

Rice Avenue Grade Separation Project

OXNARD, CALIFORNIA
07 – VEN – 34 PM 6.27/6.77
EA 07-317800/ EFIS 0715000274

Final Environmental Impact Report/ Environmental Assessment with Finding of No Significant Impact



**Prepared by the
State of California Department of Transportation
and the City of Oxnard**

The environmental review, consultation, and any other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 USC 327 and the Memorandum of Understanding dated December 23, 2016 and executed by FHWA and Caltrans.



May 2018

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Construct a grade separation structure at the existing Rice Avenue and Fifth Street intersection. The northern portion is in the City of Oxnard and the southern portion is in Ventura County. The Rice Avenue overpass would be constructed over Fifth Street and UPRR eliminating the existing at grade crossing.

**FINAL ENVIRONMENTAL IMPACT REPORT/ ENVIRONMENTAL ASSESSMENT
WITH FINDING OF NO SIGNIFICANT IMPACT**

Submitted Pursuant to: (State) Division 13, California Public Resources Code
(Federal) 42 USC 4332(2)(C)

THE STATE OF CALIFORNIA
Department of Transportation

COOPERATING AGENCY
Federal Railroad Administration

May 16, 2018
Date of Approval

Ronald Kosinski
RON KOSINSKI
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CALIFORNIA DEPARTMENT OF TRANSPORTATION
FINDING OF NO SIGNIFICANT IMPACT (FONSI)

RICE AVENUE GRADE SEPARATION PROJECT (PM 6.27/6.77)

FOR

The California Department of Transportation (Caltrans) has determined that Build Alternative 2A will have no significant impact on the human environment. This FONSI is based on the attached Environmental Assessment (EA) which has been independently evaluated by Caltrans and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. Caltrans takes full responsibility for the accuracy, scope, and content of the attached EA.

The environmental review, consultation, and any other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 USC 327 and the Memorandum of Understanding dated December 23, 2016 and executed by FHWA and Caltrans.

May 16, 2018
Date

Ronald Kosinski
RONALD KOSINSKI
Deputy District Director
Division of Environmental Planning
Caltrans District 7

CALIFORNIA DEPARTMENT OF TRANSPORTATION
FINDING OF NO SIGNIFICANT IMPACT (FONSI)

RICE AVENUE GRADE SEPARATION PROJECT (PM 6.27/6.77)

FOR

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The Federal Railroad Administration, as Cooperating Agency, concurs with Caltrans' determination that Build Alternative 2A will have no significant impact on the human environment.

The environmental review, consultation, and any other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 USC 327 and the Memorandum of Understanding dated December 23, 2016 and executed by FHWA and Caltrans.

May 16, 2018
Date


RONALD KOSINSKI
Deputy District Director
Division of Environmental Planning
Caltrans District 7

May 16, 2018
Date


JAMIE RENNERT
Director, Office of Program Delivery
Federal Railroad Administration
NEPA Cooperating Agency

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The Federal Railroad Administration (FRA) is a cooperating agency on this Environmental Assessment (EA) for the Rice Avenue Grade Separation Project. FRA has participated in the development of the EA and, after review and applying FRA's independent judgment, may use it to support FRA's responsibilities under the National Environmental Policy Act of 1969 and related environmental laws.

May 16, 2018
Date


Jamie Rennett
Director, Office of Program Delivery
Federal Railroad Administration
NEPA Cooperating Agency

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Summary

Introduction/ NEPA Assignment

California participated in the “Surface Transportation Project Delivery Pilot Program” (Pilot Program) pursuant to 23 USC 327, for more than five years, beginning July 1, 2007, and ending September 30, 2012. MAP-21 (P.L. 112-141), signed by President Obama on July 6, 2012, amended 23 USC 327 to establish a permanent Surface Transportation Project Delivery Program. As a result, Caltrans entered into a Memorandum of Understanding (MOU) pursuant to 23 USC 327 (NEPA Assignment MOU) with FHWA. The NEPA Assignment MOU became effective October 1, 2012, and was renewed on December 23, 2016 for a term of five years. In summary, Caltrans continues to assume FHWA responsibilities under NEPA and other federal environmental laws in the same manner as was assigned under the Pilot Program, with minor changes. With NEPA Assignment, FHWA assigned and Caltrans assumed all of the United States Department of Transportation (USDOT) Secretary's responsibilities under NEPA. This assignment includes projects on the State Highway System and Local Assistance Projects off of the State Highway System within the State of California, except for certain categorical exclusions that FHWA assigned to Caltrans under the 23 USC 326 CE Assignment MOU, projects excluded by definition, and specific project exclusions.

The City of Oxnard (City), in cooperation with the Ventura County Transportation Commission (VCTC) and the California Department of Transportation (Caltrans), is proposing to construct a grade separation (Project) on Rice Avenue where it crosses over State Route 34 (SR-34) and the Union Pacific Railroad (UPRR) tracks (Project Area). SR-34 (Fifth Street) is designated as a conventional highway running east to west, and Rice Avenue is an arterial roadway running north to south. The northern portion of the Project Area is located within the City, while the southern portion is located in an unincorporated area of the County of Ventura (County); SR-34, east of Rice Avenue, is located within Caltrans right-of-way (ROW). Caltrans is the lead agency under the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). The Federal Railroad Administration (FRA) is a cooperating agency under NEPA, as Caltrans was awarded a Safe Transportation of Energy Products (STEP) grant by the FRA in 2016 to complete final design for the project. FRA is not contributing funds for construction for the project.

The Project is subject to federal, as well as City of Oxnard and state environmental review requirements because Oxnard was awarded federal funds from the FHWA and is a subrecipient of funds awarded by FRA to Caltrans for the Project. Project documentation, therefore, has been prepared in compliance with both CEQA and NEPA. Caltrans is the project proponent and Caltrans is the lead agency under CEQA and NEPA. FHWA's responsibility for environmental review, consultation, and any other actions required by applicable Federal environmental laws for this Project are being, or have been, carried out by Caltrans pursuant to 23 United States Code Section 327 (23 USC 327) and the MOU dated December 23, 2016 and executed by FHWA and Caltrans. With NEPA Assignment, FHWA assigned and Caltrans assumed all of the United States Department of Transportation (USDOT) Secretary's responsibilities under NEPA. This assignment includes projects on the

State Highway System and Local Assistance Projects off of the State Highway System within the State of California, except for certain categorical exclusions that FHWA assigned to Caltrans under the 23 USC 326 CE Assignment MOU, projects excluded by definition, and specific project exclusions.

Some impacts determined to be significant under CEQA may not lead to a determination of significance under NEPA. Because NEPA is concerned with the significance of a project as a whole, often a lesser class of action is required for documentation prepared for NEPA. One of the most common joint document types is an Environmental Impact Report/Environmental Assessment (EIR/EA).

This Final Environmental Impact Report/Finding of No Significant Impact (EIR/FONSI) was prepared following the receipt of comments from the public and reviewing agencies. The Final EIR/FONSI addresses and responds to comments received on the Draft EIR/EA and has identified the preferred alternative. If the Project is approved, a Notice of Determination will be filed at the State Clearinghouse for compliance with CEQA, and a FONSI will be issued for compliance with NEPA. A Notice of Availability of the FONSI will be filed with the State Clearinghouse in compliance with Executive Order (EO) 12372. A vertical line in the margin indicated that there were changes in the text from the IS/EA after the public circulation.

The purpose of the Project is to:

- Reduce conflict between vehicles and trains; and
- Address future traffic and circulation issues forecasted for the Project Area.

Several accidents have occurred at the Rice Avenue/SR-34 (Fifth Street) and Rice Avenue/UPRR tracks intersections in past years. Projected increases in train and vehicular movements could increase the potential for future train and automobile collisions. Project improvements would ensure safe passage for pedestrians, vehicles, and trains through the Rice Avenue/SR-34 (Fifth Street) and Rice Avenue/UPRR tracks intersections. Additionally, the intersection is currently operating at LOS D for vehicle traffic and will continue to deteriorate without the Project, eventually resulting in failing service levels by 2022.

Alternative 1: No Build Alternative

Under this alternative, the current configuration of Rice Avenue and SR-34 (Fifth Street) would be maintained; the at-grade crossing would remain at Rice Avenue to the north of the Rice Avenue/SR-34 (Fifth Street) intersection. This alternative would not achieve the desired safety or circulation improvements since no improvements would be made.

Alternative 2A: Double Connector

Alternative 2A would include the construction of a grade separation structure to elevate Rice Avenue over SR-34 (Fifth Street) and the UPRR track (Rice Avenue grade separation), which would eliminate the existing at-grade railroad crossing. This alternative would also include the construction of two connector roads, one in the southeast quadrant of the Rice Avenue grade separation, and one in the southwest quadrant of the Rice Avenue grade separation, to provide access between Rice Avenue and SR-34 (Fifth Street). Under this alternative, both

SR-34 (Fifth Street)/connector road intersections would be signalized to eliminate the need for a signalized intersection on Rice Avenue, where all traffic movements from Rice Avenue to the connector roads would be right-turn movements. No permanent changes would be made to existing railroad infrastructure, and no ROW would be required from UPRR in order to complete the Project.

Alternative 2A would also include the relocation of a water line that would run from Sturgis Road to the south along Discovery Drive, and would extend through Challenger Plaza to SR-34 (Fifth Street).

Construction of Alternative 2A is currently proposed for 2020, and is expected to be completed over an estimated 24-month period, with an open-to-traffic year of approximately 2023. Caltrans relinquished a section of the SR-34 (Fifth Street) ROW to the City from Post Mile (PM) 4.20 (west of the existing Rice Avenue/SR-34 (Fifth Street) intersection), to PM 6.27 at the existing Rice Avenue/SR-34 (Fifth Street) intersection. In addition, the portion of Rice Avenue to the south of SR-34 (Fifth Street) is in County ROW. Therefore, as described below, the Project would be completed on portions of the roadways within Caltrans (State) ROW and within City/County ROW.

Within State Right-of-Way

Within State ROW, the Rice Avenue grade separation structure would include six lanes (three lanes each in both the northbound and southbound directions), 8-foot shoulders in each direction, 6.5-foot barrier-separated sidewalks in each direction, and a 16-foot median. The 16-foot median would match the existing 16-foot median to the north and south of the Project Area on Rice Avenue within City/County ROW. The Rice Avenue grade separation structure would have a total width of 122 feet. The structure would provide a minimum vertical clearance of 24 feet to accommodate trains on the UPRR tracks.

Beneath the Rice Avenue grade separation structure, SR-34 (Fifth Street) would include four lanes (two lanes each in both the eastbound and westbound directions) and 8-foot shoulders in each direction. The roadway would taper to the existing two-lane configuration approximately 0.45 mile to the east of the Rice Avenue grade separation at PM 6.77. A signalized intersection is proposed for the SR-34 (Fifth Street)/connector road intersection, east of the proposed Rice Avenue grade separation. A 12-foot sidewalk would be added along the westbound side of SR-34 (Fifth Street), which would be converted to a Class I bikeway (a bike path or multi-use path that provides for bicycle and other non-motorized travel separated from any street or highway) in the future. The proposed sidewalk along the westbound side of SR-34 (Fifth Street) would be constructed from the Rice Avenue grade separation structure between PM 6.27 and PM 6.77.

Construction of Alternative 2A within State ROW would require permanent acquisition of approximately 2.62 acres of ROW.

Within City/County Right-of-Way

Within City/County ROW, improvements on Rice Avenue would extend approximately 0.35 mile to the north and 0.35 mile to the south of the grade separation structure, with six lanes

(three lanes each in both the northbound and southbound directions), 8-foot shoulders in each direction, and 8-foot sidewalks in each direction. The Rice Avenue roadway profile would be designed for 55 miles per hour (mph) with a 4-percent grade for the approaches to the Rice Avenue grade separation structure. The approaches are anticipated to require retaining walls at the northwest and northeast quadrants of the grade separation to avoid industrial ROW impacts, and on the southeast quadrant to avoid impacts on existing utilities. The existing “T” intersection at Rice Avenue and Eastman Avenue would be reconfigured to create a cul-de-sac at the end of Eastman Avenue. Through-traffic on Eastman Avenue would be redirected north along Candelaria Road to Sturgis Road.

To the west of the Rice Avenue grade separation structure, SR-34 (Fifth Street) would include four lanes (two lanes each in both the eastbound and westbound directions) with 8-foot shoulders. The roadway would taper to the existing two-lane configuration approximately 0.40 mile to the west of the Rice Avenue grade separation structure. A signalized intersection is proposed for the SR-34 (Fifth Street)/connector road intersection to the west of the Rice Avenue grade separation structure. A 12-foot sidewalk would be added along the westbound side of SR-34 (Fifth Street), which would be converted to a Class I bikeway in the future. The proposed sidewalk would be constructed from the Rice Avenue grade separation to the western boundary of the Project Area.

Alternative 2A would include two connector roads, one in the southwest quadrant of the Rice Avenue grade separation, and one in the southeast quadrant. Both connector roads would include four lanes (two lanes in each direction), including left-turn pockets, 8-foot shoulders in each direction, and 6-foot sidewalks in each direction.

Construction of Alternative 2A within City/County ROW would require permanent acquisition of approximately 17.63 acres of ROW, including one full take from Assessor’s Parcel Number (APN) 216-0-160-285. Approximately 9.31 acres would be required for TCEs under Alternative 2A, which includes an easement for a temporary detour road that would be approximately 200 feet east of and parallel to Rice Avenue during construction. The paved temporary detour road would be constructed over earth and would include grading in the UPRR ROW to meet the elevation of the UPRR tracks. Traffic would be provided access over SR-34 (Fifth Street) via Rice Avenue or the temporary detour road at all times during Project construction. Similarly, access over Rice Avenue via SR-34 (Fifth Street) or temporary crossing would be available at all times during Project construction. A signal would be installed to control traffic over the temporary railroad crossing.

Alternative 2B: Single Connector

Under Alternative 2B, a grade separation structure would be constructed to elevate Rice Avenue over SR-34 (Fifth Street) and the UPRR track, which would eliminate the existing at-grade railroad crossing. To provide access between Rice Avenue and SR-34 (Fifth Street), a single connector road would be constructed at the southeast quadrant of the grade separation. The single connector road would include a signalized intersection at the SR-34 (Fifth Street)/connector road intersection, and a signalized intersection at the Rice Avenue/connector road intersection. No permanent changes would be made to existing

railroad infrastructure, and no ROW would be required from UPRR in order to complete the Project.

Alternative 2B would also include the relocation of a water line that would run from Sturgis Road to the south along Discovery Drive, and would extend through Challenger Plaza to SR-34 (Fifth Street).

Construction of Alternative 2B is currently planned for 2020, and is expected to be constructed over an estimated 21-month period, with an open-to-traffic year of approximately 2023. As stated previously, Caltrans relinquished a section of the SR-34 (Fifth Street) ROW to the City from PM 4.20 (west of the existing Rice Avenue/SR-34 (Fifth Street) intersection), to PM 6.27 at the existing Rice Avenue/SR-34 (Fifth Street) intersection. In addition, the portion of Rice Avenue to the south of SR-34 (Fifth Street) is in County ROW. Therefore, as described below, the Project would be completed on portions of the roadways within State ROW and within City/County ROW.

Within State Right-of-Way

Within State ROW, the Rice Avenue grade separation structure would include six lanes (three lanes each in both the northbound and southbound directions), 8-foot shoulders in each direction, and 6.5-foot barrier-separated sidewalks in each direction. The Rice Avenue grade separation structure would also include two left-turn lanes for traffic moving southbound on Rice Avenue to eastbound on SR-34 (Fifth Street). The Rice Avenue grade separation structure would have a total width of 130 feet, and a minimum vertical clearance of 24 feet to accommodate trains on the UPRR track. Under this alternative, other improvements on SR-34 (Fifth Street) would be the same as Alternative 2A within the State ROW, which would extend from PM 6.27 to PM 6.77.

Construction of Alternative 2B within State ROW would require permanent acquisition of approximately 3.77 acres of ROW.

Within City/County Right-of-Way

Within City/County ROW, improvements on Rice Avenue would be the same as Alternative 2A, except that the Rice Avenue/connector road intersection to the south of the Rice Avenue grade separation structure would be signalized. SR-34 (Fifth Street) improvements would be the same as Alternative 2A within the City/County ROW.

The single connector road that would provide access between Rice Avenue and SR-34 (Fifth) Street would be constructed at the southeast quadrant of the grade separation. The connector road, designed for 25 mph, would include four lanes (two lanes in each direction), including a left-turn pocket, 8-foot shoulders in each direction, and 6-foot sidewalks in each direction.

Construction of Alternative 2B within City/County ROW would require permanent acquisition of approximately 12.10 acres of ROW, including one full take from APN 216-0-160-285. Like Alternative 2A, TCEs would be required for a temporary detour road parallel to Rice Avenue during construction. Approximately 9.71 acres would be required for TCE.

Environmental Consequences

The Project would have no adverse impacts on the following resource areas:

- Coastal zone;
- Wild and scenic rivers;
- Parks and recreational facilities;
- Visual/aesthetics;
- Hydrology and floodplain;
- Paleontology;
- Consistency with state, regional, and local plans;
- Wetlands and other waters;
- Plant species;
- Invasive species;
- Natural communities; and
- Threatened and endangered species

Therefore, these environmental issues were excluded from discussion.

Table S-1 provides a summary of the impacts associated with the No Build Alternative and Build Alternatives (Alternatives 2A and 2B). With the incorporation of avoidance, minimization, and mitigation measures, it is anticipated that no adverse environmental effects would result from either Build Alternative.

Table S-1: Summary of Environmental Consequences

Area of Impacts	Alternative 1 (No Build Alternative)	Alternatives 2A and 2B (Build Alternatives)
Human Environment		
Existing and Future Land Use	No Impact	Build Alternative 2A & 2B: Not Adverse With Mitigation Permanent Impacts: The Build Alternatives would require several partial and full property acquisitions of ROW from agricultural and industrial properties. The property would be fully incorporated into the transportation facility and would no longer be available for industrial use. However, under the Build Alternatives, proposed improvements to the circulation system would be consistent with the City's and County's land use goals, and would be compatible with adjacent and surrounding land uses. In addition, with implementation of a mitigation measure recommending coordination with affected communities, the Build Alternatives would not be expected to result in adverse permanent impacts on existing and future land use. Construction Impacts: The Build Alternatives would not be expected to result in adverse construction impacts on existing and future land use. No avoidance, minimization, and/or mitigation measures would be required. Cumulative Impacts: Project contributions to cumulative impacts would not be cumulatively considerable.
Farmlands/ Timberlands	No Impact	Build Alternative 2A: Not Adverse under NEPA; Significant and Unavoidable under CEQA Build Alternative 2B: Not Adverse under NEPA; Less Than Significant Impact under CEQA Permanent Impacts: The Build Alternatives would require the acquisition of several acres of important farmland, which would be permanently incorporated into the transportation facility. Less than 0.01 percent of important farmland in the County would be converted to nonagricultural use; 19.75 acres under Alternative 2A and 15.32 under Alternative 2B. Because the Project would be focused around an existing transportation facility and only a small percent of farmland would be converted, the Build Alternatives would not result in adverse permanent impacts on farmlands/timberlands. No avoidance, minimization, and/or mitigation measures would be required. This impact would be significant and unavoidable under CEQA as discussed in Chapter 3 because the impacts would exceed the County of Ventura's significance thresholds. Construction Impacts: During construction, the Build Alternatives would require a temporary detour road on several parcels classified as important farmland. However, the temporary detour road would be restored to existing conditions following construction. The relocation of a water line would also be required under Alternatives 2A and 2B. However, the land where the water line will be relocated is

Area of Impacts	Alternative 1 (No Build Alternative)	Alternatives 2A and 2B (Build Alternatives)
		not currently being used as farmland, although it is identified as farmland of local importance. In addition, excavated land would be restored following construction. Therefore, the Build Alternatives would not result in adverse construction impacts on farmlands/timberlands. No avoidance, minimization, and/or mitigation measures would be required. Cumulative Impacts: Project contributions to cumulative impacts would not be cumulatively considerable.
Community Character and Cohesion	No Impact	Build Alternative 2A & 2B: Not Adverse Permanent Impacts: The Build Alternatives would result in acquisition of ROW and construction of additional transportation infrastructure in the Project Area, which could result in changes to community character. However, under the Build Alternatives, proposed improvements to the circulation system would be consistent with the City's and County's land use goals, and would be compatible with adjacent and surrounding land uses. Therefore, the Build Alternatives would not result in adverse permanent impacts on community character and cohesion. No avoidance, minimization, and/or mitigation measures would be required. Construction Impacts: Construction activities could result in temporary impacts on community character and cohesion related to noise, traffic, air quality, and visual impacts. With adherence to local policies and implementation of construction best management practices (BMPs), the Build Alternatives would not result in adverse construction impacts on community character and cohesion. No avoidance, minimization, and/or mitigation measures would be required. Cumulative Impacts: Project contributions to cumulative impacts would not be cumulatively considerable.
Relocations and Real Property Acquisitions	No Impact	Build Alternative 2A & 2B: Not Adverse Permanent Impacts: The Build Alternatives would require several partial and full property acquisitions: • 9.31 acres of temporary and 20.25 acres of permanent acquisition for Alternative 2A, and • 9.71 acres of temporary and 15.87 acres of permanent acquisition for Alternative 2B. The Build Alternatives would also require relocation of agricultural storage areas on parcels designated agricultural land use. The City will provide advisory services to assist individuals and businesses being displaced by a public project. In addition, the Project would comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act. Therefore, the Build Alternatives would not result in adverse permanent impacts related to relocations and real property acquisitions. No avoidance, minimization, and/or mitigation measures would be required.

Area of Impacts	Alternative 1 (No Build Alternative)	Alternatives 2A and 2B (Build Alternatives)
		Construction Impacts: The Build Alternatives would require temporary construction easements (TCE) for a temporary detour road. However, the property acquisitions and TCEs would be relatively small, and would be located on undeveloped land designated as industrial land use, and would not require any residential or business relocations. All activities would adhere to federal and state policies and procedures. Therefore, the Build Alternatives would not result in adverse construction impacts related to relocations and real property acquisitions. No avoidance, minimization, and/or mitigation measures would be required. Cumulative Impacts: Project contributions to cumulative impacts would not be cumulatively considerable.
Utilities/ Emergency Services	No Impact	Build Alternative 2A & 2B: Not Adverse Permanent Impacts: The Build Alternatives would not affect existing utilities or emergency services through an increase in resident populations or through the loss of facilities. Under all alternatives, access to United Water Conservation District (UWCD) Well Number 4 would be available after Project implementation. With implementation of an avoidance measure to protect the well in place and provide for an access road to the well, potential impacts would not be adverse. Construction Impacts: During construction, intermittent disruptions of utilities and relocation of utilities could be required to complete the Project. However, these disruptions would be scheduled and coordinated to ensure they would not adversely affect the surrounding community. During construction of the Build Alternatives, the temporary detour road would prevent emergency access from being adversely affected. Temporary traffic impacts could affect emergency service response times. However, with implementation of a traffic management plan and coordination with emergency service providers, the Build Alternatives would not result in adverse construction impacts on utilities and emergency services. Cumulative Impacts: Project contributions to cumulative impacts would not be cumulatively considerable.
Traffic and Transportation/ Pedestrian and Bicycle Facilities	Significant Impact: The Rice Avenue and SR-34 (Fifth Street) intersection is currently operating at level of service (LOS) D and will continue to deteriorate without any Project,	Build Alternative 2A & 2B: Not Adverse Permanent Impacts: A double connector road (under Alternative 2A) or a single connector road (under Alternative 2B) would be constructed to connect Rice Avenue with SR-34 (Fifth Street). For Alternative 2A, free right turns will be provided for north-south and east-west movements from the connector roads to merge with Rice Avenue, thereby reducing control delay on Rice Avenue. Both alternatives improve the operations at the intersection of Rice Avenue at SR-34 (Fifth Street). For Alternative 2B, the intersection is projected to operate at LOS B in 2022 for AM and PM Peak. For Alternative 2B in 2040, the intersection is projected to operate at LOS C in the AM and PM Peak. In addition, the Build Alternatives would include shoulders and sidewalks to improve pedestrian and

Area of Impacts	Alternative 1 (No Build Alternative)	Alternatives 2A and 2B (Build Alternatives)
	eventually resulting in LOS F in 2022 PM Peak.	bicycle travel in the Project Area. Traffic conditions would improve under the Build Alternatives. Therefore, the Build Alternatives would not result in adverse permanent impacts on traffic and transportation. No avoidance, minimization, and/or mitigation measures would be required. Construction Impacts: During construction of the Build Alternatives, the temporary detour road would ensure that access in the Project Area would not be affected. Construction could result in temporary traffic delays. However, with implementation of Mitigation Measure T-1, these impacts would not be adverse. The relocation of the water line along Discovery Drive under Alternatives 2A and 2B could temporarily affect access to businesses. However, alternate access to businesses would be available on surrounding streets. Therefore, the Build Alternatives would not result in adverse construction impacts on traffic and transportation with implementation of proper avoidance, minimization, and/or mitigation measures. Cumulative Impacts: Project contributions to cumulative impacts would not be cumulatively considerable.
Cultural Resources	No Impact	Build Alternative 2A & 2B: Not Adverse With Mitigation Permanent Impacts: There is one historical resource in the Area of Potential Effects (APE). However, no direct or indirect impacts on the historic integrity of this property would result from the Project. There are five archaeological sites in the vicinity of the Project, including two sites within the APE, indicating a high level of sensitivity for cultural resources. An Extended Phase I Survey (XPI) was conducted for the Project between April 10 and 14, 2017 to confirm the potential for archaeological resources in the Project Area. A total of 13 trenches were excavated within the APE and confirm a relatively uniform and homogenous stratigraphic profile across the APE. No evidence of any intact cultural deposit consistent with aboriginal occupation of the immediate areas examined was encountered in any of the trench excavations. Therefore, no additional archaeological studies are recommended. With implementation of avoidance, minimization, and/or mitigation measures, the Build Alternatives would not result in adverse permanent impacts on cultural resources. Construction Impacts: If previously unidentified cultural materials are un-earthed during construction, work would be halted until the significance of the find can be assessed. With implementation of avoidance, minimization, and/or mitigation measures, the Build Alternatives would not result in adverse construction impacts on cultural resources. Cumulative Impacts: Project contributions to cumulative impacts would not be cumulatively considerable.
Physical Environment		

Area of Impacts	Alternative 1 (No Build Alternative)	Alternatives 2A and 2B (Build Alternatives)
Water Quality and Storm Water Runoff	No Impact	Build Alternative 2A & 2B: Not Adverse Permanent Impacts: The Build Alternatives would result in an increase in impervious surface area. However, the Project would be designed in accordance with the objectives of Caltrans' National Pollutant Discharge Elimination System (NPDES) Permit requirements and related stormwater requirements. Therefore, the Build Alternatives would not result in adverse permanent impacts on water quality. No avoidance, minimization, and/or mitigation measures would be required. Construction Impacts: During construction, there is potential for pollutants to be carried in storm water runoff and discharged near the Project Area. Construction impacts from the Project would be minimized through compliance with the NPDES General Permit for Discharges from Construction Activities (Construction General Permit), which requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). Therefore, the Build Alternatives would not result in adverse construction impacts on water quality. No avoidance, minimization, and/or mitigation measures would be required. Cumulative Impacts: Project contributions to cumulative impacts would not be cumulatively considerable.
Geology/ Soils/ Seismic/ Topography	No Impact	Build Alternative 2A & 2B: Not Adverse Permanent Impacts: The Project Area is susceptible to strong ground shaking, liquefaction, settlement, and subsidence. However, the Build Alternatives would be constructed according to current design standards, and the proposed improvements would be able to withstand typical bedrock accelerations and site-specific geologic and soil conditions. Therefore, the Build Alternatives would not result in adverse permanent impacts related to geology, soils, seismic, or topographic hazards. No avoidance, minimization, and/or mitigation measures would be required. Construction Impacts: The Project Area is susceptible to impacts related to mineral hazards from previous oil and gas operations. If excavation is required, a Site Investigation (SI) will be conducted to mark out and list all potential pipelines and oil wells in the area. With implementation of preventative measures and compliance with design standards, the Build Alternatives would not result in adverse construction impacts related to geology, soils, seismic, or topographic hazards. No avoidance, minimization, and/or mitigation measures would be required. Cumulative Impacts: Project contributions to cumulative impacts would not be cumulatively considerable.
Hazardous Waste/ Materials	No Impact	Build Alternative 2A & 2B: Not Adverse Permanent Impacts: The Build Alternatives are not anticipated to result in the generation of hazardous wastes or materials. Supplementary evaluations, including a Phase II study, will be

Area of Impacts	Alternative 1 (No Build Alternative)	Alternatives 2A and 2B (Build Alternatives)
		conducted to identify the presence of hazardous substances before initiating construction activities (e.g. removal of asphalt and water pipes) that could result in exposure of hazardous substances. Therefore, the Build Alternatives would not result in adverse permanent impacts from hazardous waste/materials. No mitigation measures would be required. Construction Impacts: Several hazardous wastes or materials could be exposed during construction. A Phase II environmental site investigation is recommended prior to construction to determine the presence of other hazardous materials in the Project Area. The Build Alternatives would be implemented in compliance with federal, state, and local regulations, which would minimize potential impacts. Therefore, the Build Alternatives would not result in adverse construction impacts on hazardous waste/materials. No avoidance, minimization, and/or mitigation measures would be required. Cumulative Impacts: Project contributions to cumulative impacts would not be cumulatively considerable.
Air Quality	No Impact	Build Alternative 2A & 2B: Not Adverse Permanent Impacts: The Project conforms with the Regional Transportation Plan (RTP). The Build Alternatives would not worsen localized air quality or violate federal or state standards for current and projected emissions. Federal approval of the conformity determination for the 2016-2040 RTP/SCS was issued on June 1, 2016. Federal approval of the conformity determination for the 2017 FTIP was issued on December 16, 2016. In addition, construction and operational emissions associated with the proposed Build Alternatives would not exceed federal General Conformity <i>de minimis</i> emission levels. Therefore, the Build Alternatives would not result in adverse operational impacts on air quality. No avoidance, minimization, and/or mitigation measures would be required. Construction Impacts: The principal sources of pollutant emissions during construction are fugitive dust and engine exhaust from construction equipment. Construction of the Build Alternatives would comply with standard specifications. With implementation of avoidance, minimization, and/or mitigation measures, the Build Alternatives would not result in adverse construction impacts on air quality. Cumulative Impacts: Project contributions to cumulative impacts would not be cumulatively considerable.
Noise and Vibration	No Impact	Build Alternative 2A & 2B: Not Adverse Permanent Impacts: Under the Build Alternatives, the predicted noise levels at land uses in the Project Area would not exceed existing noise levels and the grade separation would reduce the need for train horns and crossing warning bells on approach to the grade crossing. In addition, the Build

Area of Impacts	Alternative 1 (No Build Alternative)	Alternatives 2A and 2B (Build Alternatives)
		Alternatives would not result in a substantial increase in traffic noise levels in comparison to existing conditions. No avoidance, minimization, and/or mitigation measures would be required. Therefore, the Build Alternatives would not result in substantially adverse permanent impacts from noise and vibration. Construction Impacts: During construction, predicted noise levels would not exceed noise ordinance requirements or existing traffic noise. With compliance with standard specifications and local noise ordinances, the Build Alternatives would not result in substantially adverse construction impacts on noise and vibration. Cumulative Impacts: The Build Alternatives would not result in cumulatively considerable impacts on noise and vibration.
Biological Environment		
Animal Species	No Impact	Build Alternative 2A & 2B: Not Adverse With Mitigation Permanent Impacts: The Build Alternatives would not result in adverse permanent impacts on animal species. No avoidance, minimization, and/or mitigation measures would be required. Construction Impacts: During construction of the Build Alternatives, there is potential for migratory birds in the biological study area (BSA) and construction area. Construction activities could disturb nesting birds or result in a loss of habitat. With implementation of avoidance, minimization, and/or mitigation measures, the Build Alternatives would not result in adverse construction impacts on animal species. Cumulative Impacts: Project contributions to cumulative impacts would not be cumulatively considerable.

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Chapter 1 Proposed Project

1.1 Introduction

The City of Oxnard (City), in cooperation with the Ventura County Transportation Commission (VCTC) and the California Department of Transportation (Caltrans), is proposing to construct a grade separation (Project) on Rice Avenue where it crosses over State Route 34 (SR-34) and the Union Pacific Railroad (UPRR) track (Project Area). The Project was approved in the 2017 Federal Transportation Improvement Program (FTIP) Ventura County Project Listing and is listed in the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) financially constrained Regional Transportation Plan, which was found to conform by Southern California Association of Governments (SCAG) (Southern California Association of Governments, 2016). The northern portion of the Project Area is within the City, while the southern portion is located in an unincorporated area of the County of Ventura (County) (see **Figure 1-1** and **Figure 1-2**).

The Project is subject to federal, as well as City of Oxnard and state environmental review requirements because Oxnard was awarded federal funds from the Federal Highway Administration (FHWA) and is a subrecipient of funds awarded by Federal Railroad Administration (FRA) to Caltrans for the Project. Caltrans is the lead agency under the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). Caltrans prepared and filed a Notice of Preparation (NOP) with the State Clearinghouse (SCH# 2017091040) on September 4, 2017; no comments were received during the 30 day public circulation period. The NOP is included in **Appendix A**. The Draft EIR/EA was circulated to the public and reviewing agencies for 45 days, from December 29, 2017 to February 12, 2018. A public hearing was held on January 31, 2018 at City of Oxnard Council Chambers. Public and agency comments were accepted in writing during the public circulation period, and written and verbal comments were accepted during the public hearing.

FRA selected Caltrans to receive a Safe Transportation of Energy Products (STEP) grant in 2016 to complete final design for the Project. Because Caltrans was assigned FHWA's responsibilities for environmental review, consultation, and any other actions required by applicable Federal environmental laws for this Project pursuant to 23 USC, and is providing the remaining funding for project construction, Caltrans is the lead agency for this EA. FRA is not providing any funding for construction activities and has accepted a role as cooperating agency for this EA and has agreed, as appropriate, to follow applicable laws, regulations, guidance, and procedures that apply to FHWA and Caltrans reviews under NEPA. FRA has independently reviewed this EA and agrees with FHWA's analysis and conclusions. As such, FRA will be a joint signatory to Caltrans' Finding of No Significant Impact (FONSI).

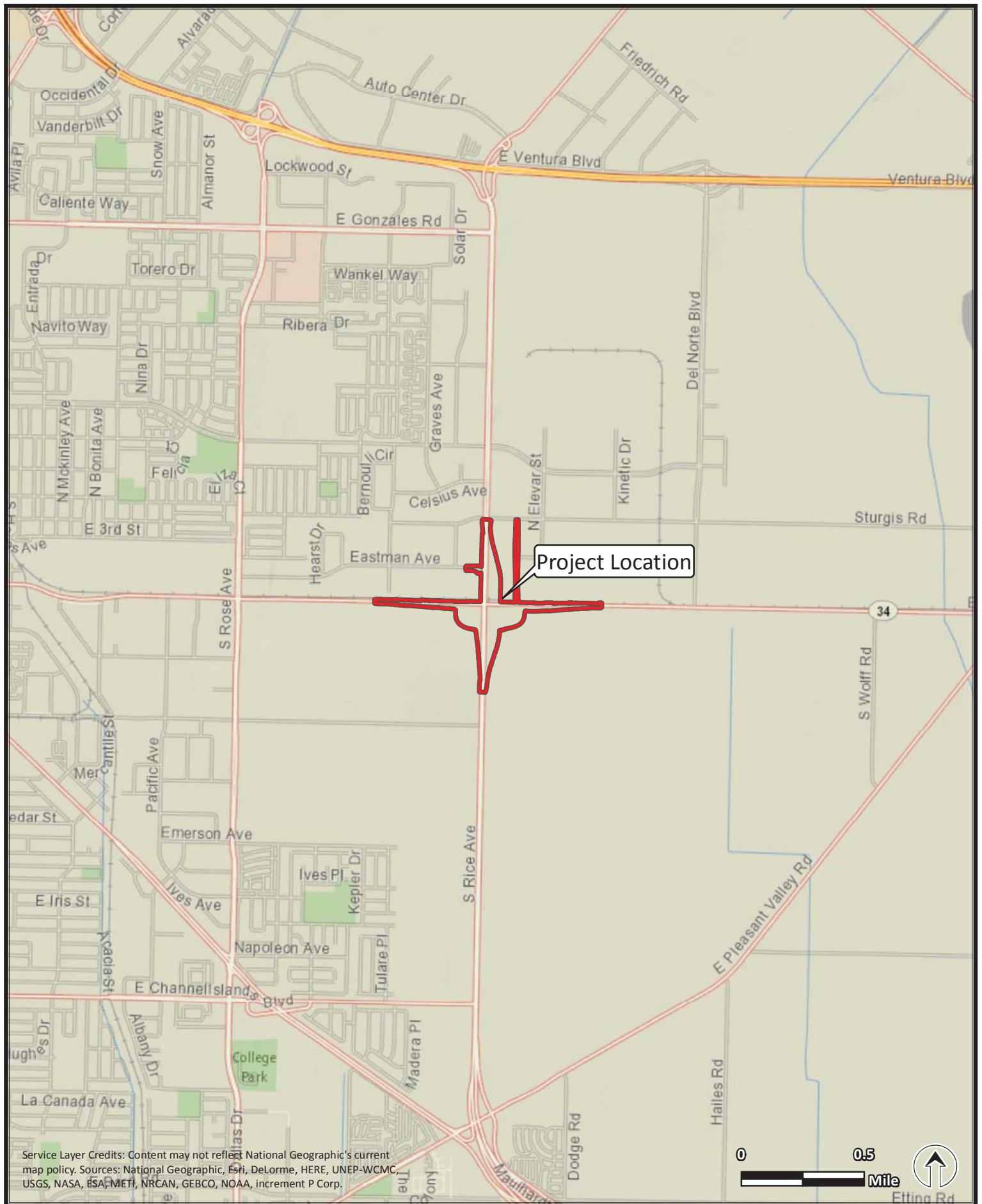
Rice Avenue is a primary arterial roadway with a speed limit of 55 miles per hour (mph), accommodating north-south traffic movement between the Port of Hueneme, which is part of the Naval Base Ventura County (NBVC), and United States Highway 101 (US-101). In the Project Area, Rice Avenue has six lanes (three lanes in each direction) north of SR-34 in Oxnard, and four lanes (two lanes in each direction) south of SR-34 in the County. The Rice Avenue and SR-34 intersection is controlled by a four-way stoplight.



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**FIGURE 1-1: REGIONAL LOCATION
Rice Avenue Grade Separation**

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The UPRR tracks cross Rice Avenue approximately 50 feet north of the SR-34 intersection. Railroad crossing signals and gates exist on both sides of the railroad track for safety. Based on 2015 traffic counts, the average daily traffic (ADT) for the segment of Rice Avenue in the Project Area is 35,000 vehicles. Rice Avenue is to be designated in the future by Caltrans as State Route 1 (SR-1) (Pacific Coast Highway).

SR-34 is a two-lane (one lane in each direction) conventional highway with a speed limit of 55 mph, accommodating east-west traffic movement from Rice Avenue to State Route 118 (SR-118) near the unincorporated community of Somis. SR-34 is designated as Fifth Street in the Project Area from Rice Avenue to US-101, and Lewis Road from US-101 to SR-118. Based on 2015 traffic counts, the ADT for the segment of SR-34 (Fifth Street) in the Project Area is 11,000 vehicles.

The UPRR track is located just north of the SR-34/Rice Avenue intersection with a separation of 58 feet between the center of the track to the intersection crosswalk on the north side of SR-34 (Fifth Street). The track is used jointly by UPRR, Metrolink, and Amtrak trains, with an estimated one UPRR train crossing every hour at the Rice Avenue/SR-34 (Fifth Street) intersection. Metrolink trains make three trips in each direction daily. Amtrak's Coast Starlight train makes two trips daily, one northbound and one southbound, and Surfliner makes approximately 5 trips daily in each direction, with variation between days of the week and holidays. Train speeds can reach up to 79 mph in the Project Area.

The Project improvements are proposed along SR-34 (Fifth Street) from Post Mile (PM) 6.27 to PM 6.77, and along Rice Avenue for approximately 0.4 miles to the north and south of the Rice Avenue/SR-34 (Fifth Street) intersection. In 2010, Caltrans relinquished a portion of the SR-34 (Fifth Street) right-of-way (ROW) to the City from PM 4.20 located to the west of the Rice Avenue/SR-34 (Fifth Street) intersection, to PM 6.27 at the Rice Avenue/SR-34 (Fifth Street) intersection.

The Project is consistent with recommendations in the City's 2030 General Plan, which designates Rice Avenue as a trucking access route between the Port of Hueneme and US-101 (City of Oxnard, 2011a). VCTC has identified the Project as a way to improve freight movement to and from the Port of Hueneme.

1.2 Purpose and Need

The purpose of the Project is to:

- Reduce conflict between vehicles and trains; and
- Address future traffic and circulation issues forecasted for the Project Area.

From 2010 to 2016, there have been sixty-one separate accidents combined at the Rice Avenue/SR-34 (Fifth Street) and Rice Avenue/UPRR tracks intersections, averaging 12 accidents per year in that area during that six-year period. Two of the sixty-one accidents occurred on June 3, 2014 and February 24, 2015; both accidents involved a Metrolink train hitting a vehicle at the at-grade railroad crossing at Rice Avenue, resulting in a total of three fatalities. Without implementation of the Project, projected increases in train and vehicular movements could increase the potential for future train and automobile collisions. Additionally,

the intersection is currently operating at LOS D for vehicle traffic and will continue to deteriorate without the Project build, eventually resulting in LOS F in 2040 PM Peak (Kimley-Horn, 2015), as shown in **Table 1-1** below.

Independent Utility and Logical Termini

Title 23 Code of Federal Regulations (CFR) 771.111(f) requires that a Project connect logical termini and be of sufficient length to address environmental matters on a broad scope. Logical termini for project development are defined by the FHWA as the rational endpoints for a transportation improvement and for the review of the environmental impacts. A project must also demonstrate independent utility. Independent utility means that the project would be functional even if no additional transportation improvements were made. Finally, CFR 771.111(f) requires that implementation of a project must not restrict future consideration of alternatives for other reasonably foreseeable transportation improvements.

The Project includes the logical termini required to achieve the Project purpose and need, and to enable sufficient analysis of potential environmental impacts. The rational end points for the transportation improvement are depicted in **Figure 1-3**, and encompass the area of direct impact for the proposed grade separation, as well as temporary construction and staging areas. The Project would address the purpose and need without requiring any future improvements; therefore, the Project has independent utility. Implementation of the Project would not restrict the consideration of alternatives for any other reasonably foreseeable transportation improvements.

1.3 Project Description

This section describes the proposed action and the Project alternatives that were developed to meet the identified purpose and need of the Project. Two alternatives are proposed for this Project, including the No Build Alternative, and two Build Alternatives (Alternatives 2A, and 2B). Each alternative is described below.

Alternative 1: No Build

Under this alternative, the current configuration of Rice Avenue and SR-34 (Fifth Street) would be maintained; the at-grade crossing would remain at Rice Avenue to the north of the Rice Avenue/SR-34 (Fifth Street) intersection. This alternative would not achieve the desired safety or circulation improvements since no improvements would be made.

Table 1-1: Intersection Peak-Hour Delay and Level of Service during Design Year 2040 Conditions

Intersection	Intersection Control Type	Intersection Vehicle Delay (seconds) / Level of Service (LOS)					
		Alternative 1: No Build		Alternative 2B		Alternative 2A	
		AM	PM	AM	PM	AM	PM
Rice Avenue (Ave.)/SR-34 (Fifth St.)	Signalized	51.5/D	180.9/F	--	--	--	--
Rice Ave./Wooley Rd.	Signalized	48.5/D	77.4/E	48.3/D	77.4/E	48.3/D	77.4/E
Rice Ave./Camino del Sol	Signalized	28.0/C	59.2/E	28.0/C	59.2/E	27.8/C	59.2/E
Rice Ave./East Gonzales Rd.	Signalized	190.2/F	269.1/F	193.7/F	269.2/F	190.3/F	269.2/F
Rice Ave./U.S. 101 Southbound (SB) Ramps	Signalized	9.8/A	47.5/D	9.8/A	47.5/D	9.8/A	47.5/D
Santa Clara Ave./Auto Center Dr.	Signalized	36.5/D	64.7/E	36.5/D	64.7/E	36.5/D	64.7/E
Rose Ave./SR-34 (Fifth St.)	Signalized	32.4/C	98.3/F	32.4/C	98.3/F	32.4/C	98.3/F
Del Norte Boulevard (Blvd.)/SR-34 (Fifth St.)	Signalized	45.1/D	124.7/F	45.1/D	124.6/F	45.1/D	124.6/F
Sturgis Rd./Candelaria Rd.	Unsignalized	5.8/A	6.3/A	5.8/A	6.3/A	5.8/A	6.3/A
Rice Ave./East Connector Rd.	Signalized	--	--	24.5/C	34.7/C	--	--
East Connector Rd./SR-34 (Fifth St.)	Signalized	--	--	15.2/B	14.7/B	11.7/B	11.5/B
West Connector Rd./SR-34 (Fifth St.)	Signalized	--	--	--	--	15.1/B	14.5/B
Total Intersection Vehicle Delay (seconds):		447.8	928.1	439.3	773.2	422.8	773.2
Change in Total Vehicle Delay Compared to No Build Alternative:		--	--	-8.5	-154.9	-25.0	-154.9

Source: Kimley-Horn, 2015

Notes: Increases in delay, in comparison to no-build conditions, are depicted in bold. Totals may not sum due to rounding.

Alternative 2A: Double Connector

Alternative 2A would include the construction of a grade separation structure to elevate Rice Avenue over SR-34 (Fifth Street) and the UPRR track (Rice Avenue grade separation) and ROW, which would eliminate the existing at-grade railroad crossing. This alternative would also include the construction of two connector roads, one in the southeast quadrant of the Rice Avenue grade separation, and one in the southwest quadrant of the Rice Avenue grade separation, to provide access between Rice Avenue and SR-34 (Fifth Street) (see **Figure 1-3**). Under this alternative, both SR-34 (Fifth Street)/connector road intersections would be signalized to eliminate the need for a signalized intersection on Rice Avenue, where all traffic movements from Rice Avenue to the connector roads would be right-turn movements. To maintain access to United Water Conservation District (UWCD) Well Number 4, an access road off of Rice Avenue would be constructed.

No permanent changes would be made to existing railroad infrastructure, and no ROW would be required from UPRR in order to complete the Project. Non-uniform catch points of less than 18 feet from the edge of shoulder are proposed on both sides of SR-34 in order to avoid impacts to the UPRR tracks to the north and the agricultural property to the south where the catch points taper back to existing conditions.

Alternative 2A would also include the relocation of a water line that would run from Sturgis Road to the south along Discovery Drive, and would extend through Challenger Plaza to SR-34 (Fifth Street).

Construction of Alternative 2A is currently proposed to initiate in 2020, and is expected to be completed over an estimated 24-month period, with an open-to-traffic year of approximately 2023. As stated previously, Caltrans relinquished a section of the SR-34 (Fifth Street) ROW to the City from PM 4.20 (west of the existing Rice Avenue/SR-34 (Fifth Street) intersection), to PM 6.27 at the existing Rice Avenue/SR-34 (Fifth Street) intersection. In addition, the portion of Rice Avenue to the south of SR-34 (Fifth Street) is in County ROW. Therefore, as described below, the Project would be completed on portions of the roadways within Caltrans (State) ROW and within City/County ROW.

Within State Right-of-Way

Within State ROW, the Rice Avenue grade separation structure would include six lanes (three lanes each in both the northbound and southbound directions), 8-foot shoulders in each direction, 6.5-foot barrier-separated sidewalks in each direction, and a 16-foot median. The 16-foot median would match the existing 16-foot median to the north and south of the Project Area on Rice Avenue within City/County ROW. The Rice Avenue grade separation structure would have a total width of 122 feet. The structure would provide a minimum vertical clearance of 24 feet to accommodate trains on the UPRR tracks.

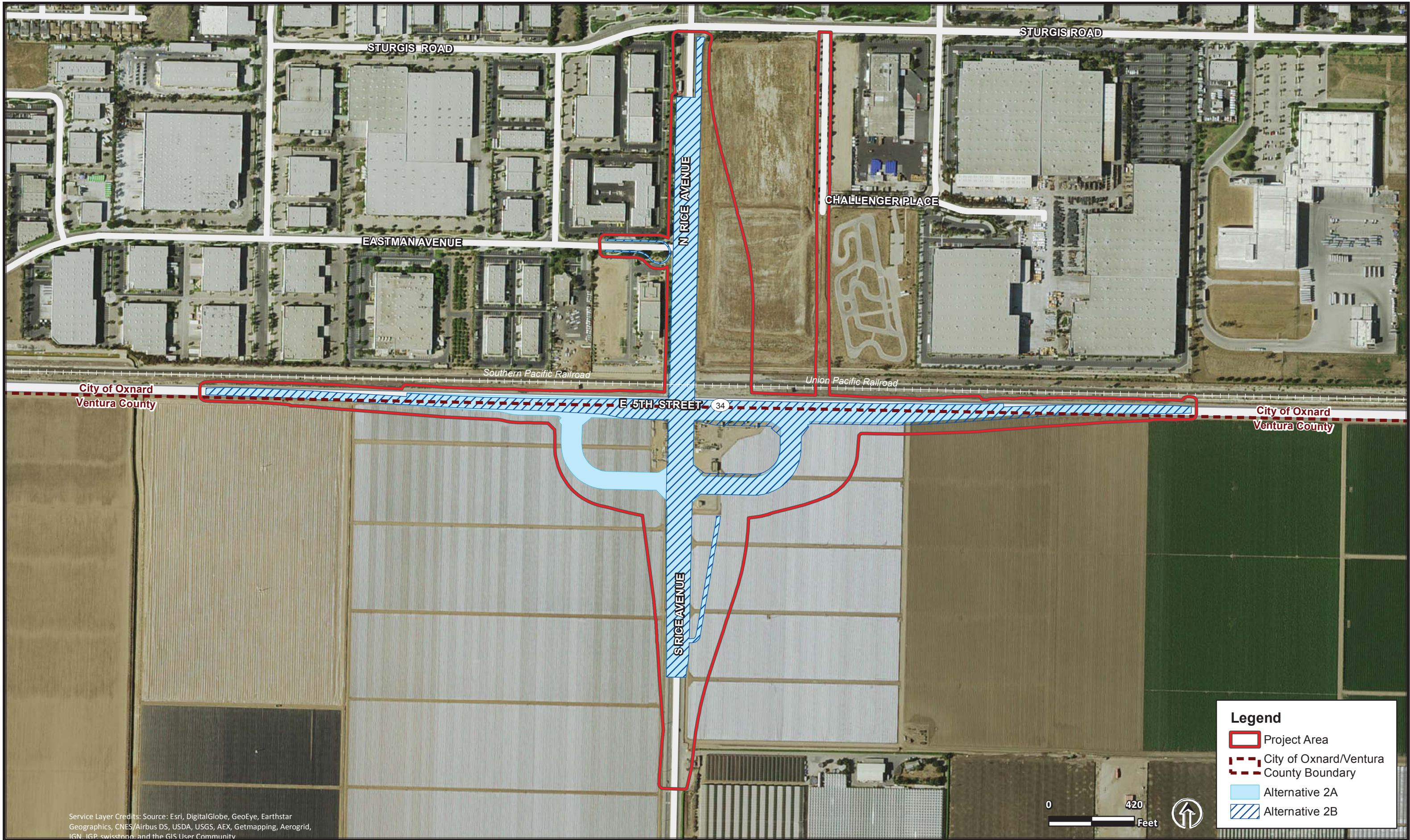


FIGURE 1-3: PROJECT AREA (ALTERNATIVE 2A & 2B)
Rice Avenue Grade Separation

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Beneath the Rice Avenue grade separation structure, SR-34 (Fifth Street) would include four lanes (two lanes each in both the eastbound and westbound directions) and 8-foot shoulders in each direction. The roadway would taper to the existing two-lane configuration approximately 0.45 mile to the east of the Rice Avenue grade separation at PM 6.77. A signalized intersection is proposed for the SR-34 (Fifth Street)/connector road intersection, east of the proposed Rice Avenue grade separation. A 12-foot sidewalk would be added along the westbound side of SR-34 (Fifth Street), which would be converted to a Class I bikeway (a bike path or multi-use path that provides for bicycle and other non-motorized travel separated from any street or highway) in the future. The proposed sidewalk along the westbound side of SR-34 (Fifth Street) would be constructed from the Rice Avenue grade separation structure between PM 6.27 and PM 6.77.

Construction of Alternative 2A within State ROW would require permanent acquisition of approximately 2.62 acres of ROW (see **Figure 1-4**).

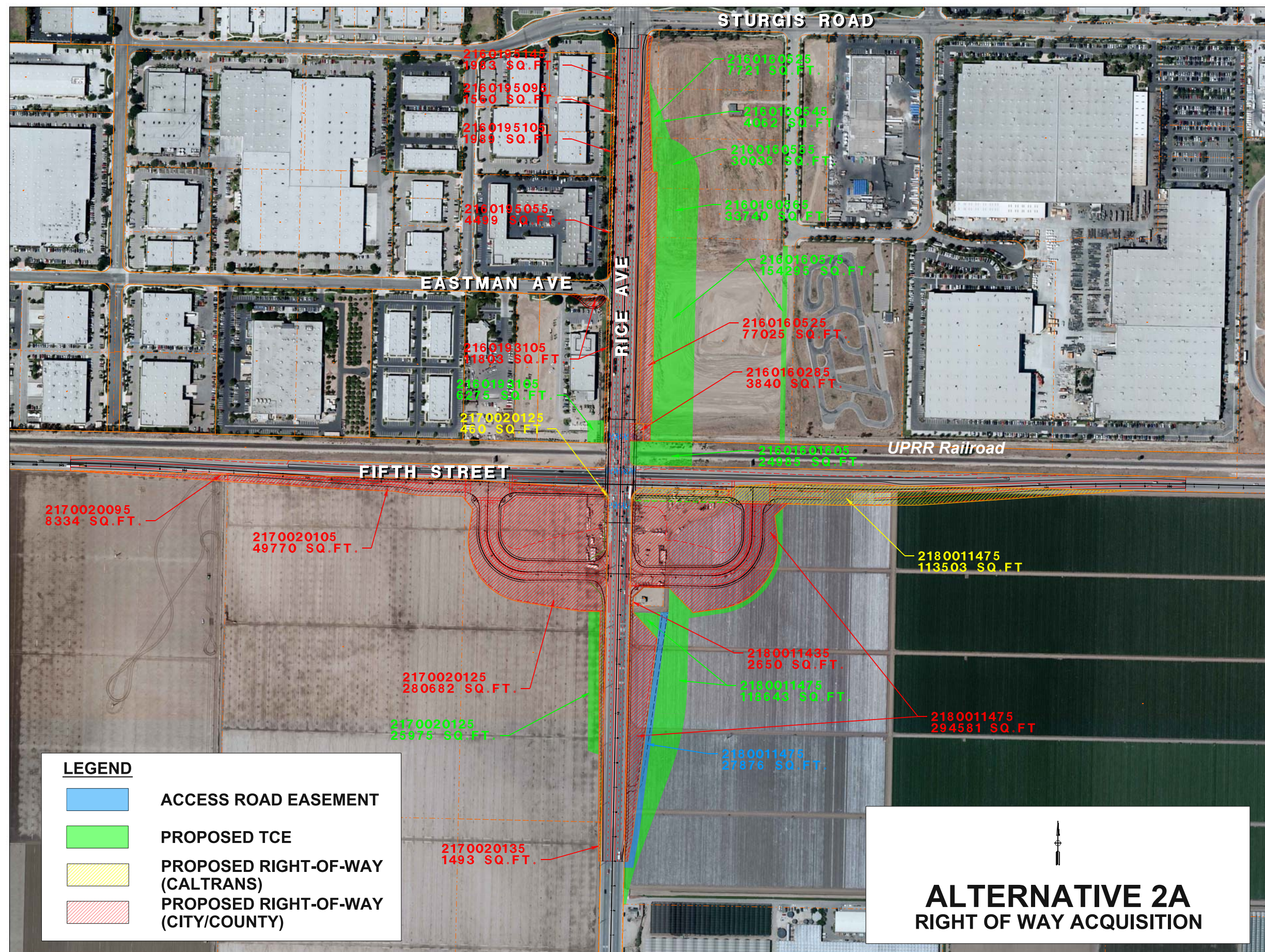
Within City/County Right-of-Way

Within City/County ROW, improvements on Rice Avenue would extend approximately 0.35 mile to the north and 0.35 mile to the south of the grade separation structure, with six lanes (three lanes each in both the northbound and southbound directions), 8-foot shoulders in each direction, and 8-foot sidewalks in each direction. The Rice Avenue roadway profile would be designed for 55 mph with a 4-percent grade for the approaches to the Rice Avenue grade separation structure. The approaches are anticipated to require retaining walls at the northwest and northeast quadrants of the grade separation to avoid industrial ROW impacts, and on the southeast quadrant to avoid impacts on existing utilities. The existing "T" intersection at Rice Avenue and Eastman Avenue would be reconfigured to create a cul-de-sac at the end of Eastman Avenue. Through-traffic on Eastman Avenue would be redirected north along Candelaria Road to Sturgis Road.

To the west of the Rice Avenue grade separation structure, SR-34 (Fifth Street) would include four lanes (two lanes each in both the eastbound and westbound directions) with 8-foot shoulders. The roadway would taper to the existing two-lane configuration approximately 0.40 mile to the west of the Rice Avenue grade separation structure. A signalized intersection is proposed for the SR-34 (Fifth Street)/connector road intersection to the west of the Rice Avenue grade separation structure. A 12-foot sidewalk would be added along the westbound side of SR-34 (Fifth Street), which would be converted to a Class I bikeway in the future. The proposed sidewalk would be constructed from the Rice Avenue grade separation to the western boundary of the Project Area.

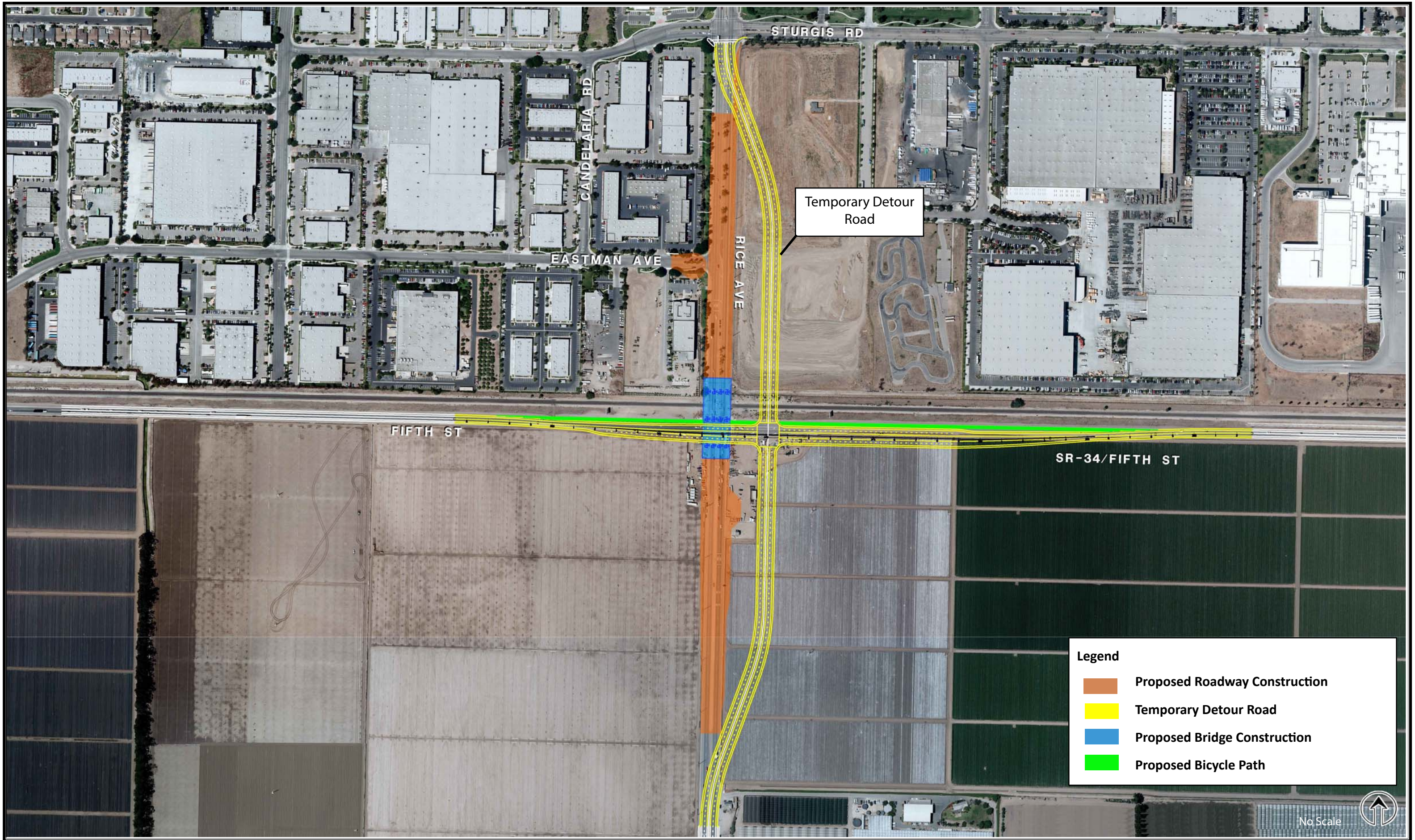
Alternative 2A would include two connector roads, one in the southwest quadrant of the Rice Avenue grade separation, and one in the southeast quadrant. Both connector roads would include four lanes (two lanes in each direction), including left-turn pockets, 8-foot shoulders in each direction, and 6-foot sidewalks in each direction.

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Source: WKE, 2018

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Construction of Alternative 2A within City/County ROW would require permanent acquisition of approximately 17.63 acres of ROW, including one full take from Assessor's Parcel Number (APN) 216-0-160-285 (see **Figure 1-4**). Approximately 9.31 acres would be required for TCEs under Alternative 2A, which includes easement for a temporary detour road that would be approximately 200 feet east of and parallel to Rice Avenue during construction (see **Figure 1-5**). The paved temporary detour road would be constructed over earth and would include grading in the UPRR ROW to meet the elevation of the UPRR tracks. Traffic would be provided access over SR-34 (Fifth Street) via Rice Avenue or the temporary detour road at all times during Project construction. Similarly, access over Rice Avenue via SR-34 (Fifth Street) or temporary crossing would be available at all times during Project construction. A signal would be installed to control traffic over the temporary railroad crossing.

Alternative 2B: Single Connector

Under Alternative 2B, a grade separation structure would be constructed to elevate Rice Avenue over SR-34 (Fifth Street) and the UPRR track and ROW, which would eliminate the existing at-grade railroad crossing. To provide access between Rice Avenue and SR-34 (Fifth Street), a single connector road would be constructed at the southeast quadrant of the grade separation (see **Figure 1-3**). The single connector road would include a signalized intersection at the SR-34 (Fifth Street)/connector road intersection, and a signalized intersection at the Rice Avenue/connector road intersection. Alternative 2B would also include construction of an access road off of Rice Avenue to provide UWCD access to Well 4. No permanent changes would be made to existing railroad infrastructure, and no ROW would be required from UPRR in order to complete the Project.

Alternative 2B would also include the relocation of a water line that would run from Sturgis Road to the south along Discovery Drive, and would extend through Challenger Plaza to SR-34 (Fifth Street).

Construction of Alternative 2B is currently planned for 2020, and is expected to be constructed over an estimated 24-month period, with an open-to-traffic year of approximately 2023. As stated previously, Caltrans relinquished a section of the SR-34 (Fifth Street) ROW to the City from PM 4.20 (west of the existing Rice Avenue/SR-34 (Fifth Street) intersection), to PM 6.27 at the existing Rice Avenue/SR-34 (Fifth Street) intersection. In addition, the portion of Rice Avenue to the south of SR-34 (Fifth Street) is in County ROW. Therefore, as described below, the Project would be completed on portions of the roadways within State ROW and within City/County ROW.

Within State Right-of-Way

Within State ROW, the Rice Avenue grade separation structure would include six lanes (three lanes each in both the northbound and southbound directions), 8-foot shoulders in each direction, and 6.5-foot barrier-separated sidewalks in each direction. The Rice Avenue grade separation structure would also include two left-turn lanes for traffic moving southbound on Rice Avenue to eastbound on SR-34 (Fifth Street). The Rice Avenue grade separation structure would have a total width of 130 feet, and a minimum vertical clearance of 24 feet to accommodate trains on the UPRR track. Under this alternative, other improvements on SR-

34 (Fifth Street) would be the same as Alternative 2A within the State ROW, which would extend from PM 6.27 to PM 6.77.

Construction of Alternative 2B within State ROW would require permanent acquisition of approximately 3.77 acres of ROW (see **Figure 1-6**).

Within City/County Right-of-Way

Within City/County ROW, improvements on Rice Avenue would be the same as Alternative 2A, except that the Rice Avenue/connector road intersection to the south of the Rice Avenue grade separation structure would be signalized. SR-34 (Fifth Street) improvements would be the same as Alternative 2A within the City/County ROW.

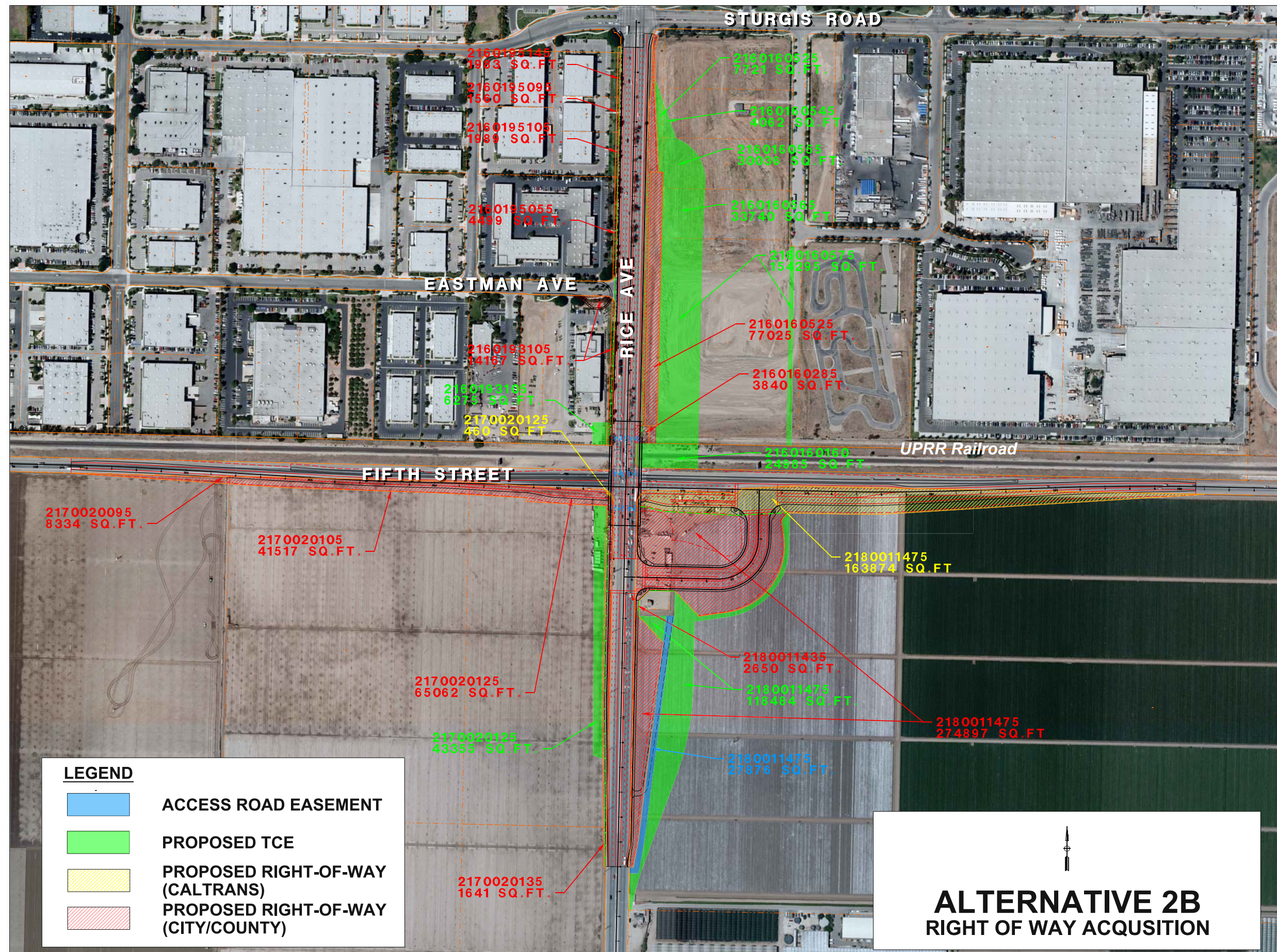
The single connector road that would provide access between Rice Avenue and SR-34 (Fifth Street) would be constructed at the southeast quadrant of the grade separation. The connector road, designed for 25 mph, would include four lanes (two lanes in each direction), including a left-turn pocket, 8-foot shoulders in each direction, and 6-foot sidewalks in each direction.

Construction of Alternative 2B within City/County ROW would require permanent acquisition of approximately 12.10 acres of ROW, including one full take from APN 216-0-160-285 (see **Figure 1-6**). Like Alternative 2A, TCEs would be required for a temporary detour road parallel to Rice Avenue during construction (see **Figure 1-5**). Approximately 9.71 acres would be required for TCE.

Identification of a Preferred Alternative

The Draft EIR/EA was circulated to the public and reviewing agencies for 45 days, from December 29, 2017 to February 12, 2018. Following public circulation of the Draft EIR/EA, revisions were made as a result of public and agency comments to add clarity to the Draft EIR/EA.

Based on a comment received from UWCD on February 12, 2017, Caltrans determined that the geographical location of APN 218-0-011-435 was incorrectly identified in the Draft EIR/EA. APN 218-0-011-435 is owned and operated by the UWCD, and was previously identified directly north of its true location on figures included in the Draft EIR/EA. The Draft EIR/EA concluded that the Project would result in full ROW acquisition of APN 218-0-011-435 due to location of the parcel. After the location of APN 218-0-011-435 was corrected, Caltrans determined that the Project would only require partial acquisition of APN 218-0-011-435.



**FIGURE 1-6 RIGHT OF WAY EXHIBIT
(ALTERNATIVE 2B)
Rice Avenue Grade Separation**

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Additionally, several errors related to ROW calculations were corrected in Project figures and analysis.

- Additional TCE and permanent ROW would be required from parcel APN 217-0-020-135 than originally identified for utility relocation.
- 460 square feet of Caltrans ROW on parcel 217-0-020-125 was incorrectly identified as County ROW.
- A portion of TCE on parcel APN 218-0-011-475 between Rice Avenue and the proposed detour road was incorrectly identified as permanent acquisition.
- ROW required for implementation of the new permanent UWCD access road on parcel APN 218-0-011-475 was incorrectly identified as a TCE.

All Project figures and analysis in this Final EIR/FONSI have been updated to reflect the above changes and corrections following public circulation of the Draft EIR/EA.

After comparing and weighing the benefits and impacts of all feasible alternatives, the Project Development Team has identified Alternative 2A as the preferred alternative.

Alternative 2A would provide greater long-term traffic delay reduction, minimize required vehicle braking at Rice Avenue and SR-34 (Fifth Street), provide superior long-term LOS solutions to the transportation corridor, and better meet the future circulation demands of the Rice Avenue/SR-34 (Fifth Street) intersection over Alternative 2B and the No Build Alternative. Therefore, Alternative 2A better meets the Project purpose and need over other alternatives evaluated in this report.

After the public circulation period, all comments were considered, and Caltrans selected a preferred alternative to make the final determination of the Project's effect on the environment. Under CEQA, Caltrans has certified that the Project complies with CEQA, prepared findings for all significant impacts that will not be mitigated below a level of significance, and certified that the findings and Statement of Overriding Considerations have been considered. Mitigation measures are included as conditions of Project approval and findings that were made, and a Statement of Overriding Considerations has been prepared. Caltrans, as assigned by FHWA, has determined that the NEPA action will not significantly impact the environment and has issued a FONSI.

