase III Annexation EIR and the Northeast Community Specific Plan guidelines designed to minimize this impact. This would include use of mature existing trees where feasible and replacement criteria when existing

mature tree removal is necessary. While this measure will reduce the impact, the loss of the windrow trees would remain a significant and unavoidable impact with mitigation incorporated.

## 2.1.2 Agriculture and Forestry Resources

The proposed Project will not have significant impacts associated with: conflict with existing zoning for agricultural use or conflict with a Williamson Act contract; conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production; loss of forest land or conversion of forest land to non-forest use; changes in the existing environment that, 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.

### Conversion of Prime Farmland or Farmland of Statewide Importance to Non-agricultural Use

**Impact.** The entire Maulhardt Property was identified as either Prime Farmland or Farmland of Statewide Importance in PEIR Figure 5-1, *Important Farmland Impacts*. The permanent conversion of Prime Farmland and Farmland of Statewide Importance to non-agricultural use would result in a significant impact.

**Finding.** Specific economic, legal, social, technological, or other considerations make any additional potential mitigation infeasible. Mitigation Measure AG-1 would minimize this impact, however Project impact from permanent conversion of Prime Farmland or Farmland of Statewide Importance would remain significant and unavoidable with mitigation incorporated.

### Mitigation Measure.

**AG-1:** In accordance with the mitigation described in the 2030 General Plan EIR and East Village Phase III EIR for the loss of prime agricultural soils, the OUHSD shall:

- Offer at cost the top 12 inches of the Prime Farmland soils for relocation to a farm site or farm sites that have lower quality soils. The cost will include suitable replacement soil, if needed for Site improvements.

**Factual Support and Rationale.** The City of Oxnard 2030 General Plan Program EIR (City of Oxnard 2009) accounted for the conversion of up to 2,215 acres of important farmland (defined as Prime Farmland and Farmland of Statewide Importance) including the Project Site to non-agricultural use and determined the impact to be significant and unavoidable. The conversion of the Project Site to a developed use was addressed by the 2030 General Plan Final EIR and found to be a significant City-wide adverse impact for which an overriding consideration was made (City of Oxnard 2012). According to the East Village Phase III Annexation EIR, the City has also determined that conversion of agricultural land is a Project-level impact and required a mitigation measure (AG1) to offer the topsoil for removal to another farm operation, if feasible, as a partial mitigation for the loss of prime farmland impact (City of Oxnard 2012). Mitigation Measure AG-1 is provided as partial mitigation measure for the loss of important farmland. Nonetheless, conversion of agricultural land at the Project level would remain a significant and unavoidable with mitigation incorporated.

## 2.2 PROJECT-LEVEL IMPACTS DETERMINED TO BE SIGNIFICANT AND MITIGABLE

This section includes findings for Project impacts which are potentially significant, but can be mitigated to a less than significant level with the implementation of mitigation measures.

### 2.2.1 Air Quality

The proposed Project will not have significant impacts associated with: conflict with or obstruct implementation of the applicable air quality plan; violating any air quality standard associated with operational emissions; result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is a non-attainment area;

expose sensitive receptors to substantial pollutant concentrations; nor result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

### Short-Term Construction Emissions

**Impact.** VCAPCD does not have significance thresholds for construction emissions due to the fact that construction emissions occur only on a temporary basis and do not contribute to long-term air quality impacts. Thus, emissions resulting from the proposed Project would not be expected to have a significant impact on the environment and no mitigation measures would be required. However, the following Mitigation Measure AQ-1 is provided to minimize fugitive dust emissions in compliance with the Oxnard General Plan and VCAPCD and to ensure compliance with VCAPCD Rules and CARB off-road regulations in accordance with VCAPCD recommendations for construction emissions exceeding the county's thresholds of significance of 25 pounds per day for NO<sub>x</sub> and SO<sub>x</sub>.

**Finding.** The impact associated with short-term construction emissions would be less than significant with compliance with Mitigation Measure AQ-1.

### Mitigation Measure.

**AQ-1:** In accordance with standard practice pursuant to the Oxnard General Plan, VCAPCD Rules, and CARB's off-road regulations during Project construction the contractor shall ensure that:

- All soil excavated or graded shall be sufficiently watered to prevent excessive dust. Watering shall occur as needed with complete coverage of disturbed soil areas. Watering shall be a minimum of twice daily on unpaved/untreated roads and on disturbed soil areas with active operations.
- All clearing, earth moving, and excavation activities shall cease during periods of winds greater than 20 miles per hour (mph) (averaged over one hour), if disturbed material is easily windblown, or when dust plumes of 20% or greater opacity impact public roads, occupied structures, or neighboring property.
- All fine material transported off-Site shall be either sufficiently watered or securely covered to prevent excessive dust.
- All haul trucks shall be required to exit the Site via an access point where a gravel pad or grizzly has been installed.
- Stockpiles of soil or other fine loose material shall be stabilized by watering or other appropriate method to prevent wind-blown fugitive dust.
- Once initial leveling has ceased, all inactive soil areas within the construction Site shall either be seeded and watered until plant growth is evident, treated with a dust palliative, or watered twice daily until soil has sufficiently crusted to prevent fugitive dust emission.
- On-Site vehicle speed should be limited to 15 mph.
- All areas with vehicle traffic should be paved, treated with dust palliatives or watered a minimum of twice daily.
- Properly maintain and tune all internal combustion engine powered equipment;
- Require employees and subcontractors to comply with the CARB idling restrictions for compression ignition engines; and use California ultra-low sulfur diesel fuel; use construction equipment with Tier 3 engines; and use interior and exterior paint with a VOC content of 100 grams per liter.

**Factual Support and Rationale.** Mitigation Measure AQ-1 is provided to minimize fugitive dust emissions in compliance with the Oxnard General Plan and VCAPCD and to ensure compliance with VCAPCD Rules and CARB off-road regulations in accordance with VCAPCD recommendations for construction emissions exceeding the county's thresholds of significance of 25 pounds per day for NO<sub>x</sub> and SO<sub>x</sub>. With compliance with Mitigation Measure AQ-1, Project impact would be less than significant.

## 2.2.2 Biological Resources

The proposed Project will not have significant impacts associated with: adverse effect on any riparian habitat or other sensitive natural community; adverse effect on state or federally protected wetlands; conflict with any local policies or ordinances protecting biological resources; nor conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

### Special Status Species and Nesting Birds

**Impact.** Agricultural land can be considered suitable habitat for burrowing owl (*Athene cunicularia*), dependent upon the presence of burrowing mammals or suitable surrogate burrows. While the potential for burrowing owl to occur on Site is low, burrowing owl may attempt to colonize an area that would be impacted by the proposed Project if suitable burrow habitat becomes available prior to commencement of construction activities. Additionally, vegetation and structures within and adjacent to the Site have the potential to serve as habitat for nesting birds. Therefore, direct removal of trees, use of heavy machinery, and/or significant ground disturbance during construction activities has the potential to disturb burrowing owl and nesting birds, including special status bird species, if present.