Alternatives Considered but Eliminated from Further Discussion Prior to Draft Environmental Document

The City completed a Feasibility Study in 2007 that examined various rail crossings with high accident rates throughout the City to eliminate the at-grade crossings. Several alternatives were considered but eliminated from further discussion. They include the following:

- Profile Rice Avenue under SR-34 (Fifth Street): The alternative to profile Rice Avenue under SR-34 (Fifth Street) and UPRR was determined not to be feasible due to the high groundwater table. The construction cost would greatly increase because the retaining walls and pavement section would need to be designed to keep the groundwater from seeping onto the roadway. The lowered profile would also create a

sump condition requiring the need for a pump station, which would result in increased maintenance costs for the City and Caltrans.

- **Diamond Interchange:** The alternative to construct a diamond interchange was determined not to be feasible for two reasons. Firstly, the closely spaced intersections on Rice Avenue resulted in a non-standard design feature that would require the approval of a mandatory design exception. To increase the intersection spacing, industrial buildings would be affected to the north and prime farmland to the south. Secondly, the forecasted traffic volumes do not warrant a diamond interchange configuration.
- **Roundabout Design:** A roundabout option was studied for the intersection on SR 34 within Caltrans ROW during the PSR-PDS phase. A two-lane roundabout on SR 34 was considered geometrically to determine the Project footprint. The traffic analysis was also completed to determine how the roundabout performed operationally. The Project footprint for the roundabout would greatly increase in area given SR 34 would need to be shifted further to the south away from UPRR, which also requires the lengthening of the proposed Rice Avenue structure. The traffic operational analysis was completed using SIDRA software based upon the 2010 HCM guidelines. The results indicate that in the 2040 Build Conditions, a two-lane roundabout would operate at a Level of Service (LOS) C during the AM-peak period and at an unacceptable LOS D during the PM-peak period. Therefore, given that the ROW impacts are much greater and the roundabout performs at an unacceptable level of service operationally, it was determined not to include the roundabout as part of the Project alternatives.

Additionally, consideration of transportation system management (TSM), transportation demand management (TDM), and multi-modal alternatives is typically required under NEPA. A TSM/TDM alternative was identified as inviable because it would not address the purpose and need of the Project. The purpose of the Project is to separate the existing at-grade railroad crossing to eliminate conflicts between trains and vehicular traffic.

The City examined two additional alternatives, Alternatives 3A and 3B, in the environmental technical studies, but they were eliminated from consideration following additional coordination with Caltrans. These two alternatives were similar to Alternatives 2A and 2B; however, Rice Avenue would be realigned approximately 250 feet to the east of the existing roadway alignment. Rice Avenue would shift back to its existing alignment at Sturgis Road to the north of the grade separation, and 0.5 mile north of Wooley Road to the south of the grade separation. The alternatives were eliminated for the following reasons:

- **Alternative 3A: Re-Aligned Rice Avenue – Double Connector:** The alternative to realign Rice Avenue using double connector roads was determined not feasible due to the design exceptions needed from Caltrans, necessary for construction of this alternative.
- **Alternative 3B: Re-Aligned Rice Avenue – Single Connector:** The alternative to realign Rice Avenue using a single connector road was determined not feasible due

to the design exceptions needed from Caltrans, necessary for construction of this alternative.

1.4 Permits and Approvals Needed

The following permits and approvals in **Table 1-2** would be required for the Project:

Table 1-2: Permits and Approvals

Agency	Permit/Approval	Status
FHWA and Caltrans	Clean Air Act, Transportation Conformity Determination	Adoption of the <i>2017 Federal Transportation Improvement Program (FTIP)</i> and subsequent federal approval of the conformity determination for the <i>2017 FTIP</i> was issued on December 16, 2016.
FHWA and Caltrans	Project Level Conformity Determination	Approval was received on May 1, 2018.
Farmland Protection Policy Act, Approval of Form AD 1006	Natural Resources Conservation Service (NRCS) Local Field Office	Form AD 1006 has been submitted to the NRCS Local Field Office for Review.
State Historic Preservation Officer	National Historic Preservation Act (NHPA), Section 106 Compliance	Concurrence was received on February 15, 2018.
State Water Resources Control Board (SWRCB)	National Pollutant Discharge Elimination System (NPDES) Construction General Permit and Caltrans Statewide Permit	Coverage under the General Construction Permit is required for any project that impacts greater than one acre of land. The Construction General Permit requires a Notice of Intent (NOI) and the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). Compliance with the Caltrans Statewide Permit is required to conform to Caltrans Municipal Separate Storm Sewer Systems (MS4) Waste Discharge Requirements. Documentation of compliance will be prepared prior to Project construction.

Chapter 2 Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures

2.1 Environmental Issues Excluded from Discussion

As part of the environmental analysis carried out for the Project, the following environmental issues were excluded from discussion because no adverse impacts were identified. As a result, there is no further discussion about these issues in this document.

- **Consistency with State, Regional, and Local Plans and Programs:** The Build Alternatives would be consistent with several goals and policies from entities, including the City of Oxnard, the County of Ventura, Caltrans, and the State of California, that call for improved traffic and circulation. In addition, the Project is intended to implement recommendations in the City's 2030 General Plan, which designates Rice Avenue as a trucking access route between the Port of Hueneme and US-101 (City of Oxnard, 2011a). VCTC has also identified the Project to improve freight movement to and from the Port of Hueneme. Therefore, the Build Alternatives would be compatible with applicable plans and programs.
- **Coastal Zone:** According to the California Coastal Commission, the coastal zone typically extends inland 1,000 yards (and up to five miles in abundant coastal estuarine, habitat, or recreational areas) from the median high-tide line (California Coastal Commission, 2012). The Project Area is approximately six miles east of the Pacific coast, and not in the coastal zone.
- **National Marine Fisheries Service (NMFS) Jurisdiction:** The project is located outside of NMFS jurisdiction, therefore an NMFS species list is not required and no effects to NMFS species are anticipated.
- **Wild and Scenic Rivers:** There are no Wild and Scenic Rivers in proximity to the Project Area. The nearest Wild and Scenic River is a segment of Sespe Creek located approximately 32 miles northeast of the Project Area (Interagency Wild and Scenic Rivers Coordinating Council, 2009).
- **Parks and Recreational Facilities:** There are no parks or recreational facilities in the Project Area. The nearest public parks are Rose Park, located approximately 0.33 mile northwest of the Project Area, and Thompson Park, located approximately 0.45 mile northwest of the project area. The Project would not require the acquisition of any parkland and would not result in the use of these resources. In addition, the Project would not limit access to these resources. The Project was determined to result in no use of Rose Park and Thompson Park because of their distance from the Project Area, and therefore, the parks do not trigger Section 4(f) protection (see **Appendix B**).
- **Growth:** The Project Area is located within an existing transportation corridor. Rice Avenue and SR-34 (Fifth Street) are existing roadways, and the grade separation would not provide new access to surrounding areas that could induce additional development and growth beyond what is already planned by the City and County.

Chapter 2 Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures

- **Environmental Justice:** The study area (the area within a 0.5-mile radius from the Project Area boundaries) has an average median income of \$46,475.22, which is lower than the City (\$62,345), but is greater than the United States Department of Health and Human Services (HHS) poverty guideline for a family of four (\$24,300) (GPA Consulting, 2016b). However, one block group (Census Tract 91, Block Group 4) has a median income of \$21,101, which is lower than the HHS poverty guideline. The study area also includes a larger Hispanic or Latino population (92.1 percent) than the City's Hispanic or Latino population (72.5 percent). Therefore, there are meaningfully greater percentages of low-income and minority populations in the Project Area compared to the City. However, all members of the public would be able to benefit from the improvements proposed under the Build Alternatives. Environmental justice populations would not be denied benefits or receive fewer benefits than the general population. With adherence to policies and regulations, and implementation of best management practices (BMP), the Build Alternatives would not result in disproportionately high impacts on Environmental Justice populations.
- **Visual/Aesthetics:** There are no designated or eligible scenic highways within or adjacent to the Project Area. The Project Area consists of transportation infrastructure (i.e., a roadway and railroad) and agricultural and industrial land uses. There are no visual/aesthetic resources and no scenic vistas within the boundaries of the Project Area, and there are no sensitive viewers, such as residents or recreational users, within or near the Project Area. Construction activities could result in temporary visual impacts from construction equipment and debris, however following construction the Project Area would be restored to existing conditions, and visual impacts would cease after construction. Therefore, no long-term visual impacts would occur.
- **Hydrology and Floodplain:** There are no waterways within the Project Area. In addition, the Project Area is not within the 100-year floodplain of any waterway according to the Federal Emergency Management Agency (FEMA) floodplain map (06111C0910E), effective January 20, 2010. The Project Area is in Unshaded Zone X, which is an area determined to be outside the 0.2 percent annual chance floodplain.
- **Paleontology:** Sediments in the Project Area are relatively young and from the Holocene epoch (approximately 12,000 years old); therefore, the potential for paleontological resources to be in the Project Area is considered low. In addition, a records search conducted through the Natural Historic Museum of Los Angeles County on June 26, 2015 did not identify any paleontological resources within or adjacent to the Project Area. Therefore, there is low sensitivity for paleontological resources in the Project Area (Duke Cultural Resources Management, LLC, 2015).
- **Natural Communities:** The biological study area (BSA) is located in an industrial area in the City north of SR-34 (Fifth Street) and an agricultural area in an unincorporated area of Ventura County south of SR-34 (Fifth Street). The BSA consists of mostly disturbed habitat, and no special-status natural communities or habitats of concern, including vernal pools, wetlands, riparian habitat, grasslands, or woodlands, were identified within the BSA (GPA Consulting, 2016a).

Chapter 2 Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures

- **Wetlands and Other Waters:** The BSA has very flat terrain with no underground drainage facilities. There are no waterways within the BSA. The nearest waterway is an irrigation ditch located approximately 300 feet west of Rice Avenue, south of SR-34 (Fifth Street) which collects runoff from agricultural irrigation. The ditch does not support wetland vegetation or connect to other waterways. The United States Fish and Wildlife Service (USFWS) National Wetlands Inventory Wetlands Mapper does not identify any wetlands habitat in the BSA, and no wetlands were observed during the biological reconnaissance surveys conducted on April 13 and April 26, 2016 (GPA Consulting, 2016a).
- **Plant Species:** Vegetation within the BSA consists of ruderal weedy species along the road shoulders and adjacent to the railroad tracks, non-native grasses and forbs within an undeveloped parcel of land northeast of the intersection, landscaped ornamental trees and vegetation adjacent to the industrial buildings along Rice Avenue, and agricultural crops south of SR-34 (Fifth Street) (GPA Consulting, 2016a). According to California Department of Fish and Wildlife (CDFW) California National Diversity Database (CNDDDB) and the USFWS searches, 25 special-status plant species have the potential to be in the BSA based on recorded geographical distribution; however, based on research regarding habitat requirements and negative survey results, no special-status plant species are expected to be in the Project Area (GPA Consulting, 2016a).
- **Threatened or Endangered Species:** There is foraging habitat for the Belding's savannah sparrow in the Project Area; however, there is no nesting habitat for this species within or adjacent to the Project Area (GPA Consulting, 2016a). Therefore, the effect finding for Belding's savannah sparrow, including take, is "No Effect." There is no suitable habitat for other federally or state threatened or endangered species within the Project Area, and no other federally or state threatened or endangered species are expected to be within the Project Area. The U.S. Fish and Wildlife Service Official Species List is included in **Appendix C**.
- **Invasive Species:** There are several species growing in the Project Area that are listed by the Invasive Species Council of California as invasive to California, including summer mustard (*Hirschfeldia incana*), tree of heaven (*Ailanthus altissima*), and ripgut brome (*Bromus diandrus*) (GPA Consulting, 2016a). BMPs, such as identification of existing invasive species, avoidance of invasive species in erosion control, staff training, equipment cleaning, and monitoring, would be implemented in accordance with Executive Order 13112. Therefore, the Project would not result in the spread of invasive species.

2.2 Organization of the Chapter

This chapter is organized by environmental topic area, and includes several sub-sections: Regulatory Setting; Affected Environment; Environmental Consequences; Avoidance, Minimization, and/or Mitigation Measures; and Cumulative Impacts.

Chapter 2 Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures

General Methodology

- **Regulatory Setting:** This section explains the framework for the analysis of the topics discussed throughout the document.
- **Affected Environment:** This section describes the existing setting for the Project Area under each of the alternatives, including the social, economic, and environmental conditions. Under CEQA, the baseline conditions are the existing conditions at the time the environmental studies began. Under NEPA, the baseline condition is the No Build Alternative.
- **Environmental Consequences:** This section discusses the impacts resulting from the No Build Alternative and the Build Alternatives, including permanent, temporary (construction), direct, and indirect impacts. The impacts resulting from each of the Build Alternatives (Alternatives 2A and 2B) are grouped together.
- **Avoidance, Minimization, and/or Mitigation Measures:** This section highlights the avoidance, minimization, and/or mitigation efforts proposed to address the impacts associated with each alternative.
- **Cumulative Impacts:** The methodology for cumulative impacts is discussed in further detail in the following section.

Cumulative Impact Methodology

Regulatory Setting

Cumulative impacts are those that result from past, present, and reasonably foreseeable future actions, combined with the potential impacts of the Project. A cumulative effect assessment looks at the collective impacts posed by individual land use plans and projects. Cumulative impacts can result from individually minor but collectively impacts taking place over a period of time.

Cumulative impacts on resources in the Project Area may result from residential, commercial, industrial, and highway development, as well as from agricultural development and the conversion to more intensive agricultural cultivation. These land use activities can degrade habitat and species diversity through consequences such as displacement and fragmentation of habitats and populations, alteration of hydrology, contamination, erosion, sedimentation, disruption of migration corridors, changes in water quality, and introduction or promotion of predators. They can also contribute to potential community impacts identified for the Project, such as changes in community character, traffic patterns, housing availability, and employment.

CEQA Guidelines Section 15130 describes when a cumulative impact analysis is necessary and what elements are necessary for an adequate discussion of cumulative impacts. The definition of cumulative impacts under CEQA can be found in Section 15355 of the CEQA Guidelines. A definition of cumulative impacts under NEPA can be found in 40 CFR 1508.7 of the Council on Environmental Quality (CEQ) Regulations.

Chapter 2 Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures

The Project's impacts that are considered in the cumulative impact analysis are the net impact (i.e., the impacts minus avoidance, minimization, and/or mitigation measures).

Affected Environment

The affected environment for cumulative impacts differs by resource area depending on the size and scope of the resource.

Past, Current, and Reasonably Foreseeable Future Projects

As stated in the Caltrans Standard Environmental Reference (SER), it is not always practical or necessary to provide an exhaustive list of past projects that have affected each resource. Rather, the historical context should identify key historical patterns or a range of activities that have contributed to the current condition of the resource. The Project Area is currently developed with transportation infrastructure and commercial uses. Therefore, the historical context for land use includes previous transportation and commercial development.

Table 2-1 lists current and future development projects in the City portion of the study area (the area within a 0.5-mile radius from the Project Area boundaries); there are no current or future development projects in the County portion of the study area (City of Oxnard, 2016a; County of Ventura, 2016). There are currently a total of 33 residential, 25 commercial, 11 industrial, and three community planning projects that are proposed in the City as a whole.

Table 2-1: Current and Future Development Projects Within 0.5-Mile Radius

Project Name	Jurisdiction	Proposed Uses	Status
Trinity Plaza	City	Commercial	Under Construction
Pacific Water Conditioning	City	Industrial	Plan Check
Mission Produce	City	Industrial	Under Construction
Seafood Packing and Storage Facility	City	Industrial	Permit Application Submitted

Source: City of Oxnard, 2016

2.3 Human Environment

Land Use

Existing and Future Land Use

As stated previously, the northern portion of the study area is located in the City, while the southern portion is located in an unincorporated area of the County. Land use regulations for these two jurisdictions are described in the following sections.

Chapter 2 Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures

Regulatory Setting

City of Oxnard 2030 General Plan and Land Use Map, and Save Open Space and Agricultural Resources Ordinance

The City's 2030 General Plan establishes goals and policies for the long-term and comprehensive physical development of the City until the year 2030 (City of Oxnard, 2011a). The land use element of the general plan designates the general distribution and intensity of land uses in the planning area. The City's 2030 General Plan Land Use Map shows the land use designations in the planning area (City of Oxnard, 2014a). In addition, the map depicts the City Urban Restriction Boundary (CURB) established by the 1998 Save Open Space and Agricultural Resources (SOAR) ordinance. The City adopted SOAR as an uncodified ordinance that created a CURB around the City until December 31, 2020. The SOAR ordinance calls for voter approval of growth beyond the CURB to preserve agricultural and open space resources and to prevent urban sprawl. The SOAR ordinance does not apply to the Project, because no changes in land use designations is required.

City of Oxnard Zoning Ordinance and Zoning Map

The City's Zoning Ordinance is included in Chapter 16 of the City's Municipal Code, and is intended to implement the 2030 General Plan by dividing the City into zoning districts (City of Oxnard, 2015c). The City's Zoning Ordinance establishes permissible land uses and regulations for current and future development in each zoning district. The City's Zoning Map shows where the zoning districts are located throughout the City (City of Oxnard, 2007).

County of Ventura General Plan and Land Use Map

The County's General Plan includes goals, policies, and programs that the County will implement to manage future growth and land uses in the County (County of Ventura, 2015). The County's General Plan Land Use Map designates land use types for all areas in the County to guide current and future development (County of Ventura, 2010).

County of Ventura Zoning Ordinance and Zoning Map

The County's Zoning Ordinance governs uses on properties in the County. The range of uses and structures allowed differ by zoning district (County of Ventura, 2013). The County's Zoning Map shows where the zoning districts are located throughout the County (County of Ventura, 2012).

Affected Environment

The Project Area includes the existing roadways (Rice Avenue and SR-34 (Fifth Street)); the UPRR track and ROW; light industrial land uses in the northeast and northwest quadrants of the Rice Avenue/SR-34 (Fifth Street) intersection within the City; and agricultural land uses in the southeast and southwest quadrants of the Rice Avenue/SR-34 (Fifth Street) intersection in the County. The UPRR track is located approximately 50 feet north of the Rice Avenue/SR-34 (Fifth Street) intersection. The Port of Hueneme is approximately 3.85 miles to the southwest of the Project Area, and US-101 is approximately 1.77 miles north of the Project Area.

Chapter 2 Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures

Existing Land Use

Existing land use designations in the study area are shown in **Figure 2-1**. According to the City's 2030 General Plan Land Use Map, land uses in the portion of the study area in the City are designated as Industrial Limited, Industrial Light, Industrial Heavy, Residential Low Medium, Residential Low, and Park (City of Oxnard, 2014). According to the City's Zoning Map, the study area is in the Light Manufacturing (M1), Light Manufacturing Planned Development (M1PD), Limited Manufacturing (ML), Residential Planned Development (RPD), Multiple Family Residential (R2), Single Family Residential (R1), and Agricultural Open Space (AO) zoning districts (City of Oxnard, 2007).

According to the County's General Land Use Map, land use in the County portion of the study area is designated as Agricultural (40 Acre Minimum) (County of Ventura, 2010). According to the County's Zoning Map, the study area is in the Agricultural Exclusive (40 Acre Minimum) (AE-40) zoning district (County of Ventura, 2012).

The City's 2030 General Plan designates Rice Avenue as a trucking access route between the Port of Hueneme and US-101 (City of Oxnard, 2011).

Growth and Development Trends

The City's population increased by more than 30,000 residents between 2000 and 2014, a growth rate of 19.5 percent, which was higher than the County's 11.9 percent growth rate during that period (Southern California Association of Governments, 2015). The City's population in 2010 was 197,899 with a population density of 7,358 persons per square mile (United States Census Bureau, 2015). SCAG population projections indicate that the City's population will be approximately 244,500 people in 2035 (Southern California Association of Governments, 2012).

Current and Future Planned Development Projects

Table 2-1 lists current and future development projects in the City portion of the study area; there are no current or future development projects in the County portion of the study area (City of Oxnard, 2016a; County of Ventura, 2016). There are currently a total of 33 residential, 25 commercial, 11 industrial, and three community planning projects that are proposed in the City as a whole.

Environmental Consequences

Alternative 1: No Build Alternative

The No Build Alternative would not result in any changes to existing or future land uses. Growth and development within and surrounding the study area would continue according to the City's and County's General Plan, and no changes in land use or zoning would be required. Therefore, this alternative would not result in adverse impacts to existing or future land uses.

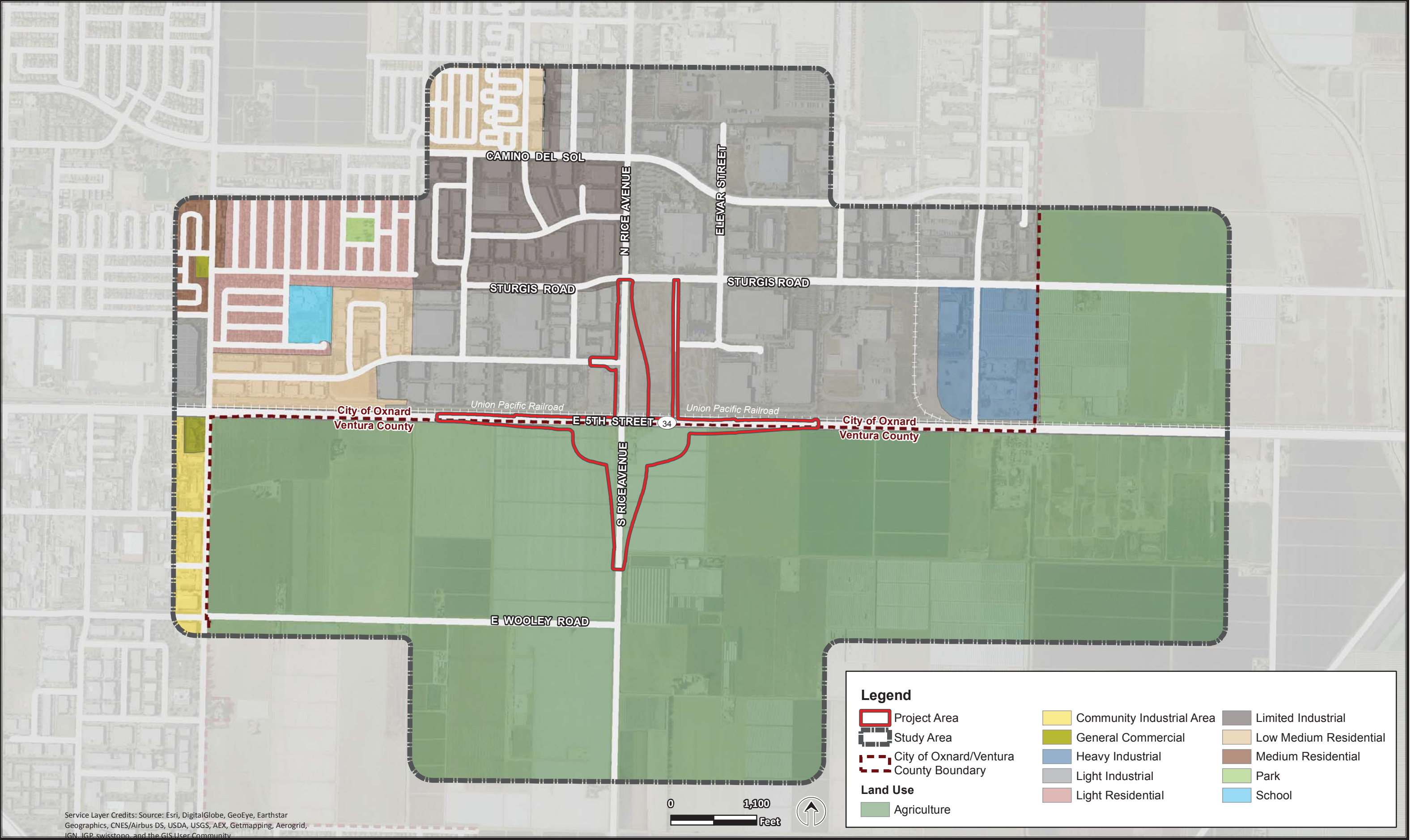


FIGURE 2-1: LAND USE
Rice Avenue Grade Separation

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Chapter 2 Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures

Alternatives 2A and 2B

The Project Area is located along an existing transportation corridor, and the Project is not likely to result in changes to existing and future land use on the existing roadways and the UPRR track ROW. However, to implement the Project, full and partial acquisition of ROW from several agricultural and industrial properties would be required, which may require changes in land uses for some of the properties (see **Table 2-2**).

Table 2-2: Number of Full and Partial Property Acquisitions by Land Use Type

Designated Land Use	Alternative 2A		Alternative 2B	
	Partial	Full	Partial	Full
Agricultural	6	0	6	0
Industrial	6	1	6	1
Total	12	1	12	1

Source: WKE, 2015

The partial acquisitions required under the Build Alternatives would not be expected to result in substantial changes in existing or future land use because the remaining portions of the properties, which would not be acquired for the Project, could continue to be used according to their existing land use and zoning designations. However, Alternatives 2A and 2B would require the full acquisition of the property on APN 216-0-160-285 in the City, with land use designated as Industrial Light (ILT) in the Light Manufacturing Planned Development (M1PD) zoning district. This property would be fully incorporated into the transportation facility, and would no longer be available for industrial use. Through implementation of mitigation measure **LU-1**, assistance would be provided to property owners, and impacts resulting from property acquisition would not be adverse.

While existing and future land uses on impacted properties would be affected under the Build Alternatives, the purpose of the Project is to reduce conflicts between vehicles and trains, and to address future traffic and circulation issues forecasted for the Project Area. The Project is intended to implement recommendations in the City's 2030 General Plan, which designates Rice Avenue as a trucking access route between the Port of Hueneme and US-101 (City of Oxnard, 2011a). In addition, VCTC has identified the Project to improve freight movement to and from the Port of Hueneme. Under the Build Alternatives, proposed improvements to the circulation system would support and be consistent with the City's and County's land use goals, and would be compatible with adjacent and surrounding land uses. Therefore, with implementation of a mitigation measure requiring coordination with affected communities, the Project would not result in adverse impacts on existing or future land uses in the study area.

Avoidance, Minimization, and/or Mitigation Measures

With the implementation of the following mitigation measure, the Project would not result in adverse impacts on existing or future land uses in the study area:

Chapter 2 Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures

LU-1 Before land acquisitions occur, the City will conduct coordination with affected communities and will arrange for meetings with affected property and business owners and tenants; City will also provide counseling and assistance in applying for funding, including research to summarize loans, grants, and federal aid available.

Cumulative Impacts

The study area for this cumulative impact analysis includes land within the City and County boundaries because land use in the Project Area is under City and County jurisdiction. Other projects in the cumulative impact study area have been and would continue to be conducted in accordance with the City's and County's general plan.

Under the Build Alternatives, proposed improvements to the circulation system would support and be consistent with the City's and County's land use goals, and would be compatible with adjacent and surrounding land uses. In addition, the Build Alternatives would not be expected to induce substantial growth in the study area; rather, they would support the circulation needs of existing and planned developments. With implementation of avoidance and minimization measures, Project contributions to cumulative impacts would not be cumulatively considerable.

Farmlands/Timberlands

Regulatory Setting

National Environmental Policy Act and Farmland Protection Policy Act

NEPA and the Farmland Protection Policy Act (FPPA), 7 United States Code [USC] 4201-4209; and its regulations, 7 Code of Federal Regulations [CFR] Part 658) require federal agencies, such as the FHWA, to coordinate with the Natural Resources Conservation Service (NRCS) if their activities may irreversibly convert farmland (directly or indirectly) to nonagricultural use. For purposes of the FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance.

California Environmental Quality Act and Williamson Act

CEQA requires the review of projects that would convert Williamson Act contract land to non-agricultural uses. The main purposes of the Williamson Act are to preserve agricultural land and to encourage open space preservation and efficient urban growth. The Williamson Act provides incentives to landowners through reduced property taxes to discourage the early conversion of agricultural and open space lands to other uses.

Affected Environment

Farmlands

Agricultural land is rated by the by the California Department of Conservation according to soil quality and irrigation status. Important farmland is rated under the following classifications:

- Prime Farmland: Land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses.

Chapter 2 Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures

- Unique Farmland: Land other than Prime Farmland that is used for the production of specific high-value food and fiber crops, such as citrus, tree nuts, olives, cranberries, and other fruits and vegetables.
- Farmland of Statewide Importance: Land that does not meet the criteria for Prime or Unique Farmland is considered to be Farmland of Statewide Importance for the production of food, feed, fiber, forage, and oilseed crops.
- Farmland of Local Importance: Land that are listed as Prime or Statewide Farmland that are not irrigated, and land for growing dryland crops, such as beans, grain, dryland walnuts, or dryland apricots.
- Grazing Land: Land on which the vegetation is suited to the grazing of livestock.

Agricultural land covers approximately 26 percent of the land area in the County, including 118,800 acres of important farmland (Farm Bureau of Ventura County, 2014). As shown in **Figure 2-2**, there is important farmland in the Project Area, including Prime Farmland, Unique Farmland, Farmland of Statewide of Importance, and Farmland of Local Importance (California Department of Conservation, 2014).

There are no Williamson Act contract lands in the Project Area (California Department of Conservation, 2013).

Forest Land/Timberlands

The Project Area does not include any forest land (i.e., land with 10 percent tree coverage, as defined in Public Resources Code section 12220(g)) or timberland (i.e., land that is available for growing a crop of trees intended for commercial use, as defined in Public Resources Code Section 4526).

Environmental Consequences

Alternative 1: No Build Alternative

The No Build Alternative would not result in impacts on farmland.

Alternatives 2A and 2B

As shown in **Table 2-3**, Alternative 2A would require the acquisition of 19.75 acres of important farmland, and Alternative 2B would require the acquisition of 15.32 acres of important farmland. All acquired farmland would be permanently incorporated into the transportation facility.

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FIGURE 2-2: FARMLAND
Rice Avenue Grade Separation

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Table 2-3: Full and Partial Right-of-Way Acquisitions of Important Farmland for Each Alternative

APN	Important Farmland Classification	Alternative 2A		Alternative 2B	
		Square Feet	Full/ Partial	Square Feet	Full/ Partial
216-0-160-285	Farmland of Local Importance	3,840	Full	3,840	Full
216-0-160-525	Farmland of Local Importance	77,025	Partial	77,025	Partial
217-0-020-095	Farmland of Statewide Importance	8,334	Partial	8,334	Partial
217-0-020-105	Prime Farmland and Farmland of Statewide Importance	49,770	Partial	41,517	Partial
217-0-020-125	Prime Farmland and Farmland of Statewide Importance	281,142	Partial	65,522	Partial
217-0-020-135	Prime Farmland and Farmland of Statewide Importance	1,493	Partial	1,641	Partial
218-0-011-435	Farmland of Statewide Importance	2,650	Partial	2,650	Partial
218-0-011-475	Farmland of Statewide Importance	435,960	Partial	466,647	Partial
Total Important Farmland Acreage		19.75 acres (860,214 square feet)		15.32 acres (667,176 square feet)	

Agricultural land covers approximately 26 percent of the land area in the County, including 118,800 acres of important farmland (Farm Bureau of Ventura County, 2014). Therefore, the Build Alternatives would result in the permanent conversion of less than 0.01 percent of important farmland in the County to nonagricultural use. Construction of Alternatives 2A and 2B would also require a temporary detour road on several parcels classified as important farmland, specifically Unique Farmland, Farmland of Statewide Importance, and Farmland of Local Importance, during the 24-month construction period. In addition, the relocation of the water line under Alternatives 2A and 2B, which would run from Sturgis Road to the south along Discovery Drive, would extend through a parcel designated as Farmland of Local Importance.

In accordance with NEPA and FPPA, Parts I, III, and VI of Form AD 1006 were completed in June 2016 to calculate the Total Site Assessment value of the farmland. Twelve factors and a number rating system were used to determine if the Project Area should receive the highest protection from conversion to non-farm uses. Farmland was evaluated based on 12 criteria, such as type, value, and the degree to which the conversion of farmland could affect local agriculture. Based on the results of the evaluation under each criteria, points were assigned to obtain a site assessment score for 21.67 acres of farmland required under Alternative 2A, and 16.98 acres of farmland required under Alternative 2B. The amount of ROW originally anticipated for farmland acquisition has been reduced since completion of Form AD 1006.

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The site assessment scores totaled 102 points under Alternative 2A, and 102 points under Alternative 2B (see **Appendix L**). Because the site assessment score for each alternative was greater than 60 points, Caltrans requires coordination with the NRCS local field office. The AD 1006 form was submitted to the NRCS on September 13, 2016, but they did not provide a response regarding the content of the form or indicate that further action was required.

While the Project would require partial acquisitions of important farmland, the purpose of the Project is to reduce conflicts between vehicles and trains and to address future traffic and circulation issues forecasted for the Project Area. Under the Build Alternatives, proposed improvements to the circulation system would support and be consistent with the City's and County's land use goals, and would be compatible with adjacent and surrounding land uses.

Compared to the amount of farmland in the County, the Project's impacts on farmland would not be adverse because less than 0.01 percent of important farmland in the County would be converted to agricultural use under the Build Alternatives, and a large percentage of important farmland would remain available for agricultural purposes in the County. The Build Alternatives would not be expected to adversely affect any remaining areas of important farmland in the County because the transportation improvements would be focused around an existing transportation facility. In addition, important farmland that is used for the temporary detour road and relocation of the water line under Alternatives 2A and 2B would be restored to existing conditions following construction and would continue to be available for agricultural use. Therefore, impacts on important farmland under the Build Alternatives would not be adverse.

Avoidance, Minimization, and/or Mitigation Measures

In accordance with NEPA and FPPA, Parts I, III, and VI of Form AD 1006 were completed in June 2016 to calculate the Total Site Assessment value of the farmland. The site assessment scores totaled 102 points under Alternative 2A, and 102 points under Alternative 2B (see **Appendix L**).

Because the site assessment score for each alternative was greater than 60 points, Caltrans requires coordination with the NRCS local field office. The NRCS reviewed the AD 1006 form on January 18, 2017 and did not require further action. Because the total points were lower than 160, no consideration of alternative actions that could reduce adverse impacts is required.

Cumulative Impacts

The study area for this cumulative impact analysis is land within the City and County boundaries because land use in the Project Area is under City and County jurisdiction. Compared to the County's 118,800 acres of important farmland, the Build Alternatives would result in the permanent conversion of less than 0.01 percent of important farmland in the County to nonagricultural use. The Build Alternatives would not be expected to adversely affect any remaining areas of important farmland in the County because the transportation improvements would be focused around an existing transportation facility. Therefore, Project contributions to cumulative impacts would not be cumulatively considerable.

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Community Impacts

The following discussion incorporates the results of the Community Impact Assessment (CIA) prepared for the Project (GPA Consulting, 2016b).

Study Area

A study area is the area in which direct and/or indirect impacts associated with a project are likely to occur at their greatest intensity. The study area for this analysis was determined using aerial photographs to identify physical characteristics, such as roadways and land use patterns, which naturally delineate communities and neighborhoods. Land use, zoning, and community facilities maps provided by the City and County were also reviewed. A site visit was conducted on December 8, 2015 to verify physical delineators, and to observe community facilities and general neighborhood cohesion. The study area generally includes the area within a 0.5-mile radius from the Project Area boundaries, and contains buildings, roadways, and other community features that could be affected by direct and/or indirect impacts from the Project (see **Figure 2-3**).

Community Character and Cohesion

Regulatory Setting

National Environmental Policy Act

NEPA of 1969, as amended, established that the federal government use all practicable means to ensure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings (42 United States Code [USC] 4331[b][2]). The FHWA in its implementation of NEPA (23 USC 109[h]) directs that final decisions on projects are to be made in the best overall public interest. This requires taking into account adverse environmental impacts, such as destruction or disruption of human-made resources, community cohesion, and the availability of public facilities and services.

California Environmental Quality Act

Under the California Environmental Quality Act (CEQA), an economic or social change by itself is not to be considered a significant effect on the environment. However, if a social or economic change is related to a physical change, then social or economic change may be considered in determining whether the physical change is significant. Since this project would result in physical change to the environment, it is appropriate to consider changes to community character and cohesion in assessing the significance of the project's effects.

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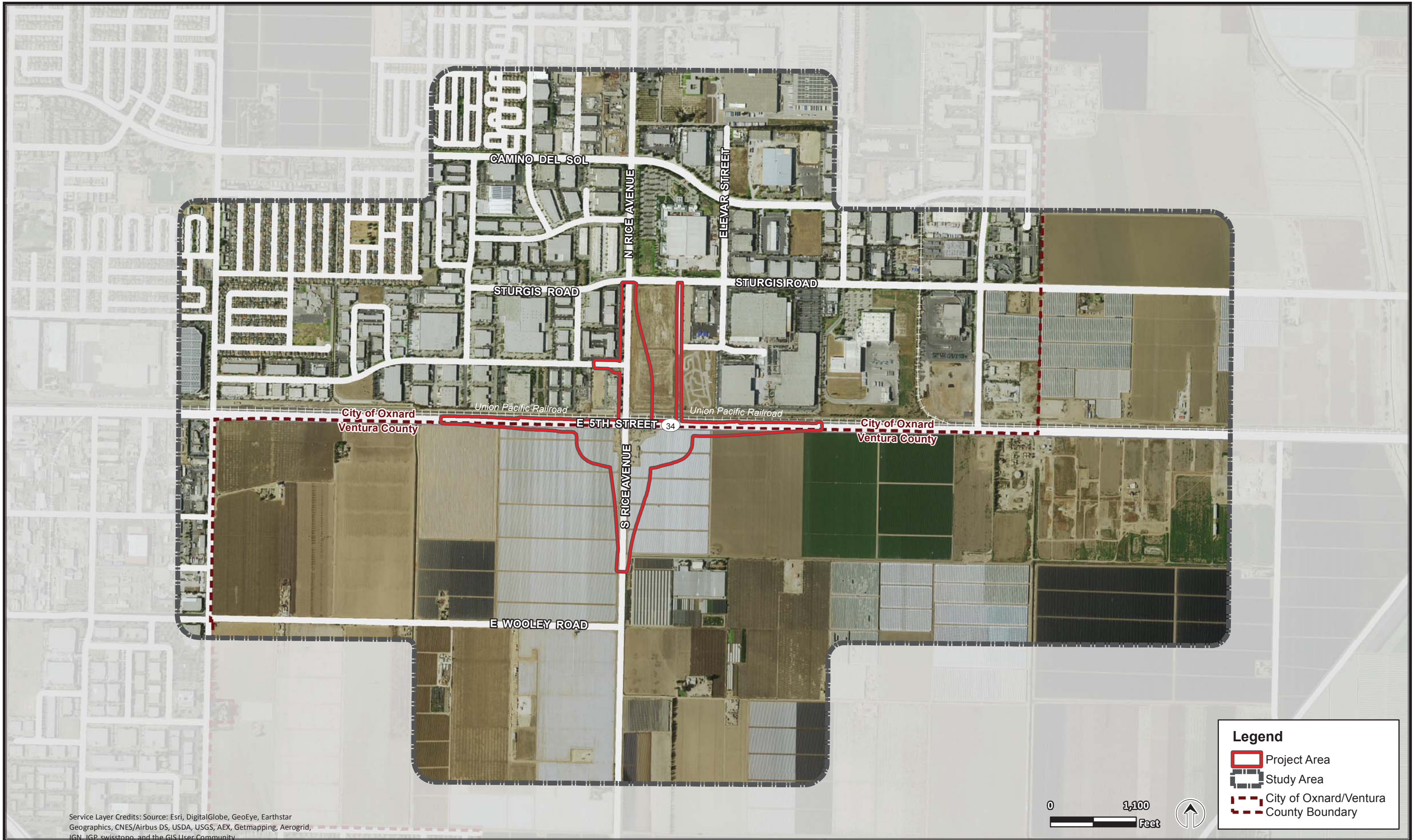


FIGURE 2-3: STUDY AREA
Rice Avenue Grade Separation

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Affected Environment

The Project Area is located in an agricultural and industrial area of the City and County. Industrial buildings are located to the northeast and northwest of the Rice Avenue/SR-34 (Fifth Street) intersection in the City, while agricultural operations are located to the southwest and southeast of the intersection in the County, indicating that there are two separate communities with substantial differences in community character. The industrial area is dominated by large warehouse-style buildings and parking lots, while the agricultural area is dominated by open fields with row crops.

Community cohesion is the degree to which residents have a “sense of belonging” and a level of commitment to their neighborhood, or a strong attachment to neighbors, groups, and institutions, usually because of continued association over time. Because the industrial and agricultural operations in the Project Area are located together in distinct neighborhoods, it is assumed that community members have a strong sense of belonging and a high level of commitment to their neighborhood; therefore, community cohesion in the Project Area is assumed to be high.

Environmental Consequences

Alternative 1: No Build Alternative

Under the No Build Alternative, there would be no changes to community character or cohesion within or surrounding the Project Area. Therefore, no adverse impacts would result from this alternative.

Alternatives 2A and 2B

The Build Alternatives would require full and partial land acquisitions of ROW properties, and would include the construction of a grade separation structure on Rice Avenue over SR-34 (Fifth Street) and the UPRR track. Because the Project would include improvements to existing roadways and to the circulation system, the Project would not be expected to divide existing neighborhoods or affect community cohesion. However, because of the acquisition of ROW and construction of additional transportation infrastructure in the Project Area, the Project could result in changes to community character because industrial and agricultural land would be converted to transportation use.

While community character could be affected under the Build Alternatives, the purpose of the Project is to reduce conflicts between vehicles and trains and to address future traffic and circulation issues forecasted for the Project Area. The Project is intended to implement recommendations in the City’s 2030 General Plan, which designates Rice Avenue as a trucking access route between the Port of Hueneme and US-101 (City of Oxnard, 2011a). In addition, VCTC has identified the Project to improve freight movement to and from the Port of Hueneme. Under the Build Alternatives, proposed improvements to the circulation system would support and be consistent with the City’s and County’s land use goals, and would be compatible with adjacent and surrounding land uses. Therefore, changes in community character under the Build Alternatives would not be adverse.

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Construction activities could result in temporary impacts on community character and cohesion, including noise from construction equipment and vehicles, traffic from construction vehicles on roadways, air quality emissions of dust from earth moving activities and exhaust from construction vehicles/equipment, and visual impacts from construction equipment and debris that could affect communities in the study area. However, Project permits include measures that would avoid impacts that could result from Project construction. Avoidance measures are explained below. Therefore, temporary construction impacts from the Build Alternatives would not be adverse.

Avoidance, Minimization, and/or Mitigation Measures

These impacts could affect mobility and quality of life in the community; however, with adherence to local policies and the implementation of construction BMPs (see COM-1), including measures to limit construction hours and implement traffic management plans, these temporary impacts would not be expected to substantially affect the community. In addition, according to a Noise Study Report and Air Quality Study Report conducted for the Project, air quality and noise impacts from construction would be minimized with implementation of Caltrans Standard Specifications Sections 14.8-02 and 14-9, and compliance with Ventura County Air Pollution Control District rules and regulations (AMBIENT Air Quality & Noise Consulting, 2018).

COM-1 The Project would adhere to state and local policies and the implementation of Caltrans standard construction BMPs regarding noise, traffic, air quality, invasive species, water quality, relocations, hazardous waste, cultural resources, and all other environmental topics covered in this document.

With implementation of measure COM-1 above, the Project would not result in adverse impacts on community character or cohesion; therefore, no additional mitigation measures are required.

Cumulative Impacts

The study area for this cumulative impact analysis is land within the City and County boundaries because land use in the Project Area is under City and County jurisdiction. The Project could result in long-term permanent impacts related to community character and cohesion through the acquisition of ROW and construction of additional transportation infrastructure. However, the purpose of the Project is to reduce conflicts between vehicles and trains and to address future traffic and circulation issues forecasted for the Project Area. Under the Build Alternatives, proposed improvements to the circulation system would support and be consistent with the City's and County's land use goals, and would be compatible with adjacent and surrounding land uses. Therefore, Project contributions to cumulative impacts would not be cumulatively considerable.

During construction, the Project could result in temporary impacts on community character. With implementation of BMPs, including measures to limit construction hours and implement traffic management plans, potential impacts from Project construction would be substantially minimized. Therefore, Project contributions to cumulative impacts would not be cumulatively considerable.

Chapter 2 Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures

Relocations and Real Property Acquisition

The following discussion incorporates the results of the Relocation Impact Memorandum (RIM) prepared for the Project (GPA Consulting, 2016c).

Regulatory Setting

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended in 1987, is often referred to simply as the Uniform Act. The Uniform Act provides uniform and equitable treatment of persons displaced from their homes, businesses, non-profit associations, or farms by federal and federally-assisted programs, and establishes uniform and equitable land acquisition policies.

Caltrans' Relocation Assistance Program (RAP) is based on the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act), and Title 49 Code of Federal Regulations (CFR) Part 24. The purpose of the RAP is to ensure that persons displaced as a result of a transportation project are treated fairly, consistently, and equitably so that such persons will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole. Please see **Appendix D** for a summary of the RAP.

All relocation services and benefits are administered without regard to race, color, national origin, or sex in compliance with Title VI of the Civil Rights Act (Title 42 USC Section 2000d, et seq.) (United States Congress, 1964) (see **Appendix D** and **Appendix E**).

Affected Environment

The Project Area includes the existing roadways (Rice Avenue and SR-34 (Fifth Street)); the UPRR track ROW; light industrial land uses in the northeast and northwest quadrants of the Rice Avenue/SR-34 (Fifth Street) intersection within the City; and agricultural land uses in the southeast and southwest quadrants of the Rice Avenue/SR-34 (Fifth Street) intersection in the County. The UPRR track is approximately 50 feet north of the Rice Avenue/SR-34 (Fifth Street) intersection. The Port of Hueneme is approximately 3.85 miles to the southwest of the Project Area, and US-101 is approximately 1.77 mile north of the Project Area.

According to a Phase I Initial Site Assessment Report completed for the Project, the Project Area may contain contaminated soil and groundwater from previous spills or leaks of hazardous materials on nearby properties, an historic gas station in the Project Area, active or abandoned oil wells, asbestos-containing materials (ACM) and lead-based paint (LBP), creosote in UPRR railroad ties, several high pressure gas and petroleum pipelines, transformers with potential polychlorinated biphenyls (PCB), nonhazardous and hazardous trash, and aerially deposited lead (ADL) (Cornerstone Technologies, Inc., 2015).

Environmental Consequences

Alternative 1: No Build Alternative

The No Build Alternative would not require the acquisition of any properties; therefore, there would be no impacts.

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Alternatives 2A and 2B

The Project would require 11 partial acquisitions and one full acquisition from 18 parcels under Alternative 2A and Alternative 2B (see **Figure 1-4**, **Figure 1-6**, and **Table 2-4**). Construction of Alternatives 2A and 2B would also require nine TCEs for a temporary detour road, to be located approximately 200 feet east of and parallel to Rice Avenue (see **Figure 1-5**), and would also require TCEs to relocate a water line that would extend south of Discovery Drive. Most of the property acquisitions and TCEs under the Build Alternatives would be relatively small, partial acquisitions, or would be located on undeveloped land, which would not require any residential or business relocations.

Table 2-4: Real Property Acquisition

APN	Alternative 2A		Alternative 2B	
	Square Feet	Use	Square Feet	Use
216-0-160-160	24,985	Temporary	24,985	Temporary
216-0-160-285*	3,840	Permanent	3,840	Permanent
216-0-160-525	7,721	Temporary	7,721	Temporary
216-0-160-525	77,025	Permanent	77,025	Permanent
216-0-160-545	4,062	Temporary	4,062	Temporary
216-0-160-555	30,036	Temporary	30,036	Temporary
216-0-160-565	33,740	Temporary	33,740	Temporary
216-0-160-575	154,295	Temporary	154,295	Temporary
216-0-193-105	6,275	Temporary	6,275	Temporary
216-0-193-105	11,803	Permanent	14,167	Permanent
216-0-195-055	4,499	Permanent	4,499	Permanent
216-0-195-095	1,560	Permanent	1,560	Permanent
216-0-195-105	1,989	Permanent	1,989	Permanent
216-0-195-145	1,983	Permanent	1,983	Permanent
217-0-020-095	8,334	Permanent	8,334	Permanent
217-0-020-105	49,770	Permanent	41,517	Permanent

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217-0-020-125	281,142	Permanent	65,522	Permanent
217-0-020-125	25,975	Temporary	43,355	Temporary
217-0-020-135	1,493	Permanent	1,641	Permanent
218-0-011-435	2,650	Permanent	2,650	Permanent
218-0-011-475	435,960	Permanent	466,647	Permanent
218-0-011-475	118,643	Temporary	118,484	Temporary
Total	1,287,780 square feet (29.56 acres) (9.31 Temporary/20.25 Permanent)		1,114,327 square feet (25.58 acres) (9.71 Temporary/15.87 Permanent)	

* Indicates a full acquisition of property

Alternatives 2A and 2B would require the full acquisition of the property on APN 216-0-160-285; however, this property is undeveloped, and no relocations would be required for this property under the Build Alternatives.

Both of the Build Alternatives would require partial acquisition of the properties on APNs 218-0-011-475 and 217-0-020-125. These properties are developed with parking/storage areas. Both of the Build Alternatives would require the relocation of the entire parking/storage areas on APNs 218-0-011-475 and 217-0-020-125. The parking/storage areas on these properties include temporary and permanent storage structures and containers, agricultural machinery and equipment, and utility piping and equipment. Additionally, both of the Build Alternatives would require partial acquisition of APN 218-0-011-435, a small parcel owned and operated by United Water Conservation District (UWCD).

APN 218-0-011-475

The parking/storage area on APN 218-0-011-475 are associated with agricultural operation of the property. Based on **Table 2-4**, 435,960 square feet (10.01 acres) would be required from APN 218-0-011-475 for permanent use under Alternative 2A, and 466,647 square feet (10.71 acres) would be required under Alternative 2B. Temporary use of approximately 118,643 square feet (2.72 acres) would be required from APN 218-0-011-475 under Alternative 2A, and 118,484 square feet (2.72 acres) would be required under Alternative 2B. Because APN 218-0-011-475 is 7,016,290 square feet (161.07 acres), approximately 6,580,330 square feet (151.06 acres) would remain on this property under Alternatives 2A and 6,549,643 square feet (150.36 acres) would remain under Alternative 2B. The parking/storage area would be relocated on the remainder of the parcel or fair compensation would be paid for displaced structures, dependent on agreements made between the City and the land owner. However, there are existing row crops on the remaining portion of APN 218-0-011-475; therefore, if the replacement site is to be located on this property, the site would need to be redeveloped and converted from row crops into a parking/storage area.

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APN 217-0-020-125

For APN 217-0-020-125, approximately 281,142 square feet (6.45 acres) would be acquired under Alternative 2A; and approximately 65,522 square feet (1.50 acres) would be acquired under Build Alternative 2B. Approximately 25,975 square feet (0.60 acres) would be required for temporary use under Alternative 2A, and 43,355 square feet (1.00 acre) would be required under Alternative 2B. Because APN 217-0-020-125 is 820,932 square feet (18.8 acres), approximately 539,790 square feet (12.39 acres) would remain on this property under Alternative 2A and 777,577 square feet (17.85 acres) would remain under Alternative 2B. The parking/storage area would be relocated on the remainder of the parcel or fair compensation would be paid for displaced structures, dependent on agreements made between the City and the land owner. However, there are existing row crops on the remaining portion of APN 217-0-020-125; therefore, if the replacement site is to be located on this property, the site would need to be redeveloped and converted from row crops into a parking/storage area.

APN 218-0-011-435

APN 218-0-011-435 is 14,960 square feet (0.34 acre) lot and is considered Farmland of Statewide Importance, but is not currently used as farmland. Approximately 2,650 square feet (0.06 acre) would be acquired under Alternatives 2A and 2B. The parcel is currently owned and operated by UWCD where a water well, Well Number 4, is housed. ROW impacts to the parcel could result in temporary impacts to the service of UWCD facilities; however, the Project would not result in long term impacts to UWCD services, including Well Number 4. Additional discussion is available in Utilities/Emergency Services.

Relocation Impacts

Although there are available replacement sites, business relocations may have physical, financial, and/or psychological effects on business owners and employees. The physical effects include finding and moving into suitable replacement properties. Financial impacts may include moving or rental expenses. The psychological effects of relocation are primarily related to the change in a person's work conditions, as employees may find it difficult to adapt to changes in their work environment.

To minimize potential impacts, Caltrans' RAP includes advisory services to assist individuals and businesses being displaced by a public project. The City will be responsible for administering services available through the RAP program. The advisory assistance services include outreach to discuss their needs and preferences regarding the move, explain the rights and benefits available to them, and provide assistance with obtaining monetary benefits. In addition, the advisory assistance includes information on available replacement sites, including purchase and rental costs, and coordinating and educating landlords, property managers, and other real estate professionals to help secure replacement properties. Any business that moves from real property, moves personal property from real property as a result of the acquisition of real property, or is required as a result of written notice to vacate from the real property required for a transportation project, is eligible.

Because of the relatively low number of relocations required for the Project, the City has sufficient resources to complete the relocations in accordance with federal and state policies

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and procedures. All activities would be conducted in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. Relocation resources would be available to the displacees in compliance with Title VI after eligibility has been determined. Therefore, potential impacts would not be adverse.

Prior to Project construction, a Phase II environmental site investigation (SI) will be conducted to further characterize potential soil or groundwater contamination in the Project Area. Any known hazardous materials or waste in the Project Area would be cleaned up prior to acquisition of the properties.

Avoidance, Minimization, and/or Mitigation Measures

The Project would comply with the Uniform Act and would not result in adverse impacts related to relocations and real property acquisitions; therefore, no avoidance, minimization, and/or mitigation measures are required.

Cumulative Impacts

The Project would be conducted in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and Title VI of the Civil Rights Act. While agricultural displacements would result from the Project, remaining area of the site would be sufficient to provide a replacement site for displaced uses, although existing land contains row crops. The purpose of the Project is to reduce conflicts between vehicles and trains and to address future traffic and circulation issues forecasted for the Project Area. Because of the relatively small number of relocations required for the Project, it is estimated that there are comparable replacement business sites in the area that are expected to be available to fulfill the needs of businesses displaced. Therefore, Project contributions to cumulative impacts would not be cumulatively considerable.

Environmental Justice

The United States Environmental Protection Agency defines Environmental Justice as "the fair treatment and meaningful involvement of all people regardless of race, color, sex, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations, and policies" (United States Environmental Protection Agency, 2015).

Fair treatment means that no group of people, including any racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.

Meaningful involvement means that: (1) potentially affected community residents have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and/or health; (2) the public's contribution can influence the regulatory agency's decision; (3) the concerns of all participants involved will be considered in the decision making process; and (4) the decision makers seek out and facilitate the involvement of those potentially affected.

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Regulatory Setting

All projects involving a federal action (funding, permit, or land) must comply with EO 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, signed by President William J. Clinton on February 11, 1994. This EO directs federal agencies to take the appropriate and necessary steps to identify and address disproportionately high and adverse effects of federal projects on the health or environment of minority and low-income populations to the greatest extent practicable and permitted by law. Low income is defined based on the Department of Health and Human Services poverty guidelines. For 2012, this was \$23,492 for a family of four.

All considerations under Title VI of the Civil Rights Act of 1964, and related statutes, have also been included in this project. The Department's commitment to upholding the mandates of Title VI is demonstrated by its Title VI Policy Statement, signed by the Director, which can be found in **Appendix E** of this document.

Affected Environment

Terminology

For this assessment, minority populations include persons who are American Indian and Alaska Native, Asian, Black or African American, Hispanic or Latino, Native Hawaiian and Other Pacific Islander. Low-income populations include households that have been below the poverty threshold over a 12-month period. Because data for low-income populations were retrieved from the 2008-2012 ACS 5-Year Estimates, the poverty thresholds used for this analysis are those defined by the United States Census Bureau for the year 2012. In 2012, the United States Census Bureau poverty threshold was \$23,492 for a family of four (United States Census Bureau, 2012).

For this analysis, a "meaningfully greater" minority or low-income population is defined as a minority or low-income population in the study area with a higher percentage than the minority or low-income population in Oxnard.

Minority Populations

The bolded and shaded numbers in **Table 2-5** indicate the minority populations in the study area that have a meaningfully greater percentage than Oxnard. As shown in **Table 2-5**, the largest population in the study area is Hispanic or Latino, which makes up 92.1 percent of the total population in the study area. This Hispanic or Latino population in the study area is meaningfully greater than the Hispanic or Latino population in Oxnard, which is 72.5 percent of Oxnard's population. As shown in **Table 2-5**, there are also block groups in the study area with meaningfully greater percentages of Black or African American, Asian, and Hispanic or Latino populations compared to Oxnard.

Income and Poverty Levels

The bolded and shaded numbers in **Table 2-6** indicate the low-income populations in the study area that have meaningfully greater percentages than Oxnard. As shown in **Table 2-6**, the low-income population in the study area (i.e. households, with income below poverty level

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in the past 12 months) is 20.0 percent of the total population in the study area. This percentage is meaningfully greater than Oxnard, which has a low-income population of 13.8 percent. In addition, there are several block groups that have low-income populations with meaningfully greater percentages than the county.

Environmental Consequences

Alternative 1: No Build Alternative

Under the No Build Alternative, there would be no direct or indirect impacts on minority or low-income populations.

Alternative 2A and 2B

If a minority or low-income population in the study area is meaningfully greater than those populations in Oxnard, the project would have the potential to result in disproportionate impacts on the populations in the study area, and the project would therefore be subject to the provisions of Executive Order 12898.

As outlined above, the study area contains minority and low-income populations with meaningfully greater percentages than those populations in Oxnard. Therefore, any impacts resulting from operation and construction of the project would have potential to disproportionately affect minority and low-income populations in the study area compared to the larger population of Oxnard.

Both of the Build Alternatives would require the full acquisition of one property, APN 216-0-160-285, an undeveloped industrial property. Additionally, the Project would result in partial ROW acquisition from 10 parcels under Alternative 2A and 8 parcels under Alternative 2B. Several of the partial ROW acquisitions could result in permanent relocation of permanent storage structures and containers, agricultural machinery and equipment, and utility piping and equipment currently on the parcels. Structures would be moved to available remaining land on each respective parcel or fair compensation would be paid for displaced structures, dependent on agreements made between Caltrans and the parcel owner.

Structure relocation could require conversion of productive farmland to provide new space for the displaced equipment. Conversion of the productive farmland would be small in comparison to the relative size of the impacted parcels. The properties would be relocated and compensated in compliance with the Uniform Act, Caltrans' RAP, and Title VI of the Civil Rights Act. Additionally, the Project would not result in adverse impacts on land use through implementation of mitigation measure **LU-1** (see Land Use above).

The Project is not anticipated to result in any other potentially adverse impacts in the Project Area. Therefore, no disproportionately high or adverse impacts are expected to result from the relocations and real property acquisitions or land use impacts in the Project Area.

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Table 2-5: Racial and Ethnic Characteristics of Oxnard and the Study Area

Race/Ethnicity	Oxnard		Study Area																			
			Census Tract 47.04, Block Group 1		Census Tract 471.6, Block Group 1		Census Tract 49.01, Block Group 1		Census Tract 49.02, Block Group 1		Census Tract 49.02, Block Group 2		Census Tract 91, Block Group 1		Census Tract 91, Block Group 2		Census Tract 91, Block Group 3		Census Tract 91, Block Group 4		Total Study Area	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Total Population (All Races and Ethnicities)	197,456	--	28	--	936	--	47	--	964	--	2,221		139	--	93	--	3	--	165	--	4,596	--
White	30,176	15.2	2	7.7	63	6.7	8	16.3	14	1.5	0	0	0	0	18	19.2	0	0	0.4	0.2	104	2.3
Black or African American	5,025	2.5	0	0	6	0.6	1	3.1	28	3.0	0	0	5	3.7	5	5.2	0.1	3.1	0	0	45	1.0
American Indian and Alaska Native	175	0.1	0	0	0	0	0.1	0.1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Asian	14,898	7.5	0.6	2.3	162	17.3	8	17.5	20	2.1	0	0	7	5.0	0.6	0.7	0	0	0	0	197	4.3
Native Hawaiian and Other Pacific Islander	294	0.15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Some Other Race	92	0.5	0	0	0	0	0	0	0	0	0	0	0.6	0.4	0	0	0	0	0	0	0	0
Hispanic or Latino	143,214	72.5	25	90.0	694	74.1	28	59.7	902	93.5	2,221	100	127	90.9	68	72.3	3	96.9	165	99.7	4,231	92.1

Source: United States Census Bureau, 2012

Notes: % = Percent; Bolded and shaded numbers are percentages for minority populations in the study area that are meaningfully greater than percentages for those populations in Oxnard.

Table 2-6: Households with Income in the Past 12 Months Below Poverty Level in Oxnard and the Study Area

Households	Oxnard		Study Area																			
			Census Tract 47.04, Block Group 1		Census Tract 471.6, Block Group 1		Census Tract 49.01, Block Group 1		Census Tract 49.02, Block Group 1		Census Tract 49.02, Block Group 2		Census Tract 91, Block Group 1		Census Tract 91, Block Group 2		Census Tract 91, Block Group 3		Census Tract 91, Block Group 4		Total Study Area	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Total Households	50,852	--	10	--	225	--	12	--	233	--	424	--	30	--	21	--	0.7	--	44	--	1,000	--
Households with Income in Past 12 Months Below Poverty Level	7,037	13.8	2	15.2	39	17.2	0.8	6.7	79	34.1	50	11.7	5	15.7	4	18.3	0.2	30.8	21	48.6	200	20.0

Source: United States Census Bureau, 2012

Notes: % = Percent; Bolded and shaded numbers are percentages for low-income populations in the study area that are meaningfully greater than the percentage for the low-income population in Oxnard.

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Avoidance, Minimization, and/or Mitigation Measures

As mentioned above, the Project would not result in disproportionately high or adverse impacts on Environmental Justice populations in the Project Area; therefore, no avoidance, minimization, and/or mitigation measures are required.

Cumulative Impacts

While the Project would result in ROW acquisition from low income and minority populations, affected land owners would be compensated and assisted in compliance with applicable laws and regulations. Therefore, the Project would not result in disproportionately high or adverse impacts on Environmental Justice populations, and contributions to cumulative impacts would not be cumulatively considerable.

Utilities/Emergency Services

Regulatory Setting

CEQA requires agencies to address impacts on public services, utilities, and service systems. As required by CEQA, agencies must determine whether a project would result in adverse impacts on acceptable maintenance ratios, response times or other performance objectives for any public services, specifically on fire protection, police protection, schools, parks, and other public facilities.

Affected Environment

The utilities and emergency services in the study area are discussed in the following sections. The location of underground utilities would be confirmed prior to Project construction by contacting the Underground Service Alert of Southern California (also known as DigAlert).

Water and Wastewater

In 2010, the City's water needs totaled approximately 30,265 acre-feet for that year (City of Oxnard, 2012). Water is supplied to the study area from local ground water and imported supplies that are purchased from the UWCD or the Calleguas Municipal Water District. The City's municipal water system imports water into five stations. There is a 30-inch UWCD irrigation line and a City-owned 12-inch potable water main in the Project Area. UWCD Well Number 4 is also located in the southeast quadrant of the Project Area.

Wastewater treatment and collection services are provided by the City Public Works Department, Wastewater Section. The City's wastewater treatment and collection system consists of more than 425 miles of sewer lines with 15 City-owned wastewater lift stations, and three privately owned lift stations. Wastewater is treated at the City Wastewater Treatment Plant, which is located at 6001 Perkins Road in the City, approximately 4.5 miles southwest of the Project Area. The City Wastewater Treatment Plant has a treatment capacity of 31.7 million gallons per day. There is a City-owned 30-inch sanitary sewer in the Project Area.

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Electric Power

Southern California Edison is the electricity supplier for the Project Area. There are electrical control cabinets, power poles, and overhead power lines in the Project Area.

Natural Gas

The Southern California Gas Company provides natural gas for the Project Area. There are 4-inch and 8-inch gas mains in the Project Area.

Telecommunications Systems

Telecommunications companies that provide services to the Project Area include Verizon, CenturyLink Communications, AT&T, and Sprint. There are telephone conduits owned by CenturyLink Communications, Sprint, and AT&T in the Project Area within the UPRR track, and overhead and underground telephone lines owned by Verizon in the Project Area within the UPRR track.

Solid Waste

Solid waste services are provided by the City Public Works Department, Environmental Resources Division. An average of 203,000 tons of solid waste is disposed of annually at the Del Norte Regional Recycling and Transfer Facility (City of Oxnard, 2011). This facility is located in the study area at 111 South Del Norte Boulevard in the City, approximately 0.4 mile northeast of the Project Area.

Other Utilities

Other utilities in the Project Area include traffic signals, street lights, and railroad crossing equipment. There is also a California Resources Corporation 6-inch oil pipeline in the Project Area.

Emergency Services

The City's Fire Department provides fire protection services in the study area. There are seven fire stations in the City that are staffed with a total of 103 personnel, of which 94 are safety responders (City of Oxnard, 2015b). The fire department strives to reach emergencies within five minutes of dispatch, 90 percent of the time (City of Oxnard, 2015b). There are no fire stations in the study area. The nearest fire station is Fire Station 5 at 1450 East Colonia Road in the City, approximately 1.09 miles northwest of the Project Area.

The City's Police Department provides police protection services in the City portion of the study area. There are no police stations in the study area. The nearest police station is at 251 South C Street, approximately 2.25 miles northwest of the Project Area.

The Ventura County Sheriff's Department provides patrol services for the County portion of the study area. There are no Ventura County Sheriff's stations in the study area. The nearest Ventura County Sheriff's station is at 800 South Victoria Avenue in the City of Ventura, approximately 6.25 miles northwest of the Project Area.

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There are no hospitals in the study area. The nearest hospital is Saint John's Regional Medical Center at 1600 North Rose Avenue in the City, approximately 1.5 miles northwest of the Project Area.

Environmental Consequences

Alternative 1: No Build Alternative

The No Build Alternative would not result in impacts on emergency services or public utilities.

Alternatives 2A and 2B

The Build Alternatives would not affect existing utilities or emergency services through an increase in resident populations, or through the loss of facilities elsewhere. Existing facilities are expected to accommodate the needs of the community after Project implementation.

UWCD Well Number 4 would not be affected as a result of implementation of the Project. Under all alternatives, access to the well from Rice Avenue would be available after Project implementation. With implementation of an avoidance measure to protect the well in place and provide for an access road to the well, potential impacts would not be adverse.

There are several utilities in the Project Area, including oil pipelines, railroad crossing equipment, street lights, traffic signals, pull boxes, electrical controller cabinets, utility manholes/vaults, and underground and overhead utilities, including power poles. During construction, intermittent disruptions of utilities and relocation of utilities could be required to complete the Project. Any disruptions to utility service would be scheduled and coordinated to ensure they would not adversely affect the surrounding community. Coordination with the California Public Utilities Commission (CPUC) would be conducted to avoid and minimize impacts to local utilities as a result of the Project.

A temporary rail crossing would be required during the construction of the grade separation under Alternatives 2A and 2B. Continual coordination with UPRR would be conducted to ensure that Project construction would not adversely affect railroad operations in the Project Area. The Rice Avenue grade separation structure and foundations on Rice Avenue would be outside of the UPRR ROW. Additionally, CPUC is the state agency that oversees rail safety in California, and project developers would coordinate with CPUC regarding the temporary rail crossing to ensure a safe detour route. Therefore, no adverse effects on railroad access are expected to result from the Build Alternatives.

Construction of Alternatives 2A and 2B would include a temporary detour road approximately 200 feet east of and parallel to Rice Avenue, so that emergency access would not be adversely affected during construction. Traffic would be provided access over SR-34 (Fifth Street) via Rice Avenue or the temporary detour road at all times during Project construction. Similarly, access over Rice Avenue via SR-34 (Fifth Street) or temporary crossing would be available at all times during Project construction. However, temporary traffic impacts from construction vehicles/equipment on roadways could affect emergency service response times. With implementation of the traffic management plan identified in Traffic and Transportation/Pedestrian and Bicycle Facilities, and coordination with local emergency service providers, potential impacts would be minimized and would not be adverse.

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Avoidance, Minimization, and/or Mitigation Measures

With the implementation of the following avoidance measures, the Project would not result in adverse impacts on utilities and emergency services in the study area:

- U-1** To avoid impacts on UWCD Well Number 4, the well would be protected in place and an access road off of Rice Avenue would be constructed as part of the Project.
- U-2** Coordination with the California Public Utilities Commission (CPUC) would be conducted during final design and throughout construction of the Project.

Cumulative Impacts

The study area for this cumulative impact analysis is land within the City and County boundaries because land use in the Project Area is under City and County jurisdiction. The Build Alternatives would not be expected to adversely affect utilities or emergency services in the County because the transportation improvements would be focused in an existing transportation corridor. Because the Project would not directly induce growth greater than what is planned by the City, the Project would not result in the need for additional utilities or emergency services. The Project is intended to improve safety and efficiency in the transportation corridor, which could improve emergency vehicle access. With implementation of an avoidance measure to protect UCWD Well Number 4 and provide access to the well after Project implementation, Project contributions to cumulative impacts would not be cumulatively considerable.

Traffic and Transportation/Pedestrian and Bicycle Facilities

The following discussion incorporates findings from the Traffic Engineering Performance Assessment (TEPA) and Air Quality Study Report completed for the Project (AMBIENT Air Quality & Noise Consulting, 2018; Kimley-Horn, 2015). The traffic volumes included in the TEPA were prepared based on a construction year of 2018 and opening year of 2020. The construction year has been revised to 2020, and the opening year to 2022. Any difference in traffic volumes would be minimal between the two-year period; therefore, the information in the TEPA has been used to support conclusions in this section.

Regulatory Setting

Title 23 of the Code of Federal Regulations, Part 652

Caltrans, as assigned by FHWA, directs that full consideration should be given to the safe accommodation of pedestrians and bicyclists during the development of Federal-aid highway projects (see Title 23 CFR Part 652). Caltrans further directs that the special needs of the elderly and the disabled must be considered in all federal-aid projects that include pedestrian facilities. When current or anticipated pedestrian and/or bicycle traffic presents a potential conflict with motor vehicle traffic, every effort must be made to minimize the detrimental effects on all highway users who share the facility.

United States Department of Transportation Regulations and Policy Statement

In July 1999, the U.S. Department of Transportation (U.S. DOT) issued an Accessibility Policy Statement pledging a fully accessible multimodal transportation system. Accessibility in

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federally assisted programs is governed by the U.S. DOT regulations (Title 49 CFR Part 27) implementing Section 504 of the Rehabilitation Act of 1973 (Title 29 USC Section 794).

Americans with Disabilities Act of 1990

FHWA has enacted regulations for the implementation of the 1990 Americans with Disabilities Act (ADA), including a commitment to build transportation facilities that provide equal access for all persons. These regulations require application of the ADA requirements to federal-aid projects, including Transportation Enhancement (TE) activities.

Affected Environment

Roadways

SR-34 is a two-lane (one lane in each direction) conventional highway with a speed limit of 55 mph, and accommodates east-west traffic movement from Rice Avenue to State SR-118 near the unincorporated community of Somis. SR-34 is designated as Fifth Street in the Project Area from Rice Avenue to US-101, and Lewis Road from US-101 to SR-118. Based on 2015 traffic counts, the ADT for the segment of SR-34 (Fifth Street) in the Project Area is 11,000 vehicles.

Rice Avenue is a primary arterial roadway with a speed limit of 55 mph, and accommodates north-south traffic movement between the Port of Hueneme and US-101. In the Project Area, Rice Avenue has six lanes (three lanes in each direction) north of SR-34 in the City, and four lanes (two lanes in each direction) south of SR-34 in the County. Based on 2015 traffic counts, the ADT for the segment of Rice Avenue in the Project Area is 35,000 vehicles.

Discovery Drive is a two-lane roadway with one northbound and one southbound lane, and runs parallel approximately 670 feet to the east of Rice Avenue. Based on aerial imagery provided by GoogleEarth, there are currently no access points or driveways to businesses from Discovery Drive. However, Discovery Drive provides access to Challenger Plaza and South Elevar Street, which do have direct access points to businesses. South Elevar Street is also accessible from Sturgis Road, approximately 540 feet east of Discovery Drive, and connects to Challenger Plaza.