**Finding.** Impact to special status species and nesting birds would be less than significant with compliance with Mitigation Measures BIO-1, BIO-2, and BIO-3.

### Mitigation Measures.

**BIO-1:** A preconstruction nesting bird survey shall be conducted by a qualified biologist prior to tree removal, the use of heavy machinery, or significant ground disturbance if activities are to be conducted within the bird nesting season (February 15 – September 15). The survey shall be required within 72 hours prior to the commencement of construction activities if they occur in the bird nesting season. The survey shall occur within the Site and a 250-foot buffer area around the Site, access permitting, which will include any adjacent trees. If construction activity as defined above halts for a period of 7 days or more, the survey will be considered invalid and need to be conducted again prior to the continuation of construction activities. If birds are found to be actively nesting within the Project Site or within 250 feet of the work area, an appropriate exclusionary buffer around the active nest shall be established by the qualified biologist. The buffer distance will be determined based on the nesting species. No construction activities would be allowed within the buffer until the birds have fledged from the nest. Active nests and buffers would be monitored as needed by a qualified biologist to determine if active nests are being adversely affected by Project activities. At a minimum, a qualified biologist would visit an active nest weekly to determine the status of the nest. Only when the nest becomes inactive (nestlings have fledged) will the buffer and biological monitoring no longer be needed.

**BIO-2:** A preconstruction survey for burrows and burrowing owl shall be conducted by a qualified biologist prior to the use of heavy machinery and/or significant ground disturbance associated with construction activities. The survey shall be required within 5 days prior to the commencement of construction activities and shall occur within the Site and a 150-foot buffer area around the Site, access permitting. If construction activity as defined above halts for a period of 7 days or more, the survey will be considered invalid and need to be conducted again prior to the continuation of construction activities. Should a suitable burrow and/or burrow surrogate (>11 cm in diameter (height and width) and >150 cm in depth) (Johnson et al. 2010) be identified on Site or within the 150-foot Project Site buffer, wintering and nesting season surveys shall be conducted in accordance with the guidelines described in the *CDFW Staff Report on Burrowing Owl Mitigation, 2012* (CDFW 2012). If burrowing owls are detected within the Project Site or within the 150-foot Project Site buffer, no construction work can occur, and the CDFW shall be contacted immediately to develop and implement a mitigation plan to protect burrowing owls and their nest sites. The burrowing owl survey can be conducted in conjunction with the nesting bird survey, if timing is appropriate.

**BIO-3:** Any construction materials stored on-Site that could serve as a burrow surrogate for burrowing owl, such as sedentary above ground pipes or sedentary rip rap, shall be covered when not in use as to not attract burrowing owls to the Project Site.

**Factual Support and Rationale.** The Project Site is located within an urban area of the City of Oxnard and is not located within or directly adjacent to any known or mapped wildlife corridors or nursery sites. Accordingly, the potential for candidate, sensitive, or special-status species or habitats is low within City limits. The Project Site is currently used for the cultivation of strawberries. A query of the CDFW CNDDDB was conducted to determine the known locations of any special-status species or habitats (sensitive, threatened, endangered, rare, or candidate species) within and surrounding the Project Site (CDFW 2019). This included Oxnard, located within the Oxnard quadrangle, and the six adjacent quadrangles. Due to the active agricultural use of the Site and plant list established during the general biological survey, there is no potential for special-status plants to occur on the Project Site.

Due to the active agricultural use of the Project Site, it is unlikely that any special-status species would occur. The eucalyptus windrow trees located at the western Project Site border, adjacent to Rose Avenue, are the only natural resource on or adjacent to the Project Site. The eucalyptus trees do not provide a native vegetation community that could support special-status species long term, however these trees could support nesting activity. The general biological survey was conducted outside of the bird nesting season; however, one inactive nest was observed within the eucalyptus windrow trees at the western Project Site border. The proposed Project includes roadway improvements that would require removal of the existing eucalyptus windrow trees along Rose Avenue. With implementation of mitigation measures BIO-1, BIO-2, and BIO-3, Project impacts to special status species and nesting birds would be reduced to less than significant. Mitigation Measure BIO-1 would not be required for activities conducted outside of the bird nesting season. The bird nesting season is defined as February 15 to September 15.

### 2.2.3 Cultural and Tribal Cultural Resources

The proposed Project will not have significant impacts associated with: adverse change in the significance of a historical resource pursuant to Section 15064.5; nor adverse change in the significance of historical resources as defined in PRC 5020.1 (k).

#### Archaeological Resources

**Impact.** Although no intact midden or artifacts were recovered from any of the shovel test pits during the extended phase I archaeological testing, it is plausible that pockets of intact midden or prehistoric features could still be present below the subsurface disturbance zone. The Project Site is located in an active alluvial depositional setting, and buried, intact, archaeological (prehistoric or historic) materials may be present in previously undisturbed native soils beneath the disturbance. Disturbance of these intact buried resources would be a significant impact.

**Finding.** Impact to archaeological resources would be less than significant with compliance with Mitigation Measures CUL-1 (Worker Environmental Awareness Training) and CUL-2 (Archaeological Monitoring).

#### Mitigation Measures.

**CUL-1 Worker Environmental Awareness Training:** Prior to any proposed construction ground disturbing activities within the Project APE, the District Project Manager shall require the construction contractor to provide for all non-cultural resources personnel to be briefed, by a qualified Project archaeologist (retained on-call by construction contractor) about the potential and procedures for an inadvertent discovery of prehistoric and historic archaeological resources. In addition, the training will include established procedures for temporarily halting or redirecting work in the event of a discovery, identification and evaluation procedures for finds, and a discussion on the importance of, and the legal basis for, the protection of archaeological resources. Personnel will be given a training brochure/handout regarding identification of cultural resources, protocols for inadvertent discoveries, and contact procedures in the event of a discovery.

**CUL-2 Archaeological Monitoring Plan and Monitoring:** Should Project construction ground disturbing activities reach depths containing undisturbed native soils (below 60 inches), then an archaeological monitoring plan and monitoring will be required. A qualified Project archaeologist shall prepare an archaeological monitoring plan and a qualified archaeological monitor and Native American monitor (if requested) will be present on-Site during ground disturbing activities that occur within native soils. If any cultural resources are identified by the monitor(s) during ground disturbing activities, the resource will be treated as an inadvertent discovery and the protocols outlined in the monitoring plan will be adhered to. In general, if cultural resources are encountered during ground disturbing activities in native soils, the archaeological monitor will stop work within 100-feet of the find in order to assess its significance. Construction activities can continue outside the established 100-foot radius exclusion zone. Work may not resume within the 100 feet exclusion zone until the Project archaeologist can evaluate the significance of the find and complete any necessary recordation and evaluation of the find (may include recording, testing and/or data recovery efforts) in consultation with the District. Construction will not proceed within the 100-foot area around the discovery until the appropriate approvals are obtained. If requested by interested Tribes, a Native American Monitor will also be present during construction ground disturbing activities. A final report documenting the results of the monitoring program will be prepared by the qualified Project archaeologist.