Bicycle and Pedestrian Facilities

The City's Bicycle and Pedestrian Facilities Master Plan designates Rice Avenue in the City portion of the Project Area as an existing Class II bikeway (a bike lane, which is a striped and stenciled lane for 1-way travel on a street or highway) (City of Oxnard, 2011b). Currently, Rice Avenue in the City portion of the Project Area has a paved shoulder but no sidewalk in the northbound direction, and a sidewalk with a striped shoulder in the southbound direction, just north of the grade crossing.

The Ventura Countywide Bicycle Master Plan designates Rice Avenue in the County portion of the Project Area (to the south of SR-34 (Fifth Street)) as a proposed Class III bikeway (a bike route that includes shared use of a motor vehicle lane identified only by signage) (Ventura County Transportation Commission, 2007). Currently, Rice Avenue in the County portion of the Project Area has a paved shoulder in each direction, but no sidewalks.

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The City's Bicycle and Pedestrian Facilities Master Plan designates westbound SR-34 (Fifth Street) as a proposed Class I bikeway (a bike path or multi-use path that provides for bicycle and other non-motorized travel on a paved ROW completely separated from any street or highway). Eastbound SR-34 (Fifth Street) is designated as a proposed Class III bikeway. Currently, SR-34 (Fifth Street) in the Project Area has paved shoulders in each direction, but no sidewalks.

Public Bus System

Gold Coast Transit operates the public bus system in the City. There are three bus routes in the study area: Route 2 (Colonia-Downtown Oxnard), Route 19 (Fifth Street-Victoria-Gonzales Road), and Route 20 (Rice Avenue-Gonzales Road-Fifth Street (Gold Cost Transit, 2016). Route 2 typically provides 20 trips per day and Route 19 and Route 20 typically provide 15 trips per day.

Railroad Facilities

The UPRR track is located just north of the SR-34/Rice Avenue intersection with a separation of 58 feet between the center of the track to the intersection crosswalk on the north side of SR-34 (Fifth Street). The track is used jointly by UPRR, Metrolink, and Amtrak trains, with an estimated one UPRR train crossing every hour at the Rice Avenue/SR-34 (Fifth Street) intersection. Metrolink trains make three trips in each direction daily. Amtrak's Coast Starlight train makes two trips daily, one northbound and one southbound, and Surfliner makes approximately 30 trips daily, with variation between days of the week and holidays.

Environmental Consequences

Alternative 1: No Build Alternative

A traffic model was used to predict future traffic conditions for the study area under the Build and No Build Alternatives. Year 2015 was used as the baseline existing conditions, year 2022 was used as the opening year, and year 2040 was used as the design year. The No Build Alternative would not result in any traffic or transportation improvements, or improvements in pedestrian or bicycle facilities in the Project Area. This alternative would not reduce conflicts between vehicles and trains or address future traffic and circulation issues forecasted for the Project Area. The Rice Avenue and SR-34 (Fifth Street) intersection is currently operating at level of service (LOS) D and will continue to deteriorate without the Project, eventually resulting in LOS F in 2022 PM Peak. LOS F is considered "failing" by standards of the City. Additionally, train-vehicle collision fatalities would likely continue and worsen as traffic on Rice Avenue and train trips increase over time.

Alternatives 2A and 2B

Under the Build Alternatives, a grade separation structure would be constructed to elevate Rice Avenue over SR-34 (Fifth Street), which would eliminate the existing at-grade railroad crossing. Either a double connector road (under Alternative 2A) or a single connector road (under Alternative 2B) would be constructed to connect Rice Avenue with SR-34 (Fifth Street). These alternatives would meet the purpose of the Project, which includes reducing conflicts

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between vehicles and trains and addressing future traffic and circulation issues forecasted for the Project Area.

Additionally, the Project would reduce train and vehicle conflict. Two collisions between trains and vehicles, during the time period of June 3, 2014 to February 24, 2015, resulted in three fatalities. Under the Build Alternatives, the existing “T” intersection at Rice Avenue and Eastman Avenue would be reconfigured to create a cul-de-sac at the end of Eastman Avenue. Through-traffic on Eastman Avenue, and access to businesses on Rice Avenue between Sturgis Road and Eastman Avenue, would be redirected north along Candelaria Road and Sturgis Road.

Under the Build Alternatives, Rice Avenue would include 8-foot shoulders and 6.5-foot-barrier-separated sidewalks in each direction. Beneath the Rice Avenue grade separation structure, SR-34 (Fifth Street) would also include 8-foot shoulders in each direction. A 10-foot sidewalk would be added along the westbound side of SR-34 (Fifth Street), which is planned to be converted to a Class I bikeway in the future. The connector roads under both Build Alternatives would also include 8-foot shoulders and 6-foot sidewalks in each direction. Therefore, the Build Alternatives would include shoulders and sidewalks to improve pedestrian and bicycle travel in the Project Area.

Construction of Alternatives 2A and 2B would require a temporary detour road, approximately 200 feet east of and parallel to Rice Avenue during the 24-month construction period (see **Figure 1-5**). The detour road would ensure that vehicle, bicycle, pedestrian, and public transit access in the study area would not be substantially changed or impacted during construction. Traffic would be provided access over SR-34 (Fifth Street) via Rice Avenue or the temporary detour road at all times during Project construction. Similarly, access over Rice Avenue via SR-34 (Fifth Street) or temporary crossing would be available at all times during Project construction. Construction of the temporary detour road would require fills within the UPRR ROW where there is difference in elevation between the top of the track and the surrounding ground surface. The maximum elevation difference between the proposed detour road and existing ground surface within the UPRR ROW is approximately five feet. Embankment would not be required at the UPRR tracks. Construction work in the UPRR ROW would include vegetation removal, soil removal, fill, and pavement. A signal would be installed to control traffic over the temporary railroad crossing. There could be temporary delays during the construction period because of construction equipment and vehicles traveling on roadways in the Project Area. With implementation of standard construction BMPs, including measures T-1 and T-2, these impacts would not be adverse.

Utilities that require relocation would be jacked under the UPRR ROW, and pavement would be constructed where the temporary detour road would cross the UPRR tracks. A new temporary railroad signal would be installed along the temporary detour road at the railroad crossing as well. Project construction could result in short term closures of the railroad for the placement of falsework required to construct the bridge structure and the temporary detour roadway crossing at the UPRR tracks. Coordination would be conducted with UPRR during final design and throughout construction of the Project.

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During construction of Alternatives 2A and 2B, access along Discovery Drive may be temporarily affected to relocate a water line, which would limit an access route to Challenger Plaza and South Elevar Street. However, alternate access to businesses would be available from South Elevar Street, which would only require an additional travel distance of approximately 540 feet. Because South Elevar Street can be accessed from Sturgis Road and connects to Challenger Plaza, access to businesses would be maintained during the construction period. Following construction, access along Discovery Drive would be restored, and no long-term access impacts would result from the Project. The Project could result in temporary impacts on local traffic and access; however, the Project would not result in long-term impacts on local traffic and access.

Travel Time Comparison

Traffic is expected to increase in the future under anticipated population growth in the City. Travel times are predicted to worsen in the study area as a result (see **Table 2-7**, **Table 2-8**, and **Table 2-9**). However, Alternatives 2A and 2B were predicted to help alleviate Total Intersection Vehicle Delay time increases for the study area, when compared to the No Build conditions for opening year 2022 and design year 2040. The Project would improve total travel time under opening year 2022 morning traffic conditions by 12.2 seconds under Build Alternative 2A and 14.6 seconds under Build Alternative 2B compared to No Build Conditions; and afternoon traffic conditions by 31.1 seconds under Build Alternative 2A and 39.0 under Build Alternative 2B compared to No Build Conditions (see **Table 2-8**). The Project would improve total travel time under design year 2040 morning traffic conditions by 154.9 seconds under Build Alternative 2A and 8.5 seconds under Build Alternative 2B compared to No Build Conditions; and afternoon traffic conditions by 154.9 seconds under Build Alternative 2A and 25.0 under Build Alternative 2B compared to No Build Conditions (see **Table 2-9**).

Peak Period Performance

Peak Period Performance was determined for existing, predicted future opening year 2022 conditions, and predicted design year 2040 conditions. The LOS for the Rice Avenue/SR-34 (Fifth Street) intersection is projected to worsen to peak AM LOS D and PM LOS E by opening year 2022, and peak AM LOS D and PM LOS F by design year 2040 (see **Table 2-8** and **Table 2-9**). LOS F is considered failing by standards of the City. Specifically, the Rice Avenue/SR-34 (Fifth Street) intersection peak AM hour was identified as operating at LOS C, and peak PM hour at LOS D in 2015 (see **Table 2-7**). Under Alternatives 2A and 2B, traffic would no longer be required to stop at the intersection and circulation between Rice Avenue and SR-34 (Fifth Street) would be improved via merging connector roadways.

Corridor Travel Time

The Rice Avenue and SR-34 (Fifth St.) transportation corridor travel time is directly impacted by the delay times at each intersection in the corridor. Peak AM and PM delay times were predicted for intersections surrounding the Project Area for opening year 2022 and design year 2040 under Build and No Build conditions. Predicted total delay times under No Build conditions were larger than Build Alternatives 2A and 2B for both model years, opening year 2022 and design year 2040. Although the number of controlled intersections would increase

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under Build Alternatives 2A and 2B, total corridor delay time resulting from the removal of Rice Avenue and SR-34 (Fifth St.) intersection would be greater than the cumulative delay resulting from the additional controlled intersections.

Volume/Capacity and LOS

City standards consider LOS F as failing. Intersections and segments of roadway that are projected to operate in future conditions at LOS F are avoided when possible. All intersections are currently operating at LOS E or greater for AM and PM Peak Hour conditions. Additionally, all intersections are predicted to operate at LOS E or greater under all Build and No Build conditions in opening year 2022. However, several intersections are predicted to operate at LOS F for AM, PM, or both Peak Hours under No Build conditions by design year 2040 including, Rice Avenue/SR-34 (Fifth Street), Rice Avenue/East Gonzales Road, Rose Avenue/SR-34(Fifth Street), and Del Norte Boulevard/SR-34 (Fifth Street).

Build Alternatives 2A and 2B would maintain the same intersection delay time and LOS or better at all intersections as the No Build Alternative, except for a slight increase at the intersection delay at Rice Avenue/East Gonzales Road. Although the operation of Rice Avenue/East Gonzales Road intersection would slightly decline under Build conditions, the intersection of Rice Avenue/SR-34 (Fifth Street) would greatly improve through the grade separation and removal of the controlled stops at SR-34 (Fifth Street) and the UPRR.

Table 2-7: Peak-Hour Delay and Level of Service during 2015 Conditions

Intersection	Intersection Vehicle Delay (seconds) / Level of Service (LOS)	
	Alternative 1 (No Build Alternative)	
	AM	PM
Rice Avenue (Ave.)/SR-34 (Fifth Street [St.])	31.5/C	50.4/E
Rice Ave./Wooley Road (Rd.)	10.9/B	14.2/B
Rice Ave./Camino del Sol	12.7/B	19.3/C
Rice Ave./East Gonzales Rd.	19.3/B	34.9/C
Rice Ave./U.S. 101 Southbound (SB) Ramps	6.0/A	9.8/B
Santa Clara Ave./Auto Center Drive (Dr.)	22.8/C	26.9/C
Rose Ave./SR-34 (Fifth St.)	30.0/C	41.5/D
Del Norte Boulevard (Blvd.)/SR-34 (Fifth St.)	17.0/B	27.3/C
Sturgis Rd./Candelaria Rd.	3.7/A	4.0/A
Rice Ave./Eastman Ave.	0.4/A	0.5/A

Source: Kimley-Horn, 2015

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Table 2-8: Intersection Peak-Hour Delay and Level of Service during Opening Year 2022 Conditions

Intersection	Intersection Control Type	Intersection Vehicle Delay (seconds) / Level of Service (LOS)					
		Alternative 1: No Build		Alternative 2B		Alternative 2A	
		AM	PM	AM	PM	AM	PM
Rice Avenue (Ave.)/SR-34 (Fifth Street [St.])	Signalized	38.0/D	57.5/E	--	--	--	--
Rice Ave./Wooley Road (Rd.)	Signalized	11.6/B	13.8/B	11.6/B	14.5/B	11.6/B	13.7/B
Rice Ave./Camino del Sol	Signalized	13.3/B	13.8/C	13.3/B	14.7/C	13.3/B	21.1/C
Rice Ave./East Gonzales Rd.	Signalized	29.4/C	30.3/C	29.4/C	30.7/C	29.4/C	30.7/C
Rice Ave./U.S. 101 Southbound (SB) Ramps	Signalized	6.5/A	12.0/B	6.5/A	12.0/B	6.5/A	12.0/B
Santa Clara Ave./Auto Center Drive (Dr.)	Signalized	25.2/C	31.8/C	25.4/C	31.8/C	25.4/C	31.8/C
Rose Ave./SR-34 (Fifth St.)	Signalized	32.0/C	46.5/D	32.0/C	46.5/D	32.0/C	46.5/D
Del Norte Boulevard (Blvd.)/SR-34 (Fifth St.)	Signalized	17.7/B	28.4/C	17.7/B	28.4/C	17.7/B	28.4/C
Sturgis Rd./Candelaria Rd.	Unsignalized	5.5/A	5.7/A	5.5/A	5.7/A	5.5/A	5.7/A
Rice Ave./East Connector Rd.	Signalized	--	--	11.9/B	14.1/B	--	--
East Connector Rd./SR-34 (Fifth St.)	Signalized/ Unsignalized	--	--	13.2/B	13.4/B	11.3/B	11.5/B
West Connector Rd./SR-34 (Fifth St.)	Unsignalized	--	--	--	--	16.2/B	18.3/B
Total Intersection Vehicle Delay (seconds):		181.1	250.8	166.5	211.8	168.9	219.7
Change in Total Vehicle Delay Compared to No Build Alternative:		--	--	-14.6	-39.0	-12.2	-31.1

Source: Kimley-Horn, 2015

Notes: Increases in delay, in comparison to no-build conditions, are depicted in **bold**. Totals may not sum due to rounding.

Under Alternative 2A, the Rice Avenue/connector road intersections would be unsignalized with free-flowing right-hand turns from the connector roads onto Rice Avenue. Predicted vehicle delay/LOS at this intersection was, therefore, not included in the traffic analysis.

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Table 2-9: Intersection Peak-Hour Delay and Level of Service during Design Year 2040 Conditions

Intersection	Intersection Control Type	Intersection Vehicle Delay (seconds) / Level of Service (LOS)					
		Alternative 1: No Build		Alternative 2B		Alternative 2A	
		AM	PM	AM	PM	AM	PM
Rice Avenue (Ave.)/SR-34 (Fifth St.)	Signalized	51.5/D	180.9/F	--	--	--	--
Rice Ave./Wooley Rd.	Signalized	48.5/D	77.4/E	48.3/D	77.4/E	48.3/D	77.4/E
Rice Ave./Camino del Sol	Signalized	28.0/C	59.2/E	28.0/C	59.2/E	27.8/C	59.2/E
Rice Ave./East Gonzales Rd.	Signalized	190.2/F	269.1/F	193.7/F	269.2/F	190.3/F	269.2/F
Rice Ave./U.S. 101 Southbound (SB) Ramps	Signalized	9.8/A	47.5/D	9.8/A	47.5/D	9.8/A	47.5/D
Santa Clara Ave./Auto Center Dr.	Signalized	36.5/D	64.7/E	36.5/D	64.7/E	36.5/D	64.7/E
Rose Ave./SR-34 (Fifth St.)	Signalized	32.4/C	98.3/F	32.4/C	98.3/F	32.4/C	98.3/F
Del Norte Boulevard (Blvd.)/SR-34 (Fifth St.)	Signalized	45.1/D	124.7/F	45.1/D	124.6/F	45.1/D	124.6/F
Sturgis Rd./Candelaria Rd.	Unsignalized	5.8/A	6.3/A	5.8/A	6.3/A	5.8/A	6.3/A
Rice Ave./East Connector Rd.	Signalized	--	--	24.5/C	34.7/C	--	--
East Connector Rd./SR-34 (Fifth St.)	Signalized/ Unsignalized	--	--	15.2/B	14.7/B	11.7/B	11.5/B
West Connector Rd./SR-34 (Fifth St.)	Unsignalized	--	--	--	--	15.1/B	14.5/B
Total Intersection Vehicle Delay (seconds):		447.8	928.1	439.3	773.2	422.8	773.2
Change in Total Vehicle Delay Compared to No Build Alternative:		--	--	-8.5	-154.9	-25.0	-154.9

Source: Kimley-Horn, 2015

Notes: Increases in delay, in comparison to no-build conditions, are depicted in bold. Totals may not sum due to rounding.

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Table 2-10: Summary of Roadway Segment Average Daily Traffic and Vehicle Miles Traveled

Roadway	Segment	Total Distance (miles)	Existing Conditions		Alternative 1 (No Build Alternative)				Alternatives 2A and 2B			
					Opening Year 2022		Design Year 2040		Opening Year 2022		Design Year 2040	
			ADT	VMT	ADT	VMT	ADT	VMT	ADT	VMT	ADT	VMT
Rice Avenue	North of SR-34 (Fifth Street)	0.63	36,411	22,939	42,211	26,593	76,237	48,029	42,211	26,593	76,237	48,029
Rice Avenue	South of SR-34 (Fifth Street)	0.26	31,314	8,142	36,302	9,439	65,565	17,047	36,302	9,439	65,565	17,047
SR-34 (Fifth Street)	West of Rice Avenue	0.42	12,268	5,153	14,222	5,973	25,687	10,789	14,222	5,973	25,687	10,789
SR-34 (Fifth Street)	East of Rice Avenue	0.45	14,487	6,519	16,795	7,558	30,333	13,650	16,795	7,558	30,333	13,650

Source: Kimley-Horn, 2017

Notes: ADT = average daily traffic; VMT = vehicle miles traveled

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Additionally, existing traffic conditions at the Sturgis Road/Candelaria Road intersection operate at LOS A (see **Table 2-7**). Under the Build Alternatives, traffic conditions would continue to operate at LOS A (see **Table 2-8** and **Table 2-9**). Because traffic conditions would not change under the Build Alternatives, the Project would not result in traffic or transportation impacts that would adversely affect local businesses or the community as a result of the “T” intersection.

Freeway Connector Volumes

To maintain connection from Rice Avenue to SR-34 (Fifth Avenue), a connector road would be needed. Alternative 2A would include the construction of two connector roads, one in the southeast quadrant of the Rice Avenue grade separation, and one in the southwest quadrant of the Rice Avenue grade separation, to provide access between Rice Avenue and SR-34 (Fifth Street). Under this alternative, each SR-34 (Fifth Street)/connector road intersection would be signalized to eliminate the need for a signalized intersection on Rice Avenue, where all traffic movements from Rice Avenue to the connector roads would be right-turn movements. Alternative 2B would include construction of a single connector road at the southeast quadrant of the grade separation. The single connector road would include a signalized intersection at the SR-34 (Fifth Street)/connector road intersection, and a signalized intersection at the Rice Avenue/connector road intersection. The Project would not increase the capacity of Rice Avenue or SR-34 (Fifth Street) or induce additional traffic in the Project Area.

Arterial Impacts and Intersection Impacts

Arterial impacts and intersection impacts are described above. The Project would improve operation of the existing transportation corridor.

Avoidance, Minimization, and/or Mitigation Measures

With the implementation of the following avoidance measures, the Project would not result in adverse impacts on traffic and transportation in the study area:

- T-1** Flagging would occur during construction of the temporary detour road and the railroad crossing and during construction of the grade separation over the UPRR tracks and ROW. Close coordination with UPRR would begin during the final design phase and outages would be planned through UPRR.
- T-2** A traffic management plan would be developed and implemented, and coordination with the local emergency service would be conducted as part of the plan.

The Project would improve pedestrian and bicycle facilities; therefore, no additional avoidance, minimization, and/or mitigation measures are required.

Cumulative Impacts

The study area for this cumulative impact analysis is land within the City and County boundaries because land use in the Project Area is under City and County jurisdiction. The Project would not result in adverse impacts on traffic, and would improve transportation/pedestrian and bicycle facilities.

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There is currently a proposed seafood packing and storage facility in the vicinity of the Project near Rice Avenue and Camino Del Sol, approximately 0.3 mile north of the Project Area. The land proposed for the facility is designated for industrial use on the City's land use map, and future industrial use for this property has been incorporated in environmental analyses conducted for the City's 2030 General Plan. In addition, according to the TEPA prepared for the Project, which takes into account future roadway improvements and projected future traffic patterns through design year 2040, traffic conditions within the Project Area would not be affected by the Project or any other proposed improvements in the Project vicinity (Kimley-Horn, 2015). Therefore, Project contributions to cumulative impacts would not be cumulatively considerable.

Cultural Resources

The following discussion incorporates the results of the Historical Resources Evaluation Report (HRER) (GPA Consulting, 2017a), Archaeological Survey Report (ASR) (Duke Cultural Resources Management, LLC, 2017a), Extended Phase I Survey Report/Phase II Archaeological Survey Report (XPI/PHII Report) (Duke Cultural Resources Management, LLC, 2017b), and the Environmentally Sensitive Area Action Plan (Duke Cultural Resources Management, LLC, 2017c) prepared for the .

Regulatory Setting

The term "cultural resources," as used in this document, refers to the "built environment" (e.g., structures, bridges, railroads, water conveyance systems, etc.), places of traditional or cultural importance, and archaeological sites (both prehistoric and historic), regardless of significance. Under federal and state laws, cultural resources that meet certain criteria of significance are referred to by various terms including "historic properties," "historic sites," "historical resources," and "tribal cultural resources." Laws and regulations dealing with cultural resources include:

The National Historic Preservation Act (NHPA) of 1966, as amended, sets forth national policy and procedures for historic properties, defined as districts, sites, buildings, structures, and objects included in or eligible for listing in the National Register of Historic Places (NRHP). Section 106 of the NHPA requires federal agencies to take into account the effects of their undertakings on historic properties and to allow the Advisory Council on Historic Preservation (ACHP) the opportunity to comment on those undertakings, following regulations issued by the ACHP (36 CFR 800). On January 1, 2014, the First Amended Section 106 Programmatic Agreement (PA) among the FHWA, the ACHP, the California State Historic Preservation Officer (SHPO), and Caltrans went into effect for Department projects, both state and local, with FHWA involvement. The PA implements the ACHP's regulations, 36 CFR 800, streamlining the Section 106 process and delegating certain responsibilities to Caltrans. The FHWA's responsibilities under the PA have been assigned to Caltrans as part of the Surface Transportation Project Delivery Program (23 United States Code [USC] 327).

Historic properties may also be covered under Section 4(f) of the U.S. Department of Transportation Act, which regulates the "use" of land from historic properties (in Section 4(f) terminology—historic sites). See **Appendix B** for specific information about Section 4(f).

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CEQA requires the consideration of cultural resources that are historical resources and tribal cultural resources, as well as “unique” archaeological resources. California Public Resources Code (PRC) Section 5024.1 established the California Register of Historical Resources (CRHR) and outlined the necessary criteria for a cultural resource to be considered eligible for listing in the CRHR and, therefore, a historical resource. Historical resources are defined in PRC Section 5020.1(j). In 2014, Assembly Bill 52 (AB 52) added the term “tribal cultural resources” to CEQA, and AB 52 is commonly referenced instead of CEQA when discussing the process to identify tribal cultural resources (as well as identifying measures to avoid, preserve, or mitigate effects to them). Defined in PRC Section 21074(a), a tribal cultural resource is a CRHR or local register eligible site, feature, place, cultural landscape, or object which has a cultural value to a California Native American tribe. Tribal cultural resources must also meet the definition of a historical resource. Unique archaeological resources are referenced in PRC Section 21083.2.

PRC Section 5024 requires state agencies to identify and protect state-owned historical resources that meet the NRHP listing criteria. It further requires Caltrans to inventory state-owned structures in its ROW.

Affected Environment

Methodology

Area of Potential Effects

The Area of Potential Effects (APE) for the Project was established in consultation with Caprice “Kip” Harper, Caltrans District 7 Professionally Qualified Staff (PQS), and Zareh Shahbazian, Caltrans Project Manager. The APE was signed by Zareh Shahbazian and Kip Harper in June 2017.

An APE is defined as the geographic area or areas within which an undertaking may directly or indirectly result in changes in the character or use of historic properties, if such properties exist (36 CFR 800.4(a) (1)). The Project’s Historic Properties Survey Report (HPSR), Attachment A, Map 3 includes the APE Map (GPA Consulting, 2017b).

The horizontal extent of the APE was established as the area of direct and indirect effects. The direct APE is the area that potentially would be directly and physically impacted by the Project, and includes the limits of all cut and fill areas, road reconstruction, sidewalks, curb and gutter installation, utility relocations/easements, temporary construction easements, landscaping, shorings, and work and staging areas. For the Project, the direct APE consists of the public ROW along the entire length of the Project Area along Rice Avenue, UPRR ROW along the existing length of UPRR tracks in the Project Area, as well as public ROW along SR-34 (Fifth Street). The direct APE also includes portions of private parcels where ROW takes or construction-related activity are proposed.

The indirect APE extends to encompass visual, audible, or atmospheric intrusions; change in access or use; or vibrations from construction activities. The indirect APE includes the entirety of the private parcels abutting the public right-of ways along Rice Avenue and SR-34 (Fifth Street), with the exception of four large rural parcels where the potential for effect on the whole

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is clearly negligible. In the case of these large rural parcels, the boundaries of the indirect APE and direct APE are the same.

The vertical extent of the APE ranges from a maximum depth of approximately 40 feet to a maximum height of height of approximately 30 feet. The depth of ground disturbance would be minimal (less than one foot) in most parts of the Project Area, as only minimal depth would be required during grading except in a few isolated locations where the depth of ground disturbance for excavations at locations of new pavement would be approximately two feet deep. The depth of ground disturbance at the pilings for the proposed grade separation structure could be as deep as 40 feet below current elevation with approximately 10 feet below the current grade being excavated to expose the tops of the pilings. Excavation to relocate utilities would consist of trenches excavated up to eight feet deep. The depth of ground disturbance for the retaining walls would be approximately four feet. The highest profile of the proposed Rice Avenue grade-separation structure over SR-34 (Fifth Street) would rise approximately 30 feet.

There are 22 parcels located within the APE. The Project would require either full or partial take of these properties. The XPI surveyed three prehistoric isolates located in the APE and confirmed that there is no buried archaeological deposit in the vicinity. These three properties (P-56-100398, P-56-100400, and P-56-100401) meet the criteria in Caltrans Section 106 Programmatic Agreement Attachment 4 and were exempted from evaluation. There were three prehistoric sites and one built-environment property located within the APE requiring evaluation for both the NRHP and CRHR. The prehistoric site P-56-000666 was surveyed in the XPI/XPPII and evaluated as not eligible for the NRHP or CRHR. Access to the prehistoric sites P-56-000918 and P-56-001514 was not permitted or limited for the XPI/PHII. These two prehistoric sites were assumed eligible for the purposes of this project only, in accordance with Section 106 PA Stipulation VII.C.4, because evaluation was not possible due to lack of access. The portions of these prehistoric sites within the APE do not contribute to the assumed eligibility of the larger prehistoric sites as whole. The built-environment property is located north of SR-34 (Fifth Street) at South Rice Avenue and is the segment of the Montalvo Cutoff of the Southern Pacific Railroad's Coast Line (APN 216-0-160-165 and 216-0-193-110). The Montalvo Cutoff was assumed eligible for the purposes of this Project only, in accordance with Section 106 PA Stipulation VII.C.4, as full evaluation of the entire railroad line is precluded by its large size and the undertaking's limited potential for effects. The segment within the APE would be a contributor to the larger linear resource, should it ever be determined eligible for the NRHP or CRHR.

Andrea Galvin (GPA Consulting), consultant architectural historian, who meets the Professionally Qualified Staff (PQS) Standards in the Caltrans Section 106 Programmatic Agreement (PA) Attachment 1 as a Principal Architectural Historian, and Curt Duke (DUKE CRM), consultant archaeologist, who meets the PQS Standards as Principal Investigator, Prehistoric and Historical Archaeology, have reviewed the Project's APE and confirmed that all other properties not evaluated in the HRER or ASR meet the criteria in Attachment 4 of the PA for properties that are exempt from evaluation.

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Records Searches and Research

A records search was requested from the South Central Coastal Information Center (SCCIC) at California State University, Fullerton on April 28, 2015. The purpose of this search was to determine the proximity of previously documented cultural resources to the Project Area. The records search included a review of all recorded historic and prehistoric archeological sites situated within a 1-mile radius of the Project Area, as well as a review of known cultural resource surveys and excavation reports. Sources consulted included the NRHP, CRHR, the California Inventory of Historic Resources, the California Historical Landmarks list, the California Points of Historical Interest list, and records from the Office of Historic Preservation.

The record search indicated that there have been 59 cultural resource studies previously conducted within a 1-mile radius of the Project Area. Of these, 21 linear studies have been conducted within the boundaries of the Project Area. There are more than 10 small- to medium-size studies, and the remainder are large areas.

Based on the records search results, there are five archaeological sites within a 1-mile radius of the Project Area (**Table 2-11**). Of the five sites, two are located within APE. In addition, one site that contained human remains is within approximately 160 feet of the APE, and two sites are within 0.5 and 0.1 mile from the APE.

The two sites in the APE had not been formally evaluated for the NRHP or CRHR. One site consists of a diffuse surficial scatter and subsurface assemblage of flaked and ground stone artifacts. One site was recorded to be a scatter of marine shells, but subsequent survey of the area in 2005 did not locate the site, though subsurface testing was recommended. The presence of five archaeological resources in the vicinity of the Project, two known sites within the APE, and the presence of human remains in the immediate area of the APE indicate a high level of sensitivity for cultural resources.

Field Surveys

Built-Environment Surveys

A field survey was conducted by GPA in August 2014 to identify buildings and/or structures located within the Project Area that were more than 45 years of age and would require evaluation for historic significance. The field study as well as review of historic aerial photographs of the Project Area (via historicaerials.com) revealed that no buildings within the Project Area are more than 45 years of age. Preliminary research conducted in May through June 2015 indicated that a set of railroad tracks in the APE, north of SR-34 (Fifth Street), is over 45 years of age. The railroad tracks, which are a segment of the Montalvo Cutoff of the SPRR's Coast Line, were identified as requiring evaluation for the NRHP and CRHR. The Montalvo Cutoff is assumed eligible for the NRHP and CRHR for the purposes of this project only. A Finding of No Adverse Effect without Standard Conditions (establishment and enforcement of an Environmentally Sensitive Area [ESA] and monitoring for archaeology only) has been prepared for the project with a "No Adverse Effect" finding for the built-environment, which received SHPO concurrence on February 15, 2018 (see **Appendix O**).

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Table 2-11: Previously Identified Archaeological Sites within One Mile of the APE

Primary Number	Trinomial Number	Resource Type	Description	NRHP/CRHR Eligibility	Distance to APE
P-56-000666	CA-VEN-666	Prehistoric site	Low density shell scatter and ground stone artifacts.	Not previously evaluated	Within APE
P-56-000918	CA-VEN-918	Prehistoric site	Low density marine shell scatter.	Not previously evaluated	Within APE
P-56-000506	CA-VEN-506	Prehistoric site	Site containing at least six burials, shell scatter, ground stone and flaked stone artifacts	Not previously evaluated	Less than 0.1 mile northwest of APE
P-56-000789	CA-VEN-789	Prehistoric site	Possible burials; scatter of lithic and shell artifacts.	Not previously evaluated	Approximately 0.5 mile west of APE
P-56-000665	CA-VEN-665	Prehistoric site	Group of three low density shell scatters.	Not previously evaluated	Approximately 0.1 mile south of APE

Source: Duke Cultural Resources Management, LLC, 2016

Notes: NRHP = National Register of Historic Places; CRHR = California Register of Historical Resources; APE = Area of Potential Effects

Archaeological Surveys

Following review of the records search, an intensive-level survey was conducted to observe the two previously identified archaeological sites located within the APE, and to determine if there are any new isolates (an individual artifact and/or ecofact) or archaeological sites (more than three, closely spaced artifact and/or ecofacts) in the Project Area. On April 26, 2016, DUKE CRM Archaeologists Nicholas F. Hearth, M.A., RPA and Matthew Stever, B.A., conducted an intensive-level survey within the private parcels of the APE. Peu Yoko Perez, Chumash Native American Monitor, volunteered his time and accompanied Mr. Hearth and Mr. Stever from the late morning until the end of the day. An additional survey was conducted by DUKE CRM Principal Investigator Curt Duke, M.A., RPA on October 13, 2016, along the Alternative 2 utility relocation excavation north of SR-34 (Fifth Street). When cultural materials were discovered, tight pedestrian transects were undertaken to discover all potential cultural materials near the location of discovery.

Along the public ROW of Rice Avenue and SR-34 (Fifth Street), only reconnaissance level survey was undertaken because the ground surface was obscured by asphalt and concrete. Survey efforts to the south of SR-34 (Fifth Street) were not as closely spaced because of active strawberry cultivation in this area. This area had low surface visibility (approximately 30 percent) from the plastic used to create the plant beds. To the north of SR-34 (Fifth Street) and east of Rice Avenue, surface visibility was also low (approximately 30 percent) due to

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thick regrowth of ruderal grasses in this area. The area to the west of Rice Avenue had no surface visibility because of buildings, pavement, and dense grass cover.

In the event of the discovery of cultural materials, the location of each artifact and/or ecofact (organic material found at an archaeological site that carries archaeological significance) was recorded. Each artifact or ecofact was photographed for identification purposes.

The two previously identified archeological sites in the APE were not relocated during the intensive-level field surveys conducted for the Project. During the survey, it was observed that the location of one site (P-56-000666) has been heavily disturbed by fill, likely brought in from off-site, which was used to level the fields east of Rice Avenue. This site is also recorded on the west side of Rice Avenue, but this side of the roadway was developed with landscaping and utilities. Therefore, this site was not relocated on the west side of Rice Avenue. The parcel where the second site (P-56-000918) was recorded was not available for intensive-level survey. Therefore, this site was not relocated, and none of the conditions on the site (e.g., soils removal or the deposition of fill) could be confirmed through visual observation of the site.

During the intensive-level survey, five new archaeological isolates and one new archaeological site were discovered (see **Table 2-12**). In general, each of the archaeological isolates consisted of two or less prehistoric marine shell fragments. The archaeological site consisted of 28 marine shell fragments located at 18 locations, and one chert flake fragment.

Considering the active soil depositional environment, the presence of other previously recorded archaeological sites such as P-56-000666, P-56-000918, and P-56-001514, and generally low surface visibility of highly disturbed surface soils, DUKE CRM recommended that each of the newly discovered prehistoric isolates and the previously and newly discovered prehistoric sites within the Direct APE undergo mechanical excavation as part of an Extended Phase I Survey (XPI). The purpose of the XPI Survey is to determine if a subsurface deposit is present. If a subsurface deposit is present, it would be subject to further excavation and archaeological evaluation in an Archaeological Evaluation (Phase II).

An Extended Phase I (XPI) Survey was conducted between April 10 and April 14, 2017, and included the mechanical excavation of 13 backhoe trenches within the APE to determine if subsurface deposits associated with previously recorded and newly identified archaeological resources existed with the project APE. Prior to excavation, the City granted permission to conduct excavation within City ROW along Fifth Street, west of Rice Avenue. Legal access was also granted by each of the private landowners where excavation occurred. No other permits were required.

The cultural resource locations that were examined during the XPI survey include four prehistoric archaeological sites (P-56-000506, P-56-000666, P-56-000918, P-56-001514) and three prehistoric isolates (P-56-100398, P-56-100400, P-56-100401). A Native American monitor was present during the XPI survey and the XPI/PHII Report was provided to consulting Native American groups/individuals for review and consultation.

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Table 2-12: Newly Discovered Prehistoric Archaeology Isolates and Site Identified

Primary Number	Temporary/ Trinomial Number	Type of Resource	Description of Resource	Distance to APE
P-56-100398	C-0168-001-ISO	Prehistoric Isolate	Two ecofacts in total consisting of one Pismo Clam (<i>Tivela Stultorum</i>) shell fragment and one Basket Cockle (<i>Clinocardium nuttalli</i>) shell fragment.	Within APE
P-56-100399	C-0168-002-ISO	Prehistoric Isolate	One ecofact in total consisting of one Pismo Clam shell fragment.	Outside APE
P-56-100400	C-0168-003-ISO	Prehistoric Isolate	One ecofact in total consisting of one Pismo Clam shell fragment.	Within APE
P-56-100401	C-0168-004-ISO	Prehistoric Isolate	One ecofact in total consisting of one Pismo Clam shell fragment.	Within APE
P-56-100402	C-0168-005-ISO	Prehistoric Isolate	One ecofact in total consisting of one Quahog (<i>Venus mercenaria Linnaeus</i>) shell fragment.	Outside APE
P-56-001514	CA-VEN-1514	Prehistoric Site	Twenty nine items in total consisting of one Franciscan chert secondary flake fragment, and 28 ecofacts (i.e., 10 Quahog shell fragments, eight Pismo Clam shell fragments, four Wavy Chione Clam (<i>Chione undatella</i>) shell fragments, four unidentified shell fragments, and two Common Littleneck Clam (<i>Protothaca staminea</i>) shell fragments).	Within APE

Source: Duke Cultural Resources Management, LLC, 2016

Soils in the excavated trenches exhibited varying degrees of disturbance in the upper levels of the exposures, consistent with localized agricultural practices (plow zones) and fill episodes, but confirm a relatively uniform and homogenous stratigraphic profile across the APE. Soils consisted of an upper strata of mixed clayey silt alluvium grading to similar apparently undisturbed soils with an abrupt transition to underlying, perceived culturally sterile, coarse sands.

Near the surface (0-4 feet) is a clayey silt alluvial layer of sediment. Within this layer is the plow zone down to approximately 3 feet. The plow zone is disturbed and contains modern debris and fill soils. The majority of shell remains and a debitage item were discovered in this layer. The small amounts of potential cultural material discovered in the plow zone are heavily disturbed due to mechanical disturbance. This material was likely scattered throughout the agricultural fields and may have been redeposited from other contexts. Materials were highly fragmented and reflect the generalized disturbance suffered by the project area in the form of plow zones associated with agricultural pursuits and/or cut and fill operations aimed toward leveling the surrounding landform for road construction and access.

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Below the alluvial layer is a coarse sand layer at approximately 4-5 feet below the surface that extends to the bottom of each trench. Shells in this layer are believed to be natural, and not the result of human behavior. No cultural material was discovered in this layer.

No evidence of any intact cultural deposit, consistent with aboriginal occupation of the immediate areas examined, was encountered in any of the trench excavations. Therefore, no additional archaeological studies were recommended.

The XPI/PHI Report determined that site P-56-000506 does not extend south into the Direct APE; site P-56-000666 is not eligible for the National and/or California Registers; isolates P-56 100398; P-56-100400; and P-56-100401 are exempt from evaluation per the Section 106 PA; and that sites P-56-000918 and P-56-001514 are assumed eligible for the NRHP and CRHR for the purposes of this Project only. An ESA Action Plan was prepared for the assumed-eligible sites P-56-000918 and P-56-001514, and a Finding of No Adverse Effect without Standard Conditions has been prepared for the project, which received SHPO concurrence on February 15, 2018 through a Letter of Concurrence. The Finding of Effect for archaeological resources is no adverse effect without non-standard conditions, which include the establishment and enforcement of an ESA and monitoring during construction to avoid adverse effects to the assumed-eligible sites.

Historic Group Consultation

Letters were sent on May 27, 2015 to organizations and interested parties identified as having a potential interest in the undertaking. Parties contacted include: Friends of Old Oxnard, Oxnard Public Library Local History Collection, City of Oxnard Community Development Department, Ventura County Planning Department, County of Ventura Cultural Heritage Board, Ventura County Library (Avenue Branch and E.P. Foster Branch), Museum of Ventura County Research Library, and Ventura County Genealogical Society. The purpose of the letters was to inform each group of the proposed undertaking and to solicit information on known historic properties in the vicinity of the Project Area.

Follow-up emails were sent and phone calls placed to those organizations on December 15, 2015. Three email responses were received. On December 15, 2015, Stacy Grose, Administrative Assistant at Oxnard Public Library, forwarded the request to Oxnard City Clerk, Daniel Martinez. No comments were received from Mr. Martinez to date. Also on December 15, 2015, Gary Blum of Friends of Oxnard responded with "no comment." On December 24, 2015, Nicole Doner, Cultural Heritage Program Administrator at Ventura County Planning Division, indicated that the Project Area was included in the Eastern Oxnard Plain Historic Context and Reconnaissance Survey prepared by San Buenaventura Research Associates in 2014, and provided a digital copy of the document. This document was used in preparing the Historical Overview found in Section V of the HRER. No additional responses have been received as of the date of this report.

Native American Consultation

The Native American Heritage Commission (NAHC) was contacted for a search of the Sacred Lands File (SLF) and a list of Native Americans to contact for the Project on May 6, 2015. The NAHC responded to the inquiry on May 15, 2015 and did not identify any Native American

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cultural resources within the APE. However, the NAHC recommended that 20 Native American groups/individuals be contacted for additional information and to confirm if there are any Native American cultural resources in the APE. All 20 Native American groups/individuals were contacted on May 19, 2015 by letter, with follow-up emails to those available sent on May 28, 2015, and phone calls on June 3, 2015 and June 24, 2015. Twelve individual/groups did not respond, four declined to comment or deferred to others, and four expressed concern about the area and recommended Native American monitoring of the project.

On December 16, 2015, Caltrans initiated contact with 20 Native American tribes for information regarding the presence of sensitive Native American cultural resources or other sensitive resources within the Project Area, consistent with Section 106 of the National Preservation Act and as required under CEQA, specifically Public Resources Code (PRC) 21080.3.1 and Chapter 532 Statutes of 2014 (AB 52). Tribes were provided 30 days to respond, pursuant to PRC 21080.3.1(d). Eleven groups/individuals did not respond, five declined to comment or deferred to other groups/individuals, and four expressed concern with the project because of the high sensitivity of cultural resources, especially because of the high sensitivity of Native American burials in the area.

On October 20, 2016, Caltrans contacted 20 Native American groups/individuals by letter with a notice to proceed with the XPI and Phase II Archaeological Evaluation. Follow-up emails regarding XPI/PHII testing were sent on November 11, 2016 to the groups/individuals who had previously expressed concern about cultural resources in the Project Area. The draft XPI/PHII testing plan was provided for review and comment, in addition to the finalized project ASR for their records. Three groups/individuals expressed interest in the selection process of a Native American Monitor for the Project, and one deferred to other groups/individuals.

An inquiry requesting an updated CEQA Tribal Consultation List for tribes within the Project Area was submitted to the NAHC on December 12, 2016. The updated Local Government Tribal Consultation List was provided on December 14, 2016. A hard copy of the XPI/PHII notice was sent out by Caltrans on December 16, 2016 to one additional Native American group/individual identified in the updated list, with a follow-up email on December 19, 2016. This contact deferred comment to groups closer to the Project Area.

On December 22, 2016, bid information for Native American Monitoring of the Project was provided to three interested parties. As of January 14, 2017, one bid qualification has been received. No additional responses were received. A Chumash Native American monitor, Patrick Tumamait, was present during the XPI Survey, completed between April 10 and 14, 2017.

On July 18, 2017 and October 20, 2017, the six individuals/groups who expressed concern over the cultural sensitivity of the project location were contacted via email and telephone regarding the results of the XPI/PHII. Coordination with Native American groups/individuals will be ongoing throughout the Project development process.

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Cultural Resources

Built Environment Resources

There is one built environment property within the APE that required evaluation for historical significance (see **Table 2-13**).

Table 2-13: Historical Resources in the Area of Potential Effects

Map Ref. #	Address	APN	Year Built	Description
1	North of SR-34 (Fifth Street) at South Rice Avenue	216-0-160-165; 216-0-193-110	Circa (c.) 1898-1899	Segment of the Montalvo Cutoff of the SPRR's Coast Line

Source: GPA Consulting, 2017

Notes: APN = Assessor's Parcel Number

The one-mile railroad segment within the APE is part of the Montalvo Cutoff of the SPRR's Coast Line. The segment by itself does not appear individually eligible for listing in the NRHP or CRHR. The larger Montalvo Cutoff, however, does appear to be significant as a district under Criterion A at the local level for its critically important role in facilitating the development of the City and supporting the agricultural industry of the surrounding East Oxnard Plain.

While the Montalvo Cutoff is historically significant, assessing the physical integrity of the entire line between Montalvo (now east Ventura) and Burbank to make a determination of the potential district's eligibility is beyond the scope of a reasonable level of effort for this undertaking. Therefore, the Montalvo Cutoff is presumed eligible for the NRHP for the purposes of this undertaking only. The segment within the APE retains integrity and would be a contributor to the Montalvo Cutoff, should that larger property ever be determined eligible for the NRHP.

The assumption of eligibility was approved after consultation with the Caltrans Studies Office (CSO), Division of Environmental Analysis on July 21, 2016, pursuant to Stipulation VIII.C.4 of the FHWA Section 106 PA.

Archaeological Resources

There are three prehistoric archaeological sites within the APE that required evaluation for historical significance (see **Table 2-14** below). The XPI/PHII report determined that site P-56-000666 is not eligible for the National and/or California Registers and that sites P-56-000918 and P-56-001514 are assumed eligible for the NRHP and CRHR for the purposes of this project only.

Site P-56-000666 was evaluated in a Phase II Survey. No additional excavation was undertaken as part of the evaluation due to the nature of the data from the XPI trenches and the 1985 excavation. In the XPI, prehistoric cultural materials were only recovered from the plow zone or fill deposits which was the same stratigraphic arrangement as seen on the west side of Rice Avenue. Due to this disturbance, the cultural material found in 1985 and in the XPI are likely a secondary deposit.

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Table 2-14: Previously Identified Archaeological Sites within One Mile of the APE

Primary Number	Trinomial Number	Resource Type	Description	NRHP/CRHR Eligibility	Distance to APE
P-56-000666	CA-VEN-666	Prehistoric site	Low density shell scatter and ground stone artifacts.	Not eligible	Within APE
P-56-000918	CA-VEN-918	Prehistoric site	Low density marine shell scatter.	Assumed eligible for this project only	Within APE
P-56-001514	CA-VEN-1514	Prehistoric Site	Twenty nine items in total consisting of one Franciscan chert secondary flake fragment, and 28 marine shell fragments.	Assumed eligible for this project only	Within APE

Secondary deposits are nearly always unable to answer research questions under Criteria D/4 as the original spatial relationship between the cultural materials within the archaeological site and between the identified archeological site to other nearby archeological sites cannot be established. Consequently, the site is not able to answer any research questions and does not contain data pertinent to research domains, as detailed in the XPI/PHII proposal. Therefore, the site is recommended to be considered not eligible for either the NRHP or CRHR and that the site is not considered a historic property under the NHPA, nor is it a unique archaeological resource/historical resource under CEQA.

Site P-56-000918 was not directly accessible during the XPI Survey, although four trenches were placed in the vicinity of the site. As a result, evaluation of the site was not possible. For the purposes of this project only, P-56-000918 is assumed eligible for the NRHP and CRHR under Criteria D/4, as allowed by Stipulation VIII.C.4. of the Section 106 PA. This was approved by Caltrans Cultural Studies Office (CSO) on October 12, 2017. It is further assumed that the top 2.5 feet (76.2 cm) are disturbed and do not contribute to the assumed eligibility of the site.

Site P-56-001514 was partially accessible during the XPI Survey, with one trench placed at the northern boundary of the site. Due to a lack of access to the rest of the site, evaluation was not possible. For the purposes of this project only, P-56-001514 is assumed eligible for listing in the NRHP and CRHR under Criteria D/4, as allowed by Stipulation VIII.C.4. of the Section 106 PA. This was approved by Caltrans Cultural Studies Office (CSO) on October 12, 2017. It is further assumed that the top 2.5 feet (76.2 cm) are disturbed and do not contribute to the assumed eligibility of the site.

Chapter 2 Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures

Environmental Consequences

Alternative 1: No Build Alternative

Implementation of the No Build Alternative would not require construction or result in changes to existing conditions; therefore, there would be no impacts.

Alternatives 2A and 2B

Built Environment Resources

There is one built environment historic property in the APE, a one-mile segment of the Montalvo Cutoff of the SPRR's Coast Line. The Montalvo Cutoff is presumed eligible for inclusion in the NRHP for the purpose of this Project only, and the one-mile segment would be a contributing element to the larger resource, should it ever be determined eligible. Each of the build alternatives involve grade-separated crossing improvements to the segment of the SPRR located within the undertaking's APE, including an aerial easement for a bridge over the tracks, a tunnel for utility relocation beneath the tracks, and a temporary crossing. Intersection improvements and construction staging will also take place in the immediate vicinity. There will be no direct physical changes to the segment's intact character-defining features. The new structure will not have a substantial effect on the segment's physical design or setting, nor will it reduce the integrity of the segment to the degree that it is no longer eligible for the NRHP or CRHR. Therefore, no adverse effect on built environment resources would result from the Project, and a finding of No Adverse Effect without Standard Conditions (establishment and enforcement of an ESA and monitoring for archaeology only) is anticipated under Section 106 of the NHPA, which SHPO concurred with on February 15, 2018. This resource was evaluated under Section 4(f) and was determined to have *de minimis* impacts, as discussed in **Appendix B**.

Archaeological Resources

Due to a high level of sensitivity for cultural resources, an Extended Phase I Survey/Phase II Evaluation (XPI/PHII) was conducted to determine if a subsurface deposit is present. A total of 13 trenches were excavated within the Direct APE between April 10 and 14, 2017. The trenches confirm a relatively uniform and homogenous stratigraphic profile across the APE. One site was not relocated, one site was evaluated and determined not eligible for the NRHP, two sites were assumed eligible for the purpose of this project only, and three isolates were exempt from evaluation per Attachment 4 of the Section 106 PA. The two archaeological resources are important chiefly because of what can be learned by data recovery and have minimal value for preservation in place. An ESA Action Plan was prepared for the two assumed-eligible sites. The proposed undertaking will result in a finding of No Adverse Effect without Standard Conditions (establishment and enforcement of an ESA and monitoring), which received SHPO concurrence on February 15, 2018.

If previously unidentified cultural materials are un-earthed during construction, it is Caltrans' policy that work be halted in that area until a qualified archaeologist can assess the significance of the find. With the implementation of avoidance measures to address the

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unanticipated discovery of cultural resources during construction, the Project would not result in adverse impacts on archaeological resources in the study area.

Conclusion

Within the Project APE, there is one built environment resource and two archaeological resources that are assumed eligible for inclusion in the NRHP and CRHR for purposes of this project only. The assumed eligible built environment resource is a one-mile segment of larger railroad that appears significant under Criterion A at the local level of significance. There will be no direct physical changes to the segment's intact character-defining features, and the undertaking will not have a substantial effect on the segment's physical design or setting, nor will it reduce the integrity of the segment to the degree that it is no longer eligible for the NRHP. The project has "no adverse effect" finding for the one built environment property. The assumed eligible prehistoric archaeology sites will be avoided and protected by the establishment and enforcement of an ESA and monitoring during construction. The project has a "no adverse effect without standard conditions" finding for the two archaeological properties. Therefore, the overall Project would result in a "no adverse effect without standard conditions" finding.

Avoidance, Minimization, and/or Mitigation Measures

With the implementation of the following mitigation measures, the Project would not result in adverse impacts on cultural resources:

- C-1** If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find.
- C-2** If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall stop in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to CA PRC Section 5097.98, if the remains are thought to be Native American, the coroner will notify the NAHC, which would then notify the Most Likely Descendent (MLD). At this time, the person who discovered the remains would contact Garrett Damrath, Office Chief of Environmental Planning, so that they may work with the MLD on the respectful treatment and disposition of the remains. Further provisions of CA PRC 5097.98 are to be followed as applicable.
- C-3** Two prehistoric archaeological sites within the APE are assumed eligible for the NRHP and CRHR for this Project only, as allowed by Stipulation VIII.C.4. of the Section 106 PA and Environmentally Sensitive Areas (ESAs) will be established and enforced for these sites. In addition, an ESA Action Plan has been prepared for these sites. All sites have been described in the ASR, XPI/PHII, Finding of No Adverse Effect without Standard Conditions, and the ESA Action Plan completed for the project.
- C-4** ESA fences shall be clearly described and illustrated in the Plans, Specifications, and Estimates (PS&E) prepared to guide construction of the undertaking.

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- C-5** ESA fences shall be clearly described in the Environmental Commitment Record (ECR) prepared to guide construction of the undertaking.
- C-6** The City's Resident Engineer shall notify the all Responsible Parties two weeks prior to the pre-construction meeting.
- C-7** At the pre-construction meeting the Consultant Archaeologist shall provide ESA Awareness Training to the Contractor and the construction crew, including subcontractors, to make them aware of the ESA and the commitments that the City and Caltrans have made to protect the ESAs. It will be stressed that no storing or staging of equipment or materials shall occur within each ESA and that workers must remain outside of the ESAs at all times except during construction specifically occurring within the ESA with the archaeological and Native American monitor present. Construction personnel will be informed that any ground disturbance within the ESA shall only be done while an archaeologist is on-site to monitor. Additionally, construction personnel will be informed of historic preservation laws that protect archaeological sites against any disturbance or removal of artifacts.
- C-8** The City's Resident Engineer shall notify the Consultant Archaeologist, Caltrans Environmental Construction Liaison, and Caltrans PQS Archaeologist at least three weeks in advance of construction.
- C-9** The Consultant Archaeologist shall mark field locations for ESA fencing.
- C-10** The Contractor shall install temporary fencing around the ESA at least one calendar week prior to initiating work in that area. The Consultant Archaeologist shall be present to supervise and monitor fence installation.
- C-11** The City's Resident Engineer shall notify Caltrans Environmental Construction Liaison, Caltrans PQS Archaeologist, and the Consultant Archaeologist when construction begins.
- C-12** The Consultant Archaeologist shall inspect the ESA location weekly (more if necessary) to ensure that the ESA is not being violated. The Consultant Archaeologist shall contact the Caltrans PQS Archaeologist weekly (or as appropriate based on the construction tasks).
- C-13** Caltrans shall require the Contractor (construction personnel) to immediately notify the City's Resident Engineer and the Consultant Archaeologist if the ESA fence is violated. The City's Resident Engineer shall notify the Caltrans Environmental Construction Liaison, Caltrans PQS Archaeologist, and Consultant Archaeologist. The Caltrans PQS Archaeologist shall notify the State Historic Preservation Officer within 48 hours of any ESA breach and consult immediately to determine how the breach will be addressed.
- C-14** Construction personnel must remain outside of the ESAs at all times except during construction specifically occurring within the ESA and only with the archaeological and Native American monitor present. Construction personnel will be informed that any

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ground disturbance within the ESA shall only be done while an archaeologist and Native American representative is on-site to monitor.

- C-15** Upon the need to conduct construction within the ESA, construction personnel will likely need to temporarily remove the ESA fence which will only be done when the archaeological and Native American monitors are present. The ESA fence will be replaced upon the completion of construction activities or at the end of the work day, whichever comes first.
- C-16** If buried cultural materials are encountered during construction, it is Caltrans' policy that work stop in that area until a qualified archaeologist can evaluate the nature and significance of the find.
- C-17** The City's Resident Engineer shall inform the Caltrans Environmental Construction Liaison, and Caltrans PQS Archaeologist when construction is finished.
- C-18** The Contractor, under the supervision of the Consultant Archaeologist, shall remove temporary fencing at the conclusion of construction.
- C-19** The Consultant Archaeologist shall notify the City's Resident Engineer, Caltrans Environmental Construction Liaison, and Caltrans PQS Archaeologist upon removal and termination of the ESA.

With implementation of the mitigation measures above, potential impacts on cultural resources will be reduced to be not adverse.

Cumulative Impacts

The study area for this cumulative impact analysis is the APE, which is located in the City and the County. The APE contains a historic resource that is eligible for inclusion on the NRHP and CRHR, and the area is also sensitive due to the presence of archaeological and Native American resources. The Build Alternatives would not result in any permanent impacts, use of, or acquisition of cultural resources. In addition, no substantial cumulative archaeological impacts would result from the Project due to the high level of disturbance within the APE.

Other projects are required to comply with standard regulations requiring the protection of cultural resources. Consultation with Native American groups/individuals would be ongoing throughout the Project development process, and would be incorporated in subsequent drafts of the report. With compliance with standard regulations, potential impacts on cultural resources would be expected to be avoided, minimized, or mitigated. Therefore, Project contributions to cumulative impacts would not be cumulatively considerable.

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2.4 Physical Environment

Water Quality and Storm Water Runoff

Regulatory Setting

Federal Requirements: Clean Water Act

In 1972, Congress amended the Federal Water Pollution Control Act, making the addition of pollutants to the waters of the United States (U.S.) from any point source¹ unlawful unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. This act and its amendments are known today as the Clean Water Act (CWA). Congress has amended the act several times. In the 1987 amendments, Congress directed dischargers of storm water from municipal and industrial/construction point sources to comply with the NPDES permit scheme. The following are important CWA sections:

- Sections 303 and 304 require states to issue water quality standards, criteria, and guidelines.
- Section 401 requires an applicant for a federal license or permit to conduct any activity that may result in a discharge to waters of the U.S. to obtain certification from the state that the discharge will comply with other provisions of the act. This is most frequently required in tandem with a Section 404 permit request (see below).
- Section 402 establishes the NPDES, a permitting system for the discharges (except for dredge or fill material) of any pollutant into waters of the U.S. Regional Water Quality Control Boards (RWQCB) administer this permitting program in California. Section 402(p) requires permits for discharges of storm water from industrial/construction and municipal separate storm sewer systems (MS4s).
- Section 404 establishes a permit program for the discharge of dredge or fill material into waters of the United States. This permit program is administered by the U.S. Army Corps of Engineers (USACE).

The goal of the CWA is “to restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.”

The USACE issues two types of 404 permits: General and Standard permits. There are two types of General permits: Regional permits and Nationwide permits. Regional permits are issued for a general category of activities when they are similar in nature and cause minimal environmental effect. Nationwide permits are issued to allow a variety of minor project activities with no more than minimal effects.

Ordinarily, projects that do not meet the criteria for a Nationwide Permit may be permitted under one of the USACE’s Standard permits. There are two types of Standard permits: Individual permits and Letters of Permission. For Standard permits, the USACE decision to approve is based on compliance with the United States Environmental Protection Agency’s (U.S. EPA) Section 404 (b)(1) Guidelines (U.S. EPA CFR 40 Part 230), and whether the permit

¹ A point source is any discrete conveyance such as a pipe or a man-made ditch.

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approval is in the public interest. The Section 404(b)(1) Guidelines (Guidelines) were developed by the U.S. EPA in conjunction with the USACE, and allow the discharge of dredged or fill material into the aquatic system (waters of the U.S.) only if there is no practicable alternative which would have less adverse effects. The Guidelines state that the USACE may not issue a permit if there is a least environmentally damaging practicable alternative (LEDPA) to the proposed discharge that would have lesser effects on waters of the U.S. and not have any other adverse environmental consequences. According to the Guidelines, documentation is needed that a sequence of avoidance, minimization, and compensation measures has been followed, in that order. The Guidelines also restrict permitting activities that violate water quality or toxic effluent standards, jeopardize the continued existence of listed species, violate marine sanctuary protections, or cause “significant degradation” to waters of the U.S. In addition, every permit from the USACE, even if not subject to the Section 404(b)(1) Guidelines, must meet general requirements. See 33 CFR 320.4. A discussion of the LEDPA determination, if any, for the document is included in the Wetlands and Other Waters section.

State Requirements: Porter-Cologne Water Quality Control Act

California’s Porter-Cologne Act, enacted in 1969, provides the legal basis for water quality regulation within California. This act requires a “Report of Waste Discharge” for any discharge of waste (liquid, solid, or gaseous) to land or surface waters that may impair beneficial uses for surface and/or groundwater of the state. It predates the CWA and regulates discharges to waters of the state. Waters of the state include more than just waters of the U.S., like groundwater and surface waters not considered waters of the U.S. Additionally, it prohibits discharges of “waste” as defined, and this definition is broader than the CWA definition of “pollutant.” Discharges under the Porter-Cologne Act are permitted by Waste Discharge Requirements (WDR) and may be required even when the discharge is already permitted or exempt under the CWA.

The State Water Resources Control Board (SWRCB) and RWQCBs are responsible for establishing the water quality standards (objectives and beneficial uses) required by the CWA and regulating discharges to ensure compliance with the water quality standards. Details about water quality standards in a Project Area are included in the applicable RWQCB Basin Plan. In California, RWQCBs designate beneficial uses for all water body segments in their jurisdictions and then set criteria necessary to protect these uses. As a result, the water quality standards developed for particular water segments are based on the designated use and vary depending on that use. In addition, the SWRCB identifies waters failing to meet standards for specific pollutants. These waters are then state-listed in accordance with CWA Section 303(d). If a state determines that waters are impaired for one or more constituents and the standards cannot be met through point source or non-point source controls (NPDES permits or WDRs), the CWA requires the establishment of Total Maximum Daily Loads (TMDL). TMDLs specify allowable pollutant loads from all sources (point, non-point, and natural) for a given watershed.

State Water Resources Control Board and Regional Water Quality Control Boards

The SWRCB administers water rights, sets water pollution control policy, and issues water board orders on matters of statewide application, and oversees water quality functions

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throughout the state by approving Basin Plans, TMDLs, and NPDES permits. RWCQB are responsible for protecting beneficial uses of water resources within their regional jurisdiction using planning, permitting, and enforcement authorities to meet this responsibility.

National Pollutant Discharge Elimination System (NPDES) Program

Municipal Separate Storm Sewer Systems (MS4)

Section 402(p) of the CWA requires the issuance of NPDES permits for five categories of storm water discharges, including Municipal Separate Storm Sewer Systems (MS4). An MS4 is defined as “any conveyance or system of conveyances (roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, human-made channels, and storm drains) owned or operated by a state, city, town, County, or other public body having jurisdiction over storm water, that is designed or used for collecting or conveying storm water.” The SWRCB has identified Caltrans as an owner/operator of an MS4 under federal regulations. Caltrans’ MS4 permit covers all Department rights-of-way, properties, facilities, and activities in the state. The SWRCB or the RWQCB issues NPDES permits for five years, and permit requirements remain active until a new permit has been adopted.

Caltrans’ MS4 Permit, Order No. 2012-0011-DWQ (adopted on September 19, 2012 and effective on July 1, 2013), as amended by Order WQ 2014-0006-EXEC (approved April 7, 2015), Order WQ 2014-0077-DWQ (effective May 20, 2014), and Order WQ 2015-0036-EXEC (adopted on April 7, 2015) and Order No. 2015-0036-EXEC has three basic requirements:

- Caltrans must comply with the requirements of the Construction General Permit (see below);
- Caltrans must implement a year-round program in all parts of the State to effectively control storm water and non-storm water discharges; and
- Caltrans storm water discharges must meet water quality standards through implementation of permanent and temporary (construction) BMPs, to the Maximum Extent Practicable, and other measures as the SWRCB determines to be necessary to meet the water quality standards.

To comply with the permit, Caltrans developed the Statewide Storm Water Management Plan (SWMP) to address storm water pollution controls related to highway planning, design, construction, and maintenance activities throughout California. The SWMP assigns responsibilities within Caltrans for implementing storm water management procedures and practices as well as training, public education and participation, monitoring and research, program evaluation, and reporting activities. The SWMP describes the minimum procedures and practices Caltrans uses to reduce pollutants in storm water and non-storm water discharges. It outlines procedures and responsibilities for protecting water quality, including the selection and implementation of BMPs. The Project will be programmed to follow the guidelines and procedures outlined in the latest SWMP to address storm water runoff.

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Construction General Permit

Construction General Permit (Order No. 2009-009-DWQ) as amended by Order No. 2010-0014-DWQ and 2012-006-DWQ, adopted on September 2, 2009, became effective on July 1, 2010. The permit regulates storm water discharges from construction sites that result in a Disturbed Soil Area (DSA) of one acre or greater, and/or are smaller sites that are part of a larger common plan of development. By law, all storm water discharges associated with construction activity where clearing, grading, and excavation result in soil disturbance of at least one acre must comply with the provisions of the General Construction Permit. Construction activity that results in soil disturbances of less than one acre is subject to this Construction General Permit if there is potential for significant water quality impairment resulting from the activity as determined by the RWQCB. Operators of regulated construction sites are required to develop storm water pollution prevention plans; to implement sediment, erosion, and pollution prevention control measures; and to obtain coverage under the Construction General Permit.

The 2009 Construction General Permit separates projects into Risk Levels 1, 2, or 3. Risk levels are determined during the planning and design phases, and are based on potential erosion and transport to receiving waters. Requirements are applied per the Risk Level determined. For example, a Risk Level 3 (highest risk) project would require compulsory storm water runoff pH and turbidity monitoring, and before construction and after construction aquatic biological assessments during specified seasonal windows. For all projects subject to the permit, applicants are required to develop and implement an effective Storm Water Pollution Prevention Plan (SWPPP). In accordance with Caltrans' Standard Specifications, a Water Pollution Control Plan (WPCP) is necessary for projects with DSA less than one acre.

Ventura County Stormwater Quality Management Program

The Ventura Countywide Stormwater Quality Management Program (VCSQMP) includes the Cities of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, Simi Valley, Santa Paula, Thousand Oaks, Ventura, the County of Ventura, and the Ventura County Watershed Protection District (VCWPD). The objectives of this program are to improve stormwater quality, monitor the health of watersheds, and meet the compliance requirements of the County of Ventura MS4 Permit. The program uses the NPDES permitting mechanism to require the implementation of controls designed to prevent harmful pollutants from being washed by storm water runoff into local water bodies.

Ventura County Watershed Protection District Hydrology Manual

The City's stormwater system is owned and operated by the VCWPD. The VCWPD developed a manual that provides guidelines for the establishment of a uniform method for computing design hydrology in Ventura County (Ventura County Watershed Protection District, 2006). The method can be adopted for use by all agencies and engineering consultants engaged in the design of flood control works throughout the County.

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City of Oxnard Stormwater Pollution Prevention Plan

Prior to the issuance of any construction/grading permit and/or the commencement of any clearing, grading or excavation, applicants of projects with construction activities that require a grading permit or encroachment permit shall prepare and submit a SWPPP. The applicant is required to complete and submit a SWPPP form developed by the City for review and approval by the City Engineer (City of Oxnard, 2014b).

The purpose of the SWPPP is to identify potential pollutant sources that may affect the quality of discharges and to design the use and placement of BMPs to effectively prohibit the entry of pollutants from the construction site into the storm drain system during construction. Erosion and sediment source control BMPs should be considered for both active and inactive (previously disturbed) construction areas. BMPs for wind erosion and dust control must also be included. The SWPPP may require modification as the Project progresses and as conditions warrant. The SWPPP shall be developed and implemented in accordance with the VCSQMP, County of Ventura MS4 Permit, and any other requirements established by the City.

Section 401 Permitting

Under Section 401 of the CWA, any project requiring a federal license or permit that may result in a discharge to a water of the United States must obtain a 401 Certification, which certifies that the project will be in compliance with state water quality standards. The most common federal permits triggering 401 Certification are CWA Section 404 permits issued by the USACE. The 401 permit certifications are obtained from the appropriate RWQCB, dependent on the project location, and are required before the USACE issues a 404 permit.

In some cases, the RWQCB may have specific concerns with discharges associated with a project. As a result, the RWQCB may issue a set of requirements, known as WDRs, under the State Water Code (Porter-Cologne Act) that define activities, such as the inclusion of specific features, effluent limitations, monitoring, and plan submittals that are to be implemented for protecting or benefiting water quality. WDRs can be issued to address both permanent and temporary discharges of a project.

Affected Environment

The Project Area is in the Calleguas Creek Watershed. The watershed spans 343 square miles in southeastern Ventura County, and is bordered by the Santa Susana Mountains, South Mountain, and Oak Ridge Mountains in the north; and the Simi Hills and Santa Monica Mountains in the south (Ventura County Watersheds Coalition, 2016). The watershed includes several water bodies, such as Conejo Creek, Arroyo Santa Rosa, Arroyo Simi, Arroyo Las Posas, Calleguas Creek, Revolon Slough, and Mugu Lagoon. The watershed ultimately drains to the Pacific Ocean through Mugu Lagoon.

Water quality in the Calleguas Creek Watershed is currently listed by the State of California as impaired by many different pollutants, including legacy pesticides (pesticides used historically), organophosphate pesticides, dichlorodiphenyltrichloroethane (DDT), polychlorinated biphenyls (PCBs), metals (copper, mercury, nickel, zinc, and lead), trash,

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bacteria and fecal coliform, nutrients (nitrate, nitrite, nitrogen), ammonia, sulfates, selenium, total dissolved solids (TDS), sediment/siltation, toxicity, sediment toxicity, and boron (United States Environmental Protection Agency, 2016).

Drainage channels within the City include the Patterson Drain, Doris Avenue Drain, Wooley Road Drain, Oxnard West (Juanita Avenue) Drain, Oxnard Industrial Drain, Rice Road Drain, J Street Drain, El Rio Drain, Santa Clara Avenue Drain, and Fifth Street Drain. These drainage facilities convey runoff to outlet points in the southern and western portions of the City, and appear to discharge to the Pacific Ocean (Ventura County Flood Control District, 1994). The Rice Road Drain runs perpendicular to SR-34 (Fifth Street) and crosses under the roadway, approximately 425 feet west of the Project Area.

The portion of the Project Area to the east of Rice Avenue drains into Calleguas Creek, approximately five miles to the southeast of the Project Area. The portion of the Project Area to the west of Rice Avenue drains into the Pacific Ocean through the Port of Hueneme, approximately five miles to the southwest of the Project Area. The Project Area does not contain any streams, wetlands, or other waters under jurisdiction of the USACE, RWQCB, or the California Department of Fish and Wildlife (CDFW).

Based on aerial photographs of the Project Area provided by Google Earth (imagery date April 2011), there is an unnamed drainage ditch in the northeast quadrant of the Project Area, beginning directly east of Rice Avenue and north of SR-34 (Fifth Street) and the railroad tracks. The drainage ditch runs east from the Project Area for approximately 0.44 miles. The drainage ditch then crosses underneath the railroad tracks, and continues to run east between the roadway and the railroad tracks. A second drainage runs perpendicular to Fifth Street and crosses under the roadway approximately 425 feet west of the Project Area.

Environmental Consequences

Alternative 1: No Build Alternative

Implementation of the No Build Alternative would not require construction or result in changes to existing conditions; therefore, there would be no impacts.

Alternatives 2A and 2B

The Project would include the construction of an above-grade overcrossing, and one connector road (under Alternative 2B) or two connector roads (under Alternative 2A) to connect Rice Avenue and SR-34 (Fifth Street). The connector roads would be constructed in an agricultural area that is currently undeveloped.

Implementation of the Project would result in an increase of approximately 8.89 to 9.78 acres (depending on the Build Alternative) of impervious surface area as a result of the connector roads, and a change in topography from the overcrossing. The net acres of additional impervious surface that would result from each alternative are listed in **Table 2-15**. The calculations provided are approximations using a visual assessment of the existing physical impervious surface boundaries.

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Although the Project would result in an increase in impervious surface area, the Project would be designed to accommodate anticipated runoff levels, and would include storm water treatment BMPs to minimize potential impacts, in accordance with Caltrans' Statewide NPDES Storm Water Permit. Erosion and sediment control BMPs are typically used to reduce sediment movement and storm water contamination along roadways. Project BMP implementation would follow Caltrans' SWMP instruction. Therefore, no impacts on water quality are anticipated to result from Project operation.

Table 2-15: Net Increase of Impervious Surface under the Build Alternatives

Alternative	Net Increase of Impervious Surface (acres)
2A	9.78 acres
2B	8.89 acres

During Project construction, there is potential that exposed soils, construction debris, and other pollutants could be carried in storm water runoff and discharged into drainages near the Project Area. Construction impacts from the Project would be minimized through compliance with the NPDES General Permit for Discharges from Construction Activities (Construction General Permit), which requires the development and implementation of a SWPPP.

The SWPPP must include erosion and sediment control BMPs, as well as BMPs that control other potential construction-related pollutants. A Construction Site Monitoring Program that identifies monitoring a sampling requirements during construction is also a required component of the SWPPP. Construction BMPs would include implementation of erosion control measures, street sweeping and vacuuming, and installation of concrete washout bins, fiber rolls, drainage inlet protection, and sediment barriers. BMPs would be finalized during final Project design. With implementation of standard BMPs, no impacts on water quality are anticipated to result from Project construction.

Avoidance, Minimization, and/or Mitigation Measures

The Project would be designed in accordance with the objectives of Caltrans NPDES Permit requirements and related stormwater requirements, which would minimize potential impacts; therefore, no avoidance, minimization, and/or mitigation measures are required.

Cumulative Impacts

The cumulative setting is considered the Calleguas Creek Watershed where water quality has been impaired by several types of pollutants, as discussed above. Therefore, past projects within the cumulative setting have resulted in substantial cumulative impacts on water quality and storm water runoff. However, present and reasonably foreseeable future projects would be required to comply with standard regulations and permits, which would minimize or avoid potential cumulative impacts on the watershed.

The Project would be designed in accordance with Caltrans' Statewide NPDES Storm Water Permit and related stormwater requirements, which would minimize the potential for water

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quality impacts. Therefore, Project contributions to cumulative impacts would not be cumulatively considerable.

Geology/Soils/Seismic/Topography

Regulatory Setting

Federal and State Regulations

For geologic and topographic features, the key federal law is the Historic Sites Act of 1935, which establishes a national registry of natural landmarks and protects “outstanding examples of major geological features.” Topographic and geologic features are also protected under CEQA.

This section also discusses geology, soils, and seismic concerns as they relate to public safety and project design. Earthquakes are prime considerations in the design and retrofit of structures. Caltrans’ Office of Earthquake Engineering is responsible for assessing the seismic hazard for Caltrans Projects. Structures are designed using the Caltrans’ Seismic Design Criteria (SDC). The SDC provides the minimum seismic requirements for highway bridges designed in California. A bridge’s category and classification will determine its seismic performance level and which methods are used for estimating the seismic demands and structural capabilities.

Local Regulations

Ventura County 2013 Building Code

The County’s 2013 Building Code (Building Code) and amendments was adopted to protect the public health and safety as set out in Section 101.3 of the International Residential Code (City of Oxnard, 2015b). The Building Code outlines basic requirements regarding engineering requirements related to structural design that reduce the risk of life loss or injury as a result of geologic setting and seismic activity. The Building Code includes regulations such as when a geologic study or report is required, and minimum building standards for structural seismic resistance.

City of Oxnard 2030 General Plan

The Safety Element in the City’s 2030 General Plan includes policies and actions to limit harm from geologic and flooding events to protect and enhance the public health and safety (City of Oxnard, 2011a). Applicable policies include:

- Require that adequate soils, and geologic and structural evaluation reports be prepared by registered soils engineers, engineering geologists, and or structural engineers, as appropriate, for applicable development;
- Continue to require the submission of a geological report for proposed development located in a potential liquefaction area;
- Continue to require a complete site-specific soils investigation that addresses liquefaction and compressible soil characteristics and identifies construction

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- techniques or other mitigation measures to prevent significant impact upon the proposed development;
- Where necessary utilize the expert mitigation measures such as those identified in Special Publication 117: Guidelines for Analyzing and Mitigation Seismic Hazards in California; and
 - Request federal and state financial assistance and/or develop local assistance to implement corrective seismic safety measures recommended for qualifying existing buildings and structures.

City of Oxnard Municipal Code

The City's Municipal Code adopts by reference the California Building Code and includes amendments to the code to address the City's specific climatic, geologic, and topographical conditions (Section 14.3 (N) Section 1803.2, Investigation Required) (City of Oxnard, 2015a).

Affected Environment

Geologic Setting

On November 12, 2015, Fugro Consultants, Inc. (Fugro) performed a study (*Preliminary Foundation Report Rice Avenue – Fifth Street Grade Separation Oxnard, California*) to provide in-depth analysis of subsurface conditions in the Project Area. Fugro also obtained additional information from previous geotechnical reports prepared for the Project Area.

According to the report, the Project Area is in the Oxnard Plain, a topographically flat area of the greater western Transverse Ranges province (Fugro Consultants, Inc., 2016). The upper zone of the Oxnard Plain contains geologically recent sand and gravel deposited by streams descending from mountain canyons to the valley. The lower zone of the Oxnard Plain contains approximately 200 to 250 feet of alluvial deposits, characterized as fine particles of silt and clay washed away from local mountain regions, streams, and rivers over time.

The Project is located in the Southern California region, which is a seismically active area. However, there are no earthquake fault zones in the Project Area. According to the State of California Seismic Hazard Zones Map (Oxnard Quadrangle), the Project Area is in a liquefaction zone (California Department of Conservation, 2002).

Physiography and Topography

The Project Area has an elevation of approximately 50 at 55 feet above mean sea level. The topography of the immediate Project Area slopes slightly to the southeast, and the larger Oxnard Plain slopes to the southwest towards the Pacific Ocean (California Department of Conservation, 2002). Mountains surround the Oxnard Plain in the north, east, and southeast.

Rock/Soils

In the Project Area, soils immediately beneath the surface consist of coarse, sandy, and gravel loam. The first layer of soil is described as artificial fill (soils associated with past agricultural, construction, and local development activities) (Fugro Consultants, Inc., 2016). Soil types that

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may appear within the Project Area are listed in **Table 2-16** and are based on the Soil Conservation Service State Soil Geographic (STATSGO) data.

Additional data was obtained through the NRCS Web Soil Survey, as listed in **Table 2-17**. The survey data identified four prominent soil groups in the Project Area. All four groups were classified as a loam.

Table 2-16: Soil Layers in the Project Area

Layer	Boundary		Soil Texture Class	Classification		Permeability Rate (inches per hour)	Soil Reaction pH
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	16 inches	Sandy loam	Granular materials	Coarse grained soils	Max: 42 Min: 14	Max: 8.4 Min: 7.4
2	16 inches	64 inches	Stratified sand to silt loam	Granular materials	Coarse grained soils	Max: 42 Min: 14	Max: 8.4 Min: 7.4

Source: Cornerstone Technologies, 2016

Notes: AASHTO = American Association of State Highway and Transportation Officials; Max = maximum; Min = minimum

Table 2-17: NRCS Web Soil Survey Soils Data

Map Unit Symbol	Map Unit Name	Percent of AOI
Cc	Camarillo sandy loam, 0 to 2 percent slopes, MLRA 19	0.4%
Cd	Camarillo loam	52.2%
Ce	Camarillo loam, sandy substratum	17.5%
Hn	Hueneme sandy loam	29.8%
Totals for Area of Interest		100.0%

Source: NRCS, 2016

Surface and Groundwater

There are no surface waters under jurisdiction of local, state, or federal jurisdiction in the Project Area. There are drainage ditches in and around the Project Area, as described in Water Quality and Storm Water Runoff. The Pacific Ocean is located over six miles to the west of the Project Area.

The Project Area is in the Calleguas Creek Watershed, which is part of the Santa-Clara-Calleguas drainage basin. Local groundwater beneath the Project Area is generally extracted from the aquifers of the Oxnard Plain Groundwater Basin, which is made up of three systems known as the Oxnard Forebay, the Upper Aquifer System, and the Lower Aquifer System (United States Geological Survey, 2003). The City currently has 10 active groundwater wells (United States Geological Survey, 2003).

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A geotechnical study conducted for the Project in November 2015 indicates that groundwater in the Project Area is estimated to be at a depth of 13 to 17 feet below the surface (Fugro Consultants, Inc., 2016). Past records have documented groundwater depths as high as eight feet below the surface near the Project Area (Fugro Consultants, Inc., 2016). Variations in precipitation, land use, and other related factors cause groundwater depth to fluctuate in space and time.

Geologic Hazards

Seismic Hazards

Strong Ground Shaking

There are several faults in proximity to the Project Area, the closest of which are the Springville Fault, approximately 2.5 miles to the northeast of the Project Area, and the Oakridge Fault, approximately 5.3 miles to the north (California Department of Conservation, 2015). Therefore, there is potential for strong ground shaking in the Project Area in the event of an earthquake along these faults.

Liquefaction

Liquefaction is described as the sudden loss of soil strength because of a rapid increase in soil pore water pressures due to cyclic loading during a seismic event. In order for liquefaction to occur, three general geotechnical characteristics must be present: 1) groundwater must be present within the potentially liquefiable zone; 2) the potentially liquefiable soil must be granular and the grain size distribution should fall within a relatively specific range; and 3) the potentially liquefiable soil must be of low relative density. If those criteria are met and strong ground motion occurs, then those soils may liquefy, depending upon the intensity and cyclic nature of the strong ground motion. According to the State of California Seismic Hazard Zone Map, the Project Area is in a liquefaction hazard zone (California Department of Conservation, 2002). Fugro's report also indicated that there are liquefaction hazards in the Project Area (Fugro Consultants, Inc., 2016). Therefore, the Project Area is susceptible to liquefaction.

Fault Rupture

There are no earthquake faults in the Project Area (California Department of Conservation, 2015). Therefore, there is no potential for surface fault rupture in the Project Area.

Tsunami

A tsunami is a large ocean wave associated with a seismic event. The Project is more than six miles from the Pacific Ocean. According to the Tsunami Inundation Map for Emergency Planning, the Project Area is not in a designated tsunami inundation hazard zone (California Geological Survey, 2009). Therefore, the Project Area is not susceptible to tsunami inundation.

Seismically Induced Landslides

According to the State of California Seismic Hazard Zone Map, the Project Area is not in a designated landslide hazard zone (California Department of Conservation, 2002). The Project

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is in a flat area and there are no steep slopes where landslides could occur. Therefore, the Project Area is not susceptible to seismically induced landslides.

Rock Falls

The Project Area is in a flat area, surrounded by agricultural land and commercial development. There are no steep slopes in the Project Area where rock falls could occur. Therefore, there are no rock fall hazards in the Project Area.

Settlement and Subsidence

Settlement and subsidence is the sinking of the land surface, which can be induced by an earthquake. The County of Ventura Subsidence Map indicates that the Project Area is in a subsidence risk zone (Ventura County Resource Management Agency, 2010). Fugro's report also indicates that approximately three inches of liquefaction-related settlement could occur in the Project Area, and less than one inch of settlement could occur under dry seismic conditions (Fugro Consultants, Inc., 2016). Therefore, the Project Area is susceptible to settlement and subsidence.

Non-Seismically Induced Earth Movement

Volcanic Hazards

There are no volcanoes within or near the Project Area; therefore, the Project Area is not susceptible to volcanic hazards.

Economical Resources/Mineral Hazards

The Division of Oil, Gas, and Geothermal Resources (DOGGR) Well Finder shows an oil well located on Eastman Avenue; two wells along South Rice Avenue to the north of the Rice Avenue/SR-34 (Fifth Street) intersection; three wells in the northeast quadrant of the intersection; one well in the southeast quadrant of the intersection; and one well along South Rice Avenue to the south of the intersection (Cornerstone Technologies, 2017). One of the wells, Pfeiler #2, appears to be in the Project Area according to field surveys conducted in the Project Area (Cornerstone Technologies, 2017). Shell Western E. & P., Inc. is listed as the operator of the oil well. However, the current well status is shown as "plugged and abandoned; on the DOGGR Well Finder website, and active oil production of the well is recorded as stopping in 1989 (Cornerstone Technologies, 2017). Because there are oil wells in the Project Area, the Project Area is susceptible to economical resources/mineral hazards.

Environmental Consequences

Alternative 1: No Build Alternative

Implementation of the No Build Alternative would not require construction or result in changes to existing conditions; therefore, there would be no impacts.

Alternatives 2A and 2B

The Project Area is susceptible to strong ground shaking, liquefaction, settlement, subsidence, and mineral hazards. The Project Area is located a few miles away from faults

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where earthquakes could occur. An earthquake could cause strong ground shaking for miles surrounding the fault, causing cracking and failure of roadways in the surrounding area.

The Project Area is also at risk for liquefaction during seismic events. Liquefaction could result in damage to or failure of roadways or structures due to loss of soil strength below the roadbed or at the structure foundations. In addition, settlement and subsidence could occur during or after seismic activity in the Project Area. Settlement and subsidence could cause the foundation beneath the roadway to sink during dry soil conditions, disfiguring the roadway and causing unstable driving and working conditions.

Finally, construction could potentially damage the oil wells in and around the Project Area. Damaging an oil well could cause leaking, contaminating soil and groundwater below, and exposing persons in the Project Area to hazardous substances.

The Project Area is currently occupied by existing transportation infrastructure that has been designed according to current federal, state, and local design standards to ensure a reasonable degree of structural integrity. The Build Alternatives would also be constructed according to current design standards and would be able to withstand typical bedrock accelerations and site-specific geologic and soil conditions. A more detailed geotechnical investigation would be conducted during the final design phase, and would include standard measures to minimize potential impacts. Therefore, the Build Alternatives would not result in impacts on the existing risk of seismic activity in the Project Area, or impacts related to the exposure of the public to existing geology or soil hazards.

Because excavation and relocation of existing utilities and/or oil wells would be required for Project implementation, an environmental SI shall be conducted to identify any hazards in the area of proposed excavation (Cornerstone Technologies, 2017). Dig Alert notifications may be required to mark out and list all potential pipelines and oil wells in the area. A more in-depth geophysical investigation may also be required. Avoidance of economic and mineral resources would prevent potential impacts related to economic/mineral hazards.

Because there are seismic hazards in the Project Area, deep foundations will be required for the proposed grade separation structure (Fugro Consultants, Inc., 2016). The preferred foundation type for the grade separation consists of driven, steel, or concrete piles. Deep foundations will at least extend approximately 30 to 50 feet below the existing ground surface. In addition, the preliminary study for the bridge's pile capacity, or the capacity of weight the foundation can handle until failing, does not currently include potential added weight of soils from liquefaction. Once foundations and loading construction specifications are established during the design phase, additional potential soil loads will need to be considered. Amendments made to the foundation of the Project will provide additional support and stabilization for the structure that would protect the structure from damage resulting from seismic activity.

Avoidance, Minimization, and/or Mitigation Measures

With the implementation of the following avoidance measures, the Project would not result in adverse impacts on cultural resources.

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- GEO-1** Access to any well located on the property would be maintained in the event abandonment or re-abandonment of the well becomes necessary in the future. Impeding access to a well could result in the need to remove any structure or obstacle that prevents or impedes access. This includes, but is not limited to, buildings, housing, fencing, landscaping, trees, pools, patios, roads, sidewalks, and decking. Maintaining sufficient access to an oil or gas well may be generally described as maintaining "rig access" to the well. Rig access allows a well servicing rig and associated necessary equipment to reach the well from a public street or access way, solely over the parcel on which the well is located. A well servicing rig, and any necessary equipment, should be able to pass unimpeded along and over the route, and should be able to access the well without disturbing the integrity of surrounding infrastructure.
- GEO-2** Four wells in the project area would be located, unearthed and tested for leakage prior to authorizing any construction. Since there is no record of plating "Pfeiler" 10, a determination would be made at the time the well is tested. If any construction is permitted by the local land use agency to be built over any plugged and abandoned well, monitoring equipment would be considered to monitor for any leakage.
- GEO-3** Any soil containing significant amounts of hydrocarbons would be disposed of in accordance with local, state, and federal laws. Appropriate authorities would be notified if soil containing significant amounts of hydrocarbons is discovered during development.
- GEO-4** To ensure that present and future property owners are aware of (1) the wells located on the property, and (2) potentially significant issues associated with any improvements near oil or gas wells, information regarding the above identified wells, and any other pertinent information obtained, should be communicated to the appropriate county recorder for inclusion in the title information of the subject real property.
- GEO-5** No well work should be performed on any oil or gas well without written approval from the Division of Oil, Gas, and Geothermal Resources in the form of an appropriate permit. This includes, but is not limited to, mitigating leaking fluids or gas from abandoned wells, modifications to well casings including plating, and/or any other re-abandonment work.
- GEO-6** The Division of Oil, Gas, and Geothermal Resources has determined that one well on the above list, "Sturgis" 1, which lies within the proposed path of the "temporary detour road" is not plugged and abandoned to current standards. This well should be abandoned to current standards prior to any permanent construction, because the proposed work would likely prevent or impede access to the well for purposes of remedying potential problems in the future.
- GEO-7** All parties should not undertake construction that could prevent or impede access to any wells in or directly adjacent to proposed construction, such as wells "Sturgis" 1, "Pfeiler" 2, "Pfeiler" 10, and "A. L. Gordon Estate" 3.

With the implementation of the above measures, preventative measures in the infrastructure design, and compliance with Caltrans SDC, the Build Alternatives would not result in adverse

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impacts related to the exposure of the public to geology or soils hazards; therefore, no mitigation measures are required.

Cumulative Impacts

The County is a seismically active area. Therefore, past, present, and reasonably foreseeable future projects are required to comply with standard regulations to protect the public and property from geologic, soil, and seismic hazards. With implementation of standard regulations, potential cumulative impacts from the Project and other projects would be minimized or avoided. Therefore, Project contributions to cumulative impacts would not be cumulatively considerable.

Hazardous Waste/Materials

The following discussion incorporates the results of the Phase I Initial Site Assessment (ISA) prepared for the Project (Cornerstone Technologies, 2017).

Regulatory Setting

Hazardous materials, including hazardous substances and wastes, are regulated by many state and federal laws. Statutes govern the generation, treatment, storage and disposal of hazardous materials, substances, and waste, and also the investigation and mitigation of waste releases, air and water quality, human health and land use.

The primary federal laws regulating hazardous wastes/materials are the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) and the Resource Conservation and Recovery Act of 1976 (RCRA). The purpose of CERCLA, often referred to as “Superfund,” is to identify and clean up abandoned contaminated sites so that public health and welfare are not compromised. The RCRA provides for “cradle to grave” regulation of hazardous waste generated by operating entities. Other federal laws include:

- Community Environmental Response Facilitation Act (CERFA) of 1992
- Clean Water Act
- Clean Air Act
- Safe Drinking Water Act
- Occupational Safety and Health Act (OSHA)
- Atomic Energy Act
- Toxic Substances Control Act (TSCA)
- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

In addition to the acts listed above, Executive Order (EO) 12088, Federal Compliance with Pollution Control Standards, mandates that necessary actions be taken to prevent and control environmental pollution when federal activities or federal facilities are involved.

California regulates hazardous materials, waste, and substances under the authority of the California Health and Safety Code and is also authorized by the federal government to

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implement RCRA in the state. California law also addresses specific handling, storage, transportation, disposal, treatment, reduction, cleanup and emergency planning of hazardous waste. The Porter-Cologne Water Quality Control Act also restricts disposal of wastes and requires cleanup of wastes that are below hazardous waste concentrations but could impact ground and surface water quality. California regulations that address waste management and prevention and clean up contamination include Title 22 Division 4.5 Environmental Health Standards for the Management of Hazardous Waste, Title 23 Waters, and Title 27 Environmental Protection.

Worker and public health and safety are key issues when addressing hazardous materials that may affect human health and the environment. Proper management and disposal of hazardous material is vital if it is found, disturbed, or generated during Project construction.

If hazardous materials are suspected to have been released within the footprint of a project and have not been adequately investigated by the property owner or a regulatory agency, invasive testing is necessary. A Preliminary Site Investigation (PSI) must be completed to create a report confirming the presence of any suspected hazardous materials. If hazardous materials are known to be present, or found to be present by the PSI, a Detailed Site Investigation (DSI) may be required to further define the lateral and vertical extent of the contamination, the physical state of the contamination, and the volume and concentration of hazardous materials. If contaminants are present in the construction zone, a Remedial Actions Options Report (RAOR) may be necessary to address its proper handling, cleanup, and disposal.

Affected Environment

Hazardous Waste Sites

There are three hazardous waste sites in the Project Area, as follows:

- In the proposed cul-de-sac area at Eastman Avenue, there are two locations identified: the properties located at 2450 Eastman Avenue and 2401 Eastman Avenue. The Environmental Data Resources database lists 2450 Eastman Avenue (APN 216-0-193-105) as a former dry cleaners and 2401 Eastman Avenue (APN 216-0-195-055) as a former dry cleaners and a former auto repair station. Geotracker does not identify these sites. Sampling will be required at both of these locations.
- Geotracker identified three leaking underground storage tank (LUST) sites; the properties are located at: 278 Rice Avenue, 350 Rice Avenue, and 1705 Fifth Street; they have been identified as “Case Closed.” 278 Rice Avenue is approximately adjacent to APN 216-0-160-525 and is considered a Historical Recognized Environmental Concern (HREC). 278 Rice Avenue will require sampling to confirm that the offsite property will not impact the project. Geotracker lists both 350 Rice Avenue and 1705 Fifth Street as located approximately at the intersection of Rice Avenue and Fifth Street within the State ROW. However, after further investigation both of these properties were determined to be located outside the project boundary and will not impact the project. No further action is required for 350 Rice Avenue and 1705 Fifth Street.

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Polychlorinated Biphenyls

Polychlorinated Biphenyls (PCBs) are a type of toxic chemical regulated by the Toxic Substance Control Act (TSCA). PCBs are most commonly found in electrical transformers and capacitors, air conditioning equipment, and lighting ballasts.

Overhead power lines were identified near the project area, and utility poles and transformers were observed within the immediate surroundings of the project area. Transformers should be identified/tested for possible PCBs prior to relocation and/or disposal. Furthermore, a Dig-Alert should be filed to determine the location of all underground utilities prior to commencement of any construction activity.

Asbestos-Containing Materials

Structures built before 1978 have the potential to contain asbestos-containing materials (ACM). ACM may be present in the structure located at 2502 Fifth Street (APN 218-0-011-475) which is to be demolished and/or relocated. ACMs may also be located on power poles in wire conduits within the project area. A preliminary survey for ACMs was not included as a part of the Phase I ISA prepared for the Project. The Phase I ISA indicates that any future testing, removal, or disturbance of ACMs should be handled in compliance with federal, state, and local regulations. In addition, licensed, qualified asbestos survey and abatement personnel should be retained prior to any demolition or renovation of subject facilities. Phase II sampling for ACMs is recommended based on the age of the structures

Aerially-Deposited Lead

Aerially deposited lead (ADL) from the historical use of leaded gasoline, exists along roadways throughout California. There is the likely presence of soils with elevated concentrations of lead as a result of ADL on the state highway system right of way within the limits of the Project alternatives. Because the project area has been historically used as a transportation corridor with motor vehicle fluids containing lead presumed, Phase II sampling for ADL is recommended.

Soil determined to contain lead concentrations exceeding stipulated thresholds must be managed under the July 1, 2016, ADL Agreement between Caltrans and the California Department of Toxic Substances Control. This ADL Agreement allows such soils to be safely reused within the Project limits as long as all requirements of the ADL Agreement are met.

The Phase I ISA prepared for the Project indicates that there could be ADL in the Project Area, and a SI is recommended to identify ADL-impacted soils. If nearby boundary soils test positive for levels of ADL, additional sampling investigations may be required to properly identify the vertical and lateral extents so that a plan can be incorporated to properly remediate/handle the soils during the Project construction activities. Excavation, loading and hauling of possible ADL-impacted soils deemed unfit for reuse within the Project Area will need to be addressed prior to starting Project construction.

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Lead-Based Paint

Structures built before 1978 have the potential to contain LBP. A small structure located at 2502 Fifth Street (APN 218-0-011-475) will be demolished or relocated, and may contain LBP. In addition, traffic striping and pavement marking residue may also contain LBP, which must be managed following a standardized lead compliance plan (LCP) and work plan (WP) to address the health and safety of workers in the Project Area. Therefore, the Phase I ISA prepared for the Project indicates that there could be LBP in the Project Area, and recommends a SI and LBP survey in the Project Area. Data from the SI for lead in soils in the Project Area should be included in the WP. Excavation of soils containing lead and/or removal of LBP or coatings may also require monitoring of the ambient air by a certified industrial hygienist (CIH). Phase II sampling for LBP is recommended.

Oil and Gas Operations

As described in Geology/Soils/Seismic/Topography, there is oil and gas infrastructure in the Project Area. Gas transmission pipelines run north and south along Rice Avenue, and east and west along SR-34 (Fifth Street) on the west side of Rice Avenue. Pipeline markers are visible in the Project Area. Additionally, there are several active and/or abandoned oil wells near the project area. Therefore, a Site Investigation is recommended to address how to handle sensitive oil and gas infrastructure. Pipelines that are to be removed or relocated are considered a Recognized Environmental Concern (REC) and will require sampling for ACMs, total petroleum hydrocarbons (TPH), and PCBs.

In addition, the DOGGR review shows three plugged wells within the project area; the properties are identified as: APN 216-0-160-525, APN 218-0-011-475, and APN 217-0-020-125. Although the wells are plugged, it is recommended that the soil and groundwater be tested for methane and hydrogen sulfide (H₂S).

Railroad Corridor

The UPRR railroad corridor may potentially be contaminated with the following: coal ash and cinder, creosote, fossil fuel combustion products (PAHs), TPH, VOCs, SVOCs, ACMs, and metals. Railroad ties may contain creosote, which must be handled following all local, state, and federal requirements. Although the railroad tracks are not part of the project, any excavation activity along with railroad corridor may have the potential of encountering these COC. Phase II sampling is recommended.

Agricultural Operations

Aerial and ground photographs reveal agricultural operations in the southwest and southeast quadrants of the project area, with additional support structures and equipment storage located near the intersection of S. Rice Avenue and Fifth Street. The northwest quadrant of this intersection is developed with tilt-up industrial buildings, and is used for various industrial operations. The northeast quadrant of the project area appears to be a bermed stormwater/flood retention basin with additional tilt-up industrial buildings to the north. Prior to 1985, the project area was primarily used for agriculture. Between 1967 and 1977, there may

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have been a small fueling operation on the southeast quadrant of the intersection. No structures were identified in the aerial photograph from 1959.

Due to historical agricultural activities within and adjacent to the project area, soils may contain pesticides and herbicides. Phase II sampling for pesticides and herbicides is recommended.

Trash and Refuse

Both non-hazardous and hazardous trash and refuse (such as paint cans, etc.) were identified during the site survey within the project area. Prior to the beginning of any construction activity, workers must follow Caltrans Unknown Hazards Procedures.

Other Hazards

A large municipal water pump house structure is located on S. Rice Avenue, south of the intersection. If moved or demolished, the contractor must follow Caltrans Unknown Hazards Procedures prior to any construction activity.

Environmental Consequences

Alternative 1: No Build Alternative

The No Build Alternative would not require construction or result in changes to existing conditions; therefore, there would be no impacts.

Alternatives 2A and 2B

Project operation would not result in the generation of hazardous wastes or materials beyond existing conditions (e.g., roadway maintenance or landscaping materials). Based on the Phase I ISA prepared for the Project, contaminants of concern in the Project Area include coal ash and cinder, herbicides, PAHs, total petroleum hydrocarbons (TPH) (gasoline) and TPH (petroleum) as a result of historical oil and gas operations, and historical and ongoing agricultural and railroad operations in the Project Area. Therefore, several hazardous wastes or materials could be exposed or resurfaced during construction, and such materials will be addressed per applicable law and technical studies, including preparation of a SI and additional surveys, as described above. Therefore, potential impacts would be minimized.

Avoidance, Minimization, and/or Mitigation Measures

H-1 A Phase II SI would be conducted to determine the presence of ACMs, ADL, and LBP in the Project Area and further investigate identified hazardous waste sites. The Project would be implemented in compliance with applicable federal, state, and local hazardous material/waste regulations, which would minimize potential impacts; therefore, impacts would not be expected to result from the Project.

With minimization, the Project would not result in adverse impacts, and no further mitigation measures are required.

Cumulative Impacts

The Project Area may contain hazardous waste/materials, including ACMs and LBP in structures to be displaced as part of the Build Alternatives, and petroleum products in soil and

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ground water from historical uses. If found in the Project Area, hazardous waste/materials would be treated, handled, and disposed of in accordance with federal, state, and local regulations to minimize potential impacts.

Therefore, with compliance with standard regulations, Project contributions to cumulative impacts would not be cumulatively considerable.

Air Quality

The following discussion incorporates the results of the Air Quality & Climate Change Study Report (AQSR) prepared for the Project (AMBIENT Air Quality & Noise Consulting, 2018). For analyses conducted pursuant to CEQA, Project-generated emissions are compared to baseline conditions, which are typically defined as existing conditions; whereas, for NEPA analysis purposes, the analysis is based on a comparison of the No Build and Build Alternative scenarios. A discussion of the difference between the baseline (existing conditions) and the opening year and design year conditions are also discussed in this section. Year 2015 was used as the baseline existing conditions, year 2020 was used as the opening year, and year 2040 was used as the design year. The AQSR was prepared based on these assumptions.

Regulatory Setting

Federal Clean Air Act (FCAA)

The Federal Clean Air Act (FCAA), as amended, is the primary federal law that governs air quality while the California Clean Air Act is its companion state law. These laws, and related regulations by the U.S. EPA and California Air Resources Board (CARB), set standards for the concentration of pollutants in the air. At the federal level, these standards are called National Ambient Air Quality Standards (NAAQS). NAAQS and state ambient air quality standards have been established for six transportation-related criteria pollutants that have been linked to potential health concerns: carbon monoxide (CO), nitrogen dioxide (NO₂), ozone (O₃), particulate matter (PM), which is broken down for regulatory purposes into particles of 10 micrometers or smaller (PM₁₀) and particles of 2.5 micrometers and smaller (PM_{2.5}), and sulfur dioxide (SO₂). In addition, national and state standards exist for lead (Pb), and state standards exist for visibility reducing particles, sulfates, hydrogen sulfide (H₂S), and vinyl chloride. The NAAQS and state standards are set at levels that protect public health with a margin of safety, and are subject to periodic review and revision. Both state and federal regulatory schemes also cover toxic air contaminants (air toxics); some criteria pollutants are also air toxics or may include certain air toxics in their general definition.

Federal air quality standards and regulations provide the basic scheme for project-level air quality analysis under NEPA. In addition to this environmental analysis, a parallel “Conformity” requirement under the FCAA also applies.

Conformity

The conformity requirement is based on FCAA Section 176(c), which prohibits the U.S. Department of Transportation (USDOT) and other federal agencies from funding, authorizing, or approving plans, programs, or projects that do not conform to State Implementation Plan (SIP) for attaining the NAAQS. “Transportation Conformity” applies to highway and transit

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projects and takes place on two levels: the regional (or planning and programming) level and the project level. The proposed project must conform at both levels to be approved.

Conformity requirements apply only in nonattainment and “maintenance” (former nonattainment) areas for the NAAQS, and only for the specific NAAQS that are or were violated. U.S. EPA regulations at 40 Code of Federal Regulations (CFR) 93 govern the conformity process. Conformity requirements do not apply in unclassifiable/attainment areas for NAAQS and do not apply at all for state standards regardless of the status of the area.

Regional conformity is concerned with how well the regional transportation system supports plans for attaining the NAAQS for carbon monoxide (CO), nitrogen dioxide (NO₂), ozone (O₃), particulate matter (PM₁₀ and PM_{2.5}), and in some areas (although not in California), sulfur dioxide (SO₂). California has nonattainment or maintenance areas for all of these transportation-related “criteria pollutants” except SO₂, and also has a nonattainment area for lead (Pb); however, lead is not currently required by the FCAA to be covered in transportation conformity analysis. Regional conformity is based on emission analysis of Regional Transportation Plans (RTPs) and Federal Transportation Improvement Programs (FTIPs) that include all transportation projects planned for a region over a period of at least 20 years (for the RTP) and 4 years (for the FTIP). RTP and FTIP conformity uses travel demand and emission models to determine whether or not the implementation of those projects would conform to emission budgets or other tests at various analysis years showing that requirements of the FCAA and the SIP are met. If the conformity analysis is successful, the Metropolitan Planning Organization (MPO), FHWA, and Federal Transit Administration (FTA) make the determinations that the RTP and FTIP are in conformity with the SIP for achieving the goals of the FCAA. Otherwise, the projects in the RTP and/or FTIP must be modified until conformity is attained. If the design concept and scope and the “open-to-traffic” schedule of a proposed transportation project are the same as described in the RTP and FTIP, then the proposed project meets regional conformity requirements for purposes of project-level analysis.

Project-level conformity is achieved by demonstrating that the project comes from a conforming RTP and TIP; the project has a design concept and scope² that has not changed significantly from those in the RTP and TIP; project analyses have used the latest planning assumptions and EPA-approved emissions models; and in PM areas, the project complies with any control measures in the SIP. Furthermore, additional analyses (known as hot-spot analyses) may be required for projects located in CO and PM nonattainment or maintenance areas to examine localized air quality impacts.

The FCAA requires that Federal agencies do not adopt, accept, approve or fund activities that are not consistent with air quality goals. The transportation and general conformity regulations provide the framework for meeting this FCAA requirement. Transportation conformity applies to Federal highway and transit projects that receive FHWA and FTA funding and approvals, while general conformity applies to all other Federal actions. As this Project includes Federal

² "Design concept" means the type of facility that is proposed, such as a freeway or arterial highway. "Design scope" refers to those aspects of the project that would clearly affect capacity and thus any regional emissions analysis, such as the number of lanes and the length of the project.

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actions from both FHWA and FRA, both general and transportation requirements are applicable.

Affected Environment

Local Climate and Meteorological Conditions

The Project is located within the South Central Coast Air Basin (SCCAB) in the Ventura County Air Pollution Control District (VCAPCD). The SCCAB is comprised of San Luis Obispo, Santa Barbara, and Ventura counties. The SCCAB's diverse topography is characterized by mountain ranges to the north, two major river valleys (the Santa Clara, which trends east-west, and the Ventura, which trends roughly north-south), and the Oxnard Plain to the south and west.

Climate within Ventura County is influenced by both local topography and meteorological conditions. Surface and upper-level wind flow varies both seasonally and geographically in the County. Inversion conditions common to the area can affect the vertical mixing and dispersion of pollutants. Based on historical data from the Oxnard meteorological station, annual average temperatures in the Project Area vary from an average January minimum of approximately 44 degrees Fahrenheit (°F) to an average August-September high of approximately 75°F. Average precipitation in the Project Area is approximately 15 inches annually (Western Regional Climate Center, 2016).

The air above Ventura County often does not move freely without barriers, which limits the spreading of emissions and causes concentrated air pollution in the County. Temperature patterns can prevent pollution from dispersing. When a cool layer of air is trapped under a layer of warm air that acts as a "ceiling," pollutants are not able to rise and disperse. Mountain ranges act as "walls" that inhibit horizontal dispersion of air pollutants. The land/sea breeze pattern common in Ventura County recirculates air contaminants that flow away from the County and back to the County. Air pollutants are pushed toward the ocean during the early morning by the land breeze, and toward the east during the afternoon, by the sea breeze.

This effect occurs most predominantly from May through October, causing pollutants to remain in the area for several days. Air temperatures are usually higher and sunlight more intense during these months, which contributes to increased levels of ground-level O₃. Emissions from previous days accumulate and chemically react with new emissions in the presence of sunlight, thereby increasing ambient air pollutant levels. Most exceedances of the state and federal O₃ standards occur during this six-month period, which is commonly referred to as the "smog" season (Ventura County Air Pollution Control District, 2006).

Air Quality Monitoring Status

Ventura County is divided into six air monitoring regions: Ventura Coastal, Oxnard Plain, Ojai Valley, Santa Clara River Valley, Simi Valley, and the Conejo Valley. The City is located in the Oxnard Coastal Plain within the southwestern portion of Ventura County. Within these monitoring regions, the VCAPCD operates a total of six air monitoring stations, one upper air monitoring stations, and one upper air profiler. The nearest representative air quality monitoring station is the El Rio-Rio Mesa School #2 Monitoring Station, which is generally

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located approximately 2.5 miles north of the Project Area. Pollutants monitored at this station include O₃, NO₂, PM₁₀, and PM_{2.5}. Ambient air quality monitoring data were obtained for the last three years of available measurement data and are summarized in **Table 2-18**.

As depicted in **Table 2-18**, the state and national O₃ standards were exceeded on multiple days during the past three years. Additionally, the state PM₁₀ standard was exceeded on multiple days. However, the national PM_{2.5} standard, the national PM₁₀ standard, and the national and state NO₂ standards have not been exceeded during the past three years of available data.

Attainment Status

The state and federal criteria air pollutant standards, effects, and sources are shown in **Table 2-19**. Based on monitored air pollutant concentrations, the U.S. EPA and CARB designate an area's status in attaining the NAAQS and California Ambient Air Quality Standards (CAAQS), respectively, for criteria pollutants. The attainment status for the County is also shown in **Table 2-19**, indicating that the County is a nonattainment area for the federal and state O₃ standard, and for the state PM₁₀ standard. For all other criteria pollutants, the County is designated as attainment and/or unclassified (an area that cannot be classified on the basis of available information).

Under the California Clean Air Act (CCAA), CARB is required to designate areas of the state as "attainment", "nonattainment", or "unclassified" with respect to applicable standards. An "attainment" designation for an area signifies that pollutant concentrations did not violate the applicable standard in that area. A "nonattainment" designation indicates that a pollutant concentration violated the applicable standard at least once, excluding those occasions when a violation was caused by an exceptional event, as defined in the criteria. Depending on the frequency and severity of pollutants exceeding applicable standards, the nonattainment designation can be further classified as serious nonattainment, severe nonattainment, or extreme nonattainment, with extreme nonattainment being the most severe of the classifications. An "unclassified" designation signifies that the data do not support either an attainment or nonattainment status. The CCAA divides districts into moderate, serious, and severe air pollution categories, with increasingly stringent control requirements mandated for each category.

The U.S. EPA designates areas for O₃, CO, and NO₂ as "does not meet the primary standards," "cannot be classified," or "better than national standards." For SO₂, areas are designated as "does not meet the primary standards," "does not meet the secondary standards," "cannot be classified," or "better than national standards." However, CARB terminology of attainment, nonattainment, and unclassified is more frequently used. The U.S. EPA uses the same sub-categories for nonattainment status: serious, severe, and extreme. In 1991, U.S. EPA assigned new nonattainment designations to areas that had previously been classified as Group I, II, or III for PM₁₀ based on the likelihood that they would violate national PM₁₀ standards. All other areas are designated "unclassified."

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Sensitive Receptors

One of the most important reasons for air quality standards is the protection of those members of the population who are most sensitive to the adverse health effects of air pollution, termed “sensitive receptors.” The term “sensitive receptors” refers to specific population groups, as well as the land uses where individuals would reside for long periods. Commonly identified sensitive population groups are children, the elderly, the acutely ill, and the chronically ill. Commonly identified sensitive land uses would include facilities that house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Residential dwellings, schools, parks, playgrounds, childcare centers, convalescent homes, and hospitals are examples of sensitive land uses.

Land uses adjacent to the Project Area are zoned Light Industrial (ILT) to the north of the intersection, and Agriculture (AG) to the south of the intersection. No undeveloped lands currently permitted for future development have been identified in the Project Area. Existing developed land uses located within the northwestern quadrant of the Rice Avenue/SR-34 (Fifth Street) intersection consist of a mix of light industrial and office uses. Land uses located within the northeastern quadrant of the Rice Avenue/SR-34 (Fifth Street) intersection consist of a mix of undeveloped land and light industrial uses. An outdoor kart racing track is also located within this area. Agricultural uses are located south of SR-34 (Fifth Street). No sensitive receptors have been identified in the Project Area.

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Table 2-18: Summary of Ambient Air Quality Monitoring Data

	2014	2015	2016
Ozone (O₃)			
Maximum concentration (1-hour/8-hour)	0.112/0.077	0.070/0.066	0.084/0.071
Number of days state/national 1-hour standard exceeded	1/0	0/0	0/0
Number of days state/national 8-hour standard exceeded	2/1	0/0	1/0
Suspended Particulate Matter (PM₁₀)			
Maximum concentration (state/national)	51.3/51.1	92.0/93.3	101.6/105.0
Number of days state standard exceeded (measured/calculated) ³	7/7.1	6/6.0	14/NA
Number of days national standard exceeded (measured/calculated) ³	0/NA	0/0	0/0
Fine Particulate Matter (PM_{2.5})			
Maximum 24-hour concentration (state/national)	22.2/22.2	25.5/25.5	22.7/22.7
Annual average (state/national)	9.4/9.3	9.7/9.6	8.2/8.1
Number of days national standard exceeded (measured/calculated) ⁽³⁾	0/0	0/0	0/0
Nitrogen Dioxide (NO₂)			
Maximum concentration (hourly)	39.0	36.0	33.0
Number of days state standard exceeded (state/national)	0/0	0/0	0/0

ppm = parts per million by volume; µg/m³ = micrograms per cubic meter; NA = Insufficient or no data available to determine value

1. Based on ambient air quality monitoring data obtained from the El Rio-Rio Mesa School #2 Monitoring Station. Ambient CO measurements at the El Rio-Rio Mesa School #2 Monitoring Station were discontinued in 2004.
2. Reported state and national monitoring values and statistics may differ for various reasons, including the monitor used, monitor location, and ambient/site conditions. Where variations in reported concentration values were noted, the higher value was identified in this table.
3. Measured days are those days that an actual measurement was greater than the level of the state daily standard or the national daily standard. Measurements are typically collected every six days. Calculated days are the estimated number of days that a measurement would have been greater than the level of the standard had measurements been collected every day. The number of days above the standard is not necessarily the number of violations of the standard for the year.

Sources: ARB 2017. iADAM Air Quality Data Statistics. Website url: <https://www.arb.ca.gov/adam>.

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Table 2-19: State and Federal Criteria Air Pollutant Standards, Effects, and Sources

Pollutant	Averaging Time	State ¹ Standard	Federal ² Standard	Principal Health and Atmospheric Effects	Typical Sources	State Project Area Attainment Status	Federal Project Area Attainment Status
Ozone (O ₃)	1 hour	0.09 ppm ³	--- ⁴	High concentrations irritate lungs. Long-term exposure may cause lung tissue damage and cancer. Long-term exposure damages plant materials and reduces crop productivity. Precursors are organic compounds that include many known toxic air contaminants. Biogenic volatile organic compounds (VOC) may also contribute.	Low-altitude ozone is almost entirely formed from reactive organic gases/volatile organic compounds (ROG or VOC) and nitrogen oxides (NO _x) in the presence of sunlight and heat. Common precursor emitters include motor vehicles and other internal combustion engines, solvent evaporation, boilers, furnaces, and industrial processes.	Nonattainment	Serious Nonattainment
	8 hours	0.070 ppm	0.070 ppm (4 th highest in 3 years)				
Carbon Monoxide (CO)	1 hour	20 ppm	35 ppm	CO interferes with the transfer of oxygen to the blood and deprives sensitive tissues of oxygen. CO also is a minor precursor for photochemical ozone. Colorless, odorless.	Combustion sources, especially gasoline-powered engines and motor vehicles. CO is the traditional signature pollutant for on-road mobile sources at the local and neighborhood scale.	Attainment	Attainment-Unclassified
	8 hours	9.0 ppm ¹	9 ppm				
	8 hours (Lake Tahoe)	6 ppm	---				
Respirable Particulate	24 hours	50 µg/m ^{3 6}	150 µg/m ³	Irritates eyes and respiratory tract.	Dust- and fume-producing industrial and	Nonattainment	Unclassified

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Pollutant	Averaging Time	State ¹ Standard	Federal ² Standard	Principal Health and Atmospheric Effects	Typical Sources	State Project Area Attainment Status	Federal Project Area Attainment Status
Matter (PM ₁₀) ⁵			(expected number of days above standard < or equal to 1)	Decreases lung capacity. Associated with increased cancer and mortality. Contributes to haze and reduced visibility. Includes some toxic air contaminants. Many toxic & other aerosol and solid compounds are part of PM ₁₀ .	agricultural operations; combustion smoke & vehicle exhaust; atmospheric chemical reactions; construction and other dust-producing activities; unpaved road dust and re-entrained paved road dust; natural sources.		
	Annual	20 µg/m ³	--- ⁵				
Fine Particulate Matter (PM _{2.5}) ⁵	24 hours	---	35 µg/m ³	Increases respiratory disease, lung damage, cancer, and premature death. Reduces visibility and produces surface soiling. Most diesel exhaust particulate matter – a toxic air contaminant – is in the PM _{2.5} size range. Many toxic & other aerosol and solid compounds are part of PM _{2.5} .	Combustion including motor vehicles, other mobile sources, and industrial activities; residential and agricultural burning; also formed through atmospheric chemical and photochemical reactions involving other pollutants including NO _x , sulfur oxides (SO _x), ammonia, and ROG.	Attainment	Attainment-Unclassified
	Annual	12 µg/m ³	12.0 µg/m ³				
	24 hours (conformity process ⁱ)	---	65 µg/m ³				
	Secondary Standard (annual; also for conformity process ⁷)	---	15 µg/m ³ (98 th percentile over 3 years)				
	1 hour	0.18 ppm	0.100 ppm ⁸			Attainment	

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Pollutant	Averaging Time	State ¹ Standard	Federal ² Standard	Principal Health and Atmospheric Effects	Typical Sources	State Project Area Attainment Status	Federal Project Area Attainment Status
Nitrogen Dioxide (NO ₂)	Annual	0.030 ppm	0.053 ppm	Irritating to eyes and respiratory tract. Colors atmosphere reddish-brown. Contributes to acid rain & nitrate contamination of stormwater. Part of the “NO _x ” group of ozone precursors.	Motor vehicles and other mobile or portable engines, especially diesel; refineries; industrial operations.		Attainment-Unclassified
Sulfur Dioxide (SO ₂)	1 hour	0.25 ppm	0.075 ppm ⁹ (99 th percentile over 3 years)	Irritates respiratory tract; injures lung tissue. Can yellow plant leaves. Destructive to marble, iron, steel. Contributes to acid rain. Limits visibility.	Fuel combustion (especially coal and high-sulfur oil), chemical plants, sulfur recovery plants, metal processing; some natural sources like active volcanoes. Limited contribution possible from heavy-duty diesel vehicles if ultra-low sulfur fuel not used.	Attainment	Attainment
	3 hours	---	0.5 ppm ¹⁰				
	24 hours	0.04 ppm	0.14 ppm (for certain areas)				
	Annual	---	0.030 ppm (for certain areas)				
Lead (Pb) ¹¹	Monthly	1.5 µg/m ³	---	Disturbs gastrointestinal system. Causes anemia, kidney disease, and neuromuscular and neurological dysfunction. Also a toxic air	Lead-based industrial processes like battery production and smelters. Lead paint, leaded gasoline. Aerially deposited lead from	Attainment	Attainment-Unclassified
	Calendar Quarter	---	1.5 µg/m ³ (for certain areas)				

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Pollutant	Averaging Time	State ¹ Standard	Federal ² Standard	Principal Health and Atmospheric Effects	Typical Sources	State Project Area Attainment Status	Federal Project Area Attainment Status
	Rolling 3-month average	---	0.15 µg/m ³ 12	contaminant and water pollutant.	older gasoline use may exist in soils along major roads.		
Sulfate	24 hours	25 µg/m ³	---	Premature mortality and respiratory effects. Contributes to acid rain. Some toxic air contaminants attach to sulfate aerosol particles.	Industrial processes, refineries and oil fields, mines, natural sources like volcanic areas, salt-covered dry lakes, and large sulfide rock areas.	Attainment	N/A
Hydrogen Sulfide (H ₂ S)	1 hour	0.03 ppm	---	Colorless, flammable, poisonous. Respiratory irritant. Neurological damage and premature death. Headache, nausea. Strong odor.	Industrial processes such as: refineries and oil fields, asphalt plants, livestock operations, sewage treatment plants, and mines. Some natural sources like volcanic areas and hot springs.	Unclassified	N/A
Visibility Reducing Particles (VRP)	8 hours	Visibility of 10 miles or more (Tahoe: 30 miles) at relative humidity	---	Reduces visibility. Produces haze. NOTE: not directly related to the Regional Haze program under the Federal Clean Air Act, which is oriented	See particulate matter above. May be related more to aerosols than to solid particles.	Unclassified	N/A

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Pollutant	Averaging Time	State ¹ Standard	Federal ² Standard	Principal Health and Atmospheric Effects	Typical Sources	State Project Area Attainment Status	Federal Project Area Attainment Status
		less than 70%		primarily toward visibility issues in National Parks and other "Class I" areas. However, some issues and measurement methods are similar.			
Vinyl Chloride ¹¹	24 hours	0.01 ppm	---	Neurological effects, liver damage, cancer. Also considered a toxic air contaminant.	Industrial processes	Unclassified	N/A

Adapted from Sonoma-Marín Narrows Draft EIR and California Air Resources Board (ARB) Air Quality Standards chart (<http://www.arb.ca.gov/research/aaqs/aaqs2.pdf>).

Greenhouse Gases and Climate Change: Greenhouse gases do not have concentration standards for that purpose. Conformity requirements do not apply to greenhouse gases.

Notes:

¹ State standards are "not to exceed" or "not to be equaled or exceeded" unless stated otherwise.

² Federal standards are "not to exceed more than once a year" or as described above.

³ ppm = parts per million

⁴ Prior to June 2005, the 1-hour ozone NAAQS was 0.12 ppm. Emission budgets for 1-hour ozone are still in use in some areas where 8-hour ozone emission budgets have not been developed, such as the San Francisco Bay Area.

⁵ Annual PM₁₀ NAAQS revoked October 2006; was 50 µg/m³. 24-hr. PM_{2.5} NAAQS tightened October 2006; was 65 µg/m³. Annual PM_{2.5} NAAQS tightened from 15 µg/m³ to 12 µg/m³ in December 2012, and secondary annual standard set at 15 µg/m³.

⁶ µg/m³ = micrograms per cubic meter

⁷ The 65 µg/m³ PM_{2.5} (24-hr) NAAQS was not revoked when the 35 µg/m³ NAAQS was promulgated in 2006. The 15 µg/m³ annual PM_{2.5} standard was not revoked when the 12 µg/m³ standard was promulgated in 2012. The 0.08 ppm 1997 ozone standard is revoked FOR CONFORMITY PURPOSES ONLY when area designations for the 2008 0.75 ppm standard become effective for conformity use (July 20, 2014). Conformity requirements apply for all NAAQS, including revoked NAAQS, until emission budgets for newer NAAQS are found adequate, SIP amendments for the newer NAAQS are approved with a emission budget, U.S. EPA specifically revokes conformity requirements for an older standard, or the area becomes attainment/unclassified. SIP-approved emission budgets remain in force indefinitely unless explicitly replaced or eliminated by a subsequent approved SIP amendment. During the "Interim" period prior to availability of emission budgets, conformity tests may include some combination of build vs. no build, build vs. baseline, or compliance with prior emission budgets for the same pollutant.

⁸ Final 1-hour NO₂ NAAQS published in the Federal Register on February 9, 2010, effective March 9, 2010. Initial area designation for California (2012) was attainment/unclassifiable throughout. Project-level hot spot analysis requirements do not currently exist. Near-road monitoring starting in 2013 may cause re-designation to nonattainment in some areas after 2016.

⁹ U.S. EPA finalized a 1-hour SO₂ standard of 75 ppb (parts per billion [thousand million]) in June 2010. Nonattainment areas have not yet been designated as of September 2012.

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¹⁰ Secondary standards are set to protect public welfare rather than health. Conformity and environmental analysis address both primary and secondary NAAQS.

¹¹ CARB has identified vinyl chloride and the particulate matter fraction of diesel exhaust as toxic air contaminants. Diesel exhaust particulate matter is part of PM₁₀ and, in larger proportion, PM_{2.5}. Both CARB and U.S. EPA have identified lead and various organic compounds that are precursors to O₃ and PM_{2.5} as toxic air contaminants. There are no exposure criteria for adverse health effects due to toxic air contaminants, and control requirements may apply at ambient concentrations below any criteria levels specified above for these pollutants or the general categories of pollutants to which they belong.

¹² Lead NAAQS are not considered in Transportation Conformity analysis.

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Environmental Consequences

Alternative 1: No Build Alternative

Under the No Build Alternative, the current configuration of Rice Avenue and SR-34 (Fifth Street) would be maintained; the at-grade crossing would remain at Rice Avenue and the SR-34 (Fifth Street)/UPRR crossing. No impacts on air quality would result from this alternative.

Alternatives 2A and 2B

Long-Term Operational Impacts

Criteria Air Pollutants

Long-term operational emissions of criteria air pollutants associated with the Build Alternatives would be associated with the operation of motor vehicles. Based on information obtained from the traffic analysis prepared for this Project, implementation of the Build Alternatives would not result in a change in average daily traffic (ADT) volumes or vehicle miles traveled (VMT) in the Project Area (see **Table 2-10**). In addition, the Project would not result in changes in vehicle speeds along primarily affected roadways. Although the Project would result in an additional travel lane along Rice Avenue, the Build Alternatives would not result in changes in traffic volumes or distances of travel. Implementation of the Build Alternatives would not result in changes in overall changes in vehicle travel distances from current conditions (Kimley-Horn, 2015). However, implementation of the Build Alternatives would result in slight changes from current conditions in peak-hour vehicle delay at nearby roadway intersections (Kimley-Horn, 2015).

Mobile-source emissions were quantified for existing, opening year 2022, and design year 2040 conditions based on estimated VMT and changes in peak-hour vehicle idling obtained from the traffic analysis prepared for the Project. Motor vehicle operational emissions were quantified using emission factors derived from the CT-EMFAC2014 computer program, version 6.0, which is based on EMFAC2014 emission factors. Estimated annual operational emissions are summarized in **Table 2-20**.

In comparison to existing conditions, the No Build Alternative and the Build Alternatives would result in slight decreases in annual emissions of CO, reactive organic gases (ROG), and NO_x for opening year 2022, as well as slight decreases of NO_x and CO for design year 2040 conditions (see **Table 2-20**). Slight increases of predicted PM emissions in future years are due to projected increases in traffic volumes, which would occur with or without implementation of the Build Alternatives. When compared to the No Build Alternative, the Build Alternatives would not result in a substantial change in mobile-source emissions within the Project Area for either opening year 2022 or design year 2040 conditions.

General Conformity

Ventura County is designated a serious nonattainment area for the federal 8-hour O₃ standard. For all other federal air quality standards, Ventura County is designated as attainment or unclassified (AMBIENT Air Quality & Noise Consulting, 2018).

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Table 2-20: Estimated Operational Emissions of Criteria Air Pollutants

Modeled Year/Scenario	Emissions (Tons/Year)				
	ROG	NO _x	CO	PM ₁₀	PM _{2.5}
Existing Year 2015	1.79	7.61	23.94	2.79	0.80
Opening Year 2022					
Alternative 1 (No Build Alternative)	1.27	4.71	16.20	3.22	1.17
<i>Change – Alternative 1 (No Build Alternative) versus (vs.) Existing Conditions</i>	-0.52	-2.90	-7.74	0.43	0.37
Alternative 2A	1.27	4.71	16.20	3.22	1.17
<i>Change – Alternative 2A vs. Existing Conditions</i>	-0.52	-2.90	-7.74	0.43	0.37
<i>Change – Alternative 2A vs. No Build Alternative</i>	0.00	0.00	0.00	0.00	0.00
Alternative 2B	1.27	4.71	16.20	3.22	1.17
<i>Change – Alternative 2B vs. Existing Conditions</i>	-0.52	-2.90	-7.74	0.43	0.37
<i>Change – Alternative 2B vs. No Build Alternative</i>	0.00	0.00	0.00	0.00	0.00
General Conformity <i>de Minimis</i> Emission Levels	50	50	N/A	N/A	N/A
Design Year 2040					
No Build Alternative	1.03	1.63	11.74	5.81	1.82
<i>Change – No Build Alternative vs. Existing Conditions</i>	-0.76	-5.98	-12.19	3.02	1.02
Alternative 2A	1.03	1.63	11.74	5.81	1.82
<i>Change – Alternative 2A vs. Existing Conditions</i>	-0.76	-5.98	-12.20	3.02	1.02
<i>Change – Alternative 2A vs. No Build Alternative</i>	0.00	0.00	0.00	0.00	0.00
Alternative 2B	1.03	1.63	11.74	5.81	1.82
<i>Change – Alternative 2B vs. Existing Conditions</i>	-0.76	-5.98	-12.20	3.02	1.02
<i>Change – Alternative 2B vs. No Build Alternative</i>	0.00	0.00	0.00	0.00	0.00
General Conformity <i>de Minimis</i> Emission Levels	50	50	N/A	N/A	N/A

Source: AMBIENT Air Quality & Noise Consulting, LLC, 2017a

Notes: Emissions modeling was conducted using emission factors derived from CTEMFAC2014, version 6.0, for Ventura County and data obtained from the traffic analysis prepared for the Project. Totals may not sum due to rounding.

Ozone-precursor pollutants (i.e., VOCs and NO_x) associated with the operation of the proposed Build Alternatives were quantified for comparison to the federal general conformity *de minimis* emission levels. As noted in **Table 2-20** total uncontrolled direct and indirect annual emissions of VOCs and NO_x would not exceed the corresponding general conformity *de minimis* level of 50 tons/year. As a result, a general conformity determination for operational emissions is not required. In addition, annual operational emissions would not exceed 10 percent of Ventura County's emissions inventory for the corresponding criteria pollutants.

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Estimated annual construction emissions of ozone-precursor pollutants are summarized in **Table 2-22**. As depicted, Alternative 2A would generate annual emissions of approximately 3.1 tons of VOC and 19.2 tons of NO_x during the first year of construction, and 0.8 tons of VOC and 8.3 tons of NO_x during the second year of construction. Alternative 2B would generate annual emissions of approximately 1.4 tons of VOC and 18.9 tons of NO_x during the first year of construction, and 0.5 tons of VOC and 5.0 tons of NO_x during the second year of construction. Neither alternative would result in exceedance of Federal General *De Minimis* levels.

Regional Conformity

The Project was included in the regional emissions analysis conducted by SCAG for the conforming *2016-2040 RTP/Sustainable Communities Strategy (SCS)* (Southern California Association of Governments, 2016). The Project is identified in the *2016-2040 RTP/SCS* as Project No. VEN040401 and described as “In Oxnard at Rice Ave. Railroad Grade Separation.” The Project’s design concept and scope have not changed substantially from what was analyzed in the regional emission analysis. This analysis found that the plan, which takes into account regionally significant projects and financial constraint, will conform to the SIP for attaining and maintaining the NAAQS as provided in Section 176(c) of the FCAA. FHWA and the FTA approved the conformity determination for the *2016-2040 RTP/SCS* on June 1, 2016.

The project is also included in the *2017 FTIP*, which was adopted by SCAG on September 1, 2016. The Project is identified in the *2017 FTIP* as Project No. VEN040401 and described as “In Oxnard at Rice Ave. Railroad Grade Separation - Includes Widening of Rice From Sturgis Road to 1350’ South of Fifth Street.” The Project’s design concept and scope have not changed significantly from what was analyzed in the regional emission analysis performed for the *2017 FTIP*. This analysis found that the plan, which takes into account regionally significant projects and financial constraint, will conform to the SIP for attaining and maintaining the NAAQS as provided in Section 176(c) of the FCAA. FHWA and the FTA approved the conformity determination for the 2017 FTIP on December 16, 2016. FHWA’s conformity determination is contained in **Appendix J**.

Project Level Conformity

The Project is located in an area that is attainment/unclassified for the federal CO and PM NAAQS. Therefore, an analysis of localized CO and PM, commonly referred to as a “hot-spot analysis,” is not required for federal project-level conformity purposes. Project-level conformity analysis requirements are satisfied by the regional conformity analysis previously discussed. Localized CO and PM air quality impacts associated with the Build Alternatives are discussed in the following sections. FHWA approved the project-level conformity determination on May 1, 2018, the approval letter is included as **Appendix J**.

Carbon Monoxide Analysis

The *Transportation Project-Level Carbon Monoxide Protocol, UCD-ITS-97-21* (CO Protocol), University of California, Davis, December 1997, provides procedures and guidelines for use by agencies to evaluate the potential local level CO impacts of a transportation project. The

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CO Protocol provides decision flow charts designed to assist the lead agency in evaluating requirements that specifically apply to a proposed action and whether or not the Project would have a potential for localized CO impacts.

The Project was not exempt from emission analyses and was evaluated using the Caltrans CO analysis protocol. The County is classified as an attainment area for the federal CO standards, and has maintained its attainment designation for CO ambient air quality standards (Ventura County Air Pollution Control District, 2003). Through completion of the CO Protocol, it was determined that the Project would not worsen localized air quality for the following reasons:

- The Build Alternatives would not result in changes in vehicle operations or the construction of new land uses that would result in an increase in the percentage of vehicles operating in cold start mode.
- Based on information obtained from the traffic analysis prepared for this Project, implementation of the Build Alternatives would not contribute to additional traffic volumes from what is already anticipated for predicted conditions.

Based on the traffic analysis prepared for this Project, the proposed Build Alternatives would not result in changes in traffic volumes or vehicle speeds along area roadways. However, implementation of proposed Build Alternatives would result in slight changes in vehicle delay at some nearby roadway intersections, for both opening year 2022 and design year 2040 conditions. Although vehicle delay at most intersections would remain unchanged, some intersections would experience slight increases in peak-hour vehicle delay. For opening year 2022 conditions, projected increases in vehicle delay at adversely affected intersections would be minor, averaging approximately 0.4 seconds or less (see **Table 2-8**). However, for design year 2040 conditions, the Rice Avenue/East Gonzales Road and Rice Avenue/SR-34 (Fifth Street) intersections are expected to fail, or worsen to LOS F conditions, under No Build conditions (see **Table 2-9**).

The Project purpose and need is to address future traffic and circulation issues forecasted for the Project Area. Overall, both Build Alternatives, Alternatives 2A and 2B, are projected to help alleviate anticipated traffic issues forecasted for the study area. Traffic conditions are identified through LOS and delay times of intersections in the study area. Comparison between future No Build and Build Alternatives, using LOS and delay time metrics, provides a way to determine whether the Project will help improve or worsen vehicle emissions at the project level. When future No Build conditions were compared to future Build Conditions, the Build Alternatives resulted in an overall decrease in delay time for the study area. Reduced total vehicle delay times would result in reduced vehicle emissions, including CO, in the study area.

Under Alternatives 2A and 2B, traffic would no longer be required to stop at the intersection, and therefore, was not provided a predicted LOS or delay time for opening year 2022 or design year 2040 conditions. Circulation between Rice Avenue and SR-34 (Fifth Street) would be improved via merging connector roadways. Additionally, the Project would reduce train and vehicle conflict. By implementing a grade separation between vehicle and railroad

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infrastructure under the Build Alternatives, the risk of collision between trains and vehicles would be eliminated.

Although other intersections would still experience an increase in delay time from existing conditions to future conditions, the Project would result in comparable or reduced delay times for most intersections compared to the predicted No Build conditions for opening year 2022 and design year 2040 at most intersections (see **Table 2-8** and **Table 2-9**). Under opening year 2022 conditions, all signalized intersections are projected to operate at acceptable LOS (i.e., LOS D or better).

In addition, implementation of the Build Alternatives would contribute to slight increases in vehicle delay at the Rice Avenue/East Gonzales Road intersection. In accordance with the *Transportation Project-Level Carbon Monoxide Protocol* (CO Protocol) (University of California Davis, 1997), a more detailed analysis is warranted for projects that would contribute to increased vehicle delay at signalized intersections projected to operate at unacceptable LOS (i.e., LOS E or F).

Table 2-21: Predicted Carbon Monoxide Concentrations at the Rice Avenue/East Gonzales Road Intersection

Year / Alternative	Carbon Monoxide (CO) Concentration (ppm)			
	AM Peak Hour		PM Peak Hour	
	8-Hour	1-Hour	8-Hour	1-Hour
Existing Conditions	4.3	8.5	4.3	8.5
Opening Year 2022				
Alternative 1 (No Build Alternative)	4.1	8.1	4.1	8.1
Alternative 2A	4.1	8.1	4.1	8.1
Alternative 2B	4.1	8.1	4.1	8.1
Design Year 2040				
Alternative 1 (No Build Alternative)	4.0	8.0	4.0	8.0
Alternative 2A	4.0	8.0	4.0	8.0
Alternative 2B	4.0	8.0	4.0	8.0
California Ambient Air Quality Standards:	9.0	20.0	9.0	20.0
National Ambient Air Quality Standards:	9.0	35.0	9.0	35.0
Exceeds Ambient Air Quality Standards?	No	No	No	No

Source: AMBIENT Air Quality & Noise Consulting, LLC, 2018

Notes: ppm = parts per million

Predicted CO concentrations were calculated using the Caline4 computer model based on data derived from the traffic analysis prepared for this project.

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As noted above, all signalized intersections are projected to operate at an acceptable LOS D, or better, under opening year 2022 conditions. However, under design year 2040 conditions, the Rice Avenue/East Gonzales Road intersection is projected to operate at an unacceptable LOS F under all Build Alternative conditions. Implementation of the Build Alternatives would contribute to slight increases in vehicle delay at this intersection. Localized mobile-source CO concentrations were, therefore, evaluated at the Rice Avenue/East Gonzales Road intersection.

A screening-level analysis was conducted using the Caline4 computer program based on emission factors for winter conditions and peak-hour traffic data derived from the traffic analysis prepared for this Project. Predicted CO concentrations were quantified for existing, opening year 2022, and future design year 2040 conditions (see **Table 2-21**). As depicted, predicted CO concentrations for existing conditions, opening year 2022, and design year 2040 conditions would not exceed federal or state CO standards. The Build Alternatives would not contribute to existing CO violations of federal or state CO standards, nor would they contribute to future CO concentrations that are projected to exceed federal or state CO standards. Therefore, the Project would result in less than significant impacts on CO emissions during Project operation.

The Rice Avenue/connector road intersections under Alternative 2A would be unsignalized with free-flowing right-hand turns from the connector roads onto Rice Avenue. Predicted vehicle delay at these intersections would be minimal and, therefore, was not included in the traffic analysis.

Mobile Source Air Toxics

MSAT are a subset of the 188 air toxics defined in the FCAA and are federally regulated under 40 Code of Federal Regulations (CFR) 1502.22 by the U.S. EPA. MSATs include 21 compounds emitted from highway vehicles and non-road equipment. There are seven main toxics, including diesel exhaust, benzene, and formaldehyde, among others. Of these, diesel-exhaust particulate matter (DPM) is of primary concern. Most recently, the FHWA issued interim guidance on October 18, 2016 for the analysis of MSATs in NEPA documents.

The FHWA's Updated Interim Guidance on Mobile Source Air Toxic Analysis in NEPA Documents (October 18, 2016) provides guidance on how Mobile Source Air Toxics (MSATs) should be addressed. FHWA has developed a tier approach for analyzing MSATs in NEPA documents. Depending on the specific Project circumstances, FHWA has identified three categories of analysis.

The Project is identified as a Category 2 project; that is, the Project would have a low potential for MSAT effects because the Project is expected to improve traffic service, without increasing roadway capacity, and the design year traffic is projected to be less than 140,000 to 150,000 annual ADT. As a result, it is expected that the proposed Build Alternatives would not result in an appreciable difference in overall MSAT emissions when compared to the No Build Alternatives. In addition, it is important to note that emissions would likely be lower than present levels in the design year as a result of U.S. EPA's national control programs that are projected to reduce annual MSAT emissions by over 80 percent between 2010 and 2050.

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Local conditions may differ from these national projections in terms of fleet mix and turnover, VMT growth rates, and local control measures. However, the magnitude of the U.S. EPA-projected reductions is so great (even after accounting for VMT growth) that MSAT emissions in the study area are likely to be lower in the future in nearly all cases. Therefore, the Project would not result in adverse impacts on MSATs during Project operation.

Particulate Matter Analysis

This Project Area is in an area that is designated attainment-unclassified for federal PM standards (both PM₁₀ and PM_{2.5}). Ambient air quality monitoring data obtained from the nearest representative station (El Rio-Rio Mesa School #2 monitoring station) is summarized in **Table 2-18**. As noted, state PM₁₀ and O₃ standards have been exceeded on numerous days during the past three years of available data. However, no exceedance of the NO₂ or PM_{2.5} NAAQS has been identified for this same period.

In comparison to existing conditions, projected future PM emissions are projected to increase slightly due to projected increases in traffic volumes, which would occur with or without implementation of the Build Alternatives. When compared to the No Build Alternative, the Build Alternatives would result in no change in mobile-source PM emissions within the Project Area for either opening year 2022 or design year 2040 conditions (see **Table 2-20**). Therefore, the Project would not result in substantial change in mobile-source within the Project area for either Opening Year 2022 or Design Year 2040 conditions.

Short-Term Construction Impacts

During construction, short-term degradation of air quality may occur due to the release of particulate emissions (airborne dust) generated by excavation, grading, hauling, and other construction-related activities. In addition, emissions from construction equipment would include CO, NO_x, volatile organic compounds (VOC), directly-emitted PM₁₀ and PM_{2.5}, and toxic air contaminants (TAC), such as diesel PM. Ozone is a regional pollutant that is derived from NO_x and VOCs in the presence of sunlight and heat.

The principal sources of pollutant emissions during construction are fugitive dust and engine exhaust from construction equipment. Stationary or mobile-source on-site construction equipment would include the use of various off-road equipment, including front -end loaders, backhoes, dozers, rollers, pavers, paving equipment, and various other equipment. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. Unless properly controlled, vehicles leaving the site could deposit mud on local streets, which could be an added source of airborne dust after it dries. PM₁₀ emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. PM₁₀ emissions would depend on soil moisture, silt content of soil, wind speed, and the amount of equipment operating. Larger particles would settle near the source, while fine particles would be dispersed over greater distances from the construction site.

The application of water or other soil stabilizers used to control dust can reduce construction-generated emissions by approximately 50 to 61 percent, depending on the emissions source, methods of control, and frequency of application. Compliance with Caltrans' Standard

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Specifications, Section 14-9, would require compliance with air-pollution-control rules, regulations, ordinances, and statutes, including emission-reduction requirements and idling limitations for construction equipment and vehicles. Caltrans' Standard Specifications also include various other sections directed at the control of dust resulting from construction activities, including the control of dust associated with on-site and off-site activities. If dust palliative materials other than water are to be used, material specifications are included in Section 18.

In addition to dust-related PM₁₀ emissions, heavy-duty trucks and construction equipment powered by gasoline and diesel engines would generate CO, SO₂, NO_x, VOCs and some soot particulate (PM₁₀ and PM_{2.5}) in exhaust emissions. If construction activities were to increase traffic congestion in the area, CO and other emissions from traffic would increase slightly while those vehicles are delayed. These emissions would be temporary and limited to the immediate area surrounding the construction site. The extended idling of heavy-duty diesel-powered construction equipment would be prohibited during periods when the equipment is not in use.

SO₂ is generated by oxidation during combustion of organic sulfur compounds contained in diesel fuel. Under California law and CARB regulations, off-road diesel fuel used in California must meet the same sulfur and other standards as on-road diesel fuel (not more than 15 parts per million (ppm) sulfur), so SO₂-related issues due to diesel exhaust would be minimal.

As shown in **Table 2-22**, total uncontrolled direct and indirect annual emissions of VOCs and NO_x would not exceed the corresponding General Conformity *de minimis* level of 50 tons per year, and a General Conformity determination for construction emissions is not required. In addition, construction-generated emissions would not exceed 10 percent of Ventura County's emissions inventory for the corresponding criteria pollutants. Therefore, the Project would result in less than significant impacts on VOCs and NO_x emissions.

Construction activities associated with the Build Alternatives would not last for more than five years at one general location and would be considered temporary. Avoidance and minimization measures AQ-1 through AQ-12, which are part of Caltrans Standard Specifications, would help reduce potential short-term impacts. Therefore, the Project would not result in adverse impacts on air quality during Project construction. Construction-related emissions do not need to be included in regional and project-level conformity analysis (40 CFR 93.123(c)(5)).

CEQA Compliance

The Build Alternatives would result in long-term changes in emissions in the Project Area when compared to existing conditions (see **Table 2-23**). In addition, the proposed Build Alternatives would not be projected to contribute to localized pollutant concentrations that would exceed applicable standards.

Project construction is anticipated to begin in 2020 and would be completed over an approximate 18 to 24-month long period, depending on the Build Alternative. The air quality study indicates that ROG, NO_x, CO would decrease over time under the Build Alternatives; and PM₁₀ and PM_{2.5} would increase over time under the Build Alternatives. However, the Build

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Alternatives would not be projected to contribute to localized pollutant concentrations that would exceed applicable standards.