**Factual Support and Rationale.** The records search, NAHC sacred land search, and tribal outreach did not identify any archaeological sites within or adjacent to the Project APE. The Phase I archaeological survey and Extended Phase I limited archaeological testing identified a multicomponent archaeological site (OUHS-1). Based on the archaeological testing, all recovered artifacts were recovered from disturbed soils (plow zone: 0-60 centimeters). Although no intact midden or artifacts were recovered from any of the shovel test pits during the extended phase I archaeological testing, it is plausible that pockets of intact midden or prehistoric features could still be present below the subsurface disturbance zone. The Project Site is located in an active alluvial depositional setting, and buried, intact, archaeological (prehistoric or historic) materials may be present in previously undisturbed native soils beneath the disturbance. Incorporation of Mitigation Measures CUL-1 (Worker Environmental Awareness Training) and CUL-2 (Archaeological Monitoring), would reduce the potential impact on archaeological resources to less than significant.

### Human Remains

**Impact.** As with archaeological resources, it is possible that previously unknown human burials or remains could be disturbed on site during Project ground disturbing construction activities. As discussed above, human occupation within the Oxnard Plain has been documented to at least 5000 years ago and likely include the Project APE.

**Finding.** Impact to unknown human remains would be less than significant with compliance with the state law/regulations to avoid significant impacts on human remains and Mitigation Measures CUL-1 (Worker Environmental Awareness Training) and CUL-2 (Archaeological Monitoring).

**Mitigation Measures.** See **CUL-1** and **CUL-2** above.

**Factual Support and Rationale.** There are no known human remains or burials within the Project APE. The record search nor the NAHC sacred land file search identified any known burials or recorded human remains. Tribal outreach indicated the area is sensitive for tribal cultural resources, including burials. The Project will comply with the specific State law/regulations regarding proper handling of previously unknown human remains encountered during construction to avoid significant impacts on human remains. In conjunction with the training and monitoring protocols identified in Mitigation Measure CUL-1 and CUL-2, potential impacts to unknown human remains is less than significant.

### Tribal Cultural Resources

**Impact.** The Project Site is located in an active depositional setting, and buried, intact, tribal cultural resources may be present in previously undisturbed soils beneath the disturbance zone. Disturbance of these intact buried resources would be a significant impact.

**Finding.** Impact to tribal cultural resources would be less than significant with compliance with Mitigation Measures CUL-1 (Worker Environmental Awareness Training) and CUL-2 (Archaeological Monitoring).

**Mitigation Measures.** See **CUL-1** and **CUL-2** above.

**Factual Support and Rationale.** The records search, NAHC sacred lands search, and tribal outreach did not identify any significant tribal cultural resources within the Project area. Tribal outreach conducted by PGI indicates that the Project region is sensitive for tribal cultural resources. Incorporation of Mitigation Measures CUL-1 (Worker Environmental Awareness Training) and CUL-2 (Archaeological Monitoring), would reduce the potential impact on tribal cultural resources to less than significant.

## 2.2.4 Geology and Soils

The proposed Project will not have significant impacts associated with: potential substantial adverse effects involving rupture of a known earthquake fault, seismic-related ground failure, or landslides; location on a geologic unit or soil that is or would become unstable; location on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994); nor have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of waste water.

### Seismic Ground Shaking

**Impact.** The findings of the Geotechnical Report show that there is the potential for adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking.

**Finding.** The potential risks posed by the Project from strong seismic ground shaking would be less than significant with the implementation of Mitigation Measure GEO-1.

### Mitigation Measure.

**GEO-1:** The building design for structures at the Project shall use geotechnical building design recommendations that are based on a Site-specific ground motion hazard analysis for the Project Site performed in accordance with ASCE 7-10 (ASCE 2013) Chapter 21 as modified by Section 1803A.6 of the 2016 CBC (ICC 2017). The Site-specific ground motion hazard analysis and geotechnical building design recommendations shall be approved by the CGS and the DSA.

**Factual Support and Rationale.** The *City of Oxnard General Plan Draft Background Report* (City of Oxnard 2006) indicates that even though the historic record indicates that no strong earthquakes or surface displacement have occurred along the faults in southern Ventura County in the Site area, the likelihood of the occurrence of one or more of such events within the next 50 to 100 years is not remote. The Site is in a region of generally high seismicity and has the potential to experience strong ground shaking from earthquakes on regional or local causative faults. Mitigation Measure GEO-1 requires that the building design for structures at the Project use geotechnical building design recommendations that are based on a Site-specific ground motion hazard analysis for the Project Site in accordance with ASCE 7-10 (ASCE 2013) Chapter 21 as modified by Section 1803A.6 of the 2016 CBC (ICC 2017). The Site-specific ground motion hazard analysis and geotechnical building design recommendations shall be approved by the CGS and the DSA. With the implementation of Mitigation Measure GEO-1, the Project would have a less than significant impact.

### Soil Erosion

**Impact.** Soil erosion would potentially occur during Project construction activities, including Site grading, structure assembly, and utility extension.

**Finding.** Impact related to soil erosion would be less than significant with compliance with Mitigation Measure GEO-2.

### Mitigation Measure.

**GEO-2:** An erosion plan shall be developed for Project construction activities that includes measures such as the use of hay bales and other erosion control devices as determined by Site-specific conditions, limiting construction to the dry season, and soil wetting, applied as required under applicable regulatory guidelines and standards.

**Factual Support and Rationale.** With the implementation of Mitigation Measure GEO-2, this impact would be reduced to a less than significant level with standard erosion mitigation measures, including the use of hay bales and other erosion control devices as determined by Site-specific conditions, limiting construction to the dry season, soil wetting, and adherence to applicable regulatory guidelines and standards. These measures would also reduce potential air quality impacts and sedimentation. Once the Project is completed, no additional loss of topsoil or erosion would occur as there would be no exposed soils on the Project Site and Project impact would be less than significant.

### **Paleontological Resources**

**Impact.** If Project ground disturbing construction depths exceed the Holocene age deposits or encounter shallow Pleistocene deposits, paleontological resources may be exposed, which could result in a significant impact.

**Finding.** Impact to paleontological resources would be less than significant with compliance with Mitigation Measure GEO-3 (Paleontological Resource Impact Mitigation Program).

### **Mitigation Measure.**

**GEO-3: Paleontological Resource Impact Mitigation Program.** Prior to any ground-disturbing activities, a Paleontological Resource Impact Mitigation Program (PRIMP) shall be prepared by a qualified paleontologist if Project construction will exceed Holocene soils (estimated depth of Holocene soils is at least to 70 feet bgs). A qualified paleontologist shall also attend the worker environmental awareness program training and provide information on paleontological resources and a brochure/handout outlining procedures in the event of a paleontological find during construction. The District Project Manager will require the construction contractor to initiate implementation of the PRIMP at the beginning of ground disturbing activities. The PRIMP will address and define the following specific activities and responsibilities:

- Full-time monitoring by a qualified paleontologist during all grading and excavation extending more than 10 ft bgs or beyond Holocene deposits.
- Spot-check monitoring by a qualified paleontologist for all grading and excavation between 5 and 10 ft bgs to determine whether older sediments with a potential to contain paleontological resources are present.
- Procedures for Project personnel and/or paleontological monitor to halt work and temporarily redirect construction away from an area if paleontological resources are encountered during grading or excavation in order to assess the significance of the find.
- Procedures for recommendations regarding level of monitoring effort (e.g., spot check, full-time) depending upon sensitivity of soil depth, identification of finds, etc.
- Procedures for handling collected material and curation.
- Procedures for reporting and documenting the results of the monitoring program.
- Provide brochure of environmental awareness training.

**Factual Support and Rationale.** Based on the geological map of Ventura County, Oxnard quadrangle, the Project Site is underlain by Holocene age (10,000 years BP to recent) alluvial fan deposits composed of soils that are deltaic alluvium and wash fan deposits to approximately 70 feet bgs. These are conformably underlain by upper Pleistocene alluvial sand and gravel deposits to approximately 400 feet bgs, and the marine–non-marine clays and gravels of the Lower Pleistocene San Pedro formation to approximately 2,000 feet bgs (ESP 2018a and 2018b;



Gutierrez et al. 2008; Turner and Mukae 1975). Holocene age deposits are considered to have a low sensitivity for yielding paleontological resources. In 2010, a paleontological record search of the museum collection records maintained by the Natural History Museum (NHM) of Los Angeles County was conducted for the Oxnard Airport Land Easement Acquisition Project, approximately 2.1 miles west of the Project Site (SWCA Environmental Consultants 2009). The record search included a one-mile radius around the airport and indicated that no previously identified paleontological localities occurred within the search area, nor had any resources been reported within the same Holocene age geological unit as the current Project APE (SWCA Environmental Consultants 2009). Based on the estimated depth of Holocene-age deposits (to at least 70 feet bgs), surficial ground disturbance is unlikely to encounter or cause a substantial adverse change in significance to a paleontological resource (Turner and Mukae 1975). Assuming that Holocene age deposits extend to approximately 70 feet bgs at the Project site, it is highly unlikely that Pleistocene deposits will be encountered during construction. With the implementation of Mitigation Measure GEO-3 (Paleontological Resource Impact Mitigation Program), the Project would have a less than significant impact.

## 2.2.5 Hydrology and Water Quality

The proposed Project will not have significant impacts associated with: groundwater supplies or groundwater recharge; substantial erosion or siltation on- or off-Site; flooding on- or offsite; runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; impede or redirect flood flows; tsunami and seiche hazard; nor conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

### Water Quality Standards

**Impact.** Perched groundwater may be encountered in localized areas during excavation and may require dewatering. Groundwater may contain high levels of total dissolved solids and other constituents that could be introduced to surface waters.

**Finding.** Impact related to water quality standards, specifically encountering perched groundwater, would be less than significant with compliance with Mitigation Measure HYDRO-1.

### Mitigation Measure.

**HYDRO-1:** If perched groundwater is encountered during construction, the OUHSD shall apply for coverage under the Los Angeles RWQCB's Groundwater Discharge Permit and adhere to the permit provisions therein.

**Factual Support and Rationale.** Any groundwater dewatering performed during excavation would be completed in accordance with the Los Angeles RWQCB's Groundwater Discharge Permit. This permit requires testing and treatment (as necessary) of groundwater prior to its discharge off-Site. If perched groundwater is encountered during construction, then under Mitigation Measure HYDRO-1, the OUSHD shall apply for coverage under the Los Angeles RWQCB's Groundwater Discharge Permit and adhere to the permit provisions therein to ensure that the Project would not violate any water quality standards or waste discharge requirements.

### Sustainable Groundwater Management

**Impact.** Per Jensen's *Projected Water Demands Letter* to Tetra Tech (2019), the proposed project's estimated water demand is approximately 67 AFY. Although the City of Oxnard's *Urban Water Master Plan* includes the Maulhardt Property and the Site was allocated 161 AF of groundwater within the annexation to the CMWD, it does not specify specific projected water usage for the Site and therefore, Jensen Design & Survey, Inc. cannot determine at this time whether the supply is sufficient to meet the estimated demand of 67 AFY (2019).

**Finding.** Impact related to sustainable groundwater management, specifically water supply, would be less than significant with compliance with Mitigation Measure HYDRO-2.

### Mitigation Measure.

**HYDRO-2:** The Project shall meet its City of Oxnard Water Neutrality Policy requirements by completing at least one of the following:

- Transfer of existing FCGMA groundwater allocations to the City;
- Contributing to increased efficiency by funding City water conservation programs;
- Funding recycled water retrofit projects; or
- Providing additional water supplies.

**Factual Support and Rationale.** While the City is still reviewing the Calleguas numbers and allocation for the entire site, if it is assumed that 67 AFY is the correct total demand for the high school, and 161 AFY is the allotted supply, the proposed project's water demand will not exceed the estimated supply.

The East Village Draft EIR states that the East Village community could demand up to 324 AFY and when the current estimated agricultural extraction is subtracted, it would be an additional 163 AFY of demand from the existing use to the future use (City of Oxnard 2012). This additional volume has been accounted for in the overall planned water demand increase for Oxnard and water supplies identified in the *East Village Draft Environmental Impact Report* (Eco Tierra Consulting 2012). The City of Oxnard developed a credit bank for use during extended drought or water supply restricted conditions and will gradually restore its groundwater credit bank as a buffer against future supply constraints with the GREAT Program (City of Oxnard 2012). It is anticipated that reasonably-projected water supplies available during normal, single dry, and multiple dry water years during a 20-year projection are sufficient to meet the water demand associated with the Project, in addition to the City's existing and planned future uses (City of Oxnard 2012). Furthermore, the City is requiring the Project to present a plan for water neutrality, which is reflected in Mitigation Measure HYDRO-2. Thus, with the implementation of Mitigation Measure HYDRO-2, the proposed Project's impacts on groundwater supply would be less than significant.