The principal sources of pollutant emissions during construction are fugitive dust and engine exhaust from construction equipment. Stationary or mobile-source on-site construction equipment would include the use of various off-road equipment, including front-end loaders, backhoes, dozers, rollers, pavers, paving equipment, and various other equipment. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. Unless properly controlled, vehicles leaving the site could deposit mud on local streets, which could be an added source of airborne dust after it dries.

Table 2-22. Estimated Construction Emissions of Ozone-Precursor Pollutants

Construction Alternative/Activity	Emissions (tons/year)			
	Construction Year 1		Construction Year 2	
	VOC	NOX	VOC	NOX
Build Alternative 2a				
Detour Road Construction	0.1	1.5	0.0	0.0
Grubbing/Site Preparation	0.0	0.4	0.0	0.0
Grading/Excavation	1.3	17.3	0.2	2.2
Drainage/Utilities/Subgrade	0.0	0.0	0.5	5.6
Paving	0.0	0.0	0.1	0.5
Total	3.1	19.2	0.8	8.3
Federal General Conformity <i>De Minimis</i> Levels:	50	50	50	50
Exceeds Federal General Conformity <i>De Minimis</i> Levels?	No	No	No	No
Build Alternative 2b				
Detour Road Construction	0.1	1.5	0.0	0.0
Grubbing/Site Preparation	0.0	0.3	0.0	0.0
Grading/Excavation	1.3	16.8	0.0	0.0
Drainage/Utilities/Subgrade	0.0	0.3	0.4	4.6
Paving	0.0	0.0	0.1	0.4
Total	1.4	18.9	0.5	5.0
Federal General Conformity <i>De Minimis</i> Levels:	50	50	50	50
Exceeds Federal General Conformity <i>De Minimis</i> Levels?	No	No	No	No

Source: AMBIENT Air Quality & Noise Consulting, LLC, 2018

Notes: Based on uncontrolled emissions estimates. Totals may not sum due to rounding.

PM₁₀ emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. PM₁₀ emissions would depend on soil

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moisture, silt content of soil, wind speed, and the amount of equipment operating. Larger dust particles would settle near the source, while fine particles would be dispersed over greater distances from the construction site.

Estimated daily construction emissions are summarized in **Table 2-23**. Project construction is anticipated to begin in 2020 and would be completed over an approximate 18 to 24-month period, depending on the Build Alternative. Project construction would not last more than five years and is considered temporary.

Table 2-23: Estimated Construction Emissions of Criteria Air Pollutants

Construction Activity	Emissions (pounds per day (lbs/day)) ¹				
	ROG	CO	NO _x	PM ₁₀	PM _{2.5}
Detour Road Construction (Alternatives 2A and 2B) ²					
Site Clearing/Preparation	1.0	7.0	10.7	10.5	2.5
Grading/Excavation	5.7	45.7	63.7	13.1	4.7
Drainage/Subgrade	4.6	38.6	46.7	12.3	4.2
Paving	1.7	17.6	16.4	1.0	0.9
Maximum Daily Emissions	5.7	45.7	63.7	13.1	4.7
Alternative 2A					
Site Clearing/Preparation	1.4	11.4	14.0	10.6	2.6
Grading & Excavation	12.7	91.1	164.2	18.6	8.1
Drainage/Subgrade	6.9	60.0	70.0	13.3	5.1
Paving	1.3	14.2	11.9	0.7	0.6
Maximum Daily Emissions	12.7	91.1	164.2	18.6	8.1
Alternative 2B					
Site Clearing/Preparation	1.4	11.4	14.0	10.6	2.6
Grading & Excavation	12.6	90.4	161.7	18.4	8.0
Drainage/Subgrade	6.9	57.1	70.9	13.3	5.1
Paving	1.3	14.2	11.9	0.7	0.6
Maximum Daily Emissions	12.6	90.4	161.7	18.4	8.0

Source: AMBIENT Air Quality & Noise Consulting, LLC, 2018

For the analysis of short-term construction-generated emissions, the VCAPCD does not identify quantitative CEQA significance thresholds for short-term construction-generated emissions; rather, the significance of impacts is determined on a project-by-project basis. However, in the event that construction-generated emissions of either ROG or NO_x exceed 25 pounds per day (lbs/day), the VCAPCD recommends that control measures be included to reduce short-term emissions generated by mobile sources. The VCAPCD also recommends that all projects involving ground disturbance incorporate dust-control measures.

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As shown in **Table 2-23**, construction-generated emissions of NO_x would be projected to exceed 25 lbs/day during initial construction of the detour road, as well as construction of all of the Build Alternatives. Avoidance and minimization measures would be incorporated into the Project to reduce short-term construction-generated emissions of O₃ precursor pollutants (i.e., ROG and NO_x) generated by mobile sources, as well as emissions of fugitive dust.

Naturally Occurring Asbestos and Structural Asbestos

The Project Area is not in an area identified as containing or likely to contain serpentine and ultramafic rock (United States Geological Survey, 2011). Therefore, the discovery of naturally occurring asbestos during construction would be unlikely.

As discussed in Hazardous Waste/Materials, the Project Area has the potential to include structures with ACMs; therefore, a Phase II Site Investigation is recommended.

Odors

Minor sources of odors would be present during construction. The predominant source of power for construction equipment is diesel engines. Exhaust odors from diesel engines, as well as emissions associated with asphalt paving, may be considered offensive to some individuals. However, because odors would be temporary and would disperse rapidly with distance from the source, construction-generated odors would not be expected to result in the frequent exposure of receptors to objectionable odorous emissions.

Lead

Lead (Pb) is normally not an air quality issue for transportation projects unless the project involves disturbance of soils containing high levels of ADL, or painting or modification of structures with lead-based coatings. As discussed in Hazardous Waste/Materials, the Project Area could potentially contain ADL in the soils adjacent to the existing roadway. Upon discovery of ADL through a Phase II SI, contractors would need to apply to Caltrans Standard Special Provisions for ADL.

Mobile Source Air Toxics

During construction, the use of various off-road construction equipment (e.g., front-end loaders, backhoes, dozers, rollers, pavers, paving equipment) would result in pollutant emissions, including DPM, from engine exhaust. However, construction activities would be temporary and would not last for more than five years. Emissions would also be limited to the immediate area surrounding the construction site. The extended idling of heavy-duty diesel-powered equipment would also be prohibited during periods when the equipment is not in use.

Climate Change

Neither the United States Environmental Protection Agency (U.S. EPA) nor the FHWA has issued explicit guidance or methods to conduct project-level greenhouse gas analysis. FHWA emphasizes concepts of resilience and sustainability in highway planning, project development, design, operations, and maintenance. Because there have been requirements set forth in California legislation and executive orders on climate change, the issue is addressed in the California Environmental Quality Act (CEQA) chapter of this document. The

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CEQA analysis may be used to inform the National Environmental Policy Act (NEPA) determination for the project.

Avoidance, Minimization, and/or Mitigation Measures

Construction of the Project would be required to comply with Caltrans' Standard Specifications, Section 14-9 "Air Quality." Caltrans' specifications pertaining to dust control and dust palliative requirements are a required part of construction contracts and should effectively reduce and control emission impacts during construction. These requirements include regular watering of areas disturbed by construction activities. In addition, the State Health and Safety Code requires the contractor to prevent visible dust from leaving the construction site. Most of the construction impacts on air quality are short-term in duration and, therefore, would not result in long-term adverse conditions.

Implementation of the following avoidance and minimization measures, some of which may also be required for other purposes such as storm water pollution control, would reduce any air quality impacts resulting from construction activities:

- AQ-1** Water or dust palliative will be applied to the site and equipment as frequently as necessary to control fugitive dust emissions. Fugitive emissions generally must meet a "no visible dust" criterion either at the point of emission or at the right-of-way line depending on local regulations.
- AQ-2** Soil binder will be spread on any unpaved roads used for construction purposes, and all Project construction parking areas.
- AQ-3** Trucks will be washed off as they leave the right-of-way, as necessary, to control fugitive dust emissions.
- AQ-4** A dust control plan will be developed documenting sprinkling, temporary paving, speed limits, and expedited revegetation of disturbed slopes as needed to minimize construction impacts on existing communities.
- AQ-5** Equipment and materials storage sites will be located as far away from residential and park uses as practical. Keep construction areas clean and orderly.
- AQ-6** Track-out reduction measures, such as gravel pads, will be used at Project access points to minimize dust and mud deposits on roads affected by construction traffic.
- AQ-7** All transported loads of soils and wet materials will be covered prior to transport, or adequate freeboard (space from the top of the material to the top of the truck) will be provided to minimize emission of dust (particulate matter) during transportation.
- AQ-8** Dust and mud that are deposited on paved, public roads due to construction activity and traffic will be promptly and regularly removed to decrease particulate matter.
- AQ-9** Mulch or plant vegetation will be installed as soon as practical after grading to reduce windblown particulates in the area. The contractor will be made aware that certain methods of mulch placement, such as straw blowing, may themselves cause dust and visible emission issues and may need to include controls such as dampened straw.

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AQ-10 Construction equipment and vehicles will be properly tuned and maintained. Low-sulfur fuel will be used in all construction equipment as provided in California Code of Regulations (CCR) Title 17, Section 93114.

AQ-11 Extended idling of diesel equipment will be prohibited, to the extent feasible.

AQ-12 Construction traffic will be routed and scheduled to avoid peak travel times as much as possible, to reduce congestion and related air quality impacts caused by idling vehicles along local roads.

Ventura County Pollution Control District Rules and Regulations

As noted above, Caltrans Standard Specifications, Section 14-9, specifically requires compliance with all applicable laws and regulations related to air quality, which would include applicable VCAPCD rules and regulations. This would include compliance with VCAPCD Regulation IV, Rules 51, 55 and 55.1. VCAPCD Rule 51 requires that air pollutant emissions not be a nuisance off-site. VCAPCD Rule 55 requires that fugitive dust be controlled with the best available control measures in order to reduce dust so that it does not remain visible in the atmosphere beyond the property line of the project. Rule 55 requires that construction activities utilize the applicable best available control measures. Rule 55.1 is specific to roadway construction. The applicable control measures target various construction operations such as earth-moving activities, bulk material handling, demolition activities, and vehicle travel on paved and unpaved surfaces. Rules and regulations most applicable to the Project include, but are not limited to, the following:

- Rule 51 – Nuisance;
- Rule 55 – Fugitive Dust;
- Rule 55.1 – Paved Roads and Public Unpaved Roads; and
- Rule 74.4 – Cutback Asphalt (Ventura County Air Pollution Control District, 2006b).

The Project would implement VCAPCD-recommended measures in accordance with applicable rules and regulations. The applicable measures of Rule 55 suggest methods such as covering stockpiles with tarps, and the application of water to stabilize materials. Rule 55 also prohibits projects from allowing track-outs to extend 25 feet or more in cumulative length from the point of origin from an active operation, unless additional control measures are implemented. All track-outs are required to be removed at the conclusion of each workday or evening shift.

General Conformity Compliance

As previously noted, Ventura County is designated a “serious” nonattainment area for the federal 8-hour O₃ standard. Ventura County is designated “attainment” or “unclassified” for all other federal air quality standards.

Ozone-precursor pollutants (i.e., VOCs and NO_x) associated with construction of the proposed Build Alternatives were quantified for comparison to the federal General Conformity *de minimis* emission levels. Total uncontrolled annual construction emissions of ozone-

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precursor pollutants would not exceed the corresponding General Conformity *de minimis* level of 50 tons/year. As a result, a General Conformity determination for construction emissions is not required. In addition, construction-generated emissions would not exceed 10 percent of Ventura County's emissions inventory for the corresponding criteria pollutants.

Cumulative Impacts

The study area for air quality is the County. The County is a nonattainment area for the federal state O₃ standard, and for the state PM₁₀ and PM_{2.5} standards. For all other criteria pollutants, the County is designated as attainment and/or unclassified (an area that cannot be classified on the basis of available information). The VCAPCD is responsible for improving air quality in the study area. Over the years, the VCAPCD has made positive strides in improving air quality, even with population growth (Ventura County Air Pollution Control District, 2016). Cumulative impacts from present and reasonably foreseeable future projects would not be expected to be substantial because potential impacts would be minimized through compliance with standard regulations required by the VCAPCD. Additionally, the Project has been included in regional plans, *2016-2040 RTP/SCS* and *2017 FTIP*, which were determined to conform with the purpose of the State Air Quality Implementation Plan and the air quality standards by FHWA and FTA.

The Build Alternatives would not result in substantial air quality impacts because the Project is intended to address future traffic and circulation issues forecasted for the Project Area, which would reduce the idling time for vehicles and would not result in substantial emissions that could contribute to existing air quality violations. With implementation of avoidance and minimization measures, Project contributions to cumulative impacts would not be cumulatively considerable.

Noise and Vibration

The following discussion incorporates the results of the Noise Study Report (NSR) prepared for the Project in March 2017 (AMBIENT Air Quality & Noise Consulting, 2017).

The noise levels included in the NSR were prepared based on a construction year of 2018 and opening year of 2020. The construction year has been revised to 2020, and the opening year to 2022. Any difference in noise levels would be minimal between the two-year period. Therefore, the information in the NSR has been used to support conclusions in this section.

Regulatory Setting

NEPA and CEQA provide the broad basis for analyzing and abating highway traffic noise effects. The intent of these laws is to promote the general welfare and to foster a healthy environment. The requirements for noise analysis and consideration of noise abatement and/or mitigation, however, differ between NEPA and CEQA.

National Environmental Policy Act and 23 CFR 772

For highway transportation projects with FHWA (and Caltrans, as assigned) involvement, the Federal-Aid Highway Act of 1970 and the associated implementing regulations (23 CFR 772) govern the analysis and abatement of traffic noise impacts. The regulations require that

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potential noise impacts in areas of frequent human use be identified during the planning and design of a highway project. The regulations include noise abatement criteria (NAC) that are used to determine when a noise impact would occur. The NAC differ depending on the type of land use under analysis. For example, the NAC for residences (67 dBA) is lower than the NAC for commercial areas (72 dBA). **Table 2-24** lists the noise abatement criteria for use in the NEPA 23 CFR 772 analysis. **Figure 2-4** lists the noise levels of common activities to enable readers to compare the actual and predicted highway noise-levels discussed in this section with common activities.

According to Caltrans' Traffic Noise Analysis Protocol for New Highway Construction and Reconstruction Projects, May 2011, there would be a noise impact when the predicted future noise level with the Project substantially exceeds the existing noise level (defined as a 12 dBA or more increase) or when the future noise level with the Project approaches or exceeds the NAC. Approaching the NAC is defined as coming within 1 dBA of the NAC.

If it is determined that the Project would have noise impacts, then potential abatement measures must be considered. Noise abatement measures that are determined to be reasonable and feasible at the time of final design are incorporated into the Project plans and specifications.

Caltrans' Traffic Noise Analysis Protocol sets forth the criteria for determining when an abatement measure is reasonable and feasible. Feasibility of noise abatement is basically an engineering concern. A minimum 7 dBA reduction in the future noise level must be achieved for an abatement measure to be considered feasible. Other considerations include topography, access requirements, other noise sources, and safety considerations. The reasonableness determination is like a cost-benefit analysis. Factors used in determining whether a proposed noise abatement measure is reasonable include: residents' acceptance and the cost per benefited residence.

California Environmental Quality Act

CEQA requires a strictly baseline versus build analysis to assess whether a proposed project will have a noise impact. If a proposed project is determined to have a significant noise impact under CEQA, then CEQA dictates that mitigation measures must be incorporated into the project unless those measures are not feasible. The CEQA noise analysis is included at the end of this Section and in Chapter 3.

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Table 2-24: Noise Abatement Criteria

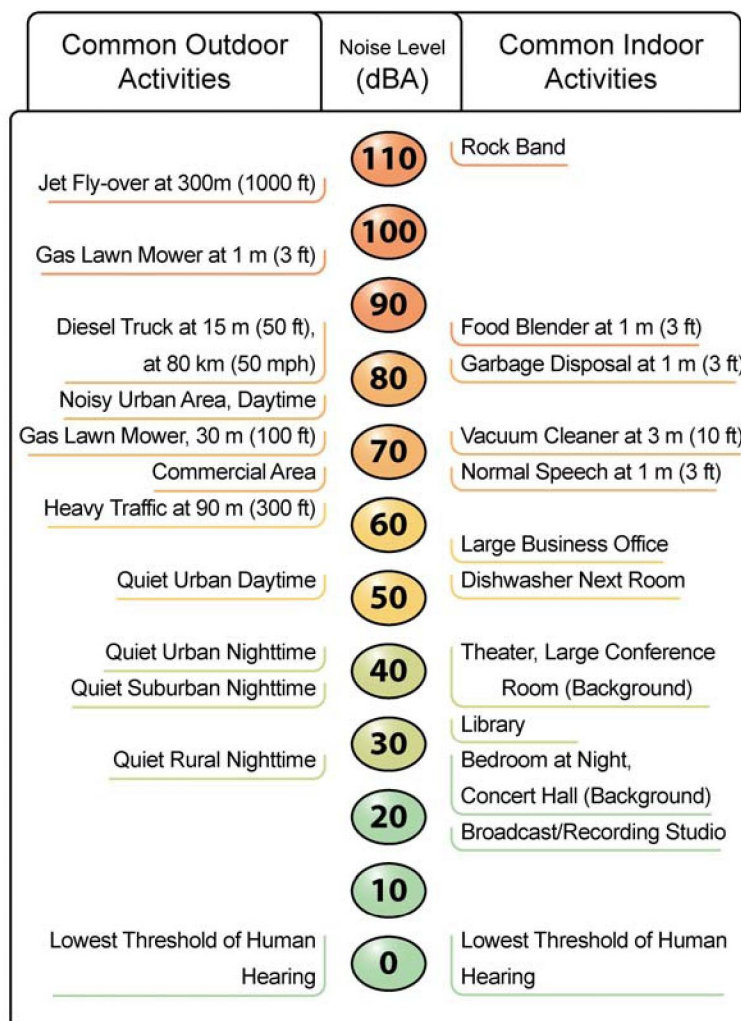
Activity Category	NAC, Hourly A-Weighted Noise Level, $L_{eq}(h)$ ¹	Description of activity category
A	57 (Exterior)	Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.
B ²	67 (Exterior)	Residential.
C ²	67 (Exterior)	Active sport areas, amphitheaters, auditoriums, campgrounds, cemeteries, day care centers, hospitals, libraries, medical facilities, parks, picnic areas, places of worship, playgrounds, public meeting rooms, public or nonprofit institutional structures, radio studios, recording studios, recreation areas, Section 4(f) sites (see Appendix B), schools, television studios, trails, and trail crossings.
D	52 (Interior)	Auditoriums, day care centers, hospitals, libraries, medical facilities, places of worship, public meeting rooms, public or nonprofit institutional structures, radio studios, recording studios, schools, and television studios.
E	72 (Exterior)	Hotels, motels, offices, restaurants/bars, and other developed lands, properties, or activities not included in A–D or F.
F	No NAC – reporting only	Agriculture, airports, bus yards, emergency services, industrial, logging, maintenance facilities, manufacturing, mining, rail yards, retail facilities, shipyards, utilities (water resources, water treatment, electrical, etc.), and warehousing.
G	No NAC – reporting only	Undeveloped lands that are not permitted.

¹ The $L_{eq}(h)$ activity criteria values are for impact determination only and are not design standards for noise abatement measures. All values are A-weighted decibels (dBA)

² Includes undeveloped lands permitted for this activity category.

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Figure 2-4: Noise Levels of Common Activities



Source: Caltrans, 2013b

Federal Railroad Administration

The Federal Railroad Administration (FRA) has not developed guidance for the assessment of noise or vibration impacts associated with conventional rail projects. For the assessment of conventional rail noise and vibration impacts, the FRA recommends use of the impact assessment guidance issued by the Federal Transit Administration (FTA). The FTA *Transit Noise and Vibration Impact Assessment* guidance, as discussed below, is relied on by FRA for the assessment of freight and conventional passenger rail lines, stationary rail facilities, and for horn noise assessment (Federal Railroad Administration, 2012).

Federal Transit Administration

The FTA's guidance manual, *Transit Noise and Vibration Impact Assessment*, May 2006, provides guidance for the analysis of noise and vibration associated with transit-related projects. A project's increase in cumulative noise exposure are assessed based on land use

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categories, as well as, the sensitivity of receptors to transit noise. This guidance is recommended by the FRA for the evaluation of conventional rail noise and vibration impacts.

Receiving land uses are characterized based on noise sensitivity. The FTA's noise criteria for new transit sources are based on average-hourly equivalent (L_{eq}) and average day-night (L_{dn}) noise metrics, depending on the sensitivity of the receiving land use. For Category 1 (e.g., amphitheaters, historic landmarks) and Category 3 (e.g., places of worship, schools, museums, and libraries) land uses the L_{eq} noise metric is used to evaluate noise levels during the facility's highest noise-generating period that occurs during hours of noise sensitivity. The average day-night noise metric is used to characterize noise exposure for Category 2 (e.g., residences, hospitals, and hotels) land uses. The L_{dn} descriptor describes a receptor's cumulative noise exposure from all events over a full 24 hours, with events between 10:00 p.m. and 7:00 a.m. increased by 10 decibels to account for greater nighttime sensitivity to noise.

The FTA's land use categories for noise-sensitive land uses and associated noise metrics to be applied are summarized in **Table 2-25**. The FTA manual also provides guidance for the general assessment of construction noise. To the extent applicable, the guidance recommends the use of local ordinance criteria. In instances where local construction noise criteria is unavailable, the FTA's guidelines identifies criteria that can be considered reasonable for the general assessment of construction-noise impacts. Based on these general assessment criteria, daytime average-hourly noise levels associated with off-road equipment operations exceeding 90 dBA L_{eq} at residential land uses and 100 dBA L_{eq} at commercial and industrial land uses would be considered to have a potential for increased levels of annoyance and adverse community reaction. For residential uses, this average-hourly noise standard is reduced to 80 dBA L_{eq} during the more noise-sensitive nighttime hours. It is important to note that these screening level criteria are intended to reflect the highest construction-generated noise levels anticipated to occur during a one-hour period.

For construction activities that would result in varying activities and associated noise levels the 8-hour average noise criteria can also be applied. The 30-day average noise criteria can also be used for the assessment of noise associated with long-term construction projects. The FTA's recommended noise criteria for construction activities are summarized in **Table 2-26**.

The FTA's noise impact criteria are based on a comparison of existing exterior noise levels and projected future project noise levels that would occur with project implementation. Transit noise impacts are categorized as having "no impact," a "moderate impact," or a "severe impact" (refer to **Figure 2-5**). The "moderate impact" threshold defines areas where the increase in noise is noticeable, but may not be sufficient to cause a strong, adverse community reaction. The "severe impact" threshold defines the noise limits above which increases in existing noise levels would result in a significant percentage of the population being be highly annoyed by new noise (Federal Transit Administration, 2006).

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Table 2-25: FTA Land Use Categories and Noise Metrics

Land use Category	Exterior Noise Metric	Description of Land Use Category
1	$L_{eq}^{(h)}$	Tracts of land where quiet is an essential element in their intended purpose. This category includes lands set aside for serenity and quiet, and such land uses as outdoor amphitheatres and concert pavilions, as well as National Historic Landmarks with significant outdoor use. Also included are recording studios and concert halls.
2	L_{dn}	Residences and buildings where people normally sleep. This category includes homes, hospitals and hotels where a nighttime sensitivity to noise is assumed to be of utmost importance.
3	$L_{eq}^{(h)}$	Institutional land uses with primarily daytime and evening use. This category includes schools, libraries, theaters, and churches where it is important to avoid interference with such activities as speech, meditation and concentration on reading material. Places for meditation or study associated with cemeteries, monuments, museums, campgrounds and recreational facilities can also be considered to be in this category. Certain historical sites and parks are also included.

L_{eq} for the noisiest hour of transit-related activity during hours of noise sensitivity.

L_{eq} =average-hourly equivalent noise level

L_{dn} =average day-night noise level

Source: FTA 2006

Table 2-26: FTA Construction Noise Assessment Criteria

Land Use	Noise Level (dBA)				
	1-Hour Average (L_{eq})		8-Hour Average (L_{eq})		30-Day Average
	Day	Night	Day	Night	75 ^(a)
Residential	90	80	80	70	80 ^(b)
Commercial	100	100	85	85	85 ^(b)
Industrial	100	100	90	90	

a. In urban areas with very high ambient noise levels ($L_{dn} > 65$ dB), L_{dn} from construction operations should not exceed existing ambient plus 10 dB.

b. Based on a 24-hour L_{eq} .

Source: FTA 2006

The proposed project's allowable contribution to the existing noise level is determined based on the overall resultant increase in cumulative noise exposure. Allowable project-generated noise levels and resultant increases in cumulative noise exposure levels decreases as the ambient noise level increases. The rationale for the FTA-recommended criteria is that as ambient noise levels increase, a smaller increase in noise resulting from a project is sufficient to cause significant increases in annoyance.

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FTA's noise impact criteria for evaluation of a project's increase in cumulative noise exposure are identified in **Figure 2-6**. The FTA's criteria for evaluation of cumulative noise exposure is defined by two curves. Below the lower curve, a proposed project is considered to have no noise impact. Project noise above the upper curve is considered to cause severe impact. Increases in noise levels that fall between the two curves would be considered to have a potentially moderate impact, which may be noticeable to most people but may not be sufficient to cause adverse reactions from the community. As previously noted, the FTA transit noise impact assessment guidance is relied on by FRA for the assessment of rail noise levels, including changes in train horn noise.

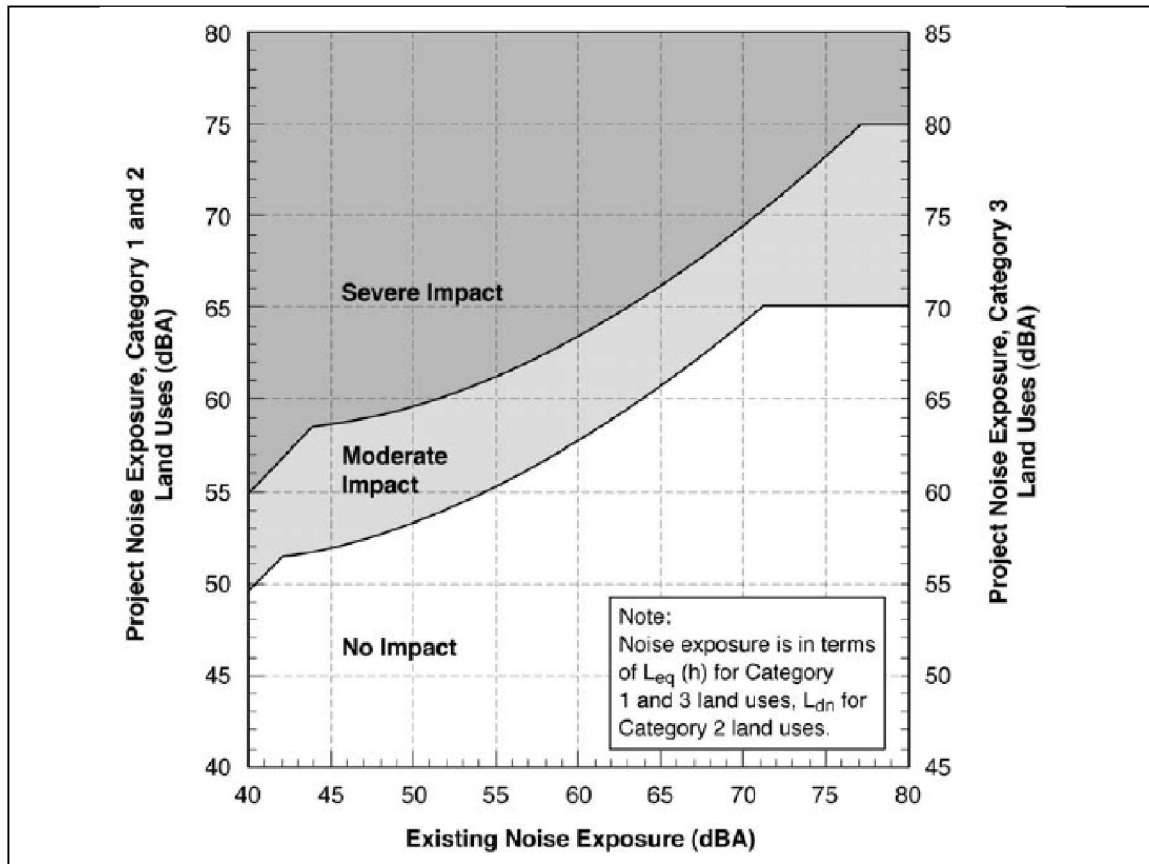
The FTA manual also provides guidance for the general assessment of construction noise. To the extent applicable, the guidance recommends the use of local ordinance criteria. In instances where local construction noise criteria is unavailable, the FTA's guidelines identifies criteria that can be considered reasonable for the general assessment of construction-noise impacts. Based on these general assessment criteria, daytime average-hourly noise levels associated with off-road equipment operations exceeding 90 dBA L_{eq} at residential land uses and 100 dBA L_{eq} at commercial and industrial land uses would be considered to have a potential for increased levels of annoyance and adverse community reaction. For residential uses, this average-hourly noise standard is reduced to 80 dBA L_{eq} during the more noise-sensitive nighttime hours. It is important to note that these screening level criteria are intended to reflect the highest construction-generated noise levels anticipated to occur during a one-hour period. For construction activities that would result in varying activities and associated noise levels the 8-hour average noise criteria can also be applied. The 30-day average noise criteria can also be used for the assessment of noise associated with long-term construction projects. The FTA's recommended noise criteria for construction activities are summarized in **Table 2-26** (FTA 2006).

Ventura County General Plan

The Ventura County Board of Supervisors adopted a Noise Ordinance intended to protect residential communities from loud or raucous nighttime noise. No person shall create within any residential zone of the County of Ventura any loud or raucous noise which is audible to the human ear during the hours of 9 p.m. to 7 a.m. of the following day, at a distance of 50 feet from the property line of the noise source or 50 feet from any such noise source if the noise source is in a public ROW per Section 6299-1 of the County of Ventura Ordinance No. 4494, passed July 26, 2016.

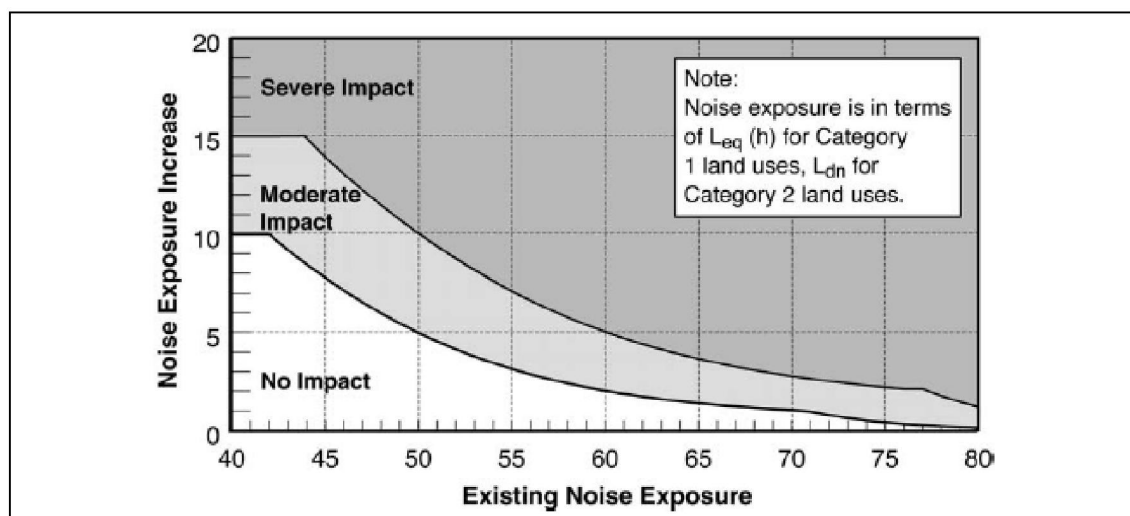
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Figure 2-5: Noise Exposure Criteria for Category 1 & 2 Land Uses



Source: FTA 2006

Figure 2-6: Allowable Increase in Cumulative Noise Exposure for Category 1 & 2 Land Uses



Source: FTA 2006

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Affected Environment

Land Uses and Noise-Sensitive Receptors

A field investigation was conducted to identify land uses that could be subject to traffic and construction noise impacts from the Project. The following land uses were identified in the Project Area:

- Commercial retail, agriculture, racing, and light industrial uses (Activity Category F); and
- General Offices (Activity Category E).

Although all developed land uses are evaluated in this analysis, noise abatement is only considered for areas of frequent human use that would benefit from a lowered noise level. Accordingly, this impact analysis focuses on locations with defined noise-sensitive outdoor activity areas. Examples of outdoor activity areas include residential backyards and common use areas at multi-family residences.

The Project Area is generally flat, and existing developed land uses are located at elevations that are roughly equivalent to the adjacent roadways. No outdoor areas of frequent human use or undeveloped lands that are currently permitted for future development have been identified in the Project Area. Existing land uses are identified in **Figure 2-1**.

Land uses located within the northwestern quadrant of the Rice Avenue/SR-34 (Fifth Street) intersection consist of a mix of light industrial and office uses. These land uses are identified as Receivers R1 through R11 in **Figure 2-7**.

Land uses located within the northeastern quadrant of the Rice Avenue/SR-34 (Fifth Street) intersection consist of a mix of undeveloped land and light industrial uses. An outdoor kart racing track is also located within this area. The industrial uses and the outdoor kart racing track are represented by R12 in **Figure 2-7**. Agricultural uses are located south of SR-34, which is represented by R13 in **Figure 2-7**. As noted in **Table 2-24**, office land uses are considered Activity Category E uses. All other land uses in the Project Area are considered Activity Category F uses, and are not sensitive to noise.

Existing Noise Sources

Existing noise sources in the Project Area include traffic noise from vehicles traveling along the highway, as well as other natural noise sources including an outdoor kart racing track and rail noise from the railroad in the Project Area.

Environmental Consequences

Alternative 1: No Build Alternative

Implementation of the No Build Alternative would not require construction or result in changes to existing conditions; therefore, there would be no impacts.

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Alternatives 2A and 2B

The Project is categorized as a Type I project, as defined in 23 CFR 772, because it is a Federal-aid highway project and includes the addition or relocation of traffic lanes. As required by FHWA, Type I projects must include reasonable and feasible noise abatement measures if traffic noise impacts would result from the proposed improvements.

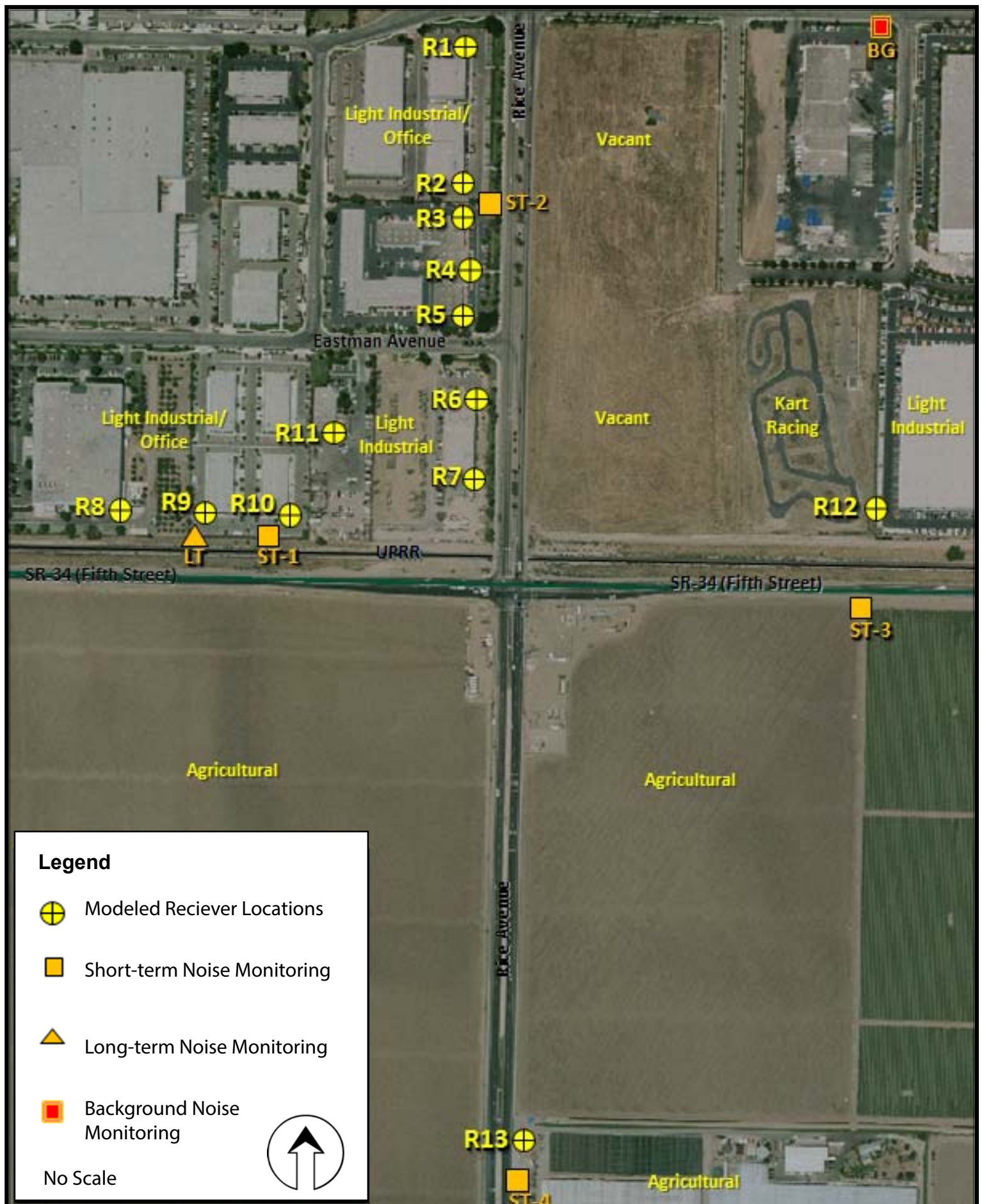
During construction of the Project, noise from construction activities may intermittently dominate the noise environment in the immediate area of construction. Representative noise levels produced by construction equipment are summarized in **Table 2-27**. As depicted, construction equipment can generate intermittent noise levels ranging from 77 to 90 dBA Lmax at a distance of 50 feet. At this same distance, average-hourly equipment noise levels range from approximately 73 to 82 dBA Leq. Noise produced by construction equipment typically decreases at a rate of approximately 6 dB per doubling of distance from the source. For instance, based on the estimated average-hourly noise levels identified above, construction-generated noise levels would range from approximately 67 to 76 dBA Leq at 100 feet, and from approximately 61 to 70 dBA Leq at 200 feet.

Construction equipment noise levels would vary depending on various factors, such as the activities conducted and the type and number of pieces of equipment operating. Construction activities would also result in slight increases in vehicle traffic along area roadways. It is also important to note that the City of Oxnard Noise Control Ordinance (Article XI, Sound Regulation) identifies noise level standards for non-transportation noise sources. The noise level standards vary depending on the type of the receiving land use and the period of exposure. For industrial land uses, daytime and nighttime exterior noise levels are limited to an average-hourly noise level of 70 dBA and a maximum instantaneous noise level of 90 dBA (City of Oxnard, 2015a). Construction-related activities that occur between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday, and between the hours of 9:00 a.m. and 8:00 p.m. on Sundays, are exempt from the City's noise ordinance requirements. All construction would take place during the time allotted by the City.

In addition, noise associated with construction would comply with the Caltrans Standard Specification Section 14-8.02, "Noise Control," which states the following:

- Do not exceed 86 dBA Lmax at 50 feet from the job site activities from 9 p.m. to 6 a.m.; and
- Equip an internal combustion engine with the manufacturer-recommended muffler. Do not operate an internal combustion engine on the job site without the appropriate muffler.

With implementation of the Build Alternatives, predicted noise levels at land uses in the Project Area would not exceed applicable NAC, nor would the Build Alternatives result in a substantial increase in traffic noise levels in comparison to existing conditions. Data are shown in **Table 2-28** and **Table 2-29**.



**FIGURE 2-7: NOISE MONITORING LOCATIONS
Rice Avenue Grade Separation**

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Table 2-27: Construction Equipment Noise

Equipment	Noise Level (dBA at 50 feet)	
	L_{max}	L_{eq}
Bulldozers	82	78
Concrete Truck	79	75
Dump Trucks	77	73
Backhoe	78	74
Pneumatic Tools	85	82
Concrete Pump	81	78
Loader	79	75
Roller	80	73
Compressors	78	74
Crane	81	73
Paver	77	74
Hoe Ram	90	80
Excavators	81	77
Grader	85	81
Scrapers	84	80

Source: Federal Highway Administration 2006

dBA = A-weighted decibels; L_{max} = maximum sound level; L_{eq} = equivalent sound level

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Table 2-28: Predicted Traffic Noise Levels at Modeled Receiver Locations – Build Alternative 2A

Receptor I.D.	Land Use	Number of Dwelling Units	Address	Existing Noise Level $L_{eq}(h)$, dBA	Design Year Noise Level without Project $L_{eq}(h)$, dBA	Design Year Noise Level with Project $L_{eq}(h)$, dBA	Design Year Noise Level without Project minus Existing Conditions $L_{eq}(h)$, dBA	Design Year Noise Level with Project Minus No Project Conditions $L_{eq}(h)$, dBA	Activity Category (NAC)	Impact Type
R1	Light Industrial/ Office	0	101 Rice Avenue	62	65	69	3	4	E/72	None
R2	Light Industrial/ Office	0	121 Rice Avenue	62	65	69	3	4	E/72	None
R3	Light Industrial/ Office	0	2401 Eastman Avenue	62	65	68	3	3	E/72	None
R4	Light Industrial/ Office	0	2401 Eastman Avenue	63	66	66	3	0	E/72	None
R5	Light Industrial/ Office	0	2401 Eastman Avenue	62	65	65	3	0	E/72	None
R6	Light Industrial	0	2450 Eastman Avenue	66	69	65	3	-4	F/None	None
R7	Light Industrial	0	2450 Eastman Avenue	66	69	65	3	-4	F/None	None

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R8	Light Industrial/ Office	0	2340 Eastman Avenue	56	58	58	2	0	E/72	None
R9	Light Industrial/ Office	0	2350 Eastman Avenue	57	59	60	2	1	E/72	None
R10	Light Industrial/ Office	0	2350 Eastman Avenue	57	59	61	2	2	E/72	None
R11	Light Industrial	0	2400 Eastman Avenue	53	56	59	3	3	F/None	None
R12	Light Industrial	0	2700 Challenger Place	56	58	58	2	0	F/None	None
R13	Agriculture	0	1070 Rice Avenue	71	74	74	3	0	F/None	None

All NAC are exterior unless noted.

Impact Types:

None=No Impact

A/E= Future noise conditions approach or exceed the Noise Abatement Criteria

SI=Substantial Increase

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Table 2-29: Predicted Traffic Noise Levels at Modeled Receiver Locations - Build Alternative 2B

Receptor I.D.	Land Use	Number of Dwelling Units	Address	Existing Noise Level $L_{eq}(h)$, dBA	Design Year Noise Level without Project $L_{eq}(h)$, dBA	Design Year Noise Level with Project $L_{eq}(h)$, dBA	Design Year Noise Level without Project minus Existing Conditions $L_{eq}(h)$, dBA	Design Year Noise Level with Project Minus No Project Conditions $L_{eq}(h)$, dBA	Activity Category (NAC)	Impact Type
R1	Light Industrial/ Office	0	101 Rice Avenue	62	65	69	3	4	E/72	None
R2	Light Industrial/ Office	0	121 Rice Avenue	62	65	69	3	4	E/72	None
R3	Light Industrial/ Office	0	2401 Eastman Avenue	62	65	68	3	3	E/72	None
R4	Light Industrial/ Office	0	2401 Eastman Avenue	63	66	66	3	0	E/72	None
R5	Light Industrial/ Office	0	2401 Eastman Avenue	62	65	65	3	0	E/72	None
R6	Light Industrial	0	2450 Eastman Avenue	66	69	65	3	-4	F/None	None
R7	Light Industrial	0	2450 Eastman Avenue	66	69	65	3	-4	F/None	None

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R8	Light Industrial/ Office	0	2340 Eastman Avenue	56	58	58	2	0	E/72	None
R9	Light Industrial/ Office	0	2350 Eastman Avenue	57	59	60	2	1	E/72	None
R10	Light Industrial/ Office	0	2350 Eastman Avenue	57	59	61	2	2	E/72	None
R11	Light Industrial	0	2400 Eastman Avenue	53	56	59	3	3	F/None	None
R12	Light Industrial	0	2700 Challenger Place	56	58	58	2	0	F/None	None
R13	Agriculture	0	1070 Rice Avenue	71	74	74	3	0	F/None	None

All NAC are exterior unless noted.

Impact Types:

None=No Impact

A/E= Future noise conditions approach or exceed the Noise Abatement Criteria

SI=Substantial Increase

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Additionally, the grade separation would result in reductions in the sounding of train horns on approach to the grade crossing and crossing warning bells. The Project would comply with City and Caltrans noise standards that would reduce noise and groundborne vibration annoyance to residents. Therefore, the Project would not result in substantial noise impacts. Accordingly, evaluation of noise abatement is not required.

Avoidance, Minimization, and/or Abatement Measures

No adverse noise impacts from construction are anticipated because construction would be conducted in accordance with Caltrans Standard Specifications Section 14.8-02 and in accordance with local noise ordinance requirements. Construction noise would be short-term, intermittent, and largely overshadowed by existing traffic noise.

Cumulative Impacts

Vehicle traffic is the greatest source of noise in the Project Area. Other sources include an outdoor kart racing track and rail noise from a railroad. Land uses in the Project Area include a mix of industrial uses located north of E. Fifth Avenue and agricultural land uses located south of SR-34 (Fifth Street). Land uses located north of the Project Area are zoned Limited Manufacturing, Light Manufacturing, and Light Manufacturing Planned Development (City of Oxnard, 2016b). Although future increases in traffic are expected due to population growth, the City's General Plan indicates a commitment to "protect classes of land use from excessive sound because the city council has determined that such excessive sound is detrimental to the public health" (City of Oxnard, 2011a). The policies and actions in the City's General Plan aim to reduce the exposure of people in the City to these noise sources. Present and reasonably foreseeable future projects would be required to comply with the City's policies, which would substantially minimize potential cumulative impacts. With compliance with Caltrans Standard Specifications and local noise ordinances, the Build Alternatives would be expected to have no effect on noise and vibration; therefore, Project contributions to cumulative impacts would not be cumulatively considerable.

2.5 Biological Environment

Animal Species

This discussion incorporates the results of the Natural Environment Study (Minimal Impacts) (NES(MI)) conducted for the Project (GPA Consulting, 2016a).

Regulatory Setting

Many state and federal laws regulate impacts on wildlife, which are regulated by the USFWS, the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries Service), the California Department of Fish and Wildlife (CDFW), and other federal, state, and local agencies. This section discusses potential impacts and permit requirements associated with animals not listed or proposed for listing under the federal or state Endangered Species Act. Species listed or proposed for listing as threatened or endangered are discussed in Section 2.1, Environmental Issues Excluded from Discussion. All other special-status animal species are discussed here, including CDFW fully protected

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species and species of special concern, and USFWS or NOAA Fisheries Service candidate species.

Federal laws and regulations relevant to wildlife include the following (described in further detail below):

- NEPA
- Migratory Bird Treaty Act
- Fish and Wildlife Coordination Act

State laws and regulations relevant to wildlife include the following (described in further detail below):

- CEQA
- Sections 1600 – 1603 of the California Fish and Game Code
- Sections 4150 and 4152 of the California Fish and Game Code

NEPA

NEPA (42 USC Part 4332) requires the identification of all potentially significant impacts on the environment, including impacts on wildlife.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) (50 CFR Part 10 and Part 21) protects migratory birds, their occupied nests, and their eggs from disturbance or destruction. “Migratory birds” include all nongame, wild birds found in the U.S. except for the house sparrow (*Passer domesticus*), European starling (*Sturnus vulgaris*), and rock dove (*Columba livia*).

Fish and Wildlife Coordination Act

The Fish and Wildlife Coordination Act (FWCA), as amended in 1964, was enacted to protect fish and wildlife when federal actions result in the control or modification of a natural stream or body of water. The FWCA requires federal agencies to consider the effect that water-related projects would have on fish and wildlife resources, take action to prevent loss or damage to these resources, and provide for the development and improvement of these resources.

California Fish and Game Code

Section 1602 of the California Fish and Game Code governs construction activities that substantially divert or obstruct natural stream flow or substantially change the bed, channel, or bank of any river, stream, or lake under the jurisdiction of CDFW. Sections 3503, 3513, and 3800 of the California Fish and Game Code prohibit the take of birds protected under the MBTA, and protects their occupied nests. Section 4150 of the California Fish and Game Code prohibits the take or possession of nongame mammals, except as provided by the code. Nongame mammals are mammals occurring natural in California that are not a game mammal, fully protected mammal, or a fur-bearing mammal.

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Affected Environment

The biological study area (BSA) is in an industrial and agricultural area in Oxnard; and is surrounded by light industrial land uses in the northeast and northwest quadrants of the intersection, and agricultural land uses in the southeast and southwest quadrants. The BSA includes developed roadways, road shoulders, the UPRR ROW, an undeveloped parcel northeast of the intersection, and agricultural land to the southwest and southeast of the intersection.

Vegetation within the BSA consists of ruderal weedy species along the road shoulders and adjacent to the railroad tracks, non-native grasses and forbs within the undeveloped parcel of land, landscaped ornamental trees and vegetation adjacent to the industrial buildings along Rice Avenue, and agricultural crops south of SR-34 (Fifth Street). Multiple small mammal burrows, approximately one to two inches in diameter, were observed along the road edge north of SR-34 (Fifth Street) and within the undeveloped parcel of land northeast of the Rice Avenue/SR-34 (Fifth Street) intersection.

According to the CNDDDB and the USFWS searches, 46 special-status wildlife species have the potential to be in the BSA based on recorded geographical distribution. A pair of savannah sparrows was observed foraging in the BSA. There is a possibility that the sparrows observed were Belding's savannah sparrows (*Passerculus sandwichensis beldingi*); however, they were not positively identified to sub species.

A California horned lark (*Eremophila alpestris actia*), a Watch List species, was observed foraging along the road edge north of SR-34 (Fifth Street), adjacent to the undeveloped parcel. There are patches of bare ground within the undeveloped parcel; therefore, there is potential for this species and other migratory birds to nest and forage in the BSA.

There is foraging habitat for the white-tailed kite (*Elanus leucurus*) and the California horned lark within the agricultural areas; however, there is no nesting habitat for these species within the BSA. There is no suitable habitat for other special-status species (reptiles, invertebrates, mammals) within the BSA, and these species are not expected to be within the BSA.

Environmental Consequences

Alternative 1: No Build Alternative

Implementation of the No Build Alternative would not require construction or result in changes to existing conditions; therefore, there would be no impacts.

Alternatives 2A and 2B

There is the potential for migratory birds to be in the BSA and in the construction area during construction. Nesting birds could be directly impacted by construction activities if they were to be nesting in trees or vegetation within the construction area. Noise, vibration, dust, and human activity could result in indirect impacts on migratory birds if they were to be nesting within 300 feet of the construction area during construction; or on raptors if they were to be nesting within 500 feet of construction. Construction activities could disturb birds and raptors to the extent that they abandon their nests, or the eggs or fledglings could fail to survive. In

Chapter 2 Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures

addition, these species could be indirectly impacted by loss of habitat resulting from tree or vegetation removal.

If construction is scheduled during the bird nesting season, minimization measures would be implemented to minimize potential impacts. Therefore, the Project would not result in adverse impacts on animal species in the Project Area.

Avoidance, Minimization, and/or Mitigation Measures

If construction is scheduled to begin during bird nesting season (typically February 15 to September 15), the following minimization measures would be implemented:

- B-1** Construction in areas with trees or vegetation that may provide nesting habitat for birds and raptors would be reduced to the maximum extent feasible.
- B-2** Trimming and removal of vegetation and trees would be minimized and performed outside of the nesting season (typically February 15 to September 15) to the extent feasible.
- B-3** In the event that trimming or removal of vegetation and trees must be conducted during the nesting season, nesting bird surveys would be completed by a qualified biologist no more than 48 hours prior to trimming or clearing activities to determine if nesting birds are within the affected vegetation. Nesting bird surveys would be repeated if trimming or removal activities are suspended for five days or more.
- B-4** In the event construction is scheduled during bird nesting season, nesting bird surveys would be completed no more than 48 hours prior to construction to determine if nesting birds, raptors, or active nests are in or within 500 feet of the construction area. Surveys would be repeated if construction activities are suspended for five days or more.
- B-5** In the event nesting birds or raptors are found within 500 feet of the construction area, appropriate buffers (typically up to 300 feet for songbirds and up to 500 feet for raptors) would be implemented, in coordination with the CDFW, to ensure that nesting birds and active nests are not harmed. Buffers would include fencing or other barriers around the nests to prevent any access to these areas and would remain in place until birds have fledged and/or the nest is no longer active, as determined through coordination with the CDFW.

Cumulative Impacts

The cumulative setting is considered nesting habitat within the City and County. Habitat removal from current and future development in the area is the biggest threat to wildlife. Birds are also impacted by collisions with human structures and equipment, poisoning by pesticides and contaminants, predation by cats and other animals, and disease. Past projects within the cumulative setting have resulted in the removal and degradation of habitat. However, with implementation of avoidance and minimization measures, Project contributions to cumulative impacts would not be cumulatively considerable.

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The Project is subject to federal, as well as City of Oxnard and state environmental review requirements because Oxnard was awarded federal funds from the FHWA and FRA for the Project. Project documentation, therefore, has been prepared in compliance with both CEQA and NEPA. Caltrans is the project proponent and Caltrans is the lead agency under CEQA and NEPA. FHWA's responsibility for environmental review, consultation, and any other actions required by applicable Federal environmental laws for this Project are being, or have been, carried out by Caltrans pursuant to 23 United States Code Section 327 (23 USC 327) and the MOU dated December 23, 2016 and executed by FHWA and Caltrans. With NEPA Assignment, FHWA assigned and Caltrans assumed all of the United States Department of Transportation (USDOT) Secretary's responsibilities under NEPA. This assignment includes projects on the State Highway System and Local Assistance Projects off of the State Highway System within the State of California, except for certain categorical exclusions that FHWA assigned to Caltrans under the 23 USC 326 CE Assignment MOU, projects excluded by definition, and specific project exclusions.

One of the primary differences between NEPA and CEQA is the way significance is determined. Under NEPA, significance is used to determine whether an EIS, or a lesser class of action documentation, will be required. NEPA requires that an EIS be prepared when the proposed federal action (Project) as a whole has the potential to "significantly affect the quality of the human environment." The determination of significance is based on context and intensity. Some impacts determined to be significant under CEQA may not be of sufficient magnitude to be determined significant under NEPA. Under NEPA, once a decision is made regarding the need for an EIS, it is the magnitude of the impact that is evaluated and no judgment of its individual significance is deemed important for the text. NEPA does not require that a determination of significant impacts be stated in the environmental documents.

CEQA, on the other hand, does require Caltrans to identify each "significant effect on the environment" resulting from the Project and ways to mitigate each significant effect. If the Project may have a significant effect on any environmental resource, then an EIR must be prepared. Each and every significant effect on the environment must be disclosed in the EIR and mitigated if feasible. In addition, the CEQA Guidelines list a number of "mandatory findings of significance," which also require the preparation of an EIR. There are no types of actions under NEPA that parallel the findings of mandatory significance of CEQA. This chapter discusses the effects of this Project and CEQA significance.

3.1 Mitigation Measures for Significant Impacts under CEQA

Avoidance, minimization, and mitigation measures were previously identified in Chapter 2 of this document. Under the proposed measures, the Project would comply with applicable CEQA requirements. A full list of measures is available in the Environmental Commitment Records listing in **Appendix G**.

3.2 CEQA Environmental Checklist

This checklist identifies physical, biological, social, and economic factors that might be affected by the proposed Project. In many cases, background studies performed in connection

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with the projects will indicate that there are no impacts to a particular resource. A NO IMPACT answer in the last column reflects this determination. The words "significant" and "significance" used throughout the following checklist are related to CEQA, not NEPA, impacts. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

Project features, which can include both design elements of the Project, and standardized measures that are applied to all or most Caltrans projects such as Best Management Practices (BMPs) and measures included in the Standard Plans and Specifications or as Standard Special Provisions, are considered to be an integral part of the Project and have been considered prior to any significance determinations documented below; see Chapters 1 and 2 for a detailed discussion of these features. The annotations to this checklist are summaries of information contained in Chapter 2 in order to provide the reader with the rationale for significance determinations; for a more detailed discussion of the nature and extent of impacts, please see Chapter 2. This checklist incorporates by reference the information contained in Chapters 1 and 2.

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Aesthetics

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

- a. No Impact. There are no visual/aesthetic resources and no scenic vistas within the boundaries of the Project Area.
- b. No Impact. There are no designated or eligible scenic highways within or adjacent to the Project Area.
- c. Less than Significant Impact. The Project Area consists of transportation infrastructure (i.e., a roadway and railroad) and agricultural and industrial land uses. The Project would be consistent with existing scenery of the Project Area, and not result in highly noticeable visual changes. During construction, the Project could result in temporary degradation to visual character of the site and its surroundings. Once construction is completed, the Project Area would be restored to existing quality or better.
- d. No Impact. The Project would not result in an increase of light or glare sources in the Project Area, as the Project would not directly expand roadway or railroad capacity.

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Agriculture and Forest Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				
Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☒	☐	☐	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☒	☐	☐	☐

Please refer to discussion provided in Section 2.3.

- a) Significant and Unavoidable. In 2011, Ventura County published guidelines for assessing the significance of impacts on farmlands under CEQA (County of Ventura, 2011). The guidelines specify that any project that would result in the direct or indirect loss of five acres of Prime Farmland, 10 acres of Unique Farmland, or 15 acres of Farmland of Statewide Importance is considered a significant impact (see **Table 3-1**).

As discussed in Farmland section in Chapter 2, the Project would result in impacts to existing farmland. The Project would require land acquisition from existing farmland in the Project Area of Statewide Importance and designated Prime Farmland. Specifically, Build Alternative 2A would result in 7.63 acres of Prime Farmland and

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17.89 acres of Farmland of Statewide Importance to be converted into transportation facility; and Build Alternative 2B would result in conversion of 2.49 acres of Prime Farmland and 13.46 Acres of Farmland of Statewide Importance to be converted into transportation facility. Therefore, Alternative 2A would result in a significant impact and Alternative 2B would result in a less than significant impact on farmland according to Ventura County farmland impact thresholds. There are no feasible mitigation measures that could reduce the impact on existing farmland in the Project Area to less than significant.

Important farmland that is used for the temporary detour road and relocation of the water line under Alternatives 2A and 2B would be restored to existing conditions following construction. Restored land would continue to be available for agricultural use following Project construction. Therefore, the Project would result in less than significant temporary impacts on important farmland.

Table 3-1: Ventura County Significance Criteria for Agriculture Impacts

Farmland Classification	Permanent Farmland Impact (Acres) Build Alt 2A/Alt 2B	Ventura County Threshold of Significance Criteria (Acres)
Prime	7.63/ 2.49	5
Unique	0/ 0	10
Statewide Importance	17.89/ 13.46	15

Source: County of Ventura, 2011

- b) No Impact. As previously noted in Chapter 2, there are no Williamson Act contract lands in the Project Area.
- c) No Impact. Additionally, the Project would not conflict with existing zoning or result in any rezoning requirements.
- d) No Impact. There are no forest lands in the area that could be impacted by the Project.
- e) Significant and Unavoidable Impact. See Response 3.2.2 a).

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Air Quality

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.				
Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☒	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☒	☐	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

Please refer discussion provided in Section 2.4.

a, b, c) Less than Significant Impact with Mitigation Incorporation. Project construction could result in temporary impacts on local air quality, as discussed in Section 2.4. The following mitigation measures would be implemented to reduce air quality impacts to less than significant.

- AQ-1** Water or dust palliative will be applied to the site and equipment as frequently as necessary to control fugitive dust emissions. Fugitive emissions generally must meet a “no visible dust” criterion either at the point of emission or at the right-of-way line depending on local regulations.
- AQ-2** Soil binder will be spread on any unpaved roads used for construction purposes, and all Project construction parking areas.
- AQ-3** Trucks will be washed off as they leave the right-of-way, as necessary, to control fugitive dust emissions.
- AQ-4** A dust control plan will be developed documenting sprinkling, temporary paving, speed limits, and expedited revegetation of disturbed slopes as needed to minimize construction impacts on existing communities.

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- AQ-5** Equipment and materials storage sites will be located as far away from residential and park uses as practical. Keep construction areas clean and orderly.
- AQ-6** Track-out reduction measures, such as gravel pads, will be used at Project access points to minimize dust and mud deposits on roads affected by construction traffic.
- AQ-7** All transported loads of soils and wet materials will be covered prior to transport, or adequate freeboard (space from the top of the material to the top of the truck) will be provided to minimize emission of dust (particulate matter) during transportation.
- AQ-8** Dust and mud that are deposited on paved, public roads due to construction activity and traffic will be promptly and regularly removed to decrease particulate matter.
- AQ-9** Mulch or plant vegetation will be installed as soon as practical after grading to reduce windblown particulates in the area. The contractor will be made aware that certain methods of mulch placement, such as straw blowing, may themselves cause dust and visible emission issues and may need to include controls such as dampened straw.
- AQ-10** Construction equipment and vehicles will be properly tuned and maintained. Low-sulfur fuel will be used in all construction equipment as provided in California Code of Regulations (CCR) Title 17, Section 93114.
- AQ-11** Extended idling of diesel equipment will be prohibited, to the extent feasible.
- AQ-12** Construction traffic will be routed and scheduled to avoid peak travel times as much as possible, to reduce congestion and related air quality impacts caused by idling vehicles along local roads.

- d) No Impact. As discussed in Section 2.4, no sensitive receptors were identified in the study area, and therefore, the Project would not result in impacts.
- e) Less than Significant Impact. During Project construction, odors could be released. However, construction in the Project Area would be temporary and odor sources would be removed following Project completion.

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Biological Resources

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Please refer to Section 2.5 for discussion on Animal Species in, and Section 2.1 for additional discussion on remaining resources excluded from discussion.

- a. Less than Significant Impact. There is the potential for migratory birds to be in the BSA and in the construction area during construction. Nesting birds could be directly impacted by construction activities if they were to be nesting in trees or vegetation within the construction area (see Section 2.5). With implementation of the following avoidance and minimization measures, the Project would result in a less than significant impact on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

- B-1** Construction in areas with trees or vegetation that may provide nesting habitat for birds and raptors would be reduced to the maximum extent feasible.
- B-2** Trimming and removal of vegetation and trees would be minimized and performed outside of the nesting season (typically February 15 to September 15) to the extent feasible.
- B-3** In the event that trimming or removal of vegetation and trees must be conducted during the nesting season, nesting bird surveys would be completed by a qualified biologist no more than 48 hours prior to trimming or clearing activities to determine if nesting birds are within the affected vegetation. Nesting bird surveys would be repeated if trimming or removal activities are suspended for five days or more.
- B-4** In the event construction is scheduled during bird nesting season, nesting bird surveys would be completed no more than 48 hours prior to construction to determine if nesting birds, raptors, or active nests are in or within 500 feet of the construction area. Surveys would be repeated if construction activities are suspended for five days or more.
- B-5** In the event nesting birds or raptors are found within 500 feet of the construction area, appropriate buffers (typically up to 300 feet for songbirds and up to 500 feet for raptors) would be implemented, in coordination with the CDFW, to ensure that nesting birds and active nests are not harmed. Buffers would include fencing or other barriers around the nests to prevent any access to these areas and would remain in place until birds have fledged and/or the nest is no longer active, as determined through coordination with the CDFW.

- b. No Impact.
- c. No Impact.
- d. No Impact.
- e. No Impact.
- f. No Impact.

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Cultural Resources

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

Please refer to Section 2.3 for discussion on Cultural Resources.

- a. Less Than Significant Impact. A railroad segment within the study area is part of the Montalvo Cutoff. The segment itself was not identified as individually eligible for listing in the NRHP, however, the larger Montalvo Cutoff was identified as locally significant. However, because the Project includes construction of a grade separation over the railroad, this resource would be avoided, and no direct or indirect impacts on the historic integrity of this property would result from the Project.
- b. Less Than Significant with Mitigation Incorporated. Due to previous findings near the Project Area, an XPI was conducted to determine if a subsurface deposit is present. While no resources were identified, the Project Area is considered a highly sensitive area for cultural resources. The following mitigation measures will be implemented during construction of the Project to reduce significant impacts on cultural archeological resources.

C-1 If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find.

C-2 If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall stop in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to CA PRC Section 5097.98, if the remains are thought to be Native American, the coroner will notify the NAHC, which will then notify the Most Likely Descendent (MLD). At this time, the person who discovered the remains would contact Garrett Damrath, Office Chief of Environmental Planning, so that they may work with the MLD on the

respectful treatment and disposition of the remains. Further provisions of CA PRC 5097.98 are to be followed as applicable.

- C-3** Two prehistoric archaeological sites within the APE are assumed eligible for the NRHP and CRHR for this Project only, as allowed by Stipulation VIII.C.4. of the Section 106 PA and Environmentally Sensitive Areas (ESAs) will be established and enforced for these sites. In addition, an ESA Action Plan has been prepared for these sites. All sites have been described in the ASR, XPI/PHII, Finding of No Adverse Effect without Standard Conditions, and the ESA Action Plan completed for the project.
- C-4** ESA fences shall be clearly described and illustrated in the Plans, Specifications, and Estimates (PS&E) prepared to guide construction of the undertaking.
- C-5** ESA fences shall be clearly described in the Environmental Commitment Record (ECR) prepared to guide construction of the undertaking.
- C-6** The City's Resident Engineer shall notify the all Responsible Parties two weeks prior to the pre-construction meeting.
- C-7** At the pre-construction meeting the Consultant Archaeologist shall provide ESA Awareness Training to the Contractor and the construction crew, including subcontractors, to make them aware of the ESA and the commitments that the City and Caltrans have made to protect the ESAs. It will be stressed that no storing or staging of equipment or materials shall occur within each ESA and that workers must remain outside of the ESAs at all times except during construction specifically occurring within the ESA with the archaeological and Native American monitor present. Construction personnel will be informed that any ground disturbance within the ESA shall only be done while an archaeologist is on-site to monitor. Additionally, construction personnel will be informed of historic preservation laws that protect archaeological sites against any disturbance or removal of artifacts.
- C-8** The City's Resident Engineer shall notify the Consultant Archaeologist, Caltrans Environmental Construction Liaison, and Caltrans PQS Archaeologist at least three weeks in advance of construction.
- C-9** The Consultant Archaeologist shall mark field locations for ESA fencing.
- C-10** The Contractor shall install temporary fencing around the ESA at least one calendar week prior to initiating work in that area. The Consultant Archaeologist shall be present to supervise and monitor fence installation.
- C-11** The City's Resident Engineer shall notify Caltrans Environmental Construction Liaison, Caltrans PQS Archaeologist, and the Consultant Archaeologist when construction begins.
- C-12** The Consultant Archaeologist shall inspect the ESA location weekly (more if necessary) to ensure that the ESA is not being violated. The Consultant

Archaeologist shall contact the Caltrans PQS Archaeologist weekly (or as appropriate based on the construction tasks).

- C-13** Caltrans shall require the Contractor (construction personnel) to immediately notify the City's Resident Engineer and the Consultant Archaeologist if the ESA fence is violated. The City's Resident Engineer shall notify the Caltrans Environmental Construction Liaison, Caltrans PQS Archaeologist, and Consultant Archaeologist. The Caltrans PQS Archaeologist shall notify the State Historic Preservation Officer within 48 hours of any ESA breach and consult immediately to determine how the breach will be addressed.
 - C-14** Construction personnel must remain outside of the ESAs at all times except during construction specifically occurring within the ESA and only with the archaeological and Native American monitor present. Construction personnel will be informed that any ground disturbance within the ESA shall only be done while an archaeologist and Native American representative is on-site to monitor.
 - C-15** Upon the need to conduct construction within the ESA, construction personnel will likely need to temporarily remove the ESA fence which will only be done when the archaeological and Native American monitors are present. The ESA fence will be replaced upon the completion of construction activities or at the end of the work day, whichever comes first.
 - C-16** If buried cultural materials are encountered during construction, it is Caltrans' policy that work stop in that area until a qualified archaeologist can evaluate the nature and significance of the find.
 - C-17** The City's Resident Engineer shall inform the Caltrans Environmental Construction Liaison, and Caltrans PQS Archaeologist when construction is finished.
 - C-18** The Contractor, under the supervision of the Consultant Archaeologist, shall remove temporary fencing at the conclusion of construction.
 - C-19** The Consultant Archaeologist shall notify the City's Resident Engineer, Caltrans Environmental Construction Liaison, and Caltrans PQS Archaeologist upon removal and termination of the ESA.
- c. No Impact. As discussed in Section 2.1, sediments in the Project Area are relatively young and from the Holocene epoch (approximately 12,000 years old); therefore, the potential for paleontological resources to be in the Project Area is considered low. Therefore, paleontological resources are not anticipated to be present in the Project Area and no impacts would result from the Project.
 - d. Less Than Significant with Mitigation Incorporated. Based on record search results, human remains were identified within the boundary of an archaeological site that is adjacent to the APE; the site's closest boundary is within approximately 160 feet of the

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study area. Construction activity could potentially unearth and impact human remains in the Project Area. With implementation of the minimization and avoidance measures identified above, impacts would be reduced to less than significant.

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Geology and Soils

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☒	☐
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

Please refer to Section 3.2 for discussion on Geology and Soils.

a. Less Than Significant Impact.

- i. Less Than Significant Impact. The nearest fault is approximately 2.5 miles away and the Project Area is susceptible to earthquake hazards. However, the Project Area is currently occupied by existing transportation infrastructure that has been designed according to current federal, state, and local design standards to ensure a reasonable degree of structural integrity. The Build Alternatives would also be constructed according to current design standards and would be able to withstand typical bedrock accelerations and site-specific geologic and soil conditions. Therefore, the Project would result in less than

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significant impacts on risk of loss, injury, or death involving an earthquake and strong ground shaking.

- ii. Less Than Significant Impact. See Response 3.2.6 a).
 - iii. Less Than Significant Impact. According to the State of California Seismic Hazard Zone Map, the Project Area is in a liquefaction hazard zone. A geotechnical report completed for the Project also indicated that there are liquefaction hazards in the Project Area. However, the Project Area is currently occupied by existing transportation infrastructure that has been designed according to current federal, state, and local design standards to ensure a reasonable degree of structural integrity. The Build Alternatives would also be constructed according to current design standards and would be able to withstand typical bedrock accelerations and site-specific geologic and soil conditions. Therefore, the Project would result in less than significant impacts on risk of loss, injury, or death involving liquefaction.
 - iv. No Impact. The Project Area is in a flat area, surrounded by agricultural land and commercial development. There are no steep slopes in the Project Area where landslides could occur.
- b. Less Than Significant Impact. See Response a) iii.
- c. Less Than Significant Impact. The Project Area is currently occupied by existing transportation infrastructure that has been designed according to current federal, state, and local design standards to ensure a reasonable degree of structural integrity. The Project would require the addition of up to about 30 feet of soil fill, and it is estimated that one foot of settlement could occur from settlement of the coarse-grained soils. Soil consolidation methods would be used to avoid settlement following construction of the grade separation. Therefore, the soils would be secured, and the Project would result in less than significant impacts on the Project Area.
- d. Less Than Significant Impact.
- e. No Impact. The Project Area is supported by sewer infrastructure. Retaining walls would be implemented to the southwest of the Rice Avenue and SR-14 (Fifth Street) intersection to avoid potential impacts on the existing sewer. There are no septic tanks in the Project Area and the Project would not result in the addition of any septic tanks.