#### **Release of Pollutants Due to Inundation Associated with Flood Hazard**

**Impact.** As shown in the FEMA FIRM for Ventura County Incorporated Areas, the west half of the Project Site is located within a Zone X, *Area of Minimal Flood Hazard* and the east half of the Project Site is located in Zone X, *0.2 Percent Annual Chance of Flood Hazard*<sup>1</sup> (FEMA 2010). Therefore, the Project could potentially release pollutants if a flood occurred as a result of dam failure causing significant impacts.

**Finding.** Impact related to release of pollutants due to inundation associated with flood hazard, specifically dam failure, would be less than significant with compliance with Mitigation Measure HYDRO-3.

#### **Mitigation Measure.**

**HYDRO-3:** The OUHSD shall develop and implement a Site evacuation plan to be implemented in conjunction with the County of Ventura OES Dam Failure Response Plan.

**Factual Support and Rationale.** Recommendations by the Grand Jury investigation that was initiated after the 2017 failure of the spillway at Oroville Dam consisted of directing the OES to provide dam safety public education; assist residents in planning for dam failures; work more closely with DSOD to monitor and evaluate safety for dams in or affecting Ventura County; track the progress of remedial action taken at Matilija Dam, Santa Felicia Dam, Castaic Dam, and Bouquet Canyon Dam; and reporting progress annually (Ventura County Grand Jury 2018). Local inspections are now conducted at all dams owned by the Ventura County Watershed Protection District before winter and during and after each storm. As of March 2017, the Santa Clara River Levee in Oxnard was in the process of rehabilitation construction and undergoing design/engineering/CEQA work (City of Oxnard 2017b).

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<sup>1</sup> Defined as, "Areas of 0.2% annual chance flood, areas of 1% annual chance flood with average depths of less than one foot or with drainage areas less than one square mile."

With continued inspections of the dams, rehabilitation of the dams as needed, and the implementation of the Grand Jury recommendations, risk of an incident similar to the Oroville Dam spillway failure would be mitigated. Additionally, compliance with Mitigation Measure HYDRO-3, which requires OUHSD to develop and implement a Site-specific flooding evacuation plan to be implemented in conjunction with the OES *Dam Failure Response Plan*, Project impacts would be less than significant.

## 2.2.6 Noise

The proposed Project will not have significant impacts associated with: excessive groundborne vibration or groundborne noise levels; or excessive noise levels associated with a private airstrip, airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport.

### Construction Noise

**Impact.** The City of Oxnard General Plan Noise Element identifies land use compatibility standard for noise-sensitive land uses as a CNEL of 55 dBA to 70 dBA as conditionally acceptable. The highest noise levels during construction are normally generated during Site grading and foundation work. Grading equipment would be the loudest equipment used at the Site. This equipment is expected to generate a maximum instantaneous noise level ( $L_{max}$ ) of up to 75 - 80 dBA at the homes located at a distance of 100 feet to the south of the Project. This would be loud enough to temporarily interfere with speech communication outdoors and indoors with the windows open.

**Finding.** Impact related to construction noise would be less than significant with compliance with Mitigation Measure N-1.

### Mitigation Measure.

**N-1:** Construction noise levels fluctuate depending on the construction phase, equipment types and duration of use; distance between noise source and sensitive receptor; and the presence or absence of barriers between noise source and receptors. Therefore, the Project proponent should require construction contractors to limit standard construction activities as follows:

- Equipment and trucks used for Project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible. In addition, the time allowed for equipment and trucks to idle will be limited to the extent practicable.
- Stationary noise sources shall be located as far from adjacent receptors as possible and shall be muffled and enclosed within temporary sheds, incorporate insulation barriers or other measures to the extent feasible.
- Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for Project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible. This could achieve a reduction of 5 dBA. Quieter procedures shall be used such as drilling rather than impact equipment whenever feasible.
- Heavy construction equipment operations should be limited during the school period when classrooms are being utilized in the adjacent building.
- When heavy construction activities are located within 75 feet of a residential structure deploy a temporary portable sound barrier between the construction activities and nearest sensitive receptor.

**Factual Support and Rationale.** Project construction would occur between the hours of 7:00 a.m. and 3:30 p.m., Monday through Friday. Project construction will also implement standard noise reduction measures. Due to the

infrequent nature of loud construction activities at the Site, the limited hours of construction, and the implementation mitigation measure N-1, the temporary increase in noise due to construction is considered to be a less than significant impact.

## 2.2.7 Transportation and Traffic

The proposed Project will not have significant impacts associated with: vehicle miles traveled (VMT); hazards due to a geometric design feature or incompatible uses; inadequate emergency access; conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities.

### Traffic

**Impact.** The Project would degrade the level of service at the Rose Avenue/Cesar Chavez Drive intersection and the Camino Del Sol/Colonia Road intersection from LOS C to LOS D during the AM peak Hour, thereby generating a Project-specific impact at these locations. The Project would generate a cumulative impact based on City of Oxnard impact thresholds at the Camino Del Sol/Colonia Road intersection, which is forecast to operate in the LOS E range with cumulative plus Project traffic. The Project would generate a buildout impact at the intersections of Camino Del Sol with Juanita Avenue and Colonia Road, which are assumed to be all-way stop controlled.

**Finding.** Impact related to traffic, would be less than significant with compliance with Mitigation Measures TRAF-1 through TRAF-5.

### Mitigation Measures.

**TRAF-1: Rose Avenue/Cesar Chavez Drive Intersection (Project-Specific).** The Project-specific analysis found that the Project would generate a Project-specific impact based on City of Oxnard impact thresholds at the Rose Avenue/Cesar Chavez Drive intersection. The Project would degrade the level of service from LOS C to LOS D during the AM peak hour. The Project-specific analysis includes the widening of Rose Avenue from Camino De La Luna to Camino Del Sol. Construction of the Urban Village development will widen Rose Avenue from Cesar Chavez Drive to Camino Del Luna, thereby adding a third NB and SB travel lane to the Rose Avenue/Cesar Chavez Drive intersection. As shown in **Error! Reference source not found.**, the intersection is forecast to operate in the LOS B range after widening is completed.

To mitigate the Project-specific impact, the Project would need to construct the intersection improvements at the Rose Avenue/Cesar Chavez Drive intersection. The addition of a third NB and SB travel lane would result in LOS B during the AM peak hour (V/C 0.68).

**TRAF-2: Camino Del Sol/Colonia Road Intersection (Project-Specific).** The intersection would operate at the cusp of LOS C/D under Project-specific conditions. The intersection is controlled by an all-way stop. While existing plus Project traffic volumes would satisfy *Warrant 3 – Peak Hour* contained in *Chapter 4C. Traffic Control Signal Needs Studies* of the CAMUTCD, the current CAMUTCD guidelines indicate that *Warrant 3 – Peak Hour* shall be applied “only in unusual cases, such as office complexes, manufacturing plants, industrial complexes, or high-occupancy vehicle facilities that attract or discharge large numbers of vehicles over a short time.”

It is recommended that the intersection be monitored through a yearly count program and signal warrant analysis as the high school attendance increases, to determine if a traffic signal is warranted under future conditions.

**TRAF-3: Camino Del Sol/Gibraltar Street Intersection (Project-Specific).** The Site analysis indicated that the eastbound left-turn lane should be extended to the maximum length available to accommodate the eastbound left-turn movement into the school main driveway (461 AM PHT), The peak queue was shown as 880 feet during the 25-minute AM peak period. Given that the spacing between Gibraltar Street and the Camino Del Sol Senior Apartments driveway to the west is approximately 950 feet, back to back left-

turn lanes could be provided to adequately accommodate left-turns into the senior center and the high school.

**TRAF-4: Camino Del Sol/Colonia Road Intersection (Cumulative).** The intersection would operate at LOS E under cumulative conditions. As discussed in TRAF-2, the intersection is controlled by an all-way stop. While cumulative plus Project traffic volumes would satisfy *Warrant 3 – Peak Hour* contained in *Chapter 4C. Traffic Control Signal Needs Studies* of the CAMUTCD, the current CAMUTCD guidelines indicate that *Warrant 3 – Peak Hour* shall be applied “only in unusual cases, such as office complexes, manufacturing plants, industrial complexes, or high-occupancy vehicle facilities that attract or discharge large numbers of vehicles over a short time.”

It is recommended that the intersection be monitored through a yearly count program and signal warrant analysis as the high school attendance increases, to determine if a traffic signal or is warranted under future conditions. The Project’s proportionate share to the cumulative traffic is 77 percent.

**TRAF-5: Camino Del Sol/Juanita Avenue and Camino Del Sol/Colonia Road Intersections (Buildout).** The cumulative analysis indicated that the Project would generate a buildout impact based on City of Oxnard impact thresholds at the intersections of Camino Del Sol with Juanita Avenue and Colonia Road, which are all-way stop controlled. The Project would not exceed the City’s impact threshold of V/C 0.02 at the remaining intersections that would operate below LOS C.

Similarly, to TRAF-2 and TRAF-4, the currently stop controlled intersections could be signalized when conditions warrant. The programmed extension of Camino Del Sol to Oxnard Boulevard will result in traffic pattern changes, and intersection improvements as part of Camino Del Sol redesign should be evaluated through an ICE process to determine the appropriate improvements. The project will pay the appropriate development impact fees, as determined by the City, to mitigate potential buildout impact.

**Factual Support and Rationale.** With planned improvements, the study intersections are projected to operate within acceptable Levels of Service during the peak hour volumes with Project traffic conditions. Incorporation of Mitigation Measures TRAF-1, TRAF-2, TRAF-3, TRAF-4, and TRAF-5, would reduce all potentially significant impacts related to transportation and traffic to a less than significant level.

## 2.2.8 Utilities and Service Systems

The proposed Project will not have significant impacts associated with: solid waste; stormwater drainage; electric power; natural gas; nor telecommunications facilities.

### Water Supply and Facilities

**Impact.** Per Jensen’s *Projected Water Demands Letter* to Tetra Tech (2019), the proposed project’s estimated water demand is 67 AFY. Although the City of Oxnard’s *Urban Water Master Plan* includes the Maulhardt Property and the Site was allocated 161 AF of groundwater within the annexation to the CMWD, it does not specify specific projected water usage for the Site and therefore, Jensen Design & Survey, Inc. cannot determine at this time whether the supply is sufficient to meet the estimated demand of 67 AFY (2019).

**Finding.** Impact related to water supply and facilities would be less than significant with compliance with Mitigation Measure HYDRO-2.

**Mitigation Measure.** See HYDRO-2 above.

**Factual Support and Rationale.** The proposed Project’s estimated water demand is approximately 67 AFY (Jensen Design and Survey, Inc. 2019b). The 100-acre Maulhardt Property was annexed into the City of Oxnard and the CMWD in 2014. While the City is still reviewing the Calleguas numbers and allocation for the entire site, if it is assumed that 67 AFY is the correct total demand for the high school, and 161 AFY is the allotted supply, the proposed Project’s water demand will not exceed the estimated supply. CMWD’s 2015 UWMP states that the City

of Oxnard accounted for 12.8% of water deliveries; it is projected that sufficient water supplies will be available for the years 2020 through 2040 in normal years, single dry years, and multiple dry years to account for the proposed Project, in addition to the City's existing planned future uses. These projections include the use of recycled water (Black and Veatch 2016). The MWD completed a reliability analysis for its 2015 UWMP. After projecting demands for single dry year, multiple dry years, and average years, the MWD's water reliability analysis indicates that the region can provide reliable water supplies under both the single driest year and the multiple dry-year hydrologies. From 2020 through 2040, demand can be met utilizing groundwater and SWP supplies. The key component of MWD's supply capability is the amount of water in its large regional storage portfolio that includes both dry-year and emergency storage capacity (MNS Engineers, Inc. 2018). Furthermore, the City of Oxnard imposes a variety of development impact fees based on land use, size, and service impact area. Specifically, the City of Oxnard has been making planning and permitting decisions pursuant to a Water Neutrality Policy since 2008. According to the City of Oxnard CEQA Guidelines, projects not included in the 2030 General Plan EIR or the latest version of the City of Oxnard UWMP must confirm water neutrality. While the project site is included in the 2015 City of Oxnard UWMP, the City is requiring the project to present a plan for water neutrality nonetheless. Under the Water Neutrality Policy, two of the options in which a development can be water neutral include funding City water conservation programs and/or recycled water retrofit projects. The water fees associated with the proposed Project would be paid upon issuance of a building permit (East Village EIR 2012). Thus, with the implementation of Mitigation Measure HYDRO-2, the proposed Project's impacts on water supply and facilities would be less than significant.

### **Wastewater and Downstream Sewer System**

**Impact.** At the time of developing this Draft EIR, the precise downstream options for the high school sewer system had not been finalized, and the City's sewer model had not been run, thus significant impacts to the downstream sewer system could occur.

**Finding.** With the implementation of UTIL-1 and compliance with existing requirements, Project impact would be less than significant.

### **Mitigation Measure**

**UTIL-1:** OUHSD shall submit the anticipated sewer flow rates for the high school to the City so that it can be analyzed using the City's sewer model. Based on the results, OUHSD shall coordinate with the City regarding the final sewer design including any required improvements needed to provide adequate sewer service to the Project Site.