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Greenhouse Gas Emissions

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Caltrans has used the best available information based to the extent possible on scientific and factual information, to describe, calculate, or estimate the amount of greenhouse gas emissions that may occur related to this Project. The analysis included in the climate change section of this document provides the public and decision-makers as much information about the Project as possible. It is Caltrans' determination that in the absence of statewide-adopted thresholds or GHG emissions limits, it is too speculative to make a significance determination regarding an individual project's direct and indirect impacts with respect to global climate change. Caltrans remains committed to implementing measures to reduce the potential effects of the Project. These measures are outlined in the climate change section that follows the CEQA checklist and related discussions.			
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				

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Hazards and Hazardous Materials

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

Please refer to Section 2.4 for discussion on Hazardous Waste/Materials.

- a. Less Than Significant Impact. Based on the Phase I ISA prepared for the Project, contaminants of concern in the Project Area include ACMs, ADL, cinder, coal ash, creosote, heavy metals, herbicides, H₂S, LBP, methane, nitrates, PAHs, PCBs, PCE, pesticides, solvents, SVOCs, trichloroethylene (TCE), TPH, and VOCs from railroad and transportation corridors, oil fields, pipelines, and other properties in the Project Area. Project construction would require grading, excavation, and demolition. Potential exists for unknown

hazardous waste or contamination to be revealed during the Project. For any hazardous waste or material encountered during the Project, the procedures outlined in Caltrans Unknown Hazards Procedures would be followed and significant impacts would not be anticipated to result from the Project.

- b. Less Than Significant Impact. See Response a).
- c. No Impact. There are no schools present within a one-quarter mile of the Project Area.
- d. Less Than Significant Impact. Three sites listed on the Hazardous Waste and Substances Sites (Cortese) List, pursuant to Government Code Section 65962.5, were identified in the study area. The identified sites were listed as closed cases. Two of the sites were determined to be outside of the project boundary and would not impact the project. At the remaining site, a Phase II SI is recommended to determine the presence of TPH and VOCs (soil/vapor and groundwater). The Project would be implemented in compliance with applicable federal, state, and local hazardous material/waste regulations, which would minimize potential impacts; therefore, impacts would be less than significant.
- e. No Impact. The Project Area is not located in an Airport Land Use Plan area.
- f. No Impact. The Project Area is not located in the vicinity of an airstrip.
- g. Less Than Significant Impact. The Project would comply with all local and regional plans. However, traffic patterns could be interrupted during Project construction. Construction impacts would be temporary and Alternatives 2A and 2B would include construction of a temporary detour road approximately 200 feet east of and parallel to Rice Avenue, so that emergency access would not be adversely affected during construction. Therefore, the Project would result in less than significant impacts.
- h. No Impact. The Project Area does not contain and is not located near wildlands where wildland fires could occur.

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Hydrology and Water Quality

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow	☐	☐	☐	☒

Please refer to Section 2.4 for discussion on Water Quality and Storm Water Runoff and Geology/Soils/Seismic/Topography.

- a. Less Than Significant Impact. The Build Alternatives would result in an increase in impervious surface area. However, the Project would be designed in accordance with

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- the objectives of Caltrans' NPDES Permit requirements and related stormwater requirements. During construction, there is potential for pollutants to be carried in storm water runoff and discharged near the Project Area. Construction impacts from the Project would be minimized through compliance with the NPDES General Permit for Discharges from Construction Activities Construction General Permit, which requires the development and implementation of a SWPPP.
- b. Less Than Significant Impact. Long term operation of the Project would not require groundwater resources. However, groundwater resources may be temporarily used during construction of the Project. In addition, dewatering measures could be applied during construction due to the high water table in the Project Area. The groundwater resources used or temporarily pumped during construction would comply with all water discharge and pumping permit requirements.
 - c. d. e. Less Than Significant Impact. The Rice Road Drain runs perpendicular to SR-34 (Fifth Street) and crosses under the roadway, approximately 425 feet west of the Project Area. Although the Project would result in an increase in impervious surface area, the Project would be designed to accommodate anticipated runoff levels, and would include storm water treatment BMPs to minimize potential impacts, in accordance with Caltrans' Statewide NPDES Storm Water Permit. Erosion and sediment control BMPs are typically used to reduce sediment movement and storm water contamination along roadways
 - f. Less Than Significant Impact. Project operation would not increase potential pollutants that could degrade water quality beyond exiting conditions. However, during Project construction, there is potential that exposed soils, construction debris, and other pollutants could be carried in storm water runoff and discharged into drainages near the Project Area. Construction impacts from the Project would be minimized through compliance with the NPDES Construction General Permit, which requires the development and implementation of a SWPPP.
 - g. No Impact. The Project Area is not located within a 100-year flood hazard area.
 - h. No Impact. The Project Area is not located within a 100-year flood hazard area.
 - i. No Impact. The Project is not located within a 100-year flood hazard area and has a low risk of flooding. Transportation facilities currently exist in the Project Area. The Project would not expand the facility to increase capacity, therefore, the Project would not expose people or structures to additional risk of loss, injury, or death involving flooding beyond existing conditions.
 - j. No Impact. The Project is more than six miles from the Pacific Ocean and would not be exposed to hazards of a seiche. According to the Tsunami Inundation Map for Emergency Planning, the Project Area is not in a designated tsunami inundation hazard zone. Additionally, the Project Area is in a flat area that is not exposed to hazards of a mudflow.

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Land Use and Planning

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☒	☐
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Please refer to Section 2.3 for discussion on Land Use and Community Impacts.

- a. Less Than Significant Impact. The Project includes improvement to existing transportation facilities. The grade separation would be taller than existing infrastructure in place. However, the Project would help improve safety of the Rice Avenue/SR-34 (Fifth Street) intersection, which would improve access for local residents. Therefore, the Project would result in less than significant impacts on community division.
- b. Less Than Significant Impact. The Project is consistent with the City's 2030 General Plan and would help improve safety for residents. Under the Build Alternatives, proposed improvements to the circulation system would support and be consistent with the City's and County's land use goals, and would be compatible with adjacent and surrounding land uses.
- c. No Impact. The Project Area is in an existing transportation corridor that currently contains transportation facilities. Land uses in the Project Area are not conducive to wildlife habitat or natural communities and is not part of any conservation plans.

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Mineral Resources

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☒	☐
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Please refer to Section 2.3 for discussion on Land Use.

- a. Less Than Significant Impact. An oil well was identified in the Project Area. The well's status was "plugged and abandoned" on the DOGGR Well Finder database. A Dig Alert notification would be initiated before beginning any proposed digging in the Project Area to avoid potential impact on oil resources.
- b. No Impact. The City's 2030 General Plan indicated important mineral deposits are located along the Santa Clara River Channel. The Santa Clara River is approximately six miles northwest of the Project Area. Protected land use designations for mineral resources were discontinued from the City's 2020 General Plan to the 2030 General Plan (City of Oxnard, 2011).

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Noise

Would the project result in:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Please refer to Section 2.3 for discussion on Land Use and Section 2.4 for discussion on Noise. As outlined in Section 2.4, the NSR was prepared based on a construction year of 2018 and opening year of 2020. The construction year has been revised to 2020, and the opening year to 2022. Any difference in noise levels would be minimal between the two-year period. Therefore, the information in the NSR has been used to support conclusions in this section.

- a. Less Than Significant Impact. Under CEQA, the baseline noise level is compared to the build noise level. The assessment entails looking at the setting of the noise impact and then how large or perceptible any noise increase would be in the given area. Predicted noise levels at land uses in the Project Area during Project operation would not exceed applicable NAC as a result of the Build Alternatives (see Section 2.4). Therefore, Build Alternatives would result in a less than substantial increase in permanent traffic noise levels in comparison to existing conditions.

Project construction could lead to a temporary increase in noise levels. As specified in Section 2.3, Project construction would comply with applicable standards and policies, which would reduce noise impacts in the Project Area. Therefore, the Project would result in less than significant impacts on noise.

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- b. Less Than Significant Impact. Project operation would not result in increased groundborne vibration in the Project Area. Project construction could lead to a temporary increase in groundborne vibration through the use of certain tools and construction methods. As specified in Section 2.3, Project construction would comply with applicable standards and policies, which would reduce groundborne vibration impacts in the Project Area. Therefore, the Project would result in less than significant impacts on groundborne vibration.
- c. No Impact. See Response a.
- d. Less Than Significant Impact. See Response a.
- e. No Impact. The Project is not located within an airport land use plan area.
- f. No Impact. The Project is not in the vicinity of a private airstrip.

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Population and Housing

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Please refer to Section 2.1 for discussion on Growth and Section 2.3 for discussion on Relocations and Real Property Acquisitions.

- a. No Impact. The Project would not increase capacity of existing transportation facilities and would not induce local or regional growth. Therefore, the Project would not result in direct or indirect population growth in the area.
- b. No Impact. The Project would require ROW from adjacent parcels, however, housing displacement would not result from the acquisitions (see **Table 2-2**). Therefore, the Project would not result in impacts on housing.
- c. No Impact. The Project would require ROW from adjacent parcels, however, housing displacement would not result from the acquisitions. Therefore, the Project would not result in impacts on local residents.

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Public Services

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

Please refer to Section 2.3 for discussion on Utilities and Emergency Services.

- a. No Impact. The Project would not result in population growth that would necessitate new or altered fire or police protection facilities, schools, parks, or other public facilities.

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Recreation

	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

- a. There are no parks or recreational facilities in the Project Area. The nearest public parks are Rose Park, located approximately 0.33 mile northwest of the Project Area, and Thompson Park, located approximately 0.45 mile northwest of the Project Area. The Project would not require the acquisition of any parkland and would not result in the use of these resources. In addition, the Project would not induce population growth in the Project Area or facilitate attraction to recreational resources, and therefore, would not increase the use of such resources resulting in deterioration.
- b. See Response 3.2.15 a.

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Transportation and Traffic

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e) Result in inadequate emergency access?	☐	☐	☒	☐
f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐

Refer to Section 2.3 for discussion on Traffic and Transportation. As outlined in Section 2.3, the TEPA was prepared based on a construction year of 2018 and opening year of 2020. The construction year has been revised to 2020, and the opening year to 2022. Any difference in traffic volumes would be minimal between the two-year period, therefore, the information in the TEPA has been used to support conclusions in this section.

- a. Less Than Significant Impact. The Project would implement recommendations in the City's 2030 General Plan and the VCTC's regional freight movement improvement plans. The Project would support and would be consistent with the City's and County's land use goals, and would be compatible with adjacent and surrounding land uses. The minimum acceptable LOS for Oxnard intersections is C unless specifically excepted by the City Council (City of Oxnard, 2011). Under design year 2040 conditions, the Rice Avenue/East Gonzales Road intersection is projected to operate at an unacceptable LOS F under both the No Build and the Build Alternatives. Delay

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times for the Rice Avenue/East Gonzales Road intersection would be worse under the Project. However, both Build Alternatives would reduce total delay times for the study area through implementation of the proposed grade separation and removal of the Rice Avenue/SR-34 (Fifth Street) stoplight. Therefore, the Project would result in a less than significant impact.

- b. **Less Than Significant Impact.** The purpose of the Project is to reduce conflicts between vehicles and trains, and to address future traffic and circulation issues forecasted for the Project Area. Ventura County adopted the minimum LOS standard of “E” for the Congestion Management Program (CMP) road network (Ventura County Transportation Commission, 2009). Rice Avenue and R-34 are included in the CMP road network. Under design year 2040 conditions, the Rice Avenue/East Gonzales Road intersection is projected to operate at an unacceptable LOS F under both the No Build and the Build Alternatives. The intersection would worsen to a LOS F with or without implementation of the Project. Additionally, the Project is listed in the 2009 Ventura County Congestion Management Program as a recommendation. Therefore, the Project would comply with the regional congestion plan and the impacts would be less than significant.
- c. **No Impact.** The Project Area is not located near an airport or airstrip and has no impact on air traffic.
- d. **Less Than Significant Impact.** The purpose of the Project is to reduce conflicts between vehicles and trains, and to address future traffic and circulation issues forecasted for the Project Area. A grade separation will improve safety of the existing at-grade intersection. The proposed grade separation will require the construction of one or two connector roads that connect Rice Avenue and SR-34(Fifth Street). The connector road under Alternative 2B would include a signalized intersection at the SR-34 (Fifth Street)/connector road intersection and at the Rice Avenue/connector road intersection to safely allow left turns. The SR-34 (Fifth Street)/connector road intersections under Alternative 2A would not necessitate a signalized intersection since only right turns would be allowed. The Project would be designed, reviewed, and implemented in accordance with Caltrans and FRA design standards. Therefore, the Project would result in less than significant impacts on design feature hazards in the Project Area.
- e. **Less Than Significant Impact.** Project construction would require the temporary closure of lanes and detour routes that could increase response times for emergency services. A temporary detour road would be available during Project construction approximately 200 feet east of and parallel to Rice Avenue to maintain access across SR-34 (Fifth Street). Additionally, a traffic management plan would be implemented and the City and Caltrans would coordinate with local emergency service providers to minimize potential impacts on emergency services. Therefore, the Project would result in a less than significant impact on emergency services.
- f. **Less Than Significant Impact.** A 10-foot sidewalk would be added along the westbound side of SR-34 (Fifth Street), which would be converted to a Class I bikeway in the

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future as outlined in the City of Oxnard Bicycle & Pedestrian Facilities Master Plan (City of Oxnard, 2011b). The connector roads under both Build Alternatives would also include 8-foot shoulders and 6-foot sidewalks in each direction. Therefore, the Build Alternatives would include shoulders and sidewalks to improve pedestrian and bicycle travel in the Project Area.

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Tribal Cultural Resources

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☒	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Refer to Section 2.3 for discussion on Cultural Resources.

- a. Less Than Significant Impact. There is one historical resource in the APE, the segment of the Montalvo Cutoff of the Southern Pacific Railroad's Coast Line, which is presumed eligible for inclusion in the California Register of Historic Places. However, because the Project includes construction of a grade separation over the railroad, this resource would be avoided, and no direct or indirect impacts on the historic integrity of this property would result from the Project. Therefore, the Project would result in a less than significant impact on the resource.
- b. Less Than Significant Impact with Mitigation Incorporated. Native American Tribes were contacted and consulted with for the Project. A Chumash Native American monitor, Patrick Tumamait, was present during the XPI Survey, completed between April 10 and 14, 2017. No resources were identified during the survey. The Project Area is identified as highly sensitive regarding cultural deposit consistent with aboriginal occupation, thus, coordination with Native American groups/individuals will be ongoing throughout the Project development process. Measure C-2, which requires disturbances and activities to stop if Native American remains are discovered, and notification of the NAHC, will be implemented as part of the Project. Therefore, the Project would result in less than significant impacts with mitigation incorporated on tribal cultural resources.

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Utilities and Service Systems

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

Refer to Section 2.3 for discussion on Utilities and Emergency Services.

- a. No Impact. The Project would not require wastewater treatment for Project operation.
- b. c. d. e. Less Than Significant Impact. The Project would not require wastewater treatment or additional water sources for operation. However, the Project would result in an increase of impervious surface that could increase the volume of runoff discharged into receiving sewers and channels. Additionally, there is potential that exposed soils, construction debris, and other pollutants could be carried in storm water runoff and discharged into drainages near the Project Area. Construction impacts from the Project would be minimized through compliance with the NPDES Construction General Permit, which requires the development and implementation of a SWPPP. Therefore, the Project would result in less than significant impacts on water, wastewater treatment, and drainage facilities in the Project Area.
- f. Less Than Significant Impact. Project operation would not require disposal services. Project construction would generate waste that would be received by a local landfill. The closest landfill is Toland Landfill in Santa Paula, which is approximately 16.5 miles

to the northeast. The Project would result in minimal waste compared to the receiving capacity of the landfill. Therefore, the Project would result in less than significant impacts on local landfills.

- g. Less Than Significant Impact. Operation of the Project would not require solid waste disposal. Project construction would require minimal, short-term solid waste disposal, which would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, the impacts would be less than significant.

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Mandatory Findings of Significance

Would the project:	Significant and Unavoidable Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☒	☐	☐	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		☐	☒	☐

- a. Less Than Significant with Mitigation Incorporated. There is potential for migrating birds to be present in the Project Area. The Project could impact trees in the Project that house nesting birds. The following avoidance and minimization measures were identified to avoid impacts on wildlife and habitat.

- B-1** Construction in areas with trees or vegetation that may provide nesting habitat for birds and raptors would be reduced to the maximum extent feasible.
- B-2** Trimming and removal of vegetation and trees would be minimized and performed outside of the nesting season (typically February 15 to September 15) to the extent feasible.
- B-3** In the event that trimming or removal of vegetation and trees must be conducted during the nesting season, nesting bird surveys would be completed by a qualified biologist no more than 48 hours prior to trimming or clearing activities to determine if nesting birds are within the affected vegetation. Nesting bird surveys would be repeated if trimming or removal activities are suspended for five days or more.

B-4 In the event construction is scheduled during bird nesting season, nesting bird surveys would be completed no more than 48 hours prior to construction to determine if nesting birds, raptors, or active nests are in or within 500 feet of the construction area. Surveys would be repeated if construction activities are suspended for five days or more.

B-5 In the event nesting birds or raptors are found within 500 feet of the construction area, appropriate buffers (typically up to 300 feet for songbirds and up to 500 feet for raptors) would be implemented, in coordination with the CDFW, to ensure that nesting birds and active nests are not harmed. Buffers would include fencing or other barriers around the nests to prevent any access to these areas and would remain in place until birds have fledged and/or the nest is no longer active, as determined through coordination with the CDFW.

- b. Less Than Significant Impact. The Ventura County Initial Study Assessment Guidelines (2000) state that any project resulting in direct and/or indirect loss of agricultural soils is considered to have a contribution to a significant cumulative impact. The cumulative loss of agricultural soils was addressed in the final EIR for the Comprehensive Amendment to the County General Plan (1988). This EIR acknowledged that implementation of the Amendment to the General Plan would result in a significant loss of agricultural soils, and although the General Plan contains policies and programs that serve to partially mitigate the cumulative impact, it remains significant and unavoidable. A Statement of Overriding Considerations was adopted for this unavoidable impact with adoption of the Amendment to the General Plan. Additional environmental analysis is not required since the Project is consistent with the General Plan and does not require a change in the agricultural land use designation.
- c. Less Than Significant Impact. The Project would not result in significant project-level impacts that could directly affect human health, including hazardous materials, air quality, noise and vibration, water quality, or additional risk of geological hazards. Therefore, the Project would result in a less than significant impact.

3.3 Climate Change (CEQA)

Climate change refers to long-term changes in temperature, precipitation, wind patterns, and other elements of the earth's climate system. An ever-increasing body of scientific research attributes these climatological changes to greenhouse gas (GHG) emissions, particularly those generated from the production and use of fossil fuels.

While climate change has been a concern for several decades, the establishment of the Intergovernmental Panel on Climate Change (IPCC) by the United Nations and World Meteorological Organization in 1988 has led to increased efforts devoted to GHG emissions reduction and climate change research and policy. These efforts are primarily concerned with the emissions of GHGs generated by human activity, including carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), tetrafluoromethane, hexafluoroethane, sulfur hexafluoride (SF₆), HFC-23 (fluoroform), HFC-134a (1,1,1,2-tetrafluoroethane), and HFC-152a (difluoroethane).

In the U.S., the main source of GHG emissions is electricity generation, followed by transportation.³ In California, however, transportation sources (including passenger cars, light-duty trucks, other trucks, buses, and motorcycles) are the largest contributors of GHG emissions.⁴ The dominant GHG emitted is CO₂, mostly from fossil fuel combustion.

Two terms are typically used when discussing how we address the impacts of climate change: "greenhouse gas mitigation" and "adaptation." "Greenhouse gas mitigation" is a term for reducing GHG emissions to reduce or "mitigate" the impacts of climate change. "Adaptation" refers to planning for and responding to impacts resulting from climate change (such as adjusting transportation design standards to withstand more intense storms and higher sea levels).

The following discussion incorporates the results of the Air Quality & Climate Change Study Report prepared for the Project (AMBIENT Air Quality & Noise Consulting, 2018).

Regulatory Setting

To date, no national standards have been established for nationwide mobile-source GHG reduction targets, nor have any regulations or legislation been enacted specifically to address climate change and GHG emissions reduction at the project level.

The National Environmental Policy Act (NEPA) (42 United States Code [USC] Part 4332) requires federal agencies to assess the environmental effects of their proposed actions prior to making a decision on the action or project.

The FHWA recognizes the threats that extreme weather, sea-level change, and other changes in environmental conditions pose to valuable transportation infrastructure and those who depend on it. FHWA therefore supports a sustainability approach that assesses vulnerability to climate risks and incorporates resilience into planning, asset management, project development and design, and operations and maintenance practices.⁵ This approach

³ <https://www.epa.gov/ghgemissions/us-greenhouse-gas-inventory-report-1990-2014>

⁴ <https://www.arb.ca.gov/cc/inventory/data/data.htm>

⁵ <https://www.fhwa.dot.gov/environment/sustainability/resilience/>

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encourages planning for sustainable highways by addressing climate risks while balancing environmental, economic, and social values—“the triple bottom line of sustainability.”⁶ Program and project elements that foster sustainability and resilience also support economic vitality and global efficiency, increase safety and mobility, enhance the environment, promote energy conservation, and improve the quality of life. Addressing these factors up front in the planning process will assist in decision-making and improve efficiency at the program level, and will inform the analysis and stewardship needs of project-level decision-making.

Various efforts have been promulgated at the federal level to improve fuel economy and energy efficiency to address climate change and its associated effects.

The Energy Policy Act of 1992 (EPACT92, 102nd Congress H.R.776.ENR): With this act, Congress set goals, created mandates, and amended utility laws to increase clean energy use and improve overall energy efficiency in the United States. EPACT92 consists of 27 titles detailing various measures designed to lessen the nation's dependence on imported energy, provide incentives for clean and renewable energy, and promote energy conservation in buildings. Title III of EPACT92 addresses alternative fuels. It gave the U.S. Department of Energy administrative power to regulate the minimum number of light-duty alternative fuel vehicles required in certain federal fleets beginning in fiscal year 1993. The primary goal of the Program is to cut petroleum use in the United States by 2.5 billion gallons per year by 2020.

Energy Policy Act of 2005 (109th Congress H.R.6 (2005–2006): This act sets forth an energy research and development program covering: (1) energy efficiency; (2) renewable energy; (3) oil and gas; (4) coal; (5) Indian energy; (6) nuclear matters and security; (7) vehicles and motor fuels, including ethanol; (8) hydrogen; (9) electricity; (10) energy tax incentives; (11) hydropower and geothermal energy; and (12) climate change technology.

Energy Policy and Conservation Act of 1975 (42 USC Section 6201) and Corporate Average Fuel Standards: This act establishes fuel economy standards for on-road motor vehicles sold in the United States. Compliance with federal fuel economy standards is determined through the Corporate Average Fuel Economy (CAFE) program on the basis of each manufacturer's average fuel economy for the portion of its vehicles produced for sale in the United States.

Executive Order 13514, *Federal Leadership in Environmental, Energy, and Economic Performance*, 74 *Federal Register* 52117 (October 8, 2009): This federal EO set sustainability goals for federal agencies and focuses on making improvements in their environmental, energy, and economic performance. It instituted as policy of the United States that federal agencies measure, report, and reduce their GHG emissions from direct and indirect activities.

Executive Order 13693, *Planning for Federal Sustainability in the Next Decade*, 80 *Federal Register* 15869 (March 2015): This EO reaffirms the policy of the United States that federal agencies measure, report, and reduce their GHG emissions from direct and indirect activities. It sets sustainability goals for all agencies to promote energy conservation, efficiency, and management by reducing energy consumption and GHG emissions. It builds on the

⁶ <https://www.sustainablehighways.dot.gov/overview.aspx>

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adaptation and resiliency goals in previous executive orders to ensure agency operations and facilities prepare for impacts of climate change. This order revokes Executive Order 13514.

U.S. EPA's authority to regulate GHG emissions stems from the U.S. Supreme Court decision in *Massachusetts v. EPA* (2007). The Supreme Court ruled that GHGs meet the definition of air pollutants under the existing Clean Air Act and must be regulated if these gases could be reasonably anticipated to endanger public health or welfare. Responding to the Court's ruling, U.S. EPA finalized an endangerment finding in December 2009. Based on scientific evidence it found that six GHGs constitute a threat to public health and welfare. Thus, it is the Supreme Court's interpretation of the existing Act and EPA's assessment of the scientific evidence that form the basis for EPA's regulatory actions.

U.S. EPA in conjunction with the National Highway Traffic Safety Administration (NHTSA) issued the first of a series of GHG emission standards for new cars and light-duty vehicles in April 2010⁷ and significantly increased the fuel economy of all new passenger cars and light trucks sold in the United States. The standards required these vehicles to meet an average fuel economy of 34.1 miles per gallon by 2016. In August 2012, the federal government adopted the second rule that increases fuel economy for the fleet of passenger cars, light-duty trucks, and medium-duty passenger vehicles for model years 2017 and beyond to average fuel economy of 54.5 miles per gallon by 2025. Because NHTSA cannot set standards beyond model year 2021 due to statutory obligations and the rules' long timeframe, a mid-term evaluation is included in the rule. The Mid-Term Evaluation is the overarching process by which NHTSA, EPA, and ARB will decide on CAFE and GHG emissions standard stringency for model years 2022–2025. NHTSA has not formally adopted standards for model years 2022 through 2025. However, the EPA finalized its mid-term review in January 2017, affirming that the target fleet average of at least 54.5 miles per gallon by 2025 was appropriate. In March 2017, President Trump ordered EPA to reopen the review and reconsider the mileage target.⁸

NHTSA and EPA issued a Final Rule for "Phase 2" for medium- and heavy-duty vehicles to improve fuel efficiency and cut carbon pollution in October 2016. The agencies estimate that the standards will save up to 2 billion barrels of oil and reduce CO₂ emissions by up to 1.1 billion metric tons over the lifetimes of model year 2018–2027 vehicles.

Presidential Executive Order 13783, *Promoting Energy Independence and Economic Growth*, of March 28, 2017, orders all federal agencies to apply cost-benefit analyses to regulations of GHG emissions and evaluations of the social cost of carbon, nitrous oxide, and methane.

⁷ <http://www.c2es.org/federal/executive/epa/greenhouse-gas-regulation-faq>

⁸ <http://www.nbcnews.com/business/autos/trump-rolls-back-obama-era-fuel-economy-standards-n734256> and <https://www.federalregister.gov/documents/2017/03/22/2017-05316/notice-of-intention-to-reconsider-the-final-determination-of-the-mid-term-evaluation-of-greenhouse>

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State

With the passage of legislation including State Senate and Assembly bills and executive orders, California has been innovative and proactive in addressing GHG emissions and climate change.

Assembly Bill 1493, Pavley Vehicular Emissions: Greenhouse Gases, 2002: This bill requires the California Air Resources Board (ARB) to develop and implement regulations to reduce automobile and light truck GHG emissions. These stricter emissions standards were designed to apply to automobiles and light trucks beginning with the 2009-model year.

Executive Order S-3-05 (June 1, 2005): The goal of this executive order (EO) is to reduce California's GHG emissions to: (1) year 2000 levels by 2010, (2) year 1990 levels by 2020, and (3) 80 percent below year 1990 levels by 2050. This goal was further reinforced with the passage of Assembly Bill 32 in 2006 and SB 32 in 2016.

Assembly Bill 32 (AB 32), Chapter 488, 2006: Núñez and Pavley, The Global Warming Solutions Act of 2006: AB 32 codified the 2020 GHG emissions reduction goals as outlined in EO S-3-05, while further mandating that ARB create a scoping plan and implement rules to achieve "real, quantifiable, cost-effective reductions of greenhouse gases." The Legislature also intended that the statewide GHG emissions limit continue in existence and be used to maintain and continue reductions in emissions of GHGs beyond 2020 (Health and Safety Code Section 38551(b)). The law requires ARB to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective GHG reductions.

Executive Order S-20-06 (October 18, 2006): This order establishes the responsibilities and roles of the Secretary of the California Environmental Protection Agency (Cal/EPA) and state agencies with regard to climate change.

Executive Order S-01-07 (January 18, 2007): This order sets forth the low carbon fuel standard (LCFS) for California. Under this EO, the carbon intensity of California's transportation fuels is to be reduced by at least 10 percent by the year 2020. ARB re-adopted the LCFS regulation in September 2015, and the changes went into effect on January 1, 2016. The program establishes a strong framework to promote the low-carbon fuel adoption necessary to achieve the Governor's 2030 and 2050 GHG reduction goals.

Senate Bill 97 (SB 97), Chapter 185, 2007, Greenhouse Gas Emissions: This bill requires the Governor's Office of Planning and Research (OPR) to develop recommended amendments to the California Environmental Quality Act (CEQA) Guidelines for addressing GHG emissions. The amendments became effective on March 18, 2010.

Senate Bill 375 (SB 375), Chapter 728, 2008, Sustainable Communities and Climate Protection: This bill requires ARB to set regional emissions reduction targets for passenger vehicles. The Metropolitan Planning Organization (MPO) for each region must then develop a "Sustainable Communities Strategy" (SCS) that integrates transportation, land-use, and housing policies to plan how it will achieve the emissions target for its region.

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Senate Bill 391 (SB 391), Chapter 585, 2009, California Transportation Plan: This bill requires the State's long-range transportation plan to meet California's climate change goals under AB 32.

Executive Order B-16-12 (March 2012) orders State entities under the direction of the Governor, including ARB, the California Energy Commission, and the Public Utilities Commission, to support the rapid commercialization of zero-emission vehicles. It directs these entities to achieve various benchmarks related to zero-emission vehicles.

Executive Order B-30-15 (April 2015) establishes an interim statewide GHG emission reduction target of 40 percent below 1990 levels by 2030 in order to ensure California meets its target of reducing GHG emissions to 80 percent below 1990 levels by 2050. It further orders all state agencies with jurisdiction over sources of GHG emissions to implement measures, pursuant to statutory authority, to achieve reductions of GHG emissions to meet the 2030 and 2050 GHG emissions reductions targets. It also directs ARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of carbon dioxide equivalent (MMTCO₂e). Finally, it requires the Natural Resources Agency to update the state's climate adaptation strategy, *Safeguarding California*, every 3 years, and to ensure that its provisions are fully implemented.

Senate Bill 32, (SB 32) Chapter 249, 2016, codifies the GHG reduction targets established in EO B-30-15 to achieve a mid-range goal of 40 percent below 1990 levels by 2030.

Environmental Setting

In 2006, the Legislature passed the California Global Warming Solutions Act of 2006 (AB 32), which created a comprehensive, multi-year program to reduce GHG emissions in California. AB 32 required ARB to develop a Scoping Plan that describes the approach California will take to achieve the goal of reducing GHG emissions to 1990 levels by 2020. The Scoping Plan was first approved by ARB in 2008 and must be updated every 5 years. ARB approved the First Update to the Climate Change Scoping Plan on May 22, 2014. ARB is moving forward with a draft of an updated Scoping Plan that will reflect the 2030 target established in EO B-30-15 and SB 32.

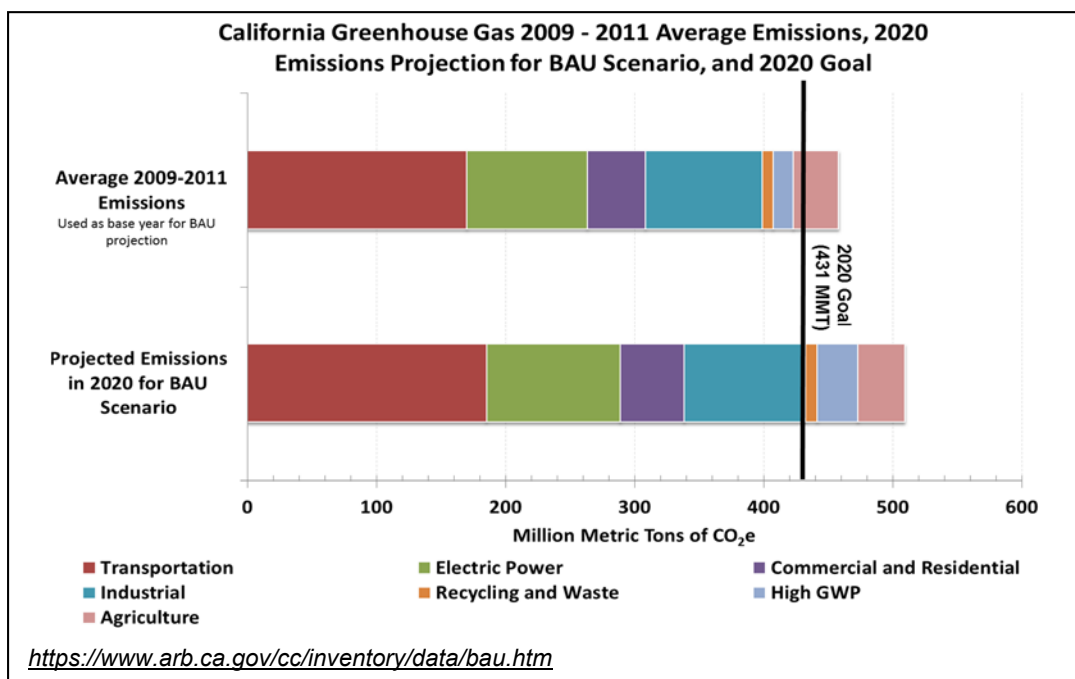
The AB 32 Scoping Plan and the subsequent updates contain the main strategies California will use to reduce GHG emissions. As part of its supporting documentation for the Draft Scoping Plan, ARB released the GHG inventory for California.⁹ ARB is responsible for maintaining and updating California's GHG Inventory per H&SC Section 39607.4. The associated forecast/projection is an estimate of the emissions anticipated to occur in the year 2020 if none of the foreseeable measures included in the Scoping Plan were implemented.

An emissions projection estimates future emissions based on current emissions, expected regulatory implementation, and other technological, social, economic, and behavioral patterns. The projected 2020 emissions provided in **Figure 3-1** represent a business-as-usual (BAU) scenario assuming none of the Scoping Plan measures are implemented. The 2020

⁹ 2017 Edition of the GHG Emission Inventory, released June 2017:
<https://www.arb.ca.gov/cc/inventory/data/data.htm>

BAU emissions estimate assists ARB in demonstrating progress toward meeting the 2020 goal of 431 MMTCO₂e.¹⁰ The 2017 edition of the GHG emissions inventory (released June 2017) found total California emissions of 440.4 MMTCO₂e, showing progress towards meeting the AB 32 goals.

Figure 3-1: California Greenhouse Gas Forecast



The 2020 BAU emissions projection was revisited in support of the First Update to the Scoping Plan (2014). This projection accounts for updates to the economic forecasts of fuel and energy demand as well as other factors. It also accounts for the effects of the 2008 economic recession and the projected recovery. The total emissions expected in the 2020 BAU scenario include reductions anticipated from Pavley I and the Renewable Electricity Standard (30 MMTCO₂e total). With these reductions in the baseline, estimated 2020 statewide BAU emissions are 509 MMTCO₂e.

Project Analysis

An individual project does not generate enough GHG emissions to significantly influence global climate change. Rather, global climate change is a cumulative impact. This means that a project may contribute to a potential impact through its incremental change in emissions when combined with the contributions of all other sources of GHG.¹¹ In assessing cumulative

¹⁰ The revised target using Global Warming Potentials (GWP) from the IPCC Fourth Assessment Report (AR4)

¹¹ This approach is supported by the AEP: *Recommendations by the Association of Environmental Professionals on How to Analyze GHG Emissions and Global Climate Change in CEQA Documents* (March 5, 2007), as well as the South Coast Air Quality Management District (Chapter 6: The CEQA Guide, April 2011) and the U.S. Forest Service (Climate Change Considerations in Project Level NEPA Analysis, July 13, 2009).

impacts, it must be determined if a project's incremental effect is "cumulatively considerable" (CEQA Guidelines Sections 15064(h)(1) and 15130). To make this determination, the incremental impacts of the project must be compared with the effects of past, current, and probable future projects. To gather sufficient information on a global scale of all past, current, and future projects to make this determination is a difficult, if not impossible, task.

GHG emissions for transportation projects can be divided into those produced during operations and those produced during construction. The following represents a best faith effort to describe the potential GHG emissions related to the proposed project.

The following discussion incorporates the results of the Air Quality & Climate Change Study Report prepared for the Project (AMBIENT Air Quality & Noise Consulting, 2018).

Operational Emissions

Four primary strategies can reduce GHG emissions from transportation sources: (1) improving the transportation system and operational efficiencies, (2) reducing travel activity), (3) transitioning to lower GHG-emitting fuels, and (4) improving vehicle technologies/efficiency. To be most effective all four strategies should be pursued concurrently.

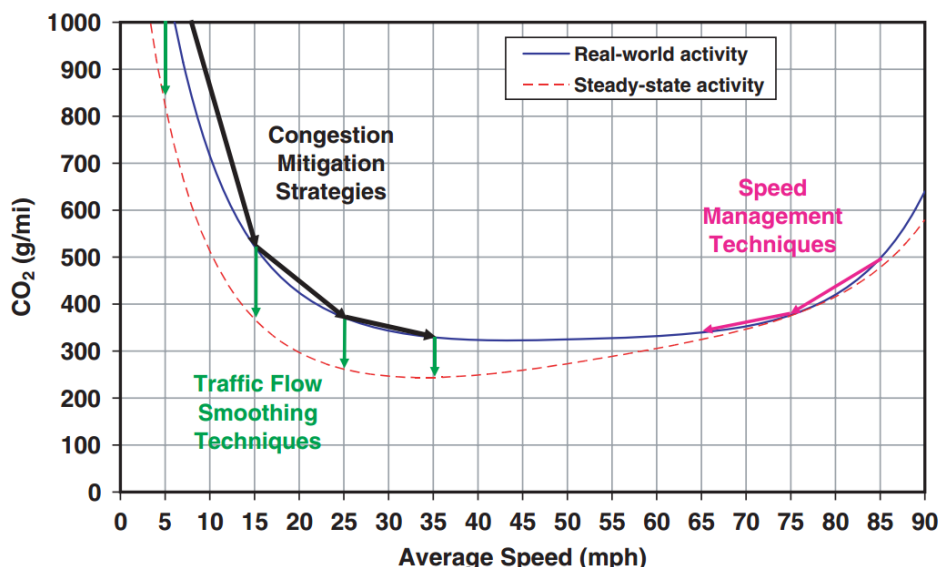
FHWA supports these strategies to lessen climate change impacts, which correlate with efforts that the state of California is undertaking to reduce GHG emissions from the transportation sector.

The highest levels of CO₂ from mobile sources such as automobiles occur at stop-and-go speeds (0–25 miles per hour) and speeds over 55 miles per hour; the most severe emissions occur from 0–25 miles per hour (see **Figure 3-2**). To the extent that a project relieves congestion by enhancing operations and improving travel times in high-congestion travel corridors, GHG emissions, particularly CO₂, may be reduced.

At project initiation, the purpose and need of the Project focused primarily on safety enhancement; therefore, a multi modal analysis was not considered. During project development, it was determined that additional capacity would be required to accommodate freight from Port Hueneme, and multi modal transit would not adequately provide the additional capacity needed. Because multi modal transit would not be applicable to the purpose and need of the Project, it was not considered.

The data from the Traffic Engineering Performance Assessment (TEPA) and Air Quality and Climate Change Study Report (AQSR) prepared for the Project support the Project's consistency with the initiatives outlined in the *2016-2040 RTP/SCS*. As described in Section 2.4, Air Quality, VMT is expected to increase substantially when compared to existing conditions. However, the Build Alternatives are not projected to directly result in changes to traffic volumes from existing conditions to future conditions. Expected VMT increases would be a result of planned regional growth. The SCAG *2016-2040 RTP/SCS* plans and accounts for impacts of anticipated growth through strategies, goals, and policies.

Figure 3-2: Possible Use of Traffic Operation Strategies in Reducing On-Road CO₂ Emissions



Source: Matthew Barth and Kanok Boriboonsomsin, University of California, Riverside, May 2010 (<http://uctc.berkeley.edu/research/papers/846.pdf>)

Senate Bill 375 requires that SCAG, as the region's MPO, strive to develop a vision of regional development patterns that integrate with and support planned transportation investments. As part of that mandate, an overall land use pattern has been developed as part of the 2016-2040 RTP/SCS that respects local control, but also incorporates best practices for achieving state-mandated reductions in GHG emissions through decreases in per capita VMT regionally. GHG and VMT reduction strategies identified in the 2016-2040 RTP/SCS include local policies, local corridor strategies, ridesharing initiatives, rail station area planning, walking and biking opportunity improvement, and education and encouragement of development for alternative modes of transportation (Southern California Association of Governments, 2016).

Table 2-8 and **Table 2-9** compare the overall Total Vehicle Delay time projected for opening year 2022 and design year 2040 under the Build Alternatives and the No Build Alternative. Although vehicle delay would increase or remain unchanged at some intersections in the Build Alternatives, the overall vehicle delay would be lower under the Build Alternatives compared to the No Build Alternative.

As discussed in the TEPA, the Build Alternatives and the No Build Alternative are projected to operate at an acceptable LOS in the opening year 2022 (Kimley-Horn, 2015). In addition, the Build Alternatives would not impact ADT volumes or VMT within the Project Area relative to the No Build Alternative (AMBIENT Air Quality & Noise Consulting, 2018). While the ADT volumes are project to increase in opening year 2022 and design year 2040 for the Build Alternatives and the No Build Alternative, the ADT volumes are projected to remain below the FHWA criteria value of 140,000 ADT (see **Table 2-10**) (AMBIENT Air Quality & Noise Consulting, 2018).

Quantitative Analysis

Long-term operational GHG emissions associated with the Project would result from the operation of motor vehicles along area roadways. Motor vehicle operational emissions were quantified for existing, opening year 2022, and design year 2040 conditions, based on data obtained from the traffic analysis prepared for this Project (Kimley-Horn, 2015). Estimated annual operational mobile-source GHG emissions for the Project Area are summarized in **Table 3-2**. Existing mobile-source GHG emissions within the Project Area total approximately 6,122.2 metric tons of carbon dioxide equivalent per year (MTCO₂e)/year. Under no-build opening year 2022 and design year 2040 conditions, mobile-source GHG emissions within the Project Area total approximately 6,151.3 MTCO₂e/year and 7,457.4 MTCO₂e/year, respectively. In comparison to existing conditions, the Build Alternatives would result in increased GHG emissions. However, these projected increases are slightly lower than what would otherwise occur under no-build conditions for these same years. In comparison to no-build conditions, the Build Alternatives would result in reductions in GHGs. Projected increases in emissions noted for design year 2040 are largely the result of projected increases in Project Area VMT.

In comparison to no-build conditions, annual mobile-source GHG emissions are projected to decrease slightly with implementation of the Build Alternatives. In comparison to no-build conditions, Alternative 2A would result in annual reductions of approximately 0.8 MTCO₂e under opening year 2022 conditions and reductions of approximately 2.1 MTCO₂e under design year 2040 conditions. Similarly, Alternative 2B would result in annual reductions of approximately 1.0 and 1.6 MTCO₂e for opening year 2022 and design year 2040 conditions, respectively, when compared to no-build conditions. Estimated reductions in mobile-source GHGs associated with implementation of the Build Alternatives are largely due to reductions in overall vehicle delay/idling time within the study area (see **Table 2-8** and **Table 2-9**).

As previously noted, implementation of the Project would not result in increases in VMT, changes in vehicle fleet mix, or changes in vehicle speeds (Kimley-Horn, 2015). The Project is included in the *2016-2040 RTP/SCS* and the Build Alternatives would support local GHG-reduction strategies in conformance with the *2016-2040 RTP/SCS*, including strategies to reduce mobile-source emissions and to promote safe and effective pedestrian- and bicycle-friendly environments. Additionally, the Project would implement measures identified below in the *Greenhouse Gas Reduction Strategies* Section to reduce emissions.

Table 3-2: Annual Operational Greenhouse Gas Emissions

Scenario	Greenhouse Gas Emissions (metric tons of carbon dioxide equivalent (MTCO ₂ e)/year)	Vehicle Miles Traveled
Existing Year 2015	6,122.2	42,752
Opening Year 2022		
Alternative 1 (No Build Alternative)	6,151.3	49,562
<i>Change – Alternative 1 (No Build Alternative) versus (vs.) Existing Conditions</i>	29.1	-
Alternative 2A	6,150.5	49,562
<i>Change – Alternative 2A vs. Existing Conditions</i>	28.3	-
<i>Change – Alternative 2A vs. No Build Alternative</i>	-0.8	-
Alternative 2B	6,150.3	49,562
<i>Change – Alternative 2B vs. Existing Conditions</i>	28.1	-
<i>Change – Alternative 2B vs. No Build Alternative</i>	-1.0	-
Design Year 2040		
Alternative 1 (No Build Alternative)	7,457.4	89,515
<i>Change – Alternative 1 (No Build Alternative) versus (vs.) Existing Conditions</i>	1,338.2	-
Alternative 2A	7,455.3	89,515
<i>Change – Alternative 2A vs. Existing Conditions</i>	1,333.1	-
<i>Change – Alternative 2A vs. No Build Alternative</i>	-2.1	-
Alternative 2B	7,455.7	89,515
<i>Change – Alternative 2B vs. Existing Conditions</i>	1,333.5	-
<i>Change – Alternative 2B vs. No Build Alternative</i>	-1.6	-

Based on emission factors obtained from the CTEMFAC2014, version 6.0, computer model and traffic data obtained from the traffic analysis prepared for this Project. Totals may not sum due to rounding.
Source: AMBIENT Air Quality & Noise Consulting, LLC, 2018

While EMFAC has a rigorous scientific foundation, and has been vetted through multiple stakeholder reviews, its emission rates are based on tailpipe emission test data. The numbers are estimates of CO₂ emissions and not necessarily the actual CO₂ emissions. The model does not account for factors such as the rate of acceleration and the vehicles' aerodynamics, which would influence CO₂ emissions. To account for CO₂ emissions, ARB's GHG Inventory follows the IPCC guideline by assuming complete fuel combustion, while still using EMFAC data to calculate CH₄ and N₂O emissions. Though EMFAC is currently the best available tool for use in calculating GHG emissions, it is important to note that the CO₂ numbers provided are only useful for a comparison of alternatives.

Construction Emissions

Construction GHG emissions would result from material processing, on-site construction equipment, and traffic delays due to construction. These emissions will be produced at different levels throughout the construction phase; their frequency and occurrence can be reduced through innovations in plans and specifications and by implementing better traffic management during construction phases.

Construction GHG emissions were estimated using the Sacramento Metropolitan Air Quality Management District's (SMAQMD) Road Construction Emissions Model, Version 8.1.0. While the model was developed for Sacramento conditions in terms of fleet emission factors and other modeling assumptions, the model is considered adequate for estimating road construction emissions in the SCCAB and is used for that purpose in this Project analysis.

Construction of the Project would be completed over an approximately 18- to 24-month period, depending on the Build Alternative. Under Alternatives 2A and 2B, the initial approximately 12 months of construction would include construction of a detour road. With the construction of the detour road, construction of Alternative 2A would generate a total of approximately 8,858.8 MTCO_{2e}, and construction of Alternative 2B would generate approximately 6,807.6 MTCO_{2e}.

Compliance with Caltrans' Standard Specifications, Section 14-9, would require construction equipment to be maintained in proper condition and the use of low-sulfur fuel in all construction equipment. In addition, idling of construction equipment, when not in use, would be prohibited. These measures would help reduce construction-generated GHG emissions.

In addition, with innovations such as longer pavement lives, improved traffic management plans, and changes in materials, the GHG emissions produced during construction can be offset to some degree by longer intervals between maintenance and rehabilitation activities.

CEQA Conclusion

As discussed above, with implementation of the Build Alternatives, annual mobile-source GHG emissions are projected to decrease slightly compared to the No Build Alternative. However, under build and no-build scenarios, GHG emissions would be higher than under existing conditions, a result of anticipated growth. While it is Caltrans' determination that in the absence of further regulatory or scientific information related to GHG emissions and CEQA significance, it is too speculative to make a significance determination regarding the project's direct impact and its contribution on the cumulative scale to climate change, Caltrans is firmly

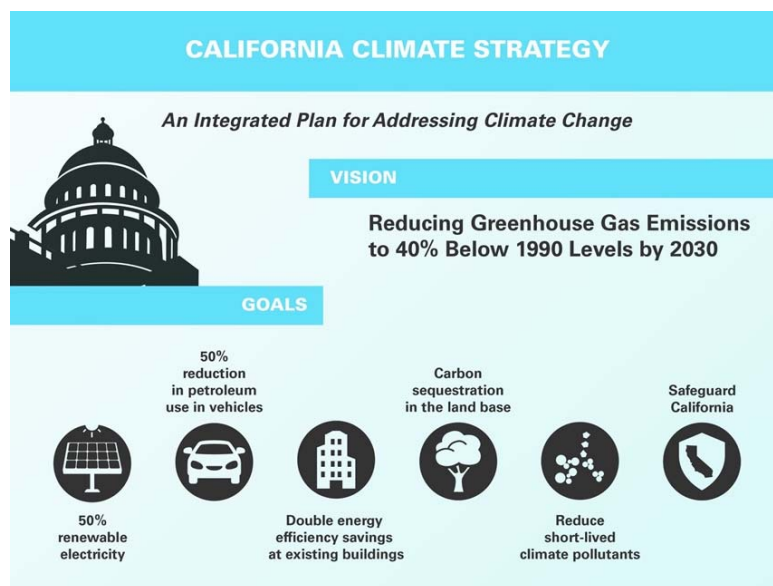
committed to implementing measures to help reduce GHG emissions. These measures are outlined in the following section.

Greenhouse Gas Reduction Strategies

Statewide Efforts

In an effort to further the vision of California's GHG reduction targets outlined in AB 32 and SB 32, Governor Brown identified key climate change strategy pillars (concepts). These pillars highlight the idea that several major areas of the California economy will need to reduce emissions to meet the 2030 GHG emissions target. These pillars are (1) reducing today's petroleum use in cars and trucks by up to 50 percent; (2) increasing from one-third to 50 percent our electricity derived from renewable sources; (3) doubling the energy efficiency savings achieved at existing buildings and making heating fuels cleaner; (4) reducing the release of methane, black carbon, and other short-lived climate pollutants; (5) managing farm and rangelands, forests, and wetlands so they can store carbon; and (6) periodically updating the state's climate adaptation strategy, *Safeguarding California*.

Figure 3-3: The Governor's Climate Change Pillars: 2030 Greenhouse Gas Reduction Goals



The transportation sector is integral to the people and economy of California. To achieve GHG emission reduction goals, it is vital that we build on our past successes in reducing criteria and toxic air pollutants from transportation and goods movement activities. GHG emission reductions will come from cleaner vehicle technologies, lower-carbon fuels, and reduction of vehicle miles traveled. One of Governor Brown's key pillars sets the ambitious goal of reducing today's petroleum use in cars and trucks by up to 50 percent by 2030.

Governor Brown called for support to manage natural and working lands, including forests, rangelands, farms, wetlands, and soils, so they can store carbon. These lands have the ability

to remove carbon dioxide from the atmosphere through biological processes, and to then sequester carbon in above- and below-ground matter.

Caltrans Activities

Caltrans continues to be involved on the Governor's Climate Action Team as the ARB works to implement EOs S-3-05 and S-01-07 and help achieve the targets set forth in AB 32. EO B-30-15, issued in April 2015, and SB 32 (2016), set a new interim target to cut GHG emissions to 40 percent below 1990 levels by 2030. The following major initiatives are underway at Caltrans to help meet these targets.

California Transportation Plan (CTP 2040)

The California Transportation Plan (CTP) is a statewide, long-range transportation plan to meet our future mobility needs and reduce GHG emissions. The CTP defines performance-based goals, policies, and strategies to achieve our collective vision for California's future statewide, integrated, multimodal transportation system. It serves as an umbrella document for all of the other statewide transportation planning documents.

SB 391 (Liu 2009) requires the CTP to meet California's climate change goals under AB 32. Accordingly, the CTP 2040 identifies the statewide transportation system needed to achieve maximum feasible GHG emission reductions while meeting the state's transportation needs.

While MPOs have primary responsibility for identifying land use patterns to help reduce GHG emissions, CTP 2040 identifies additional strategies in Pricing, Transportation Alternatives, Mode Shift, and Operational Efficiency.

Caltrans Strategic Management Plan

The Strategic Management Plan, released in 2015, creates a performance-based framework to preserve the environment and reduce GHG emissions, among other goals. Specific performance targets in the plan that will help to reduce GHG emissions include:

- Increasing percentage of non-auto mode share
- Reducing VMT per capita
- Reducing Caltrans' internal operational (buildings, facilities, and fuel) GHG emissions

Funding and Technical Assistance Programs

In addition to developing plans and performance targets to reduce GHG emissions, Caltrans also administers several funding and technical assistance programs that have GHG reduction benefits. These include the Bicycle Transportation Program, Safe Routes to School, Transportation Enhancement Funds, and Transit Planning Grants. A more extensive description of these programs can be found in [Caltrans Activities to Address Climate Change](#) (2013).

Caltrans Director's Policy 30 (DP-30) Climate Change (June 22, 2012) is intended to establish a department policy that will ensure coordinated efforts to incorporate climate change into departmental decisions and activities.

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Caltrans Activities to Address Climate Change (April 2013) provides a comprehensive overview of activities undertaken by Caltrans statewide to reduce GHG emissions resulting from agency operations.

Project-Level GHG Reduction Strategies

The following measures will also be implemented in the project to reduce GHG emissions and potential climate change impacts from the Project.

The Project would improve pedestrian and bicycle facilities, enabling use of alternative modes that would reduce vehicle travel and associated GHG emissions.

Construction of the Project would be required to comply with Caltrans' Standard Specifications, Section 14-9 "Air Quality," which compels compliance with Ventura County Air Pollution Control District rules and other state, regional, and local regulations, and other rules, regulations, and ordinances. The following air quality measures, which are included in Sections 2.4 and 3.2, would also help to reduce GHG emissions and potential climate change impacts:

AQ-10 Construction equipment and vehicles will be properly tuned and maintained. Low-sulfur fuel will be used in all construction equipment as provided in California Code of Regulations (CCR) Title 17, Section 93114.

AQ-11 Extended idling of diesel equipment will be prohibited, to the extent feasible.

AQ-12 Construction traffic will be routed and scheduled to avoid peak travel times as much as possible, to reduce congestion and related air quality impacts caused by idling vehicles along local roads.

In addition, the Project would include measures outlined in the SCAG *2016-2040 RTP/SCS* that consider incorporation of Best Available Control Technology (BACT) during design, construction, and operation of projects to minimize GHG emissions. The following measures will be implemented in the Project to reduce GHG emissions and potential climate change impacts from the Project:

RTP-1 Use energy and fuel-efficient vehicles and equipment. Project proponents are encouraged to meet and exceed all EPA/NHTSA/CARB standards relating to fuel efficiency and emission reduction.

RTP-2 Use lighting systems that are energy efficient, such as LED technology.

RTP-3 Use the minimum feasible amount of GHG-emitting construction materials that is feasible.

RTP-4 Incorporate design measures like Water Sense fixtures and water capture to reduce water consumption.

RTP-5 Recycle construction debris to maximum extent feasible.

Adaptation Strategies

"Adaptation strategies" refer to how Caltrans and others can plan for the effects of climate change on the state's transportation infrastructure and strengthen or protect the facilities from

damage—or, put another way, planning and design for resilience. Climate change is expected to produce increased variability in precipitation, rising temperatures, rising sea levels, variability in storm surges and their intensity, and the frequency and intensity of wildfires. These changes may affect the transportation infrastructure in various ways, such as damage to roadbeds from longer periods of intense heat; increasing storm damage from flooding and erosion; and inundation from rising sea levels. These effects will vary by location and may, in the most extreme cases, require that a facility be relocated or redesigned. These types of impacts to the transportation infrastructure may also have economic and strategic ramifications.

Federal Efforts

At the federal level, the Climate Change Adaptation Task Force, co-chaired by the CEQ, the Office of Science and Technology Policy (OSTP), and the National Oceanic and Atmospheric Administration (NOAA), released its interagency task force progress report on October 28, 2011¹², outlining the federal government's progress in expanding and strengthening the nation's capacity to better understand, prepare for, and respond to extreme events and other climate change impacts. The report provided an update on actions in key areas of federal adaptation, including: building resilience in local communities, safeguarding critical natural resources such as fresh water, and providing accessible climate information and tools to help decision-makers manage climate risks.

The federal Department of Transportation issued *U.S. DOT Policy Statement on Climate Adaptation* in June 2011, committing to “integrate consideration of climate change impacts and adaptation into the planning, operations, policies, and programs of DOT in order to ensure that taxpayer resources are invested wisely and that transportation infrastructure, services and operations remain effective in current and future climate conditions.”¹³

To further the DOT Policy Statement, in December 15, 2014, FHWA issued order 5520 (*Transportation System Preparedness and Resilience to Climate Change and Extreme Weather Events*).¹⁴ This directive established FHWA policy to strive to identify the risks of climate change and extreme weather events to current and planned transportation systems. The FHWA will work to integrate consideration of these risks into its planning, operations, policies, and programs in order to promote preparedness and resilience; safeguard federal investments; and ensure the safety, reliability, and sustainability of the nation's transportation systems.

FHWA has developed guidance and tools for transportation planning that fosters resilience to climate effects and sustainability at the federal, state, and local levels.¹⁵

State Efforts

On November 14, 2008, then-Governor Arnold Schwarzenegger signed EO S-13-08, which directed a number of state agencies to address California's vulnerability to sea-level rise

¹² <https://obamawhitehouse.archives.gov/administration/eop/ceq/initiatives/resilience>

¹³ https://www.fhwa.dot.gov/environment/sustainability/resilience/policy_and_guidance/usdot.cfm

¹⁴ <https://www.fhwa.dot.gov/legisregs/directives/orders/5520.cfm>

¹⁵ <https://www.fhwa.dot.gov/environment/sustainability/resilience/>

Chapter 3 California Environmental Quality Act (CEQA) Evaluation

caused by climate change. This EO set in motion several agencies and actions to address the concern of sea-level rise and directed all state agencies planning to construct projects in areas vulnerable to future sea-level rise to consider a range of sea-level rise scenarios for the years 2050 and 2100, assess project vulnerability and, to the extent feasible, reduce expected risks and increase resiliency to sea-level rise. Sea-level rise estimates should also be used in conjunction with information on local uplift and subsidence, coastal erosion rates, predicted higher high water levels, and storm surge and storm wave data.

Governor Schwarzenegger also requested the National Academy of Sciences to prepare an assessment report to recommend how California should plan for future sea-level rise. The final report, *Sea-Level Rise for the Coasts of California, Oregon, and Washington* (Sea-Level Rise Assessment Report)¹⁶ was released in June 2012 and included relative sea-level rise projections for the three states, taking into account coastal erosion rates, tidal impacts, El Niño and La Niña events, storm surge, and land subsidence rates; and the range of uncertainty in selected sea-level rise projections. It provided a synthesis of existing information on projected sea-level rise impacts to state infrastructure (such as roads, public facilities, and beaches), natural areas, and coastal and marine ecosystems; and a discussion of future research needs regarding sea-level rise.

In response to EO S-13-08, the California Natural Resources Agency (Resources Agency), in coordination with local, regional, state, federal, and public and private entities, developed *The California Climate Adaptation Strategy* (Dec 2009),¹⁷ which summarized the best available science on climate change impacts to California, assessed California's vulnerability to the identified impacts, and outlined solutions that can be implemented within and across state agencies to promote resiliency. The adaptation strategy was updated and rebranded in 2014 as *Safeguarding California: Reducing Climate Risk* (Safeguarding California Plan).

Governor Jerry Brown enhanced the overall adaptation planning effort by signing EO B-30-15 in April 2015, requiring state agencies to factor climate change into all planning and investment decisions. In March 2016, sector-specific Implementation Action Plans that demonstrate how state agencies are implementing EO B-30-15 were added to the Safeguarding California Plan. This effort represents a multi-agency, cross-sector approach to addressing adaptation to climate change-related events statewide.

EO S-13-08 also gave rise to the *State of California Sea-Level Rise Interim Guidance Document* (SLR Guidance), produced by the Coastal and Ocean Working Group of the California Climate Action Team (CO-CAT), of which Caltrans is a member. First published in 2010, the document provided “guidance for incorporating sea-level rise (SLR) projections into planning and decision making for projects in California,” specifically, “information and recommendations to enhance consistency across agencies in their development of approaches to SLR.” The March 2013 update¹⁸ finalizes the SLR Guidance by incorporating findings of the National Academy's 2012 final Sea-Level Rise Assessment Report; the policy

¹⁶ *Sea Level Rise for the Coasts of California, Oregon, and Washington: Past, Present, and Future* (2012) is available at: http://www.nap.edu/catalog.php?record_id=13389.

¹⁷ <http://www.climatechange.ca.gov/adaptation/strategy/index.html>

¹⁸ <http://www.opc.ca.gov/2013/04/update-to-the-sea-level-rise-guidance-document/>

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recommendations remain the same as those in the 2010 interim SLR Guidance. The guidance will be updated as necessary in the future to reflect the latest scientific understanding of how the climate is changing and how this change may affect the rates of SLR.

Climate change adaptation for transportation infrastructure involves long-term planning and risk management to address vulnerabilities in the transportation system from increased precipitation, and flooding; the increased frequency and intensity of storms and wildfires; rising temperatures; and rising sea levels. Caltrans is actively engaged in working towards identifying these risks throughout the state and will work to incorporate this information into all planning and investment decisions as directed in EO B-30-15.

The proposed project is outside the coastal zone and not in an area subject to sea-level rise. Accordingly, direct impacts to transportation facilities due to projected sea-level rise are not expected (Cal-Adapt, 2017).

Chapter 4 Comments and Coordination

4.1 Introduction

Early and continuing coordination with the general public and public agencies is an essential part of the environmental process, which helps planners determine the required scope of environmental documentation and the level of analysis required, and to identify potential impacts and avoidance, minimization and/or mitigation measures and related environmental requirements. Agency consultation and public participation for this Project have been accomplished through a variety of formal and informal methods, including Project Development Team (PDT) meetings, interagency coordination meetings, and scoping meetings. This chapter summarizes the results of Caltrans' efforts to fully identify, address, and resolve Project-related issues through early and continuing coordination.

4.2 Consultation and Coordination with Public Agencies

Required Permits and Approvals

The status of required permits and approvals for the Project are as follows:

- **Clean Air Act, Transportation Conformity Determination:** The Project has been relisted in the Draft 2017 FTIP as a “non-exempt” project. The Draft 2017 FTIP underwent a public review process. Adoption of the 2017 FTIP and subsequent federal approval of the conformity determination for the 2017 FTIP occurred on December 16, 2016. FHWA approval of the Project Level Conformity Determination was received on May 1, 2018 (see **Appendix J**).
- **Farmland Protection Policy Act:** Form AD 1006 was submitted to the NRCS to complete the coordination required under the FPPA (see **Appendix K and L**).
- **National Historic Preservation Act, Section 106 Compliance:** The HPSR was completed for the Project, and Section 106 coordination was conducted with SHPO to obtain SHPO concurrence on the “No Adverse Effect” determination. Concurrence was received on February 15, 2018 (see **Appendix O**).

City of Oxnard Coordination

The City has continued to coordinate with various City Departments, Caltrans, Ventura County Public Works, and the Project Development Team to ensure that stakeholders' concerns are addressed.

Ventura County Transportation Commission

VCTC is responsible for securing funding for the Project, and has been involved throughout the Project development process to ensure that the Project design meets the purpose and need. The Project is intended to implement recommendations in the City's 2030 General Plan, which designates Rice Avenue as a trucking access route between the Port of Hueneme and US-101 (City of Oxnard, 2011a). In addition, VCTC has identified the Project to improve freight movement to and from the Port of Hueneme.

Federal Railroad Administration

FRA is a cooperating agency under NEPA. A cooperating agency assists the lead Federal agency in developing an Environmental Assessment (EA) or Environmental Impact Statement (EIS). The CEQ regulations implementing NEPA define a cooperating agency as any agency that has jurisdiction by law or special expertise for proposals covered by NEPA. As the Lead Agency, Caltrans has consulted with cooperating agency, FRA, throughout the Project.

Historic Properties Consultation

Letters were sent on May 27, 2015 to organizations and interested parties identified as having a potential interest in the undertaking. Parties contacted include: Friends of Old Oxnard, Oxnard Public Library Local History Collection, City of Oxnard Community Development Department, Ventura County Planning Department, County of Ventura Cultural Heritage Board, Ventura County Library (Avenue Branch and E.P. Foster Branch), Museum of Ventura County Research Library, and Ventura County Genealogical Society. The purpose of the letters was to inform each group of the proposed undertaking and to solicit information on known historic properties in the vicinity of the Project Area. As of September 2015, no responses have been received. Information received as a result of this consultation was incorporated in the cultural resources analysis described in Section 2.3, which concludes that no direct work or modifications to historical resources would be required as part of the Project.

Native American Consultation

An inquiry to the NAHC was submitted on May 6, 2015, to ascertain the presence of known sacred sites, Native American cultural resources, and/or human remains within the boundaries of the Project. On May 15, 2015, the NAHC indicated that there have been no Native American cultural resources identified within their Sacred Lands File for the Project location. The NAHC provided a list of 20 Native American groups/individuals who may have additional information about the Project Area. Caltrans contacted the 20 Native American groups/individuals on December 20, 2015 by letter to determine if they have any additional information, and whether the Native American tribes would like to request consultation pursuant to CA PRC Section 21080.3.1 under Assembly Bill 52 (AB 52).

As of June 16, 2016, 11 groups/individuals had not responded. Five had declined to comment or had deferred to other groups/individuals. Four had expressed concern with the Project because of the high sensitivity of Native American burials in the area. The following individuals responded:

- Beverly Salazar-Folkes expressed her concerns about the sensitivity of the area and recommended Native American monitoring of ground disturbing activities.
- Patrick Tumamait expressed concern about the Project Area and indicated he would like to be considered for monitoring of the Project.
- Richard Angulo expressed concern for the sensitivity of the Project Area.
- PeuYoKo Perez stated the need for Native American Monitoring of the Project and requested that a Native American be present for surveys.

Although four expressed concern with the Project, none of the tribes requested consultation under AB 52 within the 30 days allowed.

On October 20, 2016, Caltrans contacted 20 Native American groups/individuals by letter with a notice to proceed with the XPI and Phase II Archaeological Evaluation. As of November 4, 2016, 13 groups/individuals had not responded. One had declined to comment or had deferred to other groups/individuals. Three letters had been “Return to Sender—Unclaimed—Unable to Forward.” Three individuals expressed interest in the selection process of a Native American Monitor for the Project. The following individuals responded:

- Patrick Tumamait inquired about the selection of a Native American Monitor for the Project.
- Julie Tumamait-Stennslie expressed concerns about the sensitivity of the Project Area and requested Native American Monitoring of the Project.
- PeuYoKo Perez inquired about Native American Monitoring and expressed interest in being selected as the Native American Monitor for the Project.

Additionally, eight follow-up emails regarding XPI/PHII testing were sent on November 11, 2016 to groups/individuals who had previously expressed concern about cultural resources in the Project Area. The draft XPI/PHII testing plan was provided for review and comment, in addition to the finalized Project ASR for their records. The following individuals responded:

- Patrick Tumamait expressed that he and Ms. Julie Tumamait-Stennslie request that the Native American Monitor chosen for the Project is selected from the SB 18 List of Representatives. Mr. Tumamait stated that he would like clarification on curation and disposition of the artifacts collected during the Project. Mr. Tumamait expressed interest in obtaining copies of geotechnical reports associated with the Project, as well as copies of the Project design plans.
- Julie Tumamait-Stennslie indicated that she may forward the bid information for monitoring of the Project to other representatives of her tribe.

An inquiry to the NAHC was submitted on December 12, 2016, requesting an updated CEQA Tribal Consultation List for tribes within the Project Area. The updated Local Government Tribal Consultation List was provided on December 14, 2016. Caltrans mailed a hard copy of the XPI/PHII notice on December 16, 2016 to one additional Native American group/individual, and sent a follow-up email on December 19, 2016. This contact deferred comment to groups closer to the Project Area.

On December 22, 2016, bid information for Native American Monitoring of the Project was provided to three interested parties. As of January 14, 2017, one bid qualification has been received. No additional responses were received.

A Chumash Native American monitor, Patrick Tumamait, was present during the XPI Survey, completed between April 10 and 14, 2017. Coordination with Native American groups/individuals will be ongoing throughout the Project development process.

4.3 Public Participation

Public Participation Methods

The following public outreach meetings were held in September 2017:

- A meeting with Water, Housing, Energy, Environment, Land-use. A presentation was given to review the status of the Project and current state of the environmental documents.
- A meeting with the Port of Hueneme and Naval Base Ventura County. The purpose of the meeting was to provide details on the proposed design of the Project prior to releasing the EIR/EA to the public.
- A City Council meeting. The meeting included a presentation to the City Council and the public on the proposed improvements to separate Rice Avenue/UPRR/SR 34.

Caltrans prepared and filed a NOP with the State Clearinghouse on September 4, 2017; no comments were received during the 30 day public circulation period. The NOP is included in **Appendix A**.

The Draft EIR/EA was circulated for public review to solicit questions, comments, and concerns from all interested parties regarding the proposed Project and potential environmental and community impacts, as discussed in this final environmental document. The Draft EIR/EA and Notice of Availability (NOA) were posted on Caltrans' website at <http://www.dot.ca.gov/d7/env-docs/> on December 29, 2017 (see **Appendix N**). The Draft EIR/EA was also available for review at the Oxnard Downtown Main Library, Oxnard Colonia Branch Library, South Oxnard Branch Library, City Hall, and the Caltrans District 7 office. In addition, the City published the NOA in two local newspapers as shown below in **Table 4-1**. A public hearing was held to solicit comments on the Project alternatives and the findings in the environmental document. Public written comments were accepted (by mail or email) during the public comment period and written and verbal comments were accepted during the public hearing.

Table 4-1: Public Notice Scoping Meeting

Date	Publication
January 18, 2018	La Opinión
January 18, 2018	Ventura County Star

Source: GPA Consulting, 2018

Results of Public Participation

Public Hearing

A public hearing was held on Wednesday, January 31, 2018 at City of Oxnard Council Chambers, 305 West 3rd Street, Oxnard, CA 93030. The hearing took place from 6:00 p.m. to 8:00 p.m., where information regarding the proposed Project and the environmental process was disseminated to those in attendance. Those presenting information to the public included staff members from the City of Oxnard, VCTC, and Project consultants. Individuals

who attended the public hearing were able to view large-scale plans of the proposed alternatives and ask questions; to view a PowerPoint presentation which described the findings of the environmental document and supporting technical studies; and to ask additional questions and provide comments. Approximately 12 persons attended the hearing.

Comments Received on Draft EIR/EA

The 45-day public comment period began on December 29, 2017 and ended on February 12, 2018. Two requests to speak were received at the public hearing on January 31, 2018; a summary of the verbal comments received are provided in **Table 4-2**. Additionally, three written comments were received following the public hearing; a summary of those comments is included in **Table 4-3**.

Table 4-2: Verbal Comments Received at Public Scoping Meeting (Summary)

Source	Comment
Speaker #1: James McGillis	In favor of the Project. Expressed concern regarding safety of the existing traffic control features at the Rice Avenue and Fifth Street intersection.
Speaker #2: Patricia V. Brown	In favor of the Project.

Source: GPA Consulting, 2018

Table 4-3: Written Comments Received During Public Comment Period (Summary)

Source	Date Received	Topic
Commenter A: John Cinatl	February 12, 2018	Prefers below-grade design. Proposes further groundwater research.
Commenter B: United Water Conservation District	February 12, 2018	Concern regarding project impacts on utilities. Identifies error in ROW acquisition description.
Commenter C: Hailwood, Inc.	February 7, 2018	Concern regarding Project impacts on Prime Farmland to the southeast of the Rice Avenue/SR-34 (Fifth Street) intersection. Indicates a lack of discussion on impacts to utilities, water wells, property access, tile drainage, irrigation, equipment storage, and other necessities that support farming operations on the parcel.

Source: GPA Consulting, 2018

Following the public comment period, a letter was received from the Division of Oil, Gas, and Geothermal Resources Ventura Coastal District on March 12, 2018. Though the comment was made well after the public circulation period ended, the comments were reviewed and considered, and a response to the comment letter is included in **Appendix M**.

Response to Comments on Draft EIR/EA

The full written comments and responses are available in **Appendix M**.

Chapter 5 List of Preparers

The following Caltrans staff, local agency staff, and consultants contributed to the preparation of this EIR/EA.