**Factual Support and Rationale.** It is anticipated the high school will produce an average sewage flow rate of 0.093 cfs, and a peak sewage flow rate of 0.2839 cfs (Jensen Design and Survey, Inc. 2019c). The OWTP has a current capacity of 31.7 MGD with average daily flows of approximately 24.0 MGD. The City anticipates expansion of the plant to 39.7 MGD by 2020. The anticipated sewer flow rates for the high school will be analyzed using the City's sewer model, which will determine the sewer design of the Project and any necessary downstream upgrades (Jensen Design and Survey, Inc. 2019c) needed to provide adequate service to the Project Site. Therefore, the potential Project impacts on existing wastewater treatment facilities and sewer systems will be designed to meet City requirements. As part of standard development procedures, Site plans would be submitted for review and approval to ensure adequate wastewater capacity prior to connection to City sewer system. Therefore, with the implementation of UTIL-1 and compliance with existing requirements, Project impact would be less than significant.

## **2.3 CUMULATIVE IMPACTS DETERMINED TO BE SIGNIFICANT AND UNMITIGABLE**

### **Agricultural**

Through the development of the proposed Project and other development contemplated for this area in the City of Oxnard General Plan, the character of the Project area would increasingly change from agricultural to urban. The

City of Oxnard 2030 General Plan Program EIR (City of Oxnard 2009) evaluated the potential environmental impacts of buildout of the 2030 General Plan, including the Project area. The 2030 General Plan Program EIR found that the conversion of agricultural land to urban uses is a significant and unavoidable impact. This was analyzed again in the NECSP EIR and East Village Phase III Annexation EIR with the same conclusion. No additional feasible mitigation measures are currently available to reduce the Project's contribution to this significant cumulative impact to a less than significant level, therefore this cumulative impact would remain significant and unavoidable. However, as the proposed Project would be consistent with the residential and other development in this area in the City of Oxnard General Plan, the proposed Project's contribution to impacts associated with agricultural resources would not be any greater than already analyzed.

## 2.4 CUMULATIVE IMPACTS DETERMINED TO BE SIGNIFICANT AND MITIGABLE

### Cultural and Tribal Cultural Resources

Based on the literature and records review (as described above), the Project Site is in a part of coastal California with documented prehistoric and historic occupation. The cumulative impact study area for cultural resources is coastal Ventura County and the Channel Islands (specifically, the Oxnard Plain), covering areas occupied by Native Americans through historic contact and immigrant populations (e.g., Europeans, Mexicans). Although no significant historic or archeological resources are documented in the Project area, unidentified buried resources may exist. Varied cultural resources are documented throughout this part of coastal California suggesting it is a highly sensitive region for archaeological resources.

The proposed Project is located on the east and north sides of the historic Maulhardt Property, which was previously recommended eligible for the National Register of Historic Places, California Register of Historical Resources (California Register) and as a Ventura County Landmark by San Buenaventura Research Associates in 2014. Cumulative indirect visual impacts of the Project, which have the potential to visually alter the characteristics of the historic ranch buildings and diminish their integrity, will require mitigation. PGI recommends mitigation that will entail planting a thick row of tall trees and bushes along the east and north sides of the existing historic buildings present on the Maulhardt Property to visually obscure the school complex from the historic ranch buildings.

The proposed Project could result in cumulative indirect visual impacts to ranch buildings present on the Maulhardt Property that have been previously documented as a historic resource. Impacts to archaeological resources, historic resources other than the identified ranch buildings present on the Maulhardt Property, and human burials are not anticipated, however impacts could occur to undocumented resources as a result of disturbance of native soils during Project construction. With the implementation of Mitigation Measures CUL-1 through CUL-3, Project impacts on cultural and tribal cultural resources would be reduced to less than significant.

### Hydrology and Water Quality

Groundwater. The Project is not anticipated to impact groundwater quality. Impacts to groundwater quantity may be lower upon completion of the Project in comparison to the volumes pumped directly from the groundwater basin to irrigate the agricultural fields. The City and the UWCD pump groundwater from the basin, but supplied water is also sourced from the State Water Project and recycled water from the Backbone system. Additionally, the City received the 161 AFY groundwater allocation as part of the annexation. Given the Project's plan for water neutrality, as required by the City and Mitigation Measure HYDRO-2, the increase of demand in City water supply will be mitigated. Therefore, the Project's contribution to groundwater impacts would be less than significant.

### Transportation

Cumulative traffic volumes were developed using a list of approved and pending development projects in the City of Oxnard provided by City staff (City of Oxnard 2019g). In addition, traffic generated by the adjacent residential/commercial development (Urban Village) is included. Trip generation estimates were developed for the

pending projects based on rates contained in ITE *Trip Generation* for the respective land uses. A trip generation worksheet is also included in the TCS (Technical Appendix). The cumulative projects traffic volumes were distributed onto the study-area street network based on each individual project's location, existing traffic patterns, and a general knowledge of the residential and commercial lay-out of the Oxnard area. The cumulative projects AM and PM peak turning volumes were assigned to the study area intersections and added to the existing peak hour volumes.

Intersection LOS were recalculated assuming cumulative and cumulative plus Project traffic conditions. The LOS calculations indicate that the Project would generate a cumulative impact based on City of Oxnard impact thresholds at the Camino Del Sol/Colonia Road intersection, which is forecast to operate in the LOS E range with cumulative plus Project traffic. Mitigation Measure TRAF-4 has been added to reduce potentially significant cumulative traffic impacts to a less than significant level.

The City of Oxnard Public Works Division collects traffic impact fees based on Project generated traffic that would impact roadways within the City's jurisdiction. Standard conditions of permit issuance initiate collection of these fees for all projects within the City of Oxnard, regardless of whether the project is a private or a public project.

### 3.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

The District finds, based on the substantial evidence appearing in Chapters 3.0 of the EIR that the following impacts would not be significant: energy, greenhouse gas emissions, hazards and hazardous materials, land use and planning, public services, and recreation.

### 4.0 FINDINGS REGARDING PROJECT ALTERNATIVES

This section discusses the alternatives to the New High School No. 8 Project that would potentially avoid or lessen the significant environmental impacts while obtaining most of the basic Project Objectives. Sufficient information about each alternative is included to allow meaningful evaluation, analysis, and comparison with the Project. Per Section 15126.6(d) of the CEQA Guidelines, potential significant effects of the alternatives are discussed in less detail than the significant effects of the Project as proposed.

Sections 15126.6(a) through 15126.6(f) of the State CEQA Guidelines (14 CCR) provide guidance on the alternatives to a project that must be evaluated in an Environmental Impact Report (EIR). Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (*California Public Resources Code*, Section 21002.1), the discussion of alternatives must focus on alternatives to the Project or its location that are capable of avoiding or substantially lessening any significant effects of the Project, even if these alternatives would impede to some degree the attainment of the Project objectives, or would be more costly.