Caltrans Staff

Susan Tse, Senior Environmental Planner. 9 years of experience in transportation planning. Contribution: Quality Assurance/Quality Control review and project management.

Cesar Moreno, Associate Environmental Planner. 10 years of experience in transportation planning. Contribution: NEPA QC review.

Chris Laurel, Environmental Planner, B.A. Environmental Studies, California State University Monterey Bay. 6 months of experience in transportation planning. Contribution: Technical Reviewer.

FRA

Lyle Leitelt, Community Planner. MCRP, City and Regional Planning, University of North Carolina at Chapel Hill. 7 years of experience in transportation planning. Contribution: Quality Assurance/Quality Control review.

WKE, Inc.

Carlos Cadena, Vice President/Director of Engineering, B.S. Civil Engineering, California State University Los Angeles. 38 years of experience in civil engineering. Contribution: Engineering documents, Quality Assurance/Quality Control review.

Michael Hynes, Project Manager. B.S. Civil Engineering, University of Melbourne. 17 years of experience in civil engineering. Contribution: Engineering documents, Quality Assurance/Quality Control review.

Duke CRM

Curt Duke, Principal Investigator. M.A., Anthropology, University of California at Santa Cruz. 21 years of experience in completing and overseeing archaeology studies and conducting Native American and agency consultation. Contribution: Historic Property Survey Report and Archaeological Survey Report.

GPA Consulting

Richard Galvin, Principal Environmental Planner. B.S., Environmental Science, California State University at Chico. 20 years of experience in managing environmental projects. Contribution: Quality Assurance/Quality Control review.

Erinn Silva, Senior Environmental Planner. A.S., Business Management, El Camino College. 12 years of experience in environmental planning and permitting. Contribution: Project management, Farmland Documentation, environmental document preparation, and Quality Assurance/Quality Control review.

Marieka Schrader, Senior Environmental Planner/Biologist. B.A., Environmental Studies, University of California at Santa Cruz. 15 years of experience in managing

environmental projects. Contribution: Quality Assurance/Quality Control review and Natural Environment Study (Minimal Impacts).

David Lewis, Senior Environmental Planner. B.A. Northern Illinois University; eight years of experience in environmental planning and permitting. Contribution: Quality Assurance/Quality Control review.

Jeanne Ogar, Senior Environmental Planner. M.S., Environmental Science and Management, University of California at Santa Barbara. 10 years of experience in environmental planning and permitting. Contribution: Environmental document preparation, Community Impact Assessment, and Relocation Impact Memorandum.

Nicole Greenfield, Environmental Planner. B.A., Integrative Biology, University of California, Berkeley. Three years of experience in the environmental field. Contribution: Environmental document preparation.

Danielle Thayer, Environmental Planner. M.S., Natural Resources and Environmental Sciences, University of Illinois. Two years of experience in environmental planning and research. Contribution: Environmental document preparation.

Andrea Galvin, Principal Architectural Historian. M.S., Historic Preservation, University of Pennsylvania. 20 years of experience in research and documentation of historic districts, sites, buildings, and structures. Contribution: Historical Resources Evaluation Report.

Jenna Kachour, Associate Preservation Planner. Master of Planning, University of Southern California. 9 years of experience in planning and historic preservation. Contribution: Historical Resources Evaluation Report.

Sheri Mayta, Associate Biologist. B.S., Ecology and Evolution, University of California at Santa Barbara. 11 years of experience in protected plant and animal species and wetland habitat restoration. Contribution: Natural Environment Study (Minimal Impacts).

Jennifer Morrison, Associate Biologist. B.S., Marine Biology, California State University at Long Beach. Eight years of experience in technical analyses, and biological surveys. Contribution: Natural Environment Study (Minimal Impacts) and Farmland Documentation.

Chapter 6 Distribution List

6.1 Elected Officials

The Honorable Tim Flynn
Mayor
Oxnard City Hall
300 West 3rd Street
Oxnard, CA 93030

The Honorable Bryan A. MacDonald
Councilman
Oxnard City Hall
300 West 3rd Street
Oxnard, CA 93030

The Honorable Dorina Padilla
City Councilmember
Oxnard City Hall
300 West 3rd Street
Oxnard, CA 93030

The Honorable John C. Zaragoza
Ventura County Supervisor, District 5
County Government Center
800 S. Victoria Ave. L#1860
Ventura, CA 93009

The Honorable Hannah-Beth Jackson
The State Senate, District 19
300 E. Esplanade Drive, Suite 430
Oxnard, CA 93036

The Honorable Kamala Harris
United States Senate
312 N. Spring St., Suite 1748
Los Angeles, CA 90012

Debra Cordes
Oxnard School District Clerk
1051 South A Street
Oxnard, CA 93030

Veronica Robles-Solis
Oxnard School District Trustee
1051 South A Street
Oxnard, CA 93030

The Honorable Carmen Ramirez, Esq.
Mayor Pro Tem
Oxnard City Hall
300 West 3rd Street
Oxnard, CA 93030

The Honorable Bert E. Perello
City Councilmember
Oxnard City Hall
300 West 3rd Street
Oxnard, CA 93030

The Honorable Jacqui Irwin
The State Assembly, 26th District
230 W. 7th Street, Suite B
Oxnard, CA 93030

The Honorable Julia Brownley
Representative in Congress, 26th District
300 E. Esplanade Drive, Suite 470
Oxnard, CA 93036

The Honorable Diane Feinstein
United States Senate
11111 Santa Monica Boulevard, Suite 915
Los Angeles, CA 90025

Ernest Morrison
Oxnard School District Board President
1051 South A Street
Oxnard, CA 93030

Denis O'Leary
Oxnard School District Trustee
1051 South A Street
Oxnard, CA 93030

Monica Madrigal Lopez
Oxnard School District Trustee
1051 South A Street
Oxnard, CA 93030

6.2 Local Agencies and Organizations

Steve DeGeorge
Ventura County Transportation Commission
950 County Square Drive, Suite 207
Ventura, CA 93003

City of Oxnard
Oxnard City Hall
300 West 3rd Street
Oxnard, CA 93030

County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

City of Ventura
Ventura City Hall
501 Poli St. #109
Ventura, CA 93001

City of Camarillo
Camarillo City Hall
601 Carmen Drive
Camarillo, CA 93010

Oxnard Public Library
Colonia Branch
1500 Camino del Sol #26
Oxnard, CA 93030

Oxnard Public Library
Downtown Main Library
251 South 'A' Street
Oxnard, CA 93030

Oxnard Public Library
South Oxnard Branch
4300 Saviers Road
Oxnard, CA 93030

Oxnard Fire Department Headquarters
Chief Darwin Base
360 West 2nd Street
Oxnard, CA 93030

Oxnard Police Department
Chief Scott Whitney
251 South C Street
Oxnard, CA 93030

Southern California County of Governments
Ventura County Regional Office
950 County Square Drive, Suite 101
Ventura, CA 93003

Oxnard Elementary School District
Dr. Cesar Morales
District Superintendent
1051 South A St.
Oxnard, CA 93030

Rose Park Neighborhood Council
Oxnard Neighborhood Councils
300 W 3rd Street #4
Oxnard, CA 93030

East Village Neighborhood Council
Oxnard Neighborhood Councils
300 W 3rd Street #4
Oxnard, CA 93030

Ventura Regional Sanitation District
1001 Partridge Drive, Suite 150
Ventura, CA 93003

City of Port Hueneme
250 North Ventura Road
Port Hueneme, CA 93041

Union Pacific Railroad
1400 Douglas Street
Omaha, NE 68179

6.3 State Agencies

Paul Moore
California Department of Transportation
Bicycle Facilities Unit, Division of Local
Assistance
P.O. Box 942874
Sacramento, CA 94274

California Air Resources Board
Environmental Review Section
1001 I Street, P.O. Box 2815
Sacramento, CA 95812

California Department of Fish and Wildlife
Habitat Conservation Planning
3883 Ruffin Road
San Diego, CA 92123

California Highway Patrol
Commissioner, J. A. Farrow
601 North 7th Street, P.O. Box 942898
Sacramento, CA 95811

California Integrated Waste Management
Executive Director
P.O. Box 4025
Sacramento, CA 95812-4025

California Native American Heritage Commission
Executive Secretary Larry Myers
915 Capitol Mall, Room 364
Sacramento, CA 95814

California State Historic Preservation Officer
Attn: Julianne Polanco
P.O. Box 942896
Sacramento, CA 94296

Dale Benson
Caltrans Bike Coordinator
100 S. Main Street
Los Angeles, CA 90012

Dwight Dutschke
Department of Parks and Recreation
Office of Historic Preservation,
Project Review Section
1725 23rd Street, Suite 100
Sacramento, CA 95816

Los Angeles Regional Water Quality Control
Board
Environmental Review Unit
320 W. 4th Street, Suite 200
Los Angeles, CA 90013

Natural Resources Conservation Service
Area 4
4500 Glenwood Drive, Building D
Riverside, CA 92501-3042

Southern California Association of Governments
Environmental Document Review Section
818 West Seventh Street, 12th Floor
Los Angeles, CA 90017

South Coast Air Quality Management District
Program Supervisor, CEQA Section
21865 Copley Drive
Diamond Bar, CA 91756

State Clearinghouse
Office of Planning and Research
Environmental Review Section
P.O. Box 3044
Sacramento, CA 95812-3044

State Resources Agency
Environmental Review Section
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

6.4 Federal Agencies

U.S. Army Corps of Engineers
Los Angeles District
Attention: CESPL-CO-R
915 Wilshire Blvd, Suite 1101
Los Angeles, CA 90017

Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003

Josue Yambo
Federal Highway Administration
CALSOUTH Office
888 S. Figueroa St., Ste. 750
Los Angeles, CA 90017

6.5 Property Owners (within 300' of Project Area)

SEMINIS VEGETABLE SEEDS INC
2700 Camino Del Sol
Oxnard, CA 93030

SOUTHERN PACIFIC TRANS CO
65 Market Street #846
San Francisco, CA 94105

SYSCO FOOD SVCS OF VENTURA
1390 Enclave Parkway
Houston, TX 77077

OXNARD CITY OF
300 W. Third Street
Oxnard, CA 93030

OXNARD PRODUCE LLC
701 W. Kimberly Avenue
Placentia, CA 92870

PEGH INVESTMENTS LLC
2800 Sturgis Road
Oxnard, CA 93030

PTI ADVANCED FILTRATION INC
6035 Parkland Boulevard
Cleveland, OH 44124

REXFORD INDUSTRIAL REALTY LP
11620 Wilshire Boulevard
Los Angeles, CA 90025

BROS & NISHIMORI BROS HIJI
203 Village Commons Boulevard #11
Camarillo, CA 93012

WILLIAM C B & KIM A BURR
902 Amber Lane
Ojai, CA 93023

DAN & BILHA DAVIDSON
2140 Eastman Avenue
Oxnard, CA 93030

YAKOPOS LLC
451 Lombard Street
Oxnard, CA 93030

450 LOMBARD LLC
420 S. Lombard Street
Oxnard, CA 93030

TOM & CATHY BARDOS
3243 Calle De Debesa
Camarillo, CA 93010

OXNARD MERCHANT VII LTD
569 Constitution
Camarillo, CA 93012

SHUMWAY RE HOLDINGS LLC
3250 Camino Del Sol
Oxnard, CA 93030

WESTRIDGE VENTURE I
2451 Eastman Avenue
Oxnard, CA 93030

ZAKI FAMILY PARTNERSHIP L P
1424 La Vereda Lane
Santa Barbara, CA 93108

STELLAR VENTURES GROUP LLC
489 Marymount Court
Ventura, CA 93003

BOLDT ENTERPRISES LLC
716 N. Ventura Road #431
Oxnard, CA 93030

PACIFIC LANDMARK LTD
569 Constitution Avenue #H
Camarillo, CA 93012

REXFORD INDUSTRIAL REALTY LP
11620 Wilshire Boulevard #1000
Los Angeles, CA 90025

UNITED WATER CONS DISTRICT
106 N. Eighth Street
Santa Paula, CA 93060

HAILWOOD INC
5755 Valentine Road #304
Ventura, CA 93003

CAM-RIO PROPERTIES
PO Box 5736
Oxnard, CA 93031

E & H LAND COMPANY LLC
PO Box 52018
Irvine, CA 92619

ANNEMARIE ENTHOVEN
4595 Foothill Road
Carpinteria, CA 93013

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Appendix A: Notice of Preparation



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

Notice of Preparation

September 14, 2017

To: Reviewing Agencies

Re: Rice Avenue Grade Separation Project
SCH# 2017091040

Attached for your review and comment is the Notice of Preparation (NOP) for the Rice Avenue Grade Separation Project draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Susan Tse Koo
California Department of Transportation, District 7
100 South Main Street, Suite 100
Los Angeles, CA 90012

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2017091040
Project Title Rice Avenue Grade Separation Project
Lead Agency Caltrans #7

Type NOP Notice of Preparation

Description The city of Oxnard, in cooperation with the Ventura County Transportation Commission and Caltrans, is proposing to construct a grade separation on Rice Avenue where it crosses over SR 34 and the UPRR tracks. The northern portion of the project area is located in the city, while the southern portion to the south of SR 34 is located in an unincorporated area of the county of Ventura; SR-34, east of Rice Avenue, is located within Caltrans ROW.

Lead Agency Contact

Name Susan Tse Koo
Agency California Department of Transportation, District 7
Phone (213) 897-1821 **Fax**
email
Address 100 South Main Street, Suite 100
City Los Angeles **State** CA **Zip** 90012

Project Location

County Ventura
City Oxnard
Region
Cross Streets
Lat / Long 34° 11' 48" N / 119° 08' 32" W
Parcel No.

Township	Range	Section	Base
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Proximity to:

Highways SR 34, SR 101
Airports
Railways
Waterways
Schools Oxnard ES
Land Use

Project Issues

Reviewing Agencies Resources Agency; Department of Conservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Wildlife, Region 5; Native American Heritage Commission; Public Utilities Commission; California Highway Patrol; Air Resources Board, Transportation Projects; Regional Water Quality Control Board, Region 4

Date Received 09/13/2017 **Start of Review** 09/13/2017 **End of Review** 10/12/2017

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2017091040**Project Title:** Rice Avenue Grade Separation ProjectLead Agency: CaltransContact Person: Susan Tse KooMailing Address: 100 S. Main Street, Suite 100Phone: (213) 897-1821City: Los AngelesZip: 90012County: Los Angeles**Project Location:** County: VenturaCity/Nearest Community: Oxnard

Cross Streets: _____ Zip Code: _____

Longitude/Latitude (degrees, minutes and seconds): 34 ° 11 ' 48 " N / 119 ° 08 ' 32 " W Total Acres: _____

Assessor's Parcel No.: _____ Section: _____ Twp.: _____ Range: _____ Base: _____

Within 2 Miles: State Hwy #: SR-34, SR-101

Waterways: _____

Airports: N/A Railways: _____ Schools: Oxnard Elementary School**Document Type:**

CEQA: ☒ NOP ☐ Draft EIR ☐ NEPA: ☐ NOI ☐ Other: ☐ Joint Document
☐ Early Cons ☐ Supplement/Subsequent EIR ☐ Final Document
☐ Neg Dec (Prior SCH No.) ☐ Draft EIS ☐ Other: _____
☐ Mit Neg Dec Other: _____ ☐ FONSI

Local Action Type:

☐ General Plan Update ☐ Specific Plan ☐ Redezone ☐ Annexation
☐ General Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment
☐ General Plan Element ☐ Planned Unit Development ☐ Use Permit ☐ Coastal Permit
☐ Community Plan ☐ Site Plan ☐ Land Division (Subdivision, etc.) ☐ Other: _____

Development Type:

☐ Residential: Units _____ Acres _____ ☒ Transportation: Type Grade Separation
☐ Office: Sq.ft. _____ Acres _____ Employees _____ ☐ Mining: Mineral _____
☐ Commercial: Sq.ft. _____ Acres _____ Employees _____ ☐ Power: Type _____ MW
☐ Industrial: Sq.ft. _____ Acres _____ Employees _____ ☐ Waste Treatment: Type _____ MGD
☐ Educational: _____ ☐ Hazardous Waste: Type _____
☐ Recreational: _____ ☐ Other: _____
☐ Water Facilities: Type _____ MGD _____

Project Issues Discussed in Document:

☐ Aesthetic/Visual ☐ Fiscal ☐ Recreation/Parks ☐ Vegetation
☐ Agricultural Land ☐ Flood Plain/Flooding ☐ Schools/Universities ☐ Water Quality
☐ Air Quality ☐ Forest Land/Fire Hazard ☐ Septic Systems ☐ Water Supply/Groundwater
☐ Archeological/Historical ☐ Geologic/Seismic ☐ Sewer Capacity ☐ Wetland/Riparian
☐ Biological Resources ☐ Minerals ☐ Soil Erosion/Compaction/Grading ☐ Growth Inducement
☐ Coastal Zone ☐ Noise ☐ Solid Waste ☐ Land Use
☐ Drainage/Absorption ☐ Population/Housing Balance ☐ Toxic/Hazardous ☐ Cumulative Effects
☐ Economic/Jobs ☐ Public Services/Facilities ☐ Traffic/Circulation ☐ Other: _____

Present Land Use/Zoning/General Plan Designation:**Project Description:** (please use a separate page if necessary)

The City of Oxnard (City), in cooperation with the Ventura County Transportation Commission (VCTC) and the California Department of Transportation (Caltrans), is proposing to construct a grade separation (project) on Rice Avenue where it crosses over State Route 34 (SR-34) and the Union Pacific Railroad (UPRR) tracks (project area). The northern portion of the Project Area is located in the City, while the southern portion to the south of SR-34 is located in an unincorporated area of the County of Ventura (County); SR-34, east of Rice Avenue, is located within Caltrans right-of-way.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

County:

County: Ventura of

SCH#

2017091040

Regional Water Quality Control Board (RWQCB)

- ☐ **RWQCB 1**
Cathleen Hudson
North Coast Region (1)
- ☐ **RWQCB 2**
Environmental Document
Coordinator
San Francisco Bay Region (2)

-  **Fish & Wildlife Region 4**
Julie Vance
-  **Fish & Wildlife Region 5**
Leslie Newton-Reed
Habitat Conservation
Program
-  **Fish & Wildlife Region 6**
Tiffany Ellis
Habitat Conservation
Program
-  **Fish & Wildlife Region 6 I/M**
Heidi Calvert
Inyo/Mono, Habitat
Conservation Program
-  **Dept. of Fish & Wildlife M**
William Paznokas
Marine Region

Native American Heritage Comm.
Debbie Treadway

 Public Utilities Commission
Supervisor

 Santa Monica Bay Restoration
Guangyu Wang

 State Lands Commission
Jennifer Deleong

 Tahoe Regional Planning Agency (TRPA)
Cherrv Jacques

Cal EPA

Air Resources Board

-  **Airport & Freight**
Jack Wursten
-  **Transportation Projects**
Nesamani Kalandiyur
-  **Industrial/Energy Projects**
Mike Tollstrup
-  **California Department of
Resources, Recycling &
Recovery**
Sue O'Leary
-  **State Water Resources Control
Board**
Regional Programs Unit
Division of Financial Assistance

- ☐ **RWQCB 3**
Central Coast Station (3)
- ☒ **RWQCB 4**
Teresa Rodgers
Los Angeles Station (4)
- ☐ **RWQCB 5S**
Central Valley Station (5)
- ☐ **RWQCB 5F**
Central Valley Station (5)
Fresno Branch Office
- ☐ **RWQCB 5R**
Central Valley Station (5)
Redding Branch Office
- ☐ **RWQCB 6**
Lahontan Station (6)
- ☐ **RWQCB 6V**
Lahontan Station (6)
Victorville Branch Office

- **California Department of Education**
Lesley Taylor
- **OES (Office of Emergency Services)**
Monique Wilber
- **Food & Agriculture**
Sandra Schubert
Dept. of Food and Agriculture
- **Dept. of General Services**
Cathy Buck
Environmental Services Section
- **Housing & Comm. Dev.**
CEQA Coordinator
Housing Policy Division

- ☐ **Caltrans, District 1**
Rex Jackman
- ☐ **Caltrans, District 2**
Marcelino Gonzalez
- ☐ **Caltrans, District 3**
Eric Federicks – South
Susan Zanchi – North
- ☐ **Caltrans, District 4**
Patricia Maurice
- ☐ **Caltrans, District 5**
Larry Newland
- ☐ **Caltrans, District 6**
Michael Navarro
- ☐ **Caltrans, District 7**
Dianna Watson
- ☐ **Caltrans, District 8**
Mark Roberts

- **Delta Protection Commission**
Erik Vink
- **Delta Stewardship Council**
Kevan Samsam
- **California Energy Commission**
Eric Knight

- ☐ **Fish & Wildlife Region 1**
Curt Babcock
- ☐ **Fish & Wildlife Region 1E**
Laurie Harnsberger
- ☐ **Fish & Wildlife Region 2**
Jeff Drongesen
- ☐ **Fish & Wildlife Region 3**
Craig Weightman

- ☐ **Caltrans, District 1**
Rex Jackman
- ☐ **Caltrans, District 2**
Marcelino Gonzalez
- ☐ **Caltrans, District 3**
Eric Federicks – South
Susan Zanchi – North
- ☐ **Caltrans, District 4**
Patricia Maurice
- ☐ **Caltrans, District 5**
Larry Newland
- ☐ **Caltrans, District 6**
Michael Navarro
- ☐ **Caltrans, District 7**
Dianna Watson
- ☐ **Caltrans, District 8**
Mark Roberts
- ☐ **State Water Resources Control Board**
Cindy Forbes – Asst Deputy
Division of Drinking Water
- ☐ **State Water Resources Control Board**
Div. Drinking Water # _____
- ☐ **State Water Resources Control Board**
Student Intern, 401 Water Quality
Certification Unit
Division of Water Quality
- ☐ **State Water Resources Control Board**
Phil Crader
Division of Water Rights
- ☐ **Dept. of Toxic Substances Control**
CEQA Tracking Center
- ☐ **Department of Pesticide Regulation**
CEQA Coordinator

- ☐ **RWQCB 7**
Colorado River Basin Region (7)
- ☐ **RWQCB 8**
Santa Ana Region (8)
- ☐ **RWQCB 9**
San Diego Region (9)
- ☐ **Other** _____

- ☐ _____
Conservancy

Appendix B: Resources Evaluated Relative to the Requirements of Section 4(f)

Introduction

Section 4(f) of the Department of Transportation Act of 1966, codified in federal law at 49 United States Code (USC) 303, declares that “it is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites.”

Section 4(f) specifies that the Secretary [of Transportation] may approve a transportation program or project requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance, or land of an historic site of national, state, or local significance (as determined by the federal, state, or local officials having jurisdiction over the park, area, refuge, or site) only if:

- There is no prudent and feasible alternative to using that land; and
- The program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.

Section 4(f) further requires consultation with the Department of the Interior and, as appropriate, the involved offices of the Department of Agriculture and the Department of Housing and Urban Development in developing transportation projects and programs that use lands protected by Section 4(f). If historic sites are involved, then coordination with the State Historic Preservation Officer (SHPO) is also needed.

Section 4(f) *De Minimis* Determination

Section 6009(a) of SAFETEA-LU amended Section 4(f) legislation at 23 USC 138 and 49 USC 303 to simplify the processing and approval of projects that have only *de minimis* impacts on lands protected by Section 4(f). This revision provides that once the U.S. Department of Transportation (USDOT) determines that a transportation use of Section 4(f) property, after consideration of any impact avoidance, minimization, and mitigation or enhancement measures, results in a *de minimis* impact on that property, an analysis of avoidance alternatives is not required and the Section 4(f) evaluation process is complete. FHWA's final rule on Section 4(f) *de minimis* findings is codified in 23 Code of Federal Regulations (CFR) 774.3 and CFR 774.17.

Responsibility for compliance with Section 4(f) has been assigned to Caltrans pursuant to 23 USC 326 and 327, including determinations and approval of Section 4(f) evaluations, as well as coordination with those agencies that have jurisdiction over a Section 4(f) resource that may be affected by a project action.

Description of Section 4(f) Property

There is one built environment resource in the Rice Avenue Grade Separation Project (Project) Area of Potential Effects (APE), a one-mile segment of the Montalvo Cutoff of the Southern Pacific Railroad's Coast Line. The Montalvo Cutoff is presumed eligible for inclusion in the National Register of Historic Places (NRHP) for the purpose of this Project only, and the one-mile segment

would be a contributing element to the larger resource, should it ever be determined eligible. Therefore, this property is protected under the requirements of Section 4(f).

Description of Use

The Project would require a permanent aerial easement over this segment, and would therefore result in a direct use of the property.

Reason for De Minimis Determination

The construction of a grade separation over the railroad will not result in any direct physical changes to the segment's intact character-defining features. The new structure will not have a substantial adverse effect on the segment's physical design or setting, nor will it reduce the integrity of the segment to the degree that it is no longer eligible for the NRHP. The Project will have no adverse effects on the assumed eligible built environment resource. A determination of "No Adverse Effect without Standard Conditions" was approved for the Project under Section 106 of the NHPA on February 15, 2018 through a Letter of Concurrence. Therefore, Caltrans has made a preliminary *de minimis* determination for the Project effects related to the permanent aerial easement and grade separation over the segment of the Montalvo Cutoff of the Southern Pacific Railroad's Coast Line.

Minimization Measures

No avoidance, minimization, and/or mitigation measures are required to make these *de minimis* finding.

Coordination

Caltrans has consulted with the SHPO about a "No Adverse Effect" finding in regard to the one-mile segment of the Montalvo Cutoff of the Southern Pacific Railroad's Coast Line. The SHPO was informed of Caltrans' intent to make a *de minimis* impact finding based on their written concurrence in the Section 106 determination of "No Adverse Effect." SHPO concurred with the Section 106 determination of no adverse effect for this property on February 15, 2018. The Section 106 and *de minimis* documentation will be attached to the Final Environmental Impact Report/Environmental Assessment.

Resources Evaluated Relative to the Requirements of Section 4(f)

This section of the document discusses parks, recreational facilities, wildlife refuges and historic properties found within or next to the Project area that do not trigger Section 4(f) protection because either: 1) they are not publicly owned, 2) they are not open to the public, 3) they are not eligible historic properties, 4) the Project does not permanently use the property and does not hinder the preservation of the property, or 5) the proximity impacts do not result in constructive use. The following publicly-owned public parks, which are Section 4(f) resources, are within a 0.5-mile radius of the Project area:

- Rose Park, approximately 0.33 mile northwest of the Project area; and

- Thompson Park, approximately 0.45 mile northwest of the Project area

The Project would not require permanent incorporation of land or temporary occupancy of either of these resources. Rose Park and Thompson Park would not be affected by proximity impacts because of their distance from the Project area. The Build Alternatives would not result in any permanent impacts, use of, or acquisition of parks or recreational facilities. Construction of the Build Alternatives would require a temporary detour road approximately 200 feet east of and parallel to Rice Avenue; however, access to parks and recreational facilities in the study area would not be changed or impacted during construction.

Temporary impacts related to construction of the Project could include increases in noise from the use of construction equipment and vehicles, and air pollutant emissions from dust generated during earth moving activities and exhaust from construction equipment and vehicles. However, there are no parks or recreational facilities directly adjacent to the Project area where noise and pollutant emissions would be expected to be concentrated.

Two archaeological resources in the APE are presumed eligible for inclusion in the NRHP for the purpose of this Project only, and the portion of each site that is within the APE do not contribute to the assumed eligibility of the larger assumed eligible sites. The assumed eligible sites will be protected from adverse effects through the implementation of an Environmentally Sensitive Area (ESA) Action Plan and monitoring during construction. The Project will have no adverse effects on the assumed eligible archaeological resources with the implementation of these conditions.

The two archaeological resources are important chiefly because of what can be learned by data recovery and have minimal value for preservation in place. Therefore, they are not protected under the requirements of Section 4(f), pursuant to 23 CFR 774.13. Section 106 documentation was sent to SHPO. SHPO concurred with the Section 106 documentation on February 15, 2018 through a Letter of Concurrence. Therefore, provisions of Section 4(f) are not triggered, and Caltrans intends to apply exception 23 CFR 774.13(b) to these archeological sites. The Section 106 documentation will be attached to the Final Environmental Impact Report/Environmental Assessment.

The Project would not require permanent incorporation of land or temporary occupancy of any other Section 4(f) resources. In addition, the Project would not result in severe proximity impacts that could impair the intended use of any Section 4(f) resources. Therefore, the provisions of Section 4(f) are not triggered.

Appendix C: Threatened and Endangered Species List



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ventura Fish And Wildlife Office
2493 Portola Road, Suite B
Ventura, CA 93003-7726
Phone: (805) 644-1766 Fax: (805) 644-3958



In Reply Refer To:

April 10, 2018

Consultation Code: 08EVEN00-2016-SLI-0053

Event Code: 08EVEN00-2018-E-01248

Project Name: Rice Avenue at Fifth Street Grade Separation Project

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed list identifies species listed as threatened and endangered, species proposed for listing as threatened or endangered, designated and proposed critical habitat, and species that are candidates for listing that may occur within the boundary of the area you have indicated using the U.S. Fish and Wildlife Service's (Service) Information Planning and Conservation System (IPaC). The species list fulfills the requirements under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.). Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the species list should be verified after 90 days. We recommend that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists following the same process you used to receive the enclosed list. Please include the Consultation Tracking Number in the header of this letter with any correspondence about the species list.

Due to staff shortages and excessive workload, we are unable to provide an official list more specific to your area. Numerous other sources of information are available for you to narrow the list to the habitats and conditions of the site in which you are interested. For example, we recommend conducting a biological site assessment or surveys for plants and animals that could help refine the list.

If a Federal agency is involved in the project, that agency has the responsibility to review its proposed activities and determine whether any listed species may be affected. If the project is a major construction project*, the Federal agency has the responsibility to prepare a biological assessment to make a determination of the effects of the action on the listed species or critical habitat. If the Federal agency determines that a listed species or critical habitat is likely to be adversely affected, it should request, in writing through our office, formal consultation pursuant to section 7 of the Act. Informal consultation may be used to exchange information and resolve conflicts with respect to threatened or endangered species or their critical habitat prior to a

written request for formal consultation. During this review process, the Federal agency may engage in planning efforts but may not make any irreversible commitment of resources. Such a commitment could constitute a violation of section 7(d) of the Act.

Federal agencies are required to confer with the Service, pursuant to section 7(a)(4) of the Act, when an agency action is likely to jeopardize the continued existence of any proposed species or result in the destruction or adverse modification of proposed critical habitat (50 CFR 402.10(a)). A request for formal conference must be in writing and should include the same information that would be provided for a request for formal consultation. Conferences can also include discussions between the Service and the Federal agency to identify and resolve potential conflicts between an action and proposed species or proposed critical habitat early in the decision-making process. The Service recommends ways to minimize or avoid adverse effects of the action. These recommendations are advisory because the jeopardy prohibition of section 7(a)(2) of the Act does not apply until the species is listed or the proposed critical habitat is designated. The conference process fulfills the need to inform Federal agencies of possible steps that an agency might take at an early stage to adjust its actions to avoid jeopardizing a proposed species.

When a proposed species or proposed critical habitat may be affected by an action, the lead Federal agency may elect to enter into formal conference with the Service even if the action is not likely to jeopardize or result in the destruction or adverse modification of proposed critical habitat. If the proposed species is listed or the proposed critical habitat is designated after completion of the conference, the Federal agency may ask the Service, in writing, to confirm the conference as a formal consultation. If the Service reviews the proposed action and finds that no significant changes in the action as planned or in the information used during the conference have occurred, the Service will confirm the conference as a formal consultation on the project and no further section 7 consultation will be necessary. Use of the formal conference process in this manner can prevent delays in the event the proposed species is listed or the proposed critical habitat is designated during project development or implementation.

Candidate species are those species presently under review by the Service for consideration for Federal listing. Candidate species should be considered in the planning process because they may become listed or proposed for listing prior to project completion. Preparation of a biological assessment, as described in section 7(c) of the Act, is not required for candidate species. If early evaluation of your project indicates that it is likely to affect a candidate species, you may wish to request technical assistance from this office.

Only listed species receive protection under the Act. However, sensitive species should be considered in the planning process in the event they become listed or proposed for listing prior to project completion. We recommend that you review information in the California Department of Fish and Wildlife's Natural Diversity Data Base. You can contact the California Department of Fish and Wildlife at (916) 324-3812 for information on other sensitive species that may occur in this area.

[*A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.]

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Ventura Fish And Wildlife Office

2493 Portola Road, Suite B

Ventura, CA 93003-7726

(805) 644-1766

Project Summary

Consultation Code: 08EVEN00-2016-SLI-0053

Event Code: 08EVEN00-2018-E-01248

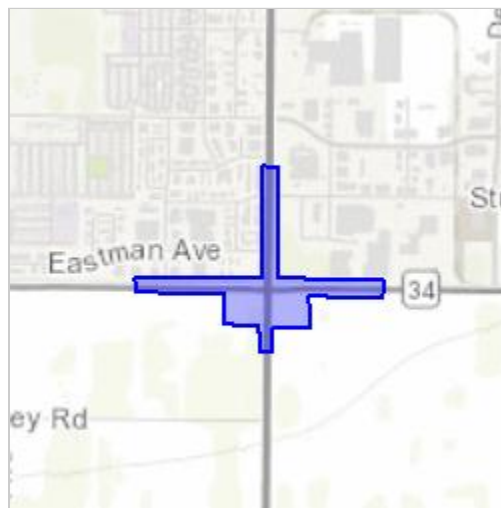
Project Name: Rice Avenue at Fifth Street Grade Separation Project

Project Type: TRANSPORTATION

Project Description: The City of Oxnard, in coordination with the California Department of Transportation, proposes to separate an at-grade railroad crossing at Rice Avenue/Fifth Street and the Union Pacific Railroad tracks. The project area is surrounded by a combination of agricultural, commercial, and residential land uses. Vegetation adjacent to the road in the project area includes grassy and weedy areas, ornamental landscaping (including median landscaping), and agricultural crops.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/34.19849239983598N119.1421329775101W>



Counties: Ventura, CA

Endangered Species Act Species

There is a total of 16 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.
-

Birds

NAME	STATUS
California Least Tern <i>Sterna antillarum browni</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8104	Endangered
Least Bell's Vireo <i>Vireo bellii pusillus</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5945	Endangered
Light-footed Clapper Rail <i>Rallus longirostris levipes</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6035	Endangered
Marbled Murrelet <i>Brachyramphus marmoratus</i> Population: U.S.A. (CA, OR, WA) There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4467	Threatened
Southwestern Willow Flycatcher <i>Empidonax traillii extimus</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6749	Endangered
Western Snowy Plover <i>Charadrius alexandrinus nivosus</i> Population: Pacific Coast population DPS-U.S.A. (CA, OR, WA), Mexico (within 50 miles of Pacific coast) There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8035	Threatened

Amphibians

NAME	STATUS
California Red-legged Frog <i>Rana draytonii</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2891	Threatened

Fishes

NAME	STATUS
Tidewater Goby <i>Eucyclogobius newberryi</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/57	Endangered

Crustaceans

NAME	STATUS
Riverside Fairy Shrimp <i>Streptocephalus woottoni</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8148	Endangered
Vernal Pool Fairy Shrimp <i>Branchinecta lynchi</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/498	Threatened

Flowering Plants

NAME	STATUS
California Orcutt Grass <i>Orcuttia californica</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4923	Endangered
Gambel's Watercress <i>Rorippa gambellii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4201	Endangered
Marsh Sandwort <i>Arenaria paludicola</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2229	Endangered
Salt Marsh Bird's-beak <i>Cordylanthus maritimus</i> ssp. <i>maritimus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6447	Endangered
Spreading Navarretia <i>Navarretia fossalis</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1334	Threatened
Ventura Marsh Milk-vetch <i>Astragalus pycnostachyus</i> var. <i>lanosissimus</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1160	Endangered

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

Appendix D: Summary of Relocation Benefits

Your Rights and Benefits
as a Displaced
Business, Farm, or
Nonprofit Organization
Under the California
Department of
Transportation Relocation
Assistance Program



California Department of
Transportation

Introduction

In building a modern transportation system, the displacement of a small percentage of the population is often necessary. However, it is the policy of Caltrans that displaced persons shall not suffer unnecessarily as a result of programs designed to benefit the public as a whole.



Displaced businesses, farms, and nonprofit organizations may be eligible for relocation advisory services and payments.

This brochure provides information about available relocation services and payments. If you are required to move as the result of a Caltrans transportation project, a Relocation Agent will contact you. The Relocation Agent will be able to answer your specific questions and provide additional information.

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as Amended "The Uniform Act"



The purpose of this Act is to provide for uniform and equitable treatment of persons displaced from their business, farm or non-profit organization, by federal and federally assisted programs and to establish uniform and equitable land acquisition policies for federal and federally assisted programs.

49 Code of Federal Regulations Part 24 implements the "Uniform Act" in accordance with the following relocation assistance objective:

To ensure that persons displaced as a direct result of federal or federally-assisted projects are treated fairly, consistently and equitably so that such persons will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole.

While every effort has been made to assure the accuracy of this booklet, it should be understood that it does not have the force and effect of law, rule, or regulation governing the payment of benefits. Should any difference or error occur, the law will take precedence.

Relocation Services

The California Department of Transportation has two programs to aid businesses, farms and nonprofit organizations which must relocate.

These are:

1. The Relocation Advisory Assistance Program, which is to aid you in locating a suitable replacement property, and
2. The Relocation Payments Program, which is to reimburse you for certain costs involved in relocating. These payments are classified as:
 - Moving and Related Expenses (costs to move personal property not acquired).
 - Reestablishment Expenses (expenses related to the replacement property).
 - In-Lieu Payment (a fixed payment in lieu of moving and related expenses, and reestablishment expenses).

Note: Payment for loss of goodwill is considered an acquisition cost. California law and the federal regulations mandate that relocation payments cannot duplicate other payments such as goodwill.

You will **not** be eligible to receive any relocation payments until the State has actually made the first written offer to purchase the property. You will also receive at least 90 days' written notice before you must move.

Some Important Definitions...

Your relocation benefits can be better understood if you become familiar with the following terms:

Business: Any lawful activity, with the exception of a farm operation, conducted primarily for the purchase, sale, lease and rental of personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property, or for the sale of services to the public, or solely for the purpose of this Act, and outdoor advertising display or displays, when the display(s) must be moved as a result of the project.

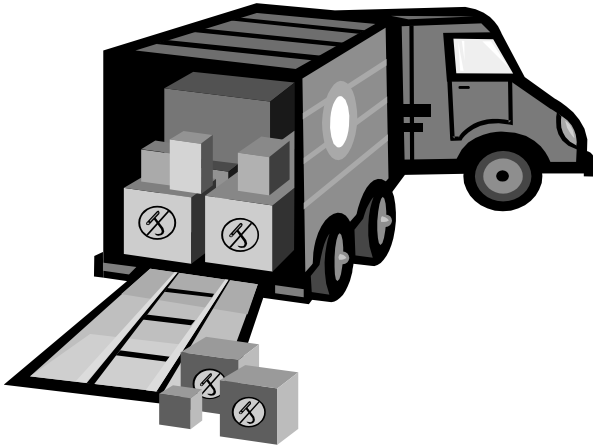
Small Business: A business having not more than 500 employees working at the site being acquired or displaced by a program or project.

Contributes Materially: A business or farm operation must have had average annual gross receipts of at least \$5,000 or average annual net earnings of at least \$1,000, in order to qualify as a bona-fide operation.

Farm Operation: Any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

Nonprofit Organization: A public or private entity that has established its nonprofit status under applicable law.

MOVING EXPENSES



If you qualify as a displaced business, farm or nonprofit organization, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. To qualify you must legally occupy the property as the owner or lessee/tenant when Caltrans initiates negotiations for the acquisition of the property **OR** at the time Caltrans acquires title or takes possession of the property. However, to assure your eligibility and prompt payment of moving expenses, you should contact your Relocation Agent before you move.

You Can Choose Either:

Actual Reasonable Moving Costs - You may be paid for your actual reasonable moving costs and related expenses when a commercial mover performs the move. Reimbursement will be limited to a move of 50 miles or less. Related expenses, with limitations, may include:

- Transportation.
- Packing and unpacking personal property.
- Disconnecting and reconnecting personal property related to the operation.
- Temporary storage of personal property.
- Insurance while property is in storage or transit, or the loss and damage of personal property if insurance is not reasonably available.
- Expenses in finding a replacement location (\$2,500 limit).
- Professional services to plan and monitor the move of the personal property to the new location.
- Licenses, permits and fees required at the replacement location.

OR

Self-Move Agreement - You may be paid to

move your own personal property based on the lower of two acceptable bids obtained by Caltrans.

Under this option, you will still be eligible for reimbursement of related expenses listed above that were not included in the bids.

OR

In-Lieu Payment – A small business may be eligible to accept a fixed payment between \$1,000 and \$40,000, based on your annual earnings IN LIEU OF the moving cost and related expenses. Consult your Relocation Agent for more information about this option.

Actual Reasonable Moving Costs

You may be paid the actual reasonable and necessary costs of your move when a professional mover performs the move. All of your moving costs must be supported by paid receipts or other evidence of expenses incurred. In addition to the transportation costs of your personal property, certain other expenses may also be reimbursable, such as packing, crating, unpacking and uncrating, and the disconnecting, dismantling, removing, reassembling, and

reinstalling relocated machinery, equipment, and other personal property.

Other expenses such as professional services necessary for planning and carrying out the move, temporary storage costs, and the cost of licenses, permits and certifications may also be reimbursable. This is not intended to be an all-inclusive list of moving related expenses. Your Relocation Agent can provide you with a complete explanation of reimbursable expenses.

Self-Move Agreement

If you agree to take full responsibility for all or part of the move of your business, farm, or nonprofit organization, the Department may approve a payment not to exceed the lower of two acceptable bids obtained by the Department from qualified moving firms or a qualified Department staff employee. A low-cost or uncomplicated move may be based on a single bid or estimate at the Department's discretion. The advantage of this moving option is the fact that it relieves the displaced business, farm, or nonprofit organization operator from documenting all moving expenses. The Department may make the payment without additional documentation as long as the payment is limited to the amount of

the lowest acceptable bid or estimate. Other expenses, such as professional services for planning, storage costs, and the cost of licenses, permits, and certifications may also be reimbursable if determined to be necessary. These latter expenses must be pre approved by the Relocation Agent.

Requirements:

Before you move, you must provide Caltrans with the:

- Certified inventory of all personal property to be moved.
- Date you intend to vacate the property.
- Address of the replacement property.
- Opportunity to monitor and inspect the move from the acquired property to the replacement property.

Related Expenses

1. Searching Expenses for Replacement

Property: Displaced businesses, farms, and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals, and lodging when away from home; the reasonable value of the time spent during the search; fees paid to the real estate agents, brokers or consultants; and other expenses determined to be reasonable and necessary by the Department.



2. Direct Loss of Tangible Personal Property:

Displaced businesses, farms, and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property which is incurred as a result of the move or discontinuance of the operation. This payment will be based upon the lesser of:

- a) The fair market value of the item for continued use at the displacement site minus the proceeds from its sale.

OR

- b) The estimated cost of moving and reinstalling the replaced item, based on the lowest acceptable bid or estimate obtained by the Department for eligible moving and related expenses, including dismantling and reassembly, but with no allowance for storage, cost of code requirement betterments or upgrades at the replacement site.

EXAMPLE:

You determine that the "document shredder" cannot be moved to the new location because of its condition, and you will not replace it at the new location.

Fair Market Value of the Document Shredder based on its use at the current location	\$ 1,500
Proceeds: Price received from selling the Document Shredder	- \$ 500
Net Value	\$ 1,000

OR

Estimated cost to move	\$ 1,050
Based on the "lessor of", the amount of the "Loss of Tangible Personal Property" =	\$ 1,000

Note: You are also entitled to all reasonable costs incurred in attempting to sell the document shredder (e.g. advertisement).

3. Purchase of Substitute Personal Property:

If an item of personal property, which is used as part of the business, farm, or nonprofit organization, is not moved but is promptly replaced with a substitute item that performs a

comparable function at the replacement site, the displacee is entitled to payment of the lesser of:

- a) The cost of the substitute item, including installation costs at the replacement site, minus any proceeds from the sale or trade-in of the replaced item;

OR

- b) The estimated cost of moving and reinstalling the replaced item, based on the lowest acceptable bid or estimate obtained by the Department for eligible moving and related expenses, including dismantling and reassembly, but with no allowance for storage, cost of code requirement betterments or upgrades at the replacement site.

EXAMPLE A:

You determine that the copying machine cannot be moved to the new location because it is now obsolete and you will replace it.

Cost of a substitute *Copying Machine*
including installation costs at the
replacement site.

\$ 3,000

Trade-in Allowance

- \$ 2,500

Net Value

\$ 500

OR

Estimated cost to move

\$ 550

Based on the "lesser of", the amount of
the "Substitute Personal Property" =

\$ **500**

EXAMPLE B:

You determine that the chairs will not be used at the new location because they no longer match the décor and you will replace them.

Cost of substitute chairs

\$ 1,000

Proceeds: From selling the Chairs

- \$ 100

Net Value

\$ 900

OR

Estimated cost to move \$ 200

Based on the "lesser of", the amount of
the "Substitute Personal Property" = \$ 200

Note: You are also entitled to all reasonable costs incurred in attempting to sell the document shredder (e.g. advertisement).

4. Disconnecting and Reinstallation: You will be reimbursed for your actual and reasonable costs to disconnect, dismantle, remove, reassemble and reinstall any machinery, equipment or other personal property in relation to its move to the new location. This includes connection to utilities available nearby and any modifications to the personalty that is necessary to adapt it to utilities at the replacement site.

5. Physical changes at the new location: You may be reimbursed for certain physical changes to the replacement property if the changes are necessary to permit the reinstallation of machinery or equipment necessary for the continued operation of the business. ***Note: The changes cannot increase the value of the building***

for general purposes, nor can they increase the mechanical capability of the buildings beyond its normal requirements.

6. The cost of installing utilities from the right of way line to the structure(s) or improvements on the replacement site.

7. Marketing studies, feasibility surveys and soil testing.

8. One-time assessments or impact fees for anticipated heavy utility usage.

Reestablishment Expenses

A small business, farm or nonprofit organization may be eligible for a payment, not to exceed \$25,000, for expenses actually incurred in relocating and reestablishing the enterprise at a replacement site.

Reestablishment expenses may include, but are not limited to, the following:

1. Repairs or improvements to the replacement real property required by Federal, State or local laws, codes or ordinances.
2. Modifications to the replacement of real property to make the structure(s) suitable for the business operation.
3. Construction and installation of exterior signing to advertise the business.
4. Redecoration or replacement such as painting, wallpapering, paneling or carpeting when required by the condition of the replacement site or for aesthetic purposes.
5. Advertising the new business location.
6. The estimated increased costs of operation at the replacement site during the first two years, for items such as:
 - a) Lease or rental charges
 - b) Personal or real property taxes
 - c) Insurance premiums, and
 - d) Utility charges (excluding impact fees).

7. Other items that the Department considers essential for the reestablishment of the business or farm.

In-Lieu Payment (Fixed)

Displaced businesses, farms, and nonprofit organizations may be eligible for a fixed payment in lieu of (in place of) actual moving expenses, personal property losses, searching expense, and reestablishment expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, the Department must determine the following:

1. The business owns or rents personal property that must be moved due to the displacement.
2. The business cannot be relocated without a substantial loss of existing patronage.
3. The business is not part of a commercial enterprise having more than three other businesses engaged in the same or similar activity, which are under the same ownership and are not being displaced by the department.

4. The business contributed materially to the income of the displaced business operator during the two taxable years prior to displacement.

Any business operation that is engaged solely in the rental of space to others is not eligible for a fixed payment. This includes the rental of space for residential or business purposes.

Eligibility requirements for farms and nonprofit organizations are slightly different than business requirements. If you are being displaced from a farm or you represent a nonprofit organization and are interested in a fixed payment, please consult your relocation counselor for additional information.

Note: A nonprofit organization must substantiate that it cannot be relocated without a substantial loss of existing patronage (membership or clientele). The payment is based on the average of two years annual gross revenues less administrative expenses.

The Computation of Your In-Lieu Payment:

The fixed payment for a displaced business or farm is based upon the average annual net earnings of the operation for the two taxable

years immediately preceding the taxable year in which it was displaced. Caltrans can use a different two year period if it is determined that the last two taxable years do not accurately reflect the earnings of the operation.

EXAMPLE: Caltrans acquires your property and you move in 2013:

2011 Annual Net Earnings	\$ 10,500
2012 Annual Net Earnings	<u>\$ 12,500</u>
TOTAL	\$ 23,000
Average over two years	\$ 11,500

This would be the amount of your in-lieu payment. Remember - this is in-lieu of all other moving benefits. You must provide the Department with proof of net earnings to support your claim.

Proof of net earnings can be documented by income tax returns, certified financial statements, or other reasonable evidence of net earnings acceptable to the Department.

Note: The computation for nonprofit organizations differs in that the payment is computed on the basis of average annual gross revenues less administrative expenses for the two-year period specified above.

Before You Move:

- A. Complete a "Request for Determination of Entitlement" form available from your Relocation Agent, and return it promptly.
- B. Include a written statement of the reasons the business cannot be relocated without a substantial loss in net earnings.
- C. Provide certified copies of tax returns for the two tax years immediately preceding the tax year in which you move. (If you move anytime in the year 2013, regardless of when negotiations began or the State took title to the property, the taxable years would be 2011 and 2012).
- D. You will be notified of the amount you are entitled to after the application is received and approved.
- E. You cannot receive the payment until after you vacate the property, AND submit a claim for the payment within 18 months of the date of your move.

Relocation Advisory Assistance



Any business, farm or non-profit organization, displaced by Caltrans shall be offered relocation advisory assistance for the purpose of locating a replacement property. Relocation services are provided by qualified personnel employed by Caltrans. It is their goal and desire to be of service to you and assist in any way possible to help you successfully relocate.

A Relocation Agent from Caltrans will contact you personally. Relocation services and payments will be explained to you in accordance with your eligibility. During the initial interview with you, your needs and desires will be determined as well as your need for assistance.

You can expect to receive the following services, advice and assistance from your Relocation Agent who will:

- Determine your needs and preferences.
- Explain the relocation benefits and eligibility.
- Provide information on replacement properties for your consideration.
- Provide information on counseling you can obtain to help minimize hardships in adjusting to your new location.
- Assist you in completing loan documents, rental applications or Relocation Claims Forms.

AND provide information on:

- Security deposits.
- Interest rates and terms.
- Typical down payments.
- Permits, fees and local planning ordinances.
- SBA loan requirements.
- Real property taxes.
- Consumer education literature.

If you desire, your Relocation Agent will give you current listings of other available replacement property. Transportation will be provided to inspect available property, especially if you are elderly or handicapped. Though you may use the services of a real estate broker, Caltrans cannot provide a referral.

Your Relocation Agent is familiar with the services provided by others in your community and will provide information on other federal, state, and local programs offering assistance to displaced persons. If you have special needs, your Relocation Agent will make every effort to secure the services of those agencies with trained personnel who have the expertise to help you.

If the highway project will require a considerable number of people to be relocated, Caltrans will establish a temporary Relocation Field Office on or near the project. Project relocation offices will be open during convenient hours and evening hours if necessary.

In addition to these services, Caltrans is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

Remember - YOUR RELOCATION AGENT is there to offer advice and assistance. Do not hesitate to ask questions. And be sure you fully understand all of your rights and available benefits.

YOUR RIGHTS AS A DISPLACEE

It is important to remember that your relocation benefits will not have an adverse effect on your:

- Social Security Eligibility
- Welfare Eligibility
- Income Taxes

In addition, the Title VIII of the Civil Rights Act of 1968 and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex, or national origin.

Caltrans' Non-Discrimination Policy ensures that all services and/or benefits will be administered to the general public without regard to race, color, national origin, or sex in compliance with Title VI of the 1964 Civil Rights Act (42 USC 2000d. et seq.).

And you always have the Right to Appeal any decision by Caltrans regarding your relocation benefits and eligibility.

Your Right of Appeal is guaranteed in the "Uniform Act" which states that any person may file an appeal with the head of the responsible

agency if that person believes that the agency has failed to properly determine the person's eligibility or the amount of a payment authorized by the Act.

If you indicate your dissatisfaction, either verbally or in writing, Caltrans will assist you in filing an appeal and explain the procedures to be followed. You will be given a prompt and full opportunity to be heard. You have the right to be represented by legal counsel or other representative in connection with the appeal (but solely at your own expense).

Caltrans will consider all pertinent justifications and materials submitted by you and other available information needed to ensure a fair review. Caltrans will provide you with a written determination resulting from the appeal with an explanation of the basis for the decision. If you are still dissatisfied with the relief granted, Caltrans will advise you that you may seek judicial review.

Americans with Disabilities Act (ADA) Notice:

This document is available in alternative formats for people with physical disabilities. Please call (916) 654-5413, or write to 'Department of Transportation - Right of Way, MS-37, 1120 N Street, Sacramento, CA 95814,' for information.

NOTES:



Non-Residential (2nd Printing)
Effective October 1, 2014

Appendix E: Title VI Policy Statement

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE DIRECTOR
P.O. BOX 942873, MS-49
SACRAMENTO, CA 94273-0001
PHONE (916) 654-5266
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www.dot.ca.gov



*Flex your power!
Be energy efficient!*

March 2013

**NON-DISCRIMINATION
POLICY STATEMENT**

The California Department of Transportation, under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person in the State of California shall, on the grounds of race, color, national origin, sex, disability, religion, sexual orientation, or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity it administers.

For information or guidance on how to file a complaint based on the grounds of race, color, national origin, sex, disability, religion, sexual orientation, or age, please visit the following web page: http://www.dot.ca.gov/hq/bep/title_vi/t6_violated.htm.

Additionally, if you need this information in an alternate format, such as in Braille or in a language other than English, please contact the California Department of Transportation, Office of Business and Economic Opportunity, 1823 14th Street, MS-79, Sacramento, CA 95811. Telephone: (916) 324-0449, TTY: 711, or via Fax: (916) 324-1949.

A handwritten signature in blue ink, appearing to read "Malcolm Dougherty".

MALCOLM DOUGHERTY
Director

Appendix F: Glossary of Technical Terms

A
AMBIENT: Refers to surrounding, external, or unconfined conditions.
AREA OF POTENTIAL EFFECT (APE): A term used in Section 106 of the National Historic Preservation Act to describe the area in which historic resources may be affected by a federal undertaking.
ARTERIAL: A highway or local road that primarily serves through traffic
ATTAINMENT AREA: A geographic area in which levels of a criteria air pollutant meet the health-based primary standard (national ambient air quality standard, or NAAQS) for the pollutant. An area may have an acceptable level for one criteria air pollutant, but may have unacceptable levels for others. Thus an area could be both attainment and nonattainment at the same time. Attainment areas are defined using federal pollutant limits set by the U.S. EPA.
B
BENEFICIAL USE: A use of a natural water resource that enhances the social, economic, and environmental well-being of the user. Twenty-one beneficial uses are defined for the waters of California, ranging from municipal and domestic supply to fisheries and wildlife habitat.
BEST MANAGEMENT PRACTICE (BMP): Any program, technology, process, operating method, measure, or device that controls, prevents, removes or reduces pollution.
C
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA): State legislation enacted in 1970 and subsequently amended. It requires public agencies to regulate activities which may affect the quality of the environment so that major consideration is given to preventing damage to the environment.
CAPACITY: The maximum amount of traffic that can be accommodated by a uniform segment of freeway under prevailing conditions.
CORRIDOR: A strip of land between two termini within which traffic, topography, environment, and other characteristics are evaluated for transportation purposes.
CUMULATIVE IMPACT (CEQA): The CEQA definition of cumulative impact comes from the Office of Planning and Research (OPR). Section 15355 of OPR's CEQA Guidelines provides the following context: Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. a) The individual effects may be changes resulting from a single project or a number of separate projects. b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present,

and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.
CUMULATIVE IMPACT (NEPA): The NEPA definition of a cumulative impact comes from the Council on Environmental Quality (CEQ), which defines a cumulative impact as: ...the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. (40 CFR §1508.7.)
D
DEMAND: The transportation need at a point in time, e.g., traffic volume on a segment of road at a point in time, projected traffic volume on a segment of road in a future year, current peak period ridership on a bus route, children crossing at a signed intersection on school days.
DESIGN CONCEPT: The type of facility identified by the project, e.g., freeway, expressway, arterial highway, grade-separated highway, reserved right-of-way rail transit, mixed-traffic rail transit, exclusive busway, etc.
E
ECOSYSTEM: The biotic community and its abiotic environment functioning on a system.
ENDANGERED: Plant or animal species that are in danger of extinction throughout all or a significant portion of its range.
ENVIRONMENTAL DOCUMENT: “Environmental Document” means draft or final Environmental Impact Statement (EIS) or Environmental Impact Report (EIR), Finding of No Significant Impact (FONSI), Environmental Assessment (EA) or Negative Declaration (ND)/Mitigated Negative Declaration (MND). A categorical exemption or exclusion is not considered an environmental document; it is rather the determination that the project is exempt/excluded from the requirement to prepare an environmental document.
ENVIRONMENTAL PROTECTION AGENCY [UNITED STATES] (U.S. EPA): An agency of the executive branch of the federal government charged with establishing and enforcing environmental regulations.
F
FEDERAL HIGHWAY ADMINISTRATION (FHWA): The Federal agency within the U.S. Department of Transportation responsible for administering the Federal-aid Highway Program and the Motor Carrier Safety Program.

FEDERAL REGISTER (FR): The <i>Federal Register</i> is the official daily publication for agency rules, proposed rules, and notices of federal agencies and organizations, as well as for Executive Orders and other presidential documents.
FEDERAL RAILROAD ADMINISTRATION (FRA): The Federal Rail Administration was created by the Department of Transportation Act of 1966. It is one of ten agencies within the U.S. Department of Transportation concerned with intermodal transportation. The Administration's is responsible for enabling safe, reliable, and efficient movement of people and goods.
FEDERAL TRANSIT ADMINISTRATION (FTA): An agency within the U.S. Department of Transportation responsible for administering federal funds for public transportation planning, programming, and projects.
FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (FTIP): A constrained 4-year prioritized list of all transportation projects that are proposed for federal and local funding. The FTIP is developed and adopted by the MPO/RTPA and is updated every 2 years. It is consistent with the RTP and it is required as a prerequisite for federal funding.
FLOODPLAIN: Any land area subject to inundation by floodwaters from any source.
FLOODPLAIN, 100-YEAR: The boundary of the flood that has a one percent chance of being equaled or exceeded in any given year. Officially termed the one percent annual chance floodplain.
FRAGMENTATION: Reduction of a large habitat area into small, scattered remnants; reduction of leaves and other organic matter into smaller particles.
G
GOODS MOVEMENT: The transportation of commodities by any or all of the following commercial means; aircraft, railroad, ship, or truck.
H
HABITAT: Place where a plant or animal lives.
HOLOCENE: The second epoch of the Quaternary Period characterized by man and modern animals.
I
INDIRECT IMPACTS: Effects that are caused by an action and occur later in time, or at another location, yet are reasonably foreseeable.
INTERCHANGE: A system of interconnecting roadways in conjunction with one or more grade separations providing for the routing of traffic between two or more roadways on different levels.
INITIAL STUDY (IS): Under CEQA, the Initial Study is prepared to determine whether there may be significant environmental effects resulting from a project. The Initial Study is attached to the Negative

Declaration or Mitigated Negative Declaration. It can become the basis of an EIR if it concludes that the project may cause significant environmental effects that cannot be mitigated below the level of significance.
J (none)
K (none)
L
LEAD AGENCY (CEQA): “Lead Agency” means the public agency which has primary responsibility for carrying out or approving a project which may have a significant effect on the environment and preparing the environmental document.
LEAD AGENCY (NEPA): The agency or agencies preparing or having taken primary responsibility for preparing the environmental impact statement.
LEVEL OF SERVICE (LOS): A measure describing operational conditions within a traffic stream. It measures such factors as speed and travel time, freedom to maneuver, traffic interruptions, comfort and convenience, and safety. The six defined levels of services use letter designations from A to F, with Level of Service A representing the best operating conditions and Level of Service F representing the worst. Each Level of Service represents a range of operating conditions.
LIQUEFACTION: The loss in the shearing resistance of a cohesion less soil, caused by an earthquake wave. The soil is turned into a fluid mass.
M
MAINTENANCE AREA: A federal term to describe any geographic region of the United States designated non-attainment pursuant to the Clean Air Act Amendments of 1990 (CAAA) and subsequently re-designated to attainment subject to the requirement to develop a maintenance plan under Section 175A of the CAAA.
MEDIAN: The portion of a divided highway separating the traveled ways in opposite directions.
METROPOLITAN PLANNING ORGANIZATION (MPO): A federal designation for the forum for cooperative transportation decision-making for an urbanized area with population of more than 50,000.
MIGRATION: Intentional, directional, and usually seasonal movement of animals between two regions or habitats; involves departure and return of the same individual.
MITIGATED NEGATIVE DECLARATION (MND): The CEQA document that is used when the Initial Study concludes that a project's potential significant effect on the environment can be reduced below the level of significance with the incorporation of mitigation measures.

MULTIMODAL: Pertaining to more than one method of traveling.
N
NATIONAL ENVIRONMENTAL POLICY ACT (NEPA): Enacted in 1969, NEPA requires all federal agencies to consider environmental factors through a systematic interdisciplinary approach before committing to a course of action. The NEPA process is an overall framework for the environmental evaluation of federal actions.
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT (NPDES): "...is required for facilities and activities that discharge waste into surface waters from a confined pipe or channel."
NONATTAINMENT AREA: "Nonattainment Area" means any geographic region of the United States that the U.S. Environmental Protection Agency (U.S. EPA) has designated as a nonattainment area for a transportation related pollutant(s) for which a National Ambient Air Quality Standard (NAAQS) exists.
NON-POINT SOURCE: A "nonpoint source" is a dispersed source of pollution that is not identifiable as to specific location, but may be identified as contributing to water quality degradation from a tributary drainage area, e.g., pesticide residues distributed over an agricultural area.
NOTICE OF AVAILABILITY (NOA): "Notice of Availability" means a formal public notice under NEPA announcing the availability of a completed EA, DEIS, or FEIS. For EISs, publication of such notice in the Federal Register is required.
NOTICE OF PREPARATION (NOP): "Notice of Preparation" is the CEQA notice that an EIR will be prepared for a project.
O
OVERCROSSING (O.C.): A local road structure that bridges over a state highway.
P
PALEONTOLOGICAL RESOURCE: A locality containing vertebrate, invertebrate, or plant fossils (i.e., fossil location, fossil bearing formation, or a formation with the potential to bear fossils).
PALEONTOLOGY: The study of life in past geologic time based on fossil plants and animals and including phylogeny, their relationships to existing plants, animals, and environments, and the chronology of the earth's history (Bates and Jackson 1980:451).
POINT SOURCE: Distinct location from which wastes are discharged (e.g., pipes and sewers).
PRACTICABLE: The term <i>practicable</i> means available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

PROJECT (CEQA): California Public Resources Code §21065 defines a “project” as an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and which is any of the following: A. An activity directly undertaken by any public agency. B. An activity undertaken by a person which is supported, in whole or in part, throughout contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies. C. An activity that involves the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.
PROJECT (FHWA): 23 Code of Federal Regulations §1.2 defines a project as an undertaking by a State highway department for highway construction, including preliminary engineering, acquisition of rights-of-way and actual construction, or for highway planning and research, or for any other work or activity to carry out the provisions of the Federal laws for the administration of Federal-aid for highways.
Q (none)
R
RECEPTORS: Term used in air quality and noise studies that refers to houses or businesses that could be affected by a project.
REGIONAL TRANSPORTATION PLAN (RTP): A federal and state mandated planning document prepared by MPOs and RTPAs. The plan describes existing and projected transportation needs, conditions, and financing affecting all modes within a 20-year horizon. Also called a METROPOLITAN TRANSPORTATION PLAN (MTP).
RIGHT-OF-WAY: A general term denoting land, property, or interest therein, usually in a strip acquired for or devoted to transportation purposes.
RIPARIAN: Along banks of rivers and streams; riverbank forests are often called gallery forests.
RUDERAL: Disturbed area with a prevalence of introduced weedy species. Ruderal habitats are associated with unpaved highway shoulders and weedy areas around and between dwellings and other structures.
S
SCENIC HIGHWAY: A highway from the SCENIC HIGHWAY SYSTEM, a list of the highways that are eligible to become, or are designated as, official scenic highways. Many state highways are located in areas of outstanding natural beauty. California’s Scenic Highway Program was created by the Legislature in 1963. Its purpose is to preserve and protect scenic highway corridors from change that would diminish the aesthetic value of lands adjacent to highways. The state laws governing the Scenic Highway Program are found in the Streets and Highways Code, §260 et seq.

SCOPING: NEPA defines scoping as an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action (40 CFR §1501.7). Under CEQA, scoping is designed to examine a proposed project early in the EIR environmental analysis/review process, and is intended to identify the range of issues pertinent to the proposed project and feasible alternatives or mitigation measures to avoid potentially significant environmental effects.

SETTLEMENT: The gradual downward movement of an engineered structure due to compression of the soil below the structure foundation.

SIGNIFICANCE (CEQA): CEQA defines a "significant effect on the environment" as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant" (15382).

CEQA requires that the lead agency identify each "significant effect on the environment" resulting from the project and avoid or mitigate it.

The CEQA Guidelines include mandatory findings of significance for certain effects, thus requiring the preparation of an EIR.

SIGNIFICANCE (NEPA): Under NEPA, an EIS is required when the proposed federal action has the potential to "significantly affect the quality of the human environment." To determine that potential, one must consider both the context in which the action takes place and the intensity of its effect. Section 1508.27 of the CEQ regulations defines the term "significantly" as:

Significantly as used in NEPA requires considerations of both context and intensity:

- A. Context. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant.
- B. Intensity. This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluating intensity:
 - 1. Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.
 - 2. The degree to which the proposed action affects public health or safety.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.
4. The degree to which the effects on the quality of the human environment are likely to be highly controversial
5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks
6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration
7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.
8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.
9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.
10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment. [43 FR 56003, Nov. 29, 1978; 44 FR 874, Jan. 3, 1979].

SPECIAL-STATUS SPECIES: Plant or animal species that are either (1) federally listed, proposed for or a candidate for listing as threatened or endangered; (2) bird species protected under the federal Migratory Bird Treaty Act; (3) protected under state endangered species laws and regulations, plant protection laws and regulations, Fish and Game codes, or species of special concern listings and policies; or (4) recognized by national, state, or local environmental organizations (e.g., California Native Plant Society).

STATE WATER RESOURCES CONTROL BOARD: The principal authority of California for regulation of the quantity and quality of waters of the State, established by act of the legislature in 1967. It assumed responsibility for administration of the Porter-Cologne Water Quality Control Act of 1969.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP): A SWPPP is prepared to evaluate sources of discharges and activities that may affect storm water runoff, and implement measures or practices to reduce or prevent such discharges.

SUBSIDENCE: A localized mass movement that involves the gradual downward settling or sinking of the earth's surface.

T
THREATENED: A species that is likely to become endangered in the foreseeable future in the absence of special protection.
TOTAL DISSOLVED SOLIDS: Concentration of all substances dissolved in water (solids remaining after evaporation of a water sample).
TRACT: A standard geographical unit of measurement defined by the U.S. Census Bureau.
TRAFFIC OPERATIONS: The safe and efficient movements of vehicles, people, and goods. The typical measures of effectiveness are travel times, delay, accidents per vehicles miles, and level of service.
TSUNAMI: A water wave of local or distant origin that results from large-scale displacements associated with large earthquakes, major submarine slides, or volcanic eruption.
TURBIDITY: Cloudiness (or a measure of the cloudiness in water due to the presence of suspended particulates).
U (none)
V
VERTICAL CLEARANCE: The unobstructed distance above the roadway surface; the height at which a vehicle may pass beneath a structure, such as a bridge, without any physical contact.
W
WATERSHED: The area of land that drains into a specific waterbody.
WATERS OF THE UNITED STATES: As defined by the United States Army Corps of Engineers (USACE) in 33 CFR 328.3(a): (1) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide; (2) All interstate waters, including interstate wetlands; (3) The territorial seas; (4) All impoundments of waters otherwise identified as waters of the United States; (5) All tributaries, as defined in paragraph (c)(3) of this section, of waters identified in paragraphs (1) through (3); (6) All waters adjacent to a water identified in paragraphs (1) through (5), including wetlands, ponds, lakes, oxbows, impoundments, and similar waters; (7) All waters in paragraphs (7)(i) through (v) where they are determined, on a case-specific basis, to have a significant nexus to a water identified in paragraphs (1) through (3). The waters

identified in each of paragraphs (7)(i) through (v) are similarly situated and shall be combined, for purposes of a significant nexus analysis, in the watershed that drains to the nearest water identified in paragraphs (1) through (3). Waters identified in this paragraph shall not be combined with waters identified in paragraph (6) when performing a significant nexus analysis. If waters identified in this paragraph are also an adjacent water under paragraph (6), they are an adjacent water and no case-specific significant nexus analysis is required.

(i) Prairie potholes. Prairie potholes are a complex of glacially formed wetlands, usually occurring in depressions that lack permanent natural outlets, located in the upper Midwest.

(ii) Carolina bays and Delmarva bays. Carolina bays and Delmarva bays are ponded, depressional wetlands that occur along the Atlantic coastal plain.

(iii) Pocosins. Pocosins are evergreen shrub and tree dominated wetlands found predominantly along the Central Atlantic coastal plain.

(iv) Western vernal pools. Western vernal pools are seasonal wetlands located in parts of California and associated with topographic depression, soils with poor drainage, mild, wet winters and hot, dry summers.

(v) Texas coastal prairie wetlands. Texas coastal prairie wetlands are freshwater wetlands that occur as a mosaic of depressions, ridges, intermound flats, and mima mound wetlands located along the Texas Gulf Coast.

(8) All waters located within the 100-year floodplain of a water identified in paragraphs (1) through (3) and all waters located within 4,000 feet of the high tide line or ordinary high water mark of a water identified in paragraphs (1) through (5) where they are determined on a case-specific basis to have a significant nexus to a water identified in paragraphs (1) through (3). For waters determined to have a significant nexus, the entire water is a water of the United States if a portion is located within the 100-year floodplain of a water identified in paragraphs (1) through (3) or within 4,000 feet of the high tide line or ordinary high water mark. Waters identified in this paragraph shall not be combined with waters identified in paragraph (6) when performing a significant nexus analysis. If waters identified in this paragraph are also an adjacent water under paragraph (6), they are an adjacent water and no case-specific significant nexus analysis is required.