An EIR must describe a range of reasonable and of potentially feasible alternatives to the Project, or to the location of the Project, which would feasibly attain most of the basic Project Objectives but would avoid or substantially lessen any significant effects. The comparative merits of the alternatives must be evaluated.

An EIR need not consider every conceivable alternative, but it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives that are infeasible. The range of alternatives is governed by a "rule of reason" that requires discussion of only those alternatives necessary for the Oxnard Union High School District (Lead Agency) to make a reasoned choice.

The alternatives to the Project are evaluated in Chapter 4.0 of the EIR in terms of their ability to meet the basic objectives of the Project, and eliminate or further reduce its significant environmental effects. Based on these



parameters, the following alternatives are considered: (1) No Project Alternative, (2) Reduced Project Use Alternative.

## 4.1 ALTERNATIVES CONSIDERED BUT REJECTED

Section 15126.6(c) of the *CEQA Guidelines* suggests that an EIR identify alternatives that were considered for analysis but rejected as infeasible, then briefly explain the reasons for their rejection.

According to the CEQA Guidelines, the following factors may be used to eliminate alternatives from detailed consideration: the alternative's failure to meet most of the basic Project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts.

OUHSD successfully passed the Measure A school facilities bond in June 2018, that will provide \$350 million of funding for district-wide facilities improvements and a new Oxnard-area high school to relieve overcrowding throughout the District. OUHSD studied several potential high school sites and other alternatives and determined that the proposed Project Site to be the one that is best available. Other sites considered included the Teal Club Site, Cooluris Site, Rice-Wooley Site, Hueneme-Olds Site, Cooluris Site New, and Harbor Site. Factors that reduced the alternative sites feasibility or ability to avoid significant environmental impacts included: potential for tsunami inundation, roadway traffic, few students within walking distance, overhead electrical lines, high pressure gas lines, mainline railroad tracks, and proximity to an industrial area. These alternatives would not meet two of the Project objectives of: providing new facilities that meet the District's educational specifications; and building school facilities that reflect the wise and efficient use of limited land resources. Therefore, alternative site locations were considered but rejected.

## 4.2 ANALYSIS OF FEASIBLE ALTERNATIVES

### 4.2.1 No Project Alternative

**Description of Alternative.** This alternative assumes that improvements described for the proposed Project would not be implemented. OUHSD would not implement any changes to the Project Site that would result in changes to existing conditions or existing agricultural uses. Under the No Project Alternative it is assumed that increases in enrollment would have to be accommodated by existing OUHSD schools.

**Finding.** None of the five Project objectives would be met.

**Factual Support and Rationale.** The No Project Alternative would result in the continuation of existing conditions on the Project Site. The No Project Alternative would result in no significant impacts to any of the issue areas except to public schools. The District would have to accommodate existing and anticipated future students at other District high schools that could result in adverse impacts to public schools. This would be the environmentally superior alternative; however, the five Project Objectives would not be met.

### 4.2.2 Limited Expansion of Existing High Schools Alternative A

**Description of Alternative.** OUHSD has a Measure A 2018 Facilities Master Plan that includes facilities improvements for all OUHSD's high schools. Two high schools in the area, Oxnard High School and Pacifica High School, are well beyond recommended capacity. This alternative assumes that improvements to these high schools and possibly other OUHSD high schools, beyond what is currently planned, would be required to address school capacity. OUHSD would not implement any changes to the Project Site that would result in changes to the existing agricultural uses. Under the Limited Expansion of Existing High Schools Alternative A, it is assumed that increases in enrollment would have to be accommodated by existing OUHSD high schools and that expansion improvements would occur within the existing high school sites.

**Finding.** This alternative would not fully achieve Project Objectives, however this alternative would not result in the significant and unavoidable impacts to agricultural land conversion (Agriculture and Forestry Resources) and windrow tree removal (Aesthetics).

**Factual Support and Rationale.** The Limited Expansion of Existing High Schools Alternative A would result in the continuation of existing conditions on the Project Site. The Limited Expansion of Existing High Schools Alternative A would have similar or greater impacts in some issue areas and reduce impacts in other issue areas. However, this alternative would not result in the significant and unavoidable impacts to agricultural land conversion (Agriculture and Forestry Resources) and windrow tree removal (Aesthetics). However, only some of the five Project Objectives would be met.

### 4.2.3 Environmentally Superior Alternative

An EIR is required to identify the environmentally superior alternative from among the range of reasonable alternatives that are evaluated. This would ideally be the alternative that results in fewer (or no) significant and unavoidable impacts. CEQA Guidelines Section 15126(d)(2) states that if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative from among the other alternatives.

Table 4-1 in the EIR provides a comparison of each alternative. The No Project Alternative would result in no impacts to any of the issue areas except to public schools. The District would have to accommodate existing and anticipated future students at other District high schools that could result in adverse impacts to public schools.

The Limited Expansion of Existing High Schools Alternative A would have similar or greater impacts in some issue areas and reduce impacts in other issue areas, however, this alternative would not result in the significant and unavoidable impacts to agricultural land conversion (Agriculture and Forestry Resources) and windrow tree removal (Aesthetics). The No Project Alternative would be the environmentally superior alternative but would not meet any of the five Project Objectives. The environmentally superior development alternative would likely be the Limited Expansion of Existing High Schools Alternative A since this alternative would not result in the significant and unavoidable impacts to agriculture and forestry resources and aesthetics and some of the five Project Objectives would be met.

**Table 4-1.** Summary of Project Alternatives

Issue Area	Proposed Project	No Project	Limited Expansion Alternative A
Aesthetics	S	NI	LTS
Agriculture	S	NI	NI
Air Quality	LTS/M	NI	LTS/M
Biological Resources	LTS/M	NI	LTS
Cultural and Tribal Cultural Resources	LTS/M	NI	LTS
Energy	LTS	NI	LTS
Geology and Soils	LTS/M	NI	LTS/M
Greenhouse Gas Emissions	LTS	NI	LTS
Hazards and Hazardous Materials	LTS	NI	LTS
Hydrology and Water Quality	LTS/M	NI	LTS
Land Use and Planning	LTS	NI	NI

Issue Area	Proposed Project	No Project	Limited Expansion Alternative A
Noise	LTS/M	NI	LTS/M
Public Services	LTS	S	LTS
Recreation	LTS	LTS	LTS
Transportation	LTS/M	NI	LTS
Utilities and Service Systems	LTS/M	NI	LTS

NI No Impact  
 LTS Less Than Significant  
 LTS/M Less Than Significant with Mitigation  
 S Significant and Unavoidable