WETLAND: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

X (none)

Y (none)

Z (none)

Appendix G: Environmental Commitments Record

Task and Brief Description	Responsible Branch / Staff	Timing / Phase	NSSP Req.	Action Taken to Comply with Task	Task Completed		Remarks	Environmental Compliance	
Mitigation Measures									
Land Use					Initial	Date		Initial	Date
LU-1: Before land acquisitions occur, the City will conduct coordination with affected communities and will arrange for meetings with affected property and business owners and tenants; the City will also provide counseling and assistance in applying for funding, including research to summarize loans, grants, and federal aid available.	City of Oxnard	Pre-Construction							
Air Quality									
AQ-1: Water or dust palliative will be applied to the site and equipment as frequently as necessary to control fugitive dust emissions. Fugitive emissions generally must meet a “no visible dust” criterion either at the point of emission or at the right-of-way line depending on local regulations.	Caltrans Air Quality/ Resident Engineer	Construction							
AQ-2: Soil binder will be spread on any unpaved roads used for construction purposes, and all Project construction parking areas.	Caltrans Air Quality/ Resident Engineer	Construction							
AQ-3: Trucks will be washed off as they leave the right-of-way, as necessary, to control fugitive dust emissions.	Caltrans Air Quality/ Resident Engineer	Construction							
AQ-4: A dust control plan will be developed documenting sprinkling, temporary paving, speed limits, and expedited revegetation of disturbed slopes as needed to minimize	Caltrans Air Quality/ Resident Engineer	Construction							

construction impacts on existing communities.									
AQ-5: Equipment and materials storage sites will be located as far away from residential and park uses as practical. Keep construction areas clean and orderly.	Caltrans Air Quality/ Resident Engineer	Construction							
AQ-6: Track-out reduction measures, such as gravel pads, will be used at Project access points to minimize dust and mud deposits on roads affected by construction traffic.	Caltrans Air Quality/ Resident Engineer	Construction							
AQ-7: All transported loads of soils and wet materials will be covered prior to transport, or adequate freeboard (space from the top of the material to the top of the truck) will be provided to minimize emission of dust (particulate matter) during transportation.	Caltrans Air Quality/ Resident Engineer	Construction							
AQ-8: Dust and mud that are deposited on paved, public roads due to construction activity and traffic will be promptly and regularly removed to decrease particulate matter.	Caltrans Air Quality/ Resident Engineer	Construction							
AQ-9: Mulch or plant vegetation will be installed as soon as practical after grading to reduce windblown particulates in the area. The contractor will be made aware that certain methods of mulch placement, such as straw blowing, may themselves cause dust and visible emission issues and may need to include controls such as dampened straw.	Caltrans Air Quality/ Resident Engineer	Construction							
AQ-10: Construction equipment and vehicles will be properly tuned and	Caltrans Air Quality/ Resident Engineer	Construction							

maintained. Low-sulfur fuel will be used in all construction equipment as provided in California Code of Regulations (CCR) Title 17, Section 93114									
AQ-11: Extended idling of diesel equipment will be prohibited, to the extent feasible.	Caltrans Air Quality/ Resident Engineer	Construction							
AQ-12: Construction traffic will be routed and scheduled to avoid peak travel times as much as possible, to reduce congestion and related air quality impacts caused by idling vehicles along local roads.	Caltrans Air Quality/ Resident Engineer	Construction							
Cultural Resources									
C-1: If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area would be diverted until a qualified archaeologist can assess the nature and significance of the find.	Caltrans Archaeology/ Resident Engineer	Construction							
C-2: If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities should in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to California Public Resources Code (CA PRC) Section 5097.98, if the remains are thought to be Native American, the coroner would notify the Native American Heritage Commission (NAHC), which would then notify the Most Likely Descendent (MLD). At this time, the person who discovered the	Caltrans Archaeology/ Resident Engineer	Construction							

remains would contact Garrett Damrath, Office Chief of Environmental Planning, so that they may work with the MLD on the respectful treatment and disposition of the remains. Further provisions of CA PRC 5097.98 are to be followed as applicable.									
C-3: Two prehistoric archaeological sites within the APE are assumed eligible for the National and California Registers for this Project only, as allowed by Stipulation VIII.C.3. of the Section 106 PA and Environmentally Sensitive Areas (ESAs) has been established for these sites. In addition, an ESA Action Plan will be prepared for these sites. All sites have been described in both the project ASR and XPI/PhII, Finding of No Adverse Effect without Standard Conditions, and the ESA Action Plan completed for the project.	Caltrans Archaeology/ Resident Engineer	Construction							
C-4: ESA fences shall be clearly described and illustrated in the Plans, Specifications, and Estimates (PS&E) prepared to guide construction of the undertaking.	Resident Engineer	Preconstruction							
C-5: ESA fences shall be clearly described in the Environmental Commitment Record (ECR) prepared to guide construction of the undertaking.	Caltrans Environmental Branch Chief	Preconstruction							
C-6: The City’s Resident Engineer shall notify the all Responsible Parties two weeks prior to the pre-construction meeting.	Resident Engineer	Preconstruction							

C-7: At the pre-construction meeting the Consultant Archaeologist shall provide ESA Awareness Training to the Contractor and the construction crew, including subcontractors, to make them aware of the ESA and the commitments that the City and Caltrans have made to protect the ESAs. It will be stressed that no storing or staging of equipment or materials shall occur within each ESA and that workers must remain outside of the ESAs at all times except during construction specifically occurring within the ESA with the archaeological and Native American monitor present. Construction personnel will be informed that any ground disturbance within the ESA shall only be done while an archaeologist is on-site to monitor. Additionally, construction personnel will be informed of historic preservation laws that protect archaeological sites against any disturbance or removal of artifacts.	Archeologist	Preconstruction							
C-8: The City’s Resident Engineer shall notify the Consultant Archaeologist, Caltrans Environmental Construction Liaison, and Caltrans PQS Archaeologist at least three weeks in advance of construction.	Resident Engineer	Preconstruction							
C-9: The Consultant Archaeologist shall mark field locations for ESA fencing.	Archeologist	Preconstruction							
C-10: The Contractor shall install temporary fencing around the ESA at least one calendar week prior to initiating work in that area. The	Contractor	Preconstruction							

Consultant Archaeologist shall be present to supervise and monitor fence installation.									
C-11: The City's Resident Engineer shall notify Caltrans Environmental Construction Liaison, Caltrans PQS Archaeologist, and the Consultant Archaeologist when construction begins.	Resident Engineer	Construction							
C-12: The Consultant Archaeologist shall inspect the ESA location weekly (more if necessary) to ensure that the ESA is not being violated. The Consultant Archaeologist shall contact the Caltrans PQS Archaeologist weekly (or as appropriate based on the construction tasks).	Archeologist	Construction							
C-13: Caltrans shall require the Contractor (construction personnel) to immediately notify the City's Resident Engineer and the Consultant Archaeologist if the ESA fence is violated. The City's Resident Engineer shall notify the Caltrans Environmental Construction Liaison, Caltrans PQS Archaeologist, and Consultant Archaeologist. The Caltrans PQS Archaeologist shall notify the State Historic Preservation Officer within 48 hours of any ESA breach and consult immediately to determine how the breach will be addressed.	Contractor/ Resident Engineer	Construction							
C-14: Construction personnel must remain outside of the ESAs at all times except during construction specifically occurring within the ESA and only with the archaeological and Native American monitor present.	Resident Engineer/ Archeologist	Construction							

Construction personnel will be informed that any ground disturbance within the ESA shall only be done while an archaeologist and Native American representative is on-site to monitor.									
C-15: Upon the need to conduct construction within the ESA, construction personnel will likely need to temporarily remove the ESA fence which will only be done when the archaeological and Native American monitors are present. The ESA fence will be replaced upon the completion of construction activities or at the end of the work day, whichever comes first.	Archeologist	Construction							
C-16: If buried cultural materials are encountered during construction, it is Caltrans’ policy that work stop in that area until a qualified archaeologist can evaluate the nature and significance of the find.	Archeologist	Construction							
C-17: The City’s Resident Engineer shall inform the Caltrans Environmental Construction Liaison, and Caltrans PQS Archaeologist when construction is finished.	Resident Engineer	Post Construction							
C-18: The Contractor, under the supervision of the Consultant Archaeologist, shall remove temporary fencing at the conclusion of construction.	Contractor/Archeologist	Post Construction							
C-19: The Consultant Archaeologist shall notify the City’s Resident Engineer, Caltrans Environmental Construction Liaison, and Caltrans PQS	Archeologist	Post Construction							

Archaeologist upon removal and termination of the ESA.									
Avoidance and Minimization Measures									
Animal Species									
B-1: Construction in areas with trees or vegetation that may provide nesting habitat for birds and raptors would be reduced to the maximum extent feasible.	Caltrans Biology/ City of Oxnard	Design/Construction							
B-2: Trimming and removal of vegetation and trees would be minimized and performed outside of the nesting season (typically February 15 to September 15) to the extent feasible.	Caltrans Biology/ City of Oxnard	Design/Construction							
B-3: In the event that trimming or removal of vegetation and trees must be conducted during the nesting season, nesting bird surveys would be completed by a qualified biologist no more than 48 hours prior to trimming or clearing activities to determine if nesting birds are within the affected vegetation. Nesting bird surveys would be repeated if trimming or removal activities are suspended for five days or more.	Caltrans Biology/ City of Oxnard	Pre-construction/Construction							
B-4: In the event construction is scheduled during bird nesting season, nesting bird surveys would be completed no more than 48 hours prior to construction to determine if nesting birds, raptors, or active nests are in or within 500 feet of the construction area. Surveys would be	Caltrans Biology/ City of Oxnard	Pre-construction/Construction							

repeated if construction activities are suspended for five days or more.									
B-5: In the event nesting birds or raptors are found within 500 feet of the construction area, appropriate buffers (typically up to 300 feet for songbirds and up to 500 feet for raptors) would be implemented, in coordination with the California Department of Fish and Wildlife (CDFW), to ensure that nesting birds and active nests are not harmed. Buffers would include fencing or other barriers around the nests to prevent any access to these areas and would remain in place until birds have fledged and/or the nest is no longer active, as determined through coordination with the CDFW.	Caltrans Biology/ City of Oxnard	Pre-construction/Construction							
Community									
COM-1: The Project would adhere to state and local policies and the implementation of Caltrans standard construction BMPs regarding noise, traffic, air quality, invasive species, water quality, relocations, hazardous waste, cultural resources, and all other environmental topics covered in this document.	Caltrans	All Phases							
Utilities/Emergency Services									
U-1: To avoid impacts on United Water Conservation District (UWCD) Well Number 4, the well would be protected in place and an access road off of Rice Avenue would be constructed as part of the Project.	Caltrans Division of Right of Way/ Resident Engineer	Design and Construction							

U-2: Coordination with the California Public Utilities Commission (CPUC) would be conducted during final design and throughout construction of the Project.	Caltrans Division of Right of Way/ Resident Engineer	Design and Construction							
Traffic and Transportation									
T-1: Flagging would occur during construction of the temporary detour road and the railroad crossing and during construction of the grade separation over the UPRR tracks and ROW. Close coordination with UPRR would begin during the final design phase and outages would be planned through UPRR.	Caltrans Office of Traffic Management and Division of Construction/ Resident Engineer	Design and Construction							
T-2: A traffic management plan would be developed and implemented, and coordination with the local emergency service would be conducted as part of the plan.	Caltrans Office of Traffic Management	Design and Construction							
Geologic Hazards									
GEO-1: Access to any well located on the property would be maintained in the event abandonment or re-abandonment of the well becomes necessary in the future. Impeding access to a well could result in the need to remove any structure or obstacle that prevents or impedes access. This includes, but is not limited to, buildings, housing, fencing, landscaping, trees, pools, patios, roads, sidewalks, and decking. Maintaining sufficient access to an oil or gas well may be generally described as maintaining "rig access" to the well. Rig access allows a well servicing rig	City of Oxnard	Pre-Construction							

and associated necessary equipment to reach the well from a public street or access way, solely over the parcel on which the well is located. A well servicing rig, and any necessary equipment, should be able to pass unimpeded along and over the route, and should be able to access the well without disturbing the integrity of surrounding infrastructure.									
GEO-2: Four wells in the project area would be located, unearthed and tested for leakage prior to authorizing any construction. Since there is no record of plating "Pfeiler" 10, a determination would be made at the time the well is tested. If any construction is permitted by the local land use agency to be built over any plugged and abandoned well, monitoring equipment would be considered to monitor for any leakage.	City of Oxnard	Pre-Construction							
GEO-3: Any soil containing significant amounts of hydrocarbons would be disposed of in accordance with local, state, and federal laws. Appropriate authorities would be notified if soil containing significant amounts of hydrocarbons is discovered during development.	City of Oxnard	Pre-Construction							
GEO-4: To ensure that present and future property owners are aware of (1) the wells located on the property, and (2) potentially significant issues associated with any improvements near oil or gas wells, information regarding the above identified wells, and any other pertinent information	City of Oxnard	Pre-Construction							

obtained, should be communicated to the appropriate county recorder for inclusion in the title information of the subject real property.									
GEO-5: No well work should be performed on any oil or gas well without written approval from the Division of Oil, Gas, and Geothermal Resources in the form of an appropriate permit. This includes, but is not limited to, mitigating leaking fluids or gas from abandoned wells, modifications to well casings including plating, and/or any other re-abandonment work.	City of Oxnard	Pre-Construction							
GEO-6: The Division of Oil, Gas, and Geothermal Resources has determined that one well on the above list, "Sturgis" 1, which lies within the proposed path of the "temporary detour road" is not plugged and abandoned to current standards. This well should be abandoned to current standards prior to any permanent construction, because the proposed work would likely prevent or impede access to the well for purposes of remedying potential problems in the future.	City of Oxnard	Pre-Construction							
GEO-7: All parties should not undertake construction that could prevent or impede access to any wells in or directly adjacent to proposed construction, such as wells "Sturgis" 1, "Pfeiler" 2, "Pfeiler" 10, and "A. L. Gordon Estate" 3.	City of Oxnard	Pre-Construction							
Hazardous Waste									

H-1: A Phase II SI would be conducted to determine the presence of ACMs, ADL, and LBP in the Project Area and further investigate identified hazardous waste sites. The Project would be implemented in compliance with applicable federal, state, and local hazardous material/waste regulations, which would minimize potential impacts; therefore, impacts would not be expected to result from the Project.	Caltrans Hazardous Waste	Construction							
Climate Change									
RTP-1: Use energy and fuel-efficient vehicles and equipment. Project proponents are encouraged to meet and exceed all Environmental Protection Agency (EPA)/National Highway Traffic Safety Administration (NHTSA)/California Air Resources Board (CARB) standards relating to fuel efficiency and emission reduction.	Caltrans Climate Change Branch/Resident Engineer	Construction							
RTP-2: Use lighting systems that are energy efficient, such as LED technology.	Caltrans Climate Change Branch/Resident Engineer	Construction							
RTP-3: Use the minimum feasible amount of greenhouse gas (GHG)-emitting construction materials that is feasible.	Caltrans Climate Change Branch/Resident Engineer	Construction							
RTP-4: Incorporate design measures like Water Sense fixtures and water capture to reduce water consumption.	Caltrans Climate Change Branch/Resident Engineer	Construction							
RTP-5: Recycle construction debris to maximum extent feasible.	Caltrans Climate Change Branch/Resident Engineer	Construction							

Appendix H: List of Acronyms

Appendix G: List of Acronyms and Abbreviations

List of Acronyms and Abbreviations

AB	Assembly Bill
ACHP	Advisory Council on Historic Preservation
ACM	Asbestos-Containing Materials
ADA	Americans with Disabilities Act
ADL	Aerially Deposited Lead
ADT	Average Daily Traffic
AEP	Association of Environmental Professionals
APE	Area of Potential Effects
APN	Assessor's Parcel Number
AQCA	Air Quality Conformity Analysis
AQSR	Air Quality and Climate Change Study Report
ARB	Air Resources Board
ARPA	Archaeological Resources Protection Act
ASR	Archaeological Study Report
BACT	Best Available Control Technology
BMP	Best Management Practices
BSA	Biological Study Area
CA PRC	California Public Resources Code
CAAQS	California Ambient Air Quality Standards
Cal EPA	California Environmental Protection Agency
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEQ	Council on Environmental Quality
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CERFA	Community Environmental Response Facilitation Act

Appendix G: List of Acronyms and Abbreviations

CFR	Code of Federal Regulations
CIA	Community Impact Assessment
CIH	Certified Industrial Hygienist
City	City of Oxnard
CNDDB	California Natural Diversity Database
CO	Carbon Monoxide
CO-CAT	Coastal Ocean Climate Action Team
County	County of Ventura
CPUC	California Public Utilities Commission
CRHR	California Register of Historical Resources
CSO	Caltrans Studies Office
CTP	California Transportation Plan
CURB	City Urban Restriction Boundary
CWA	Clean Water Act
DDT	Dichlorodiphenyltrichloroethane
DOGGR	Division of Oil, Gas, and Geothermal Resources
DP-30	Director's Policy 30
DPM	Diesel-Exhaust Particulate Matter
DSA	Disturbed Soil Area
DSI	Detailed Site Investigation
EA	Environmental Assessment
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
ENSO	El Nino Southern Oscillation
EO	Executive Order
ESA	Environmentally Sensitive Area
°F	Degrees Fahrenheit
FCAA	Federal Clean Air Act
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FIFRA	Federal Insecticide, Fungicide, and Rodenticide

Appendix G: List of Acronyms and Abbreviations

FPPA	Farmland Protection Policy Act
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
FWCA	Fish and Wildlife Coordination Act
GHG	Greenhouse Gas
GWP	Global Warming Potentials
H ₂ S	Hydrogen sulfide
HHS	Department of Health and Human Services
HPSR	Historic Property Survey Report
HREC	Historical Recognized Environmental Concern
HRER	Historic Resources Evaluation Report
IGR	Intergovernmental Review
IPCC	Intergovernmental Panel on Climate Change
IS	Initial Study
IS/EA	Initial Study/Environmental Assessment
ISA	Initial Site Assessment
ITS	Intelligent Transportation Systems
LBP	Lead-Based Paint
LCP	Lead Compliance Plan
LEDPA	Least Environmentally Damaging Practicable Alternative
LOS	Level of Service
LUST	Leaking Underground Storage Tank
MAF	Million Acre-Feet
MBTA	Migratory Bird Treaty Act
MLD	Most Likely Descendent
MMT	Million Metric Tons
MND	Mitigated Negative Declaration
MOU	Memorandum of Understanding
MPH	Miles Per Hour
MPO	Metropolitan Planning Organization

Appendix G: List of Acronyms and Abbreviations

MS4	Municipal Separate Storm Sewer Systems
MSAT	Mobile Source Air Toxics
MTCO ₂ e	Metric Tons of Carbon Dioxide Equivalent
NAAQS	National Ambient Air Quality Standards
NAC	Noise Abatement Criteria
NAHC	Native American Heritage Commission
NBVC	Naval Base Ventura County
NEPA	National Environmental Policy Act
NES(MI)	Natural Environment Study (Minimal Impacts)
NHPA	National Historic Preservation Act
NHTSA	National Highway Traffic Safety Administration
NO ₂	Nitrogen Dioxide
NOA	Notice of Availability
NOAA	National Oceanic and Atmospheric Administration
NOI	Notice of Intent
NOP	Notice of Preparation
NO _x	Nitrogen Oxide
NMFS	National Marine Fisheries Service
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NSR	Noise Study Report
O ₃	Ozone
OPR	Office of Planning and Research
OSHA	Occupational Safety and Health Administration
OSTP	Office of Science and Technology Policy
PA	Programmatic Agreement
PAH	Polycyclic Aromatic Hydrocarbons
Pb	Lead
PCB	Polychlorinated Biphenyls
PDT	Project Development Team

Appendix G: List of Acronyms and Abbreviations

PM	Post Mile
PM _{2.5}	Fine Particulate Matter
PM ₁₀	Particulate Matter
PPM	Parts Per Million
PQS	Caltrans Professionally Qualified Staff
PRC	California Public Resources Code
PSI	Preliminary Site Investigation
RAOR	Remedial Actions Options Report
RAP	Relocation Assistance Program
RCRA	Resource Conservation and Recovery Act
REC	Recognized Environmental Concern
RIM	Relocation Impact Memorandum
ROG	Reactive Organic Gases
ROW	Right-of-way
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SB	Southbound
SCAG	Southern California Association of Governments
SCCAB	South Central Coast Air Basin
SCCIC	South Central Coastal Information Center
SCS	Sustainable Communities Strategy
SDC	Seismic Design Criteria
SER	Standard Environmental Reference
SHPO	State Historic Preservation Officer
SI	Site Investigation
SIP	State Implementation Plan
SLF	Sacred Lands File
SLR	Sea-Level Rise
SMAQMD	Sacramento Metropolitan Air Quality Management District
SO ₂	Sulfur Dioxide
SOAR	Save Open Space and Agricultural Resources

Appendix G: List of Acronyms and Abbreviations

SO _x	Sulfur Oxides
SR-1	State Route 1
SR-34	State Route 34
SR-118	State Route 118
STATSGO	Soil Conservation Service State Soil Geographic
STEP	Safe Transportation of Energy Products
SWMP	Storm Water Management Plan
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
TCE	Temporary Construction Easement
TDS	Total Dissolved Solids
TDM	Transportation Demand Management
TE	Transportation Enhancement
TEPA	Traffic Engineering Performance Assessment
TMDL	Total Maximum Daily Load
TPH	Total Petroleum Hydrocarbons
TSCA	Toxic Substances Control Act
TSM	Transportation System Management
U.S.	United States
U.S. DOT	United States Department of Transportation
U.S. EPA	United States Environmental Protection Agency
UPRR	Union Pacific Railroad
US-101	United States Highway 101
USACE	United States Army Corps of Engineers
USC	United States Code
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
UWCD	United Water Conservation District
VCAPCD	Ventura County Air Pollution Control District
VCSQMP	Ventura Countywide Stormwater Quality Management Program

Appendix G: List of Acronyms and Abbreviations

VCTC	Ventura County Transportation Commission
VCWPD	Ventura County Watershed Protection District
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compounds
VRP	Visibility Reducing Particles
Vs.	Versus
WDR	Waste Discharge Requirements
WP	Work Plan
WPCP	Water Pollution Control Plan
XPI	Extended Phase I Survey

Appendix I: List of Technical Studies

List of Technical Studies

The results of the following technical studies have been incorporated into the Initial Study/Environmental Assessment. The technical studies are available for review at City of Oxnard City Hall, 300 3rd Street, Oxnard, CA 93030.

Air Quality and Climate Change Study Report (AMBIENT Air Quality and Noise Consulting, LLC, 2017)

Archaeological Survey Report (Duke CRM, 2017)

Extended Phase I Survey Report (Duke CRM, 2017)

Community Impact Assessment (GPA Consulting, 2016)

Farmland Study (GPA Consulting, 2016)

Historic Properties Survey Report (GPA Consulting, 2017)

Historical Resources Evaluation Report (GPA Consulting, 2017)

Natural Environment Study (Minimal Impacts) (GPA Consulting, 2016)

Noise Study Report (AMBIENT Air Quality and Noise Consulting, LLC, 2017)

Paleontological Identification Report (GPA Consulting, 2015)

Phase I Initial Site Assessment (Cornerstone Technologies, 2017)

Traffic Engineering Performance Assessment (Kimley Horn, 2015)

Water Quality and Stormwater Runoff Technical Memorandum (GPA Consulting, 2015)

Appendix J: FHWA's Conformity Determination



U.S. Department
of Transportation
**Federal Highway
Administration**

California Division

December 16, 2016

650 Capitol Mall, Suite 4-100
Sacramento, CA 95814
(916) 498-5001

In Reply Refer To:
HDA-CA

Mr. Hasan Ikhata, Executive Director
Southern California Association of Governments (SCAG)
818 West Seventh Street, 12th Floor
Los Angeles, CA 90017

Attention: Ms. Maria Lopez

**SUBJECT: CONFORMITY DETERMINATION FOR SCAG's 2017 FTIP through
AMENDMENT NO. 17-01 and RTP/SCS – A PLAN FOR MOBILITY,
ACCESSIBILITY, SUSTAINABILITY, and HIGH QUALITY OF LIFE**

Dear Mr. Ikhata:

The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) have completed our reviews of the conformity determination for the Southern California Association of Governments' (SCAG) 2017-20 Federal Transportation Improvement Program (FTIP) through Amendment No. 17-01. A FTA/FHWA air quality conformity determination is required for SCAG's new FTIP through Amendment No. 17-01 pursuant the Environmental Protection Agency's (EPA) Transportation Conformity Rule, 40 CFR Parts 51 and 93, and the United States Department of Transportation's Metropolitan Planning Rule, 23 CFR Part 450.

On September 1, 2016, SCAG adopted the 2017-20 FTIP and made the corresponding conformity determination via Resolution No. 16-582-2. The conformity analysis submitted indicates that all air quality conformity requirements have been met. Based on our review, and after consultation with the EPA Region IX office, we find that SCAG's 2017-20 FTIP conforms to the applicable state implementation plan in accordance with the provisions of 40 Code of Federal Regulations (CFR) Parts 51 and 93. In accordance with the December 15, 2014 *Memorandum of Understanding (MOU) between the FHWA California Division and the FTA Region IX*, FTA has concurred with this conformity determination.

In accordance with the above MOU, the FHWA's single signature constitutes FHWA and FTA's joint air quality conformity determination for SCAG's 2017-20 FTIP through Amendment No. 17-01. If you have any questions pertaining to this conformity finding, please contact Michael Morris of the FHWA at (213) 894-4014.

If you have any questions pertaining to this conformity finding, please contact Michael Morris of the FHWA at (213) 894-4014.

Sincerely,

A handwritten signature in blue ink, appearing to read "Vincent P. Mammano". The signature is fluid and cursive, with the first name "Vincent" being more prominent and the last name "Mammano" following in a similar style.

For: Vincent P. Mammano
Division Administrator



U.S. Department
of Transportation
**Federal Highway
Administration**

**Federal Highway Administration
California Division**

May 1, 2018

650 Capitol Mall, Suite 4-100
Sacramento, CA 95814
(916) 498-5001
(916) 498-5008 (fax)

In Reply Refer To:
HDA-CA

Carrie Bowen
District Director, California Department of Transportation District 7
100 South Main Street, Suite 100
Los Angeles, CA 90012-3606

Attention: Andrew Yoon

SUBJECT: Project Level Conformity Determination for the State Route 34 (Fifth Street)/Rice Avenue Grade Separation Project (FTIP ID No. VEN040401)

Dear Ms. Bowen:

On April 12, 2018, the California Department of Transportation (Caltrans) submitted to the Federal Highway Administration (FHWA) a complete request for a project level conformity determination for the State Route 34 (Fifth Street)/Rice Avenue Grade Separation Project. The project is in an area that is designated Non-Attainment or Maintenance for Ozone.

The project level conformity analysis submitted by Caltrans indicates that the project-level transportation conformity requirements of 40 CFR Part 93 have been met. The project is included in the Southern California Association of Governments' (SCAG) current Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP), as amended. The design concept and scope of the preferred alternative have not changed significantly from those assumed in the regional emissions analysis.

Based on the information provided, FHWA finds that the State Route 34 (Fifth Street)/Rice Avenue Grade Separation Project conforms with the State Implementation Plan (SIP) in accordance with 40 CFR Part 93.

If you have any questions pertaining to this conformity finding, please contact Joseph Vaughn at (916) 498-5346 or by email at Joseph.Vaughn@dot.gov.

Sincerely,

Tashia J. Clemons
Director, Program Development

Appendix K: Final Farmland Transmittal memo to NRCS

DEPARTMENT OF TRANSPORTATION**DISTRICT 7**

100 S. MAIN STREET, SUITE 100
LOS ANGELES, CA 90012
PHONE (213) 897-0362
FAX (213) 897-0360
TTY 711
www.dot.ca.gov



*Serious Drought.
Serious drought.
Help save water!*

September 13, 2016

Mr. Hudson Minshew
District Conservationist
USDA Natural Resources Conservation Service
44811 Date Ave.
Lancaster, CA 93534

Dear Minshew:

The California Department of Transportation (Caltrans) in coordination with the City of Oxnard and Ventura County Transportation Commission (VCTC) proposes to construct a grade separation on Rice Avenue where it crosses over State Route 34 (SR-34) and the Union Pacific Railroad (UPRR) track (Project). The northern portion of the Project area is located in the City, while the southern portion to the south of SR-34 is located in an unincorporated area of Ventura County.

The purpose of the Project is to improve the safety of rail-highway crossings and to address future traffic and circulation issues forecasted for the Project area. The Project would address this purpose by eliminating the Rice Avenue at-grade railroad crossing.

The Project includes Alternative 1 (No Build Alternative), and two Build Alternatives with Options A and B (Alternatives 2A and 2B, and Alternatives 3A and 3B). Implementation of Alternative 2A would require acquisition of approximately 21.67 acres of important farmland (Site A); implementation of Alternative 2B would require acquisition of approximately 16.98 acres of important farmland (Site B); implementation of Alternative 3A would require acquisition of approximately 27.92 acres of important farmland (Site C); and implementation of Alternative 3B would require acquisition of approximately 25.85 acres of important farmland (Site D). Therefore, a United States Department of Agriculture Form AD 1006 (Farmland Conversion Impact Rating) was completed and is provided on the following pages.

In accordance with the Farmland Protection Policy Act (FPPA), farmland for each site was evaluated under Part VI of Form AD 1006, which includes 12 site assessment criteria and a number rating system to determine if there are sites that should receive the highest level of protection from conversion to non-farm uses. Site assessment scores were obtained for the sites based on the results of the evaluation under each criterion. The site assessment scores are 102 points for Site A, 102 points for Site B, 98 points for Site C, and 97 points for Site D.

Because the site assessment score for each site is greater than 60 points, the California Department of Transportation (Caltrans) requires coordination with the Natural Resources

Mr. Hudson Minshew

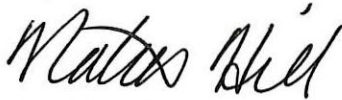
09/13/2016

Page 2

Because the site assessment score for each site is greater than 60 points, the California Department of Transportation (Caltrans) requires coordination with the Natural Resources Conservation Service (NRCS) local field office.

Enclosed you will find a Farmland Conversion Impact Rating Form NRCS-AD-1006, aerial maps for all alternatives, and an Alternatives Fact Sheet. Enclosed you will also find a CD containing the Alternatives Fact sheet with cross sections and aerial map files for your use. Please complete sections II, IV and V of the enclosed form and return to 100 S. Main Street, Suite 100, Mail Station 16A, Los Angeles, CA, 90012. If you have any questions, you may contact Susan Tse at (213)897-1821 or susan_tse@dot.ca.gov.

Sincerely,



Natalie Hill
Senior Environmental Planner
Division of Environmental Planning

Enclosure

Appendix L: Rice Avenue Farmland Conversion Impact Rating Form

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request 08/08/2016				
Name of Project Rice Avenue Grade Separation Project		Federal Agency Involved Caltrans, District 7				
Proposed Land Use Grade Separation		County and State Ventura County, California				
PART II (To be completed by NRCS)		Date Request Received By NRCS		Person Completing Form:		
Does the site contain Prime, Unique, Statewide or Local Important Farmland? (If no, the FPPA does not apply - do not complete additional parts of this form)		YES ☐	NO ☐	Acres Irrigated	Average Farm Size	
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres: %	Amount of Farmland As Defined in FPPA Acres: %				
Name of Land Evaluation System Used	Name of State or Local Site Assessment System	Date Land Evaluation Returned by NRCS				
PART III (To be completed by Federal Agency)		Alternative Site Rating				
		Site A	Site B	Site C	Site D	
A. Total Acres To Be Converted Directly		21.67	16.98	27.92	25.85	
B. Total Acres To Be Converted Indirectly						
C. Total Acres In Site		21.67	16.98	27.92	25.85	
PART IV (To be completed by NRCS) Land Evaluation Information						
A. Total Acres Prime And Unique Farmland						
B. Total Acres Statewide Important or Local Important Farmland						
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted						
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value						
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)						
PART VI (To be completed by Federal Agency) Site Assessment Criteria (Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)		Maximum Points	Site A	Site B	Site C	Site D
1. Area In Non-urban Use	(15)	7	7	7	7	
2. Perimeter In Non-urban Use	(10)	6	6	7	7	
3. Percent Of Site Being Farmed	(20)	20	20	15	14	
4. Protection Provided By State and Local Government	(20)	20	20	20	20	
5. Distance From Urban Built-up Area	(15)	0	0	0	0	
6. Distance To Urban Support Services	(15)	10	10	10	10	
7. Size Of Present Farm Unit Compared To Average	(10)	10	10	10	10	
8. Creation Of Non-farmable Farmland	(10)	0	0	0	0	
9. Availability Of Farm Support Services	(5)	4	4	4	4	
10. On-Farm Investments	(20)	20	20	20	20	
11. Effects Of Conversion On Farm Support Services	(10)	0	0	0	0	
12. Compatibility With Existing Agricultural Use	(10)	5	5	5	5	
TOTAL SITE ASSESSMENT POINTS	160	102	102	98	97	
PART VII (To be completed by Federal Agency)						
Relative Value Of Farmland (From Part V)		100	0	0	0	0
Total Site Assessment (From Part VI above or local site assessment)		160	102	102	98	97
TOTAL POINTS (Total of above 2 lines)		260	102	102	98	97
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES ☐ NO ☐				
Reason For Selection:						
Name of Federal agency representative completing this form:					Date:	

(See Instructions on reverse side)

Form AD-1006 (03-02)

STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

- Step 1 - Federal agencies (or Federally funded projects) involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form. For Corridor type projects, the Federal agency shall use form NRCS-CPA-106 in place of form AD-1006. The Land Evaluation and Site Assessment (LESA) process may also be accessed by visiting the FPPA website, <http://fppa.nrcs.usda.gov/lesa/>.
- Step 2 - Originator (Federal Agency) will send one original copy of the form together with appropriate scaled maps indicating location(s) of project site(s), to the Natural Resources Conservation Service (NRCS) local Field Office or USDA Service Center and retain a copy for their files. (NRCS has offices in most counties in the U.S. The USDA Office Information Locator may be found at http://offices.usda.gov/scripts/ndISAPI.dll/oip_public/USA_map, or the offices can usually be found in the Phone Book under U.S. Government, Department of Agriculture. A list of field offices is available from the NRCS State Conservationist and State Office in each State.)
- Step 3 - NRCS will, within 10 working days after receipt of the completed form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland. (When a site visit or land evaluation system design is needed, NRCS will respond within 30 working days.
- Step 4 - For sites where farmland covered by the FPPA will be converted by the proposed project, NRCS will complete Parts II, IV and V of the form.
- Step 5 - NRCS will return the original copy of the form to the Federal agency involved in the project, and retain a file copy for NRCS records.
- Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form and return the form with the final selected site to the servicing NRCS office.
- Step 7 - The Federal agency providing financial or technical assistance to the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA.

INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM

(For Federal Agency)

Part I: When completing the "County and State" questions, list all the local governments that are responsible for local land use controls where site(s) are to be evaluated.

Part III: When completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them or other major change in the ability to use the land for agriculture.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities planned build out capacity) that will cause a direct conversion.

Part VI: Do not complete Part VI using the standard format if a State or Local site assessment is used. With local and NRCS assistance, use the local Land Evaluation and Site Assessment (LESA).

1. Assign the maximum points for each site assessment criterion as shown in § 658.5(b) of CFR. In cases of corridor-type project such as transportation, power line and flood control, criteria #5 and #6 will not apply and will, be weighted zero, however, criterion #8 will be weighed a maximum of 25 points and criterion #11 a maximum of 25 points.
2. Federal agencies may assign relative weights among the 12 site assessment criteria other than those shown on the FPPA rule after submitting individual agency FPPA policy for review and comment to NRCS. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total points at 160. For project sites where the total points equal or exceed 160, consider alternative actions, as appropriate, that could reduce adverse impacts (e.g. Alternative Sites, Modifications or Mitigation).

Part VII: In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, convert the site assessment points to a base of 160.

Example: if the Site Assessment maximum is 200 points, and the alternative Site "A" is rated 180 points:

$\frac{\text{Total points assigned Site A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Site A}$

For assistance in completing this form or FPPA process, contact the local NRCS Field Office or USDA Service Center.

NRCS employees, consult the FPPA Manual and/or policy for additional instructions to complete the AD-1006 form.

Part VI of Form AD 1006: Site Assessment Scoring for the Twelve Factors Used in the Farmland Protection Policy Act

In accordance with the Farmland Protection Policy Act (FPPA), farmland for each site was evaluated under Part VI of Form AD 1006, which includes 12 site assessment criteria and a number rating system to determine if there are sites that should receive the highest level of protection from conversion to non-farm uses. Site assessment scores were obtained for the sites based on the results of the evaluation under each criterion.

The following sections include responses to each question provided in the guidelines for Part VI of Form AD 1006, and indicate how points were assigned to the sites for each of the 12 site assessment criteria used in the FPPA.

Criterion 1: Area in Non-Urban Use

1. How much land is in non-urban use within a radius of 1.0 mile from where the Project is intended?

This question is intended to determine the extent to which the area within one mile of the proposed site is non-urban area. For the purposes of this calculation, land designated as “Urban and Built-Up Land” on the CDOC 2012 Ventura County Important Farmland Map was considered urban, while all land designated as important farmland was considered land in non-urban use.

The acreage of important farmland within a 1-mile radius of each site is shown in **Attachment C**. The percentage of non-urban area was calculated for each site using the following equation, and the percentages were assigned points as shown below.

Percent Non-Urban Area within a One-Mile Radius = Non-Urban Acreage/ Total Acreage

Site A and Site B: $39 + 628 + 494 + 28 \text{ Acres} / 2,216 \text{ acres} = 53.7\% \text{ Non-Urban Area}$

Site C and Site D: $39 + 664 + 471 + 28 \text{ Acres} / 2,216 \text{ acres} = 54.2\% \text{ Non-Urban Area}$

Area in Non-Urban Use	
Percent Non-Urban Area	Number Rating System
Site A = 53.7 percent	50 to 54 percent = 7 points
Site B = 53.7 percent	50 to 54 percent = 7 points
Site C = 54.2 percent	50 to 54 percent = 7 points
Site D = 54.2 percent	50 to 54 percent = 7 points

Criterion 2: Perimeter in Non-Urban Use

2. How much of the perimeter of the site borders on land in non-urban use?

This question is intended to evaluate the extent to which the land adjacent to the proposed site is in non-urban use. According to the site assessment guidelines, if a road is next to the perimeter of the site, the area should be classified according to the land use on the other side of the road. To the north of SR-34 (Fifth Street), there is “Farmland of Local Importance” to the east of Rice Avenue, and urban land to

the west of Rice Avenue. To the south of SR-34 (Fifth Street), there are non-urban uses (“Prime Farmland” and “Farmland of Statewide Importance”) on both sides of Rice Avenue.

The perimeter of each site is shown in **Attachment D**. For each site, the percentage of the perimeter that borders land in non-urban use was calculated using the following equation, and the percentages were assigned points as shown below.

Perimeter in Non-Urban Use = $\frac{\text{Perimeter in Non-Urban Use}}{\text{Total Perimeter}}$

Site A: $1,739 + 763 + 902 + 130 + 902 + 763 + 1,863 + 620 + 1,775 / 15,554$ feet = 60.8 % Perimeter in Non-Urban Use

Site B: $2,273 + 1,251 + 130 + 902 + 763 + 1,863 + 620 + 1,775 / 15,580$ feet = 61.5% Perimeter in Non-Urban Use

Site C: $1,968 + 763 + 1,411 + 110 + 1,411 + 763 + 1,610 + 365 + 1,783 + 1,069 + 130 / 16,028$ feet = 71.0% Perimeter in Non-Urban Use

Site D: $2,518 + 1,801 + 110 + 1,411 + 763 + 1,610 + 356 + 1,783 + 1,069 + 130 / 16,205$ feet = 71.3% Perimeter in Non-Urban Use

Perimeter in Non-Urban Use	
Percent of Perimeter	Number Rating System
Site A = 60.8 percent	58 to 65 percent = 6 points
Site B = 61.5 percent	58 to 65 percent = 6 points
Site C = 71.0 percent	65 to 73 percent = 7 points
Site D = 71.3 percent	65 to 73 percent = 7 points

Criterion 3: Percent of Site Being Farmed

3. How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last ten years?

This question is intended to evaluate the extent to which the proposed conversion site has been used or managed for agricultural purposes in the past 10 years. To the north of SR-34 (Fifth Street) in the City, the farmland is designated for industrial land use (see **Table 1**). According to historical aerial photographs produced by the United States Geological Survey (USGS) and United States Department of Agriculture (USDA) dating from 1985 to 2012, current aerial photographs produced by GoogleEarth in 2016, and field surveys conducted in April 2016, this land has been vacant from at least 1985 until present. Therefore, this land is not being farmed and has not been used for agricultural purposes in the past 10 years.

To the south of SR-34 (Fifth Street) in Ventura County, the farmland is designated for agricultural land use (see **Table 1**). According to historical and current aerial photographs, as well as field surveys conducted in April 2016, this land has been used or managed for agricultural purposes since 1938 until present. Therefore, this land has been managed for agricultural purposes in the past 10 years, and comprises the portion of the sites being farmed.

The square footage of each parcel zoned for agricultural use (comprising the portion of the site being farmed) is shown in **Table 1**. The percent of each site being farmed was calculated using the following equation, and the percentages were assigned points as shown below.

Percent of Site Being Farmed = Square Footage of Parcels Zoned for Agricultural Use/Total Square Footage

Site A: $201 + 97 + 29,440 + 49,769 + 318,237 + 605 + 10,965 + 472,767 / 943,973$ square feet = 93.4% of Site Being Farmed

Site B: $1,013 + 33,360 + 159,100 + 605 + 10,965 + 472,767 / 739,702$ square feet = 91.6% of Site Being Farmed

Site C: $3,354 + 38,386 + 143,794 + 2,656 + 10,965 + 237 + 667,704 / 1,216,341$ square feet = 71.2% of Site Being Farmed

Site D: $3,354 + 34,852 + 25,127 + 2,505 + 10,965 + 237 + 699,754 / 1,126,039$ square feet = 68.9% of Site Being Farmed

Percent of Site Being Farmed	
Percent of Site	Number Rating System
Site A = 93.4 percent	90 percent or greater = 20 points
Site B = 91.6 percent	90 percent or greater = 20 points
Site C = 71.2 percent	70 to 73 percent = 15 points
Site D = 68.9 percent	66 to 69 percent = 14 points

Criterion 4: Protection Provided by State and Local Government

4. Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

This question is intended to assess the extent to which a site is protected from conversion by state or local governmental policies. Policies may include land use controls, such as state tax programs or local agricultural zoning. According to the 2013/2014 CDOC Williamson Act Map, none of the parcels within the site are enrolled in a Williamson Act contract.

The parcels to the north of SR-34 (Fifth Street), which are owned by the City, are zoned as light manufacturing and light manufacturing/planned development. These parcels are not subject to local agricultural zoning. However, the parcels to the south of SR-34 (Fifth Street), owned by Ventura County, are zoned as Agricultural Exclusive, 40-acre minimum lot size (AE – 40 ac). Therefore, a portion of the sites is subject to local agricultural zoning, and farmland on the sites is protected from conversion by the County's Zoning Ordinance. This farmland is also outside of the City Urban Restriction Boundary (CURB), and is therefore protected by the Save Open-Space and Agricultural Resources (SOAR) Ordinance. The SOAR Ordinance requires voter approval before any land outside the CURB lines can be developed for urban purposes. The protection status for the sites was assigned points as shown below.

Protection Provided by State and Local Government	
Protection Status	Number Rating System
Site A = Protected by County Zoning Ordinance and SOAR Ordinance	Site is protected = 20 points
Site B = Protected by County Zoning Ordinance and SOAR Ordinance	Site is protected = 20 points
Site C = Protected by County Zoning Ordinance and SOAR Ordinance	Site is protected = 20 points
Site D = Protected by County Zoning Ordinance and SOAR Ordinance	Site is protected = 20 points

Criterion 5: Distance from Urban Built-Up Area

5. How close is the site to an urban built-up area?

This question is intended to evaluate the extent to which the proposed site is located next to an existing urban area. All of the sites are located less than 760 feet from (adjacent to) an urban area. This distance to the urban area was assigned points as shown below.

Distance from Urban Built-Up Area	
Distance from Perimeter of Site to Urban Area	Number Rating System
Site A = Less than 760 feet (adjacent)	The site is adjacent to an urban-built-up area = 0 points
Site B = Less than 760 feet (adjacent)	The site is adjacent to an urban-built-up area = 0 points
Site C = Less than 760 feet (adjacent)	The site is adjacent to an urban-built-up area = 0 points
Site D = Less than 760 feet (adjacent)	The site is adjacent to an urban-built-up area = 0 points

Criterion 6: Distance to Urban Support Services

6. How close is the site to water lines, sewer lines and/or other local facilities and services whose capacities and design would promote nonagricultural use?

This question is intended to evaluate how much infrastructure (water, sewer, etc.) is in place that could facilitate nonagricultural development. There are several utilities in the Project area, including oil wells and oil pipelines, railroad crossing equipment, street lights, traffic signals, pull boxes, electrical controller cabinets, utility manholes/vaults, and underground and overhead utilities, including power poles. The nearest police and fire stations are approximately 2.5 miles and 1.9 miles from each of the

sites, respectively. The nearest school is approximately 1.5 miles from the sites. Therefore, some of the services exist more than one but less than three miles from the sites. This distance to local services was assigned points as shown below.

Distance to Urban Support Services	
Distance to Local Services	Number Rating System
Site A = Services within site and up to 2.5 miles from site	Some of the services exist more than one but less than three miles from the site = 10 points
Site B = Services within site and up to 2.5 miles from site	Some of the services exist more than one but less than three miles from the site = 10 points
Site C = Services within site and up to 2.5 miles from site	Some of the services exist more than one but less than three miles from the site = 10 points
Site D = Services within site and up to 2.5 miles from site	Some of the services exist more than one but less than three miles from the site = 10 points

Criterion 7: Size of Present Farm Unit Compared to Average

7. Is the farm unit(s) containing the site (before the Project) as large as the average-size farming unit in the county?

This question is intended to determine how much protection the site should receive, according to its size in relation to the average size of farming units within Ventura County. According to the USDA Census of Agriculture, the average farm size in Ventura County was 131 acres in 2012. To the south of SR-34 (Fifth Street), the parcel of farmland to the east of Rice Avenue is 161.07 acres, which is above the average farm size. Therefore, the farm unit containing the sites is more than 100 percent of the average county size. This percentage was assigned points as shown below.

Size of Present Farm Unit Compared to Average	
Percent Parcel Size in Relation to Average County Size	Number Rating System
Site A = More than 100 percent	Same size or larger than average (100 percent) = 10 points
Site B = More than 100 percent	Same size or larger than average (100 percent) = 10 points
Site C = More than 100 percent	Same size or larger than average (100 percent) = 10 points
Site D = More than 100 percent	Same size or larger than average (100 percent) = 10 points

Criterion 8: Creation of Non-Farmable Farmland

8. If the site is chosen for the Project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

This question is intended to determine how the proposed development would affect the rest of the land on the farm. **Attachment B** shows the parcels that would be acquired under each alternative, and **Table 1** shows the amount of land in each parcel, the percentage acquired, and the type of land use designation.

If the Project is implemented, all remaining land on the farms would still be farmable. No additional acreages associated with either site would be indirectly affected, and 0 percent of remaining acreage would become non-farmable as a result of the Project. This percentage was assigned points as shown below.

Creation of Non-Farmable Farmland	
Amount of Land Not Including the Site Which Will Become Non-Farmable	Number Rating System
Site A = 0 percent of remaining acreage would become non-farmable as a result of Project	Acreage equal to less than five percent of the acres directly converted by the Project = 0 points
Site B = 0 percent of remaining acreage would become non-farmable as a result of Project	Acreage equal to less than five percent of the acres directly converted by the Project = 0 points
Site C = 0 percent of remaining acreage would become non-farmable as a result of Project	Acreage equal to less than five percent of the acres directly converted by the Project = 0 points
Site D = 0 percent of remaining acreage would become non-farmable as a result of Project	Acreage equal to less than five percent of the acres directly converted by the Project = 0 points

Criterion 9: Availability of Farm Support Services

9. Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

This question is intended to assess whether there are adequate support facilities, activities, and industry to keep the farming business in operation. Because a large amount of land within the City is used for farming, the sites were assumed to have some required farm support services and markets (e.g., farm suppliers, equipment dealers, processing and storage facilities, and farmer's markets) within the vicinity to keep the farms in business. The percentage of services available for each site was estimated to be 75 to 99 percent. This percentage was assigned points as shown below.

Availability of Farm Support Services	
Amount of Services Available	Number Rating System
Site A = Some required services are available	75 to 99 percent = 4 points
Site B = Some required services are available	75 to 99 percent = 4 points
Site C = Some required services are available	75 to 99 percent = 4 points
Site D = Some required services are available	75 to 99 percent = 4 points

Criterion 10: On-Farm Investments

10. Does the site have substantial and well-maintained on-farm investments, such as barns, other storage buildings, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

This question is intended to assess the quantity of agricultural facilities in place on the proposed site. Based on review of aerial photographs of the sites and field surveys conducted in April 2016 from public right-of-way, there is a high amount of well-maintained on-farm investments (storage buildings, harvesting machinery, fertilizer storage, irrigation pumps, row crops, etc.) on all of the sites. Compared to the total amount of on-farm investment necessary to maintain production, the percentage of on-farm investments available was estimated to be 100 percent. This percentage was assigned points as shown below.

On-Farm Investments	
Amount of On-Farm Investments	Number Rating System
Site A = High amount of on-farm investments	100 percent = 20 points
Site B = High amount of on-farm investments	100 percent = 20 points
Site C = High amount of on-farm investments	100 percent = 20 points
Site D = High amount of on-farm investments	100 percent = 20 points

Criterion 11: Effects of Conversion on Farm Support Services

11. Would the Project at this site, by converting farmland to nonagricultural use, reduce the support for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

This question is intended to determine whether there are other agriculturally related activities, businesses, or jobs dependent upon the working of the pre-converted site in order for others to remain

in production. The farmland conversion is not anticipated to substantially affect other agricultural businesses because the remaining land on the farms could continue to be used for agricultural purposes, and the farms would continue to require support services to remain in operation. Therefore, no significant reduction in demand for support services is anticipated to result from the Project. The percent reduction in support services was estimated to be approximately 0 to 9 percent. These percentages were assigned points as shown below.

Effects of Conversion on Farm Support Services	
Amount of Reduction in Support Services if Site is Converted to Nonagricultural Use	Number Rating System
Site A = No significant reduction in demand for support services	0 to 9 percent reduction = 0 points
Site B = No significant reduction in demand for support services	0 to 9 percent reduction = 0 points
Site C = No significant reduction in demand for support services	0 to 9 percent reduction = 0 points
Site D = No significant reduction in demand for support services	0 to 9 percent reduction = 0 points

Criterion 12: Compatibility with Existing Agricultural Use

12. Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of the surrounding farmland to nonagricultural use?

This question is intended to determine whether the conversion of the proposed agricultural site will eventually cause the conversion of neighboring farmland as a result of incompatibility of use of the conversion site. The proposed improvements would be completed in areas adjacent, and in close proximity to, the existing roadway, and neighboring farmland is not anticipated to be affected by the Project. Therefore, implementation of the Project would be tolerable of surrounding farmland, and would not result in an indirect conversion of neighboring farmland because of incompatibility. The compatibility with existing agricultural use was assigned points as shown below.

Compatibility with Existing Agricultural Use	
Level of Compatibility	Number Rating System
Site A = Improvements would be adjacent to existing roadway and would not likely contribute to conversion of surrounding farmland	Proposed Project is tolerable of existing agricultural use of surrounding farmland = 5 points
Site B = Improvements would be adjacent to existing roadway and would not likely contribute to conversion of surrounding	Proposed Project is tolerable of existing agricultural use of surrounding farmland = 5 points

farmland	
Site C = Improvements would be adjacent to existing roadway and would not likely contribute to conversion of surrounding farmland	Proposed Project is tolerable of existing agricultural use of surrounding farmland = 5 points
Site D = Improvements would be adjacent to existing roadway and would not likely contribute to conversion of surrounding farmland	Proposed Project is tolerable of existing agricultural use of surrounding farmland = 5 points

Site Assessment Scores

Based on the evaluation of farmland under the 12 factors above and their number rating system, the Project would receive a total of 102 points for Site A, 102 points for Site B, 98 points for Site C, and 97 points for Site D.

Site Assessment Scores
Site A = 102 Points
Site B = 102 Points
Site C = 98 Points
Site D = 97 Points

Conclusion

Because the site assessment score for each site is greater than 60 points, the California Department of Transportation (Caltrans) requires coordination with the Natural Resources Conservation Service (NRCS) local field office. The NRCS will determine whether the sites have farmland that is subject to FPPA, and will send the determination to Caltrans.

Appendix M: Written Comments Received and Response to Comments

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A total of one (1) local agency and two (2) individuals provided written comments during the circulation period. Additionally, we received one (1) agency comment following the circulation period. This appendix includes copies of the letters received, with the responses to comments immediately following each letter/comment card, and transcripts of the public hearing that was held for the Project on January 31, 2017.

Table A. Commenters

No.	Name	Type of Correspondence	Date
Comment A	John Cinatl	Email	February 12, 2018
Comment B	United Water Conservation District	Letter	February 12, 2018
Comment C	Hailwood, Inc.	Letter	February 7, 2018
Comment D	Division of Oil, Gas, and Geothermal Resources Ventura Coastal District	Letter	March 12, 2018

Appendix M: Written Comments Received and Response to Comments

Comment A: John Cinatl

From: John Cinatl [<mailto:j.f.cinatl@sbcglobal.net>]
Sent: Monday, February 12, 2018 4:28 PM
To: Tse, Susan@DOT <susan.tse@dot.ca.gov>
Cc: Benson, Dale R@DOT <dale.benson@dot.ca.gov>; Kosinski, Ron J@DOT <ron.kosinski@dot.ca.gov>
Subject: SR-34 At Rice Road EIR -Comments

Hi Susan

Unfortunately I don't have any additional information to send your in regard to your SR-34 at Rice Road EIR.

#1

And as I stated in one of my earlier e-mails to you I still strongly favor a below-grade intersection over the proposed Alternate 2a (double connector) or Alternate 2b (single connector scenarios. Both scenarios 2a and 2b would be , in my opinion, "bull ugly"

#2

And I still question whether there is a high water table problem in that area of Oxnard.

#3

On page 29 of your report you state

The City completed a Feasibility Study in 2007 that examined various rail crossings with high accident rates throughout the City to eliminate the at-grade crossings. Several alternatives were considered but eliminated from further discussion. They include the following:

Profile Rice Avenue under½ SR-34 (Fifth Street): The alternative to profile Rice Avenue under SR-34 (Fifth Street) and UPRR was determined not to be feasible due to the high groundwater table. The construction cost would greatly increase because the retaining walls and pavement section would need to be designed to keep the groundwater from seeping onto the roadway. The lowered profile would also create a sump condition requiring the need for a pump station, which would result in increased maintenance costs for the City and Caltrans.

However, because I could not find any substantiating information within the EIR to support that statement I believe it would be appropriate for you folks include the Oxnard data within your final report or even better, and before you folks come to any final determination regarding the design of at this location, and the since the Oxnard information is now 11 years old, would be far better (even advisable) to have a new ground water study done by an appropriate agency.

#4

I spoke to one of our retired CT bridge engineers the other day about this project and he said such a study will be required anyway before the design folks can develop footing designs for the bridges that are proposed for this location under Alternatives 2a and 2b..

Who know what new information will be found =you may even change your whole design alternatives when that updated info is known

In any case, thanks for the opportunity of offer comments in regard to this project. You overall report , with the exception of the non-supported ground water information, was excellent.

#5

Keep in touch.

John Cinatl, MCRP
Retired Caltrans District 6 Associate Planner Retired Caltrans District 6 Bicycle Coordinator Port Hueneme, CA
j.f.cinatl@sbcglobal.net
(805) 984-2631

Appendix M: Written Comments Received and Response to Comments

Response to Comment A, #1

This comment has been noted for the record.

Response to Comment A, #2

The commenter's design preference has been noted for the record.

Response to Comment A, #3

A preliminary foundation report was completed for the Project in March of 2016 by Fugro. The report included results of pore pressure dissipation testing done on November 12, 2015, which indicated that groundwater was present between 13 to 17 feet below ground surface (bgs) in the project area. Earth Systems Southern California identified groundwater at a depth of approximately 9 feet bgs in 2003, and the California Geological Survey identified groundwater at a depth of approximately 8 feet bgs in 2002, a historic high for the project area. This data was used to substantiate analysis presented in the Environmental Impact Report (EIR)/Environmental Assessment (EA) and is discussed in the Geology/Soils/Seismic/Topography subsection of Section 2.4, Physical Environment.

Response to Comment A, #4

As described in Section 1.3 Project Description, subsection *Alternatives Considered but Eliminated from Further Discussion* of the Draft EIR/EA, and as further described above in response to Comment A, #3, a below grade alternative was considered infeasible due to the groundwater table level problematic for construction of an undercrossing in the project area. Other factors that contributed to the elimination of the undercrossing alternative included high construction costs, sump conditions, and high maintenance costs for a pump station. Recent information on the groundwater table, as described in response to Comment A, #3, continue to support the determination that groundwater levels in the project area are high, making a below grade alternative infeasible.

Response to Comment A, #5

This comment has been noted for the record.

Appendix M: Written Comments Received and Response to Comments

Comment B: United Water Conservation District

Board of Directors
Robert Eranio, President
Daniel C. Naumann, Vice President
Michael W. Mobley, Secretary/Treasurer
Sheldon G. Berger
Bruce E. Dandy
Lynn E. Mauhardt
Edwin T. McFadden III

General Manager
Mauricio E. Guardado, Jr.

Legal Counsel
David D. Boyer



UNITED WATER CONSERVATION DISTRICT
"Conserving Water since 1927"

February 12, 2018

Mr. Ron Kosinski, Deputy District Director
California Department of Transportation
Division of Environmental Planning (Rice Avenue Grade Separation Project)
305 W. Third Street
Oxnard, CA 93030

Subject: Rice Avenue Grade Separation Project
Environmental Impact Report/Environmental Assessment (EIR/EA)

Dear Mr. Kosinski:

United Water Conservation District, a public agency, owns and operates the Pumping Trough Pipeline (PTP) which is located in Rice Avenue and within the proposed Grade Separation Project. The PTP system was constructed between 1982 and 1985 and is part of the seawater intrusion abatement program. The PTP system provides irrigation water to approximately 4,400 acres of prime farmland on the Oxnard plain.

#1

The proposed project will have a negative effect on the PTP operations. The grade separation project will require the relocation of approximately 3,500 linear feet of pipeline, sever existing services, right-of-way acquisition and significant modifications and/or relocation of PTP Well No. 4. The irrigation well is the lynchpin of our operations. There are no other sources to replace the well for a prolonged shutdown. The potential impacts on Ventura County agriculture are not insignificant.

#2

The cost to relocate and modify the existing facilities will place a significant burden on the 62 customers that rely on the PTP system. As we stated in previous meetings with the City and their design team it is the District's position that the City, not United Water Conservation District, should bear the financial burden to relocate and modify the PTP facilities. For efficiency and economy, the engineering, design and construction should also be performed by the City. In March 2016 the City of Oxnard agreed that they are responsible for all utility relocation costs. The District is still awaiting to receive the draft utility relocation agreement previously discussed at prior coordination meetings.

#3

106 N. 8th Street ♦ Santa Paula, California 93060 ♦ Phone (805) 525-4431 ♦ Fax (805) 525-2661 ♦ www.unitedwater.org

Appendix M: Written Comments Received and Response to Comments



UNITED WATER CONSERVATION DISTRICT

The Summary of Draft EIR/EA incorrectly states that the project will require permanent acquisition of Assessor's Parcel Number (APN) 218-0-011-435. The property listed is United Water Conservation District PTP Well No. 4. In all our previous discussion the City we have never discussed the acquisition of District property or abandonment of the well site.

#4

The Draft EIR states that the project will have less than significant impacts on drainage. However the conceptual plans do not indicate how PTP Well No. 4 will drain.

#5

The Draft EIR correctly lists United Water Conservation District as a property owner within the project boundaries. The District is also a local agency responsible for groundwater resources of the Oxnard Plain and the Santa Clara River Valley.

#6

United Water Conservation District supports the City of Oxnard, County of Ventura and Caltrans in their efforts to correct a dangerous highway and railroad crossing. However the District and PTP customers should not bear the financial or operational burdens to relocate its facilities. Please feel free to call me or my staff if you have any questions.

#7

Very truly yours,

A handwritten signature in blue ink that reads "James D. Grisham".

James D. Grisham, PE
Engineering Manager

Cc: Mauricio E. Guardado, PE, General Manager
Anthony Emmert, Deputy General Manager
Mike Ellis, Operations and Maintenance Manager
Justin Link, PE, TE, Transportation Services Manager
Erin Silva, GPA Consulting
File: Pumping Trough Pipeline

Appendix M: Written Comments Received and Response to Comments

Response to Comment B, #1

Commenter's background information is noted for the record.

Response to Comment B, #2

The project will be constructed along the westerly, northerly, and southerly sides of the existing site for Well No. 4. The existing irrigation well is to remain. The facility relocation plans will include modifications to the pump discharge piping, relocation of the existing transmission pipeline, reconnection of existing services, and relocation of the existing electrical supply to the site. The required right of way (ROW) for access to the well site and proposed realignment of the transmission line are identified in Figure 1-4, 1-5, and 1-6 of the environmental document.

Response to Comment B, #3

The final determination of responsibility for relocation costs will be specified in the utility relocation agreement. Relocation responsibilities will be largely dependent upon the prior rights of the United Water Conservation District facilities, which include Well Site No. 4 and the existing 30" transmission line.

Response to Comment B, #4

The project will not acquire PTP Well No. 4. The geographical location of APN 218-0-011-435 was incorrectly identified in the Draft EIR/EA, including the figures and ROW impact analysis. The figures and analysis have been updated with the correct geographical location of APN 218-0-011-435. The Project would require partial acquisition of APN 218-0-011-435, as now reflected in the Final EIR/EA.

Response to Comment B, #5

The project drawings for the access roadway into Well Site No. 4 will identify how surface drainage of the site itself will be directed and controlled.

Response to Comment B, #6

This comment has been noted for the record.

Response to Comment B, #7

Please refer to response to Comment B, #3 above.

Appendix M: Written Comments Received and Response to Comments

Comment C: Hailwood, Inc.

HAILWOOD, INC.

5755 Valentine Rd., Suite 203, Ventura, CA 93003
• Office (805) 482-1917 •

February 7, 2018

Mr. Ron Kosinski, Deputy District Director 
California Department of Transportation
Division of Environmental Planning (Rice Avenue Grade Separation Project)
100 South Main Street MS-16A
Los Angeles, CA 90012

Re: Rice Avenue Grade Separation Project

Mr. Kosinski,

I am writing to you regarding our comments on the EIR/EA for the above-mentioned project. Our company owns the property in the southeast quadrant of the intersection. Our concerns for Alternatives 2A and 2B are:

1. The project will displace prime agricultural land that demands the highest rent for crops in the area.
2. The report doesn't seem to address the fact that there is a separation of the property owner's access to its water supply, utilities, offices, filtration equipment, etc. All are necessary for the operation of the total ranch.
3. The project removes the most important corner of our agricultural operation. It appears that we will lose:
 - Two water wells that supply the water for the operations (the main well, built in 1927 still supplies the bulk of the water for the crops grown on the ranch)
 - Electrical utilities supplying the operation
 - Water filtration system necessary for the agricultural irrigation
 - Office and equipment storage area
 - Underground tile drainage lines
 - Underground irrigation lines
 - Ingress and egress to and from the property

#1

#2

#3

#4

Appendix M: Written Comments Received and Response to Comments

Our comments are not all inclusive and we will need further review to address concerns that we may have missed. Please advise us of the future comment periods and deadlines for property owners. Please contact me if you have questions.

#5

Thank you.

A handwritten signature in blue ink, appearing to read 'J. Chase', written over a horizontal line.

Jonathan Chase, President
Hailwood, Inc.

Sent Via FedEx Delivery (signature required)

Appendix M: Written Comments Received and Response to Comments

Response to Comment C, #1

Ownership information is noted for the record.

Response to Comment C, #2

The Draft EIR/EA did identify impacts to agricultural resources as significant and unavoidable. Impacts to land owners affected by ROW acquisitions were also discussed in the Land Use section of the EA, and addressed through regulatory means and mitigation measure LU-1.

Response to Comment C, #3

As stated above, impacts to land owners from ROW acquisition were discussed in the Land Use section of the EA, and will be addressed through regulatory means and mitigation measure LU-1. Additionally, the Draft EIR/EA addressed the Project's temporary impacts on utilities in the project area in Section 2.3, Utilities/Emergency Services. The City will be responsible for coordinating with affected landowners to facilitate fair compensation for acquired and displaced property during the ROW phase of the Project.

Response to Comment C, #4

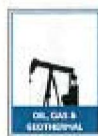
Please refer to Response to Comment C, #2 and #3 above.

Response to Comment C, #5

The 45-day public comment period for the Draft EIR/EA began on December 29, 2017 and ended on February 12, 2018 in fulfillment of California Environmental Quality Act (CEQA) requirements. The Final EIR/EA will be posted on Caltrans website at <http://www.dot.ca.gov/d7/env-docs/>. There are no further public circulation periods planned for the environmental document at this time; however, the City will be responsible for coordinating with affected landowners on an individual basis to discuss impacts to their parcels, as discussed in Comment C, #2 and #3 above.

Appendix M: Written Comments Received and Response to Comments

Comment D: Division of Oil, Gas, and Geothermal Resources



State of California • Natural Resources Agency
Department of Conservation
Division of Oil, Gas, and Geothermal Resources
Coastal District • Ventura
1000 South Hill Road • Suite 116
Ventura, CA 93003-4458
(805) 937-7246 • FAX (805) 654-4765

Edmund G. Brown Jr., Governor

March 12, 2018

Susan Tse Koo
California Department of Transportation, District 7
100 South Main Street, Suite 100
Los Angeles, CA 90012

Dear Ms. Koo:

SCH # 2017091040 RICE AVENUE GRADE SEPARATION PROJECT, VENTURA COUNTY

The Department of Conservation, Division of Oil, Gas, and Geothermal Resources (Division) has received and reviewed information for the above referenced project.

The Division has no jurisdiction or statutory responsibility for land use decisions or building construction. However, the Division is mandated by Section 3106 of the California Public Resources Code (PRC) to supervise the drilling, operation, maintenance, and abandonment of oil and gas wells. This is for the purposes of preventing: 1) damage to life, health, property, and natural resources; 2) damage to underground and surface waters suitable for irrigation or domestic use; 3) loss of oil, gas, or reservoir energy; and 4) damage to oil and gas deposits by infiltration of water and other causes. In addition, the Division has authority to order well abandonment under PRC section 3208.1. The law relies on the presumption that a previous well abandonment, not up to current standards, is more likely to leak, and therefore should be abandoned to current standards, especially if access to the well may be impeded.

The Division possesses records regarding oil and gas wells drilled and operated in the State of California. (PRC §§ 3215 and 3216.) The Division provides the following information to facilitate local permitting agencies' exercise of local land use authority regarding use of land where oil and gas wells are situated. In contrast, the Division does not possess local land use decision authority, but alternatively has authority for permitting any necessary work on any oil and gas well in the State. (PRC §§ 3106 and 3203.)

The Division has conducted a record review of known wells located on the above-referenced property. The record review process consists of determining the possible location, last known operator, and abandonment status of any known well on the property by examining records previously submitted to the Division, and then comparing the abandonment status with current abandonment standards and proposed development. These well records are online and can be found (by each well's API number) using the following link:
<https://secure.conservation.ca.gov/WellSearch>

The project lies within the City of Oxnard and in an unincorporated area of Ventura County, within the Oxnard oil field boundaries. Our records indicate there are four known plugged and abandoned oil and gas wells located within the project boundary (Figure 1). Of those four wells, two wells are within the proposed "Temporary Detour Road" (SWEPI, LP "Pfeiler" 2 (11101301) and SWEPI, LP "Sturgis" 1 (11101159)), one well lies in the path of a proposed water line relocation (SWEPI, LP "Pfeiler" 10 (11101309)), and one well is adjacent to Alternative 2B connector path (SWEPI, LP "A.

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Susan Tse Koo, CALTRANS
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L. Gordon Estate" 3 (11101265)). There are also four additional known plugged and abandoned oil and gas wells within ~200 feet of the project boundary and should be considered during construction planning and excavation. Specific and detailed well locations may be obtained from the Division's online well records for each well. Figure 1 below gives approximate well locations.

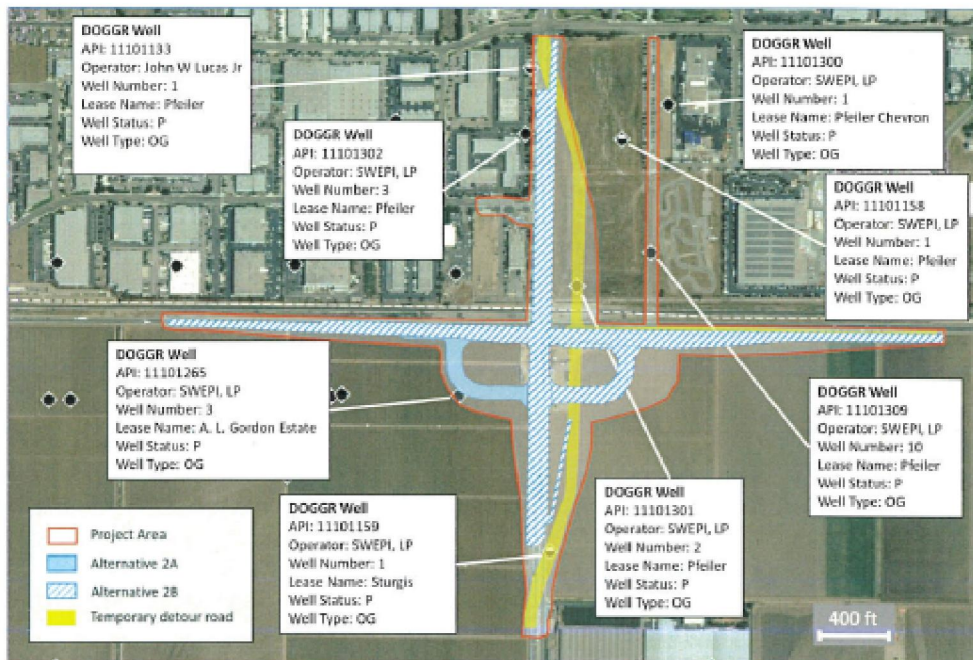


Figure 1. Annotated satellite image of the proposed project area and oil and gas wells. The DOGGR well-record review includes wells within and proximal to (<200 ft) the project area boundary.

The following is a summary of the current abandonment status of identified wells:

Well	Status
John W Lucas Jr. "Pfeiler" 1 API 111-01133 <i>Outside project boundary</i>	The record review process shows that the abandonment status of this well is not abandoned to current Division standards as of March 12, 2018. Based on the well records: 1. There are no details on the surface plug which may not meet current standards (CCR § 1723.5) 2. Freshwater plug does not meet current standards (CCR § 1723.2)

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SWEPI, LP "Pfeiler" 1 API 111-01158 <i>Outside project boundary</i>	The record review process shows that the abandonment status of this well is abandoned to current Division standards as of March 12, 2018.
SWEPI, LP "Pfeiler" 2 API 111-01301 Inside "Temporary detour Road"	The record review process shows that the abandonment status of this well is abandoned to current Division standards as of March 12, 2018.
SWEPI, LP "Pfeiler" 3 API 111-01302 <i>Outside project boundary</i>	The record review process shows that the abandonment status of this well is abandoned to current Division standards as of March 12, 2018.
SWEPI, LP "Pfeiler" 10 API 111-01309 Along path of water line relocation	The record review process shows that the abandonment status of this well is abandoned to current Division standards as of March 12, 2018.
SWEPI, LP "Pfeiler Chevron" 1 API 111-01300 <i>Outside project boundary</i>	The record review process shows that the abandonment status of this well is abandoned to current Division standards as of March 12, 2018.

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Susan Tse Koo, CALTRANS
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SWEPI, LP "Sturgis" 1 API 111-01159 Inside "Temporary detour Road"	The record review process shows that the abandonment status of this well is not abandoned to current Division standards as of March 12, 2018. Based on the well records: 1. There are no details on the surface plug which may not meet current standards (CCR § 1723.5) 2. Freshwater plug does not meet current standards (CCR § 1723.2)
SWEPI, LP "A. L. Gordon Estate" 3 API 111-01265 Adjacent to "Alternative 2A" connector path	The record review process shows that the abandonment status of this well is not abandoned to current Division standards as of March 12, 2018. Based on the well records: 1. Freshwater plug does not meet current standards (CCR § 1723.2) 2. Oil and gas zone plug does not meet current standards (CCR § 1723.1)

The local permitting agency, property owner, and/or developer should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near oil and gas wells. These issues are non-exhaustively identified in the following comments, and are provided by the Division for consideration by the local permitting agency, in conjunction with the property owner and/or developer, on a parcel-by-parcel or well-by-well basis. **As stated above, the Division provides the above well review information solely to facilitate decisions made by the local permitting agency regarding potential development near oil or gas wells.**

1. It is recommended that access to any well located on the property be maintained in the event abandonment or re-abandonment of the well becomes necessary in the future. Impeding access to a well could result in the need to remove any structure or obstacle that prevents or impedes access. This includes, but is not limited to, buildings, housing, fencing, landscaping, trees, pools, patios, roads, sidewalks, and decking. Maintaining sufficient access to an oil or gas well may be generally described as maintaining "rig access" to the well. Rig access allows a well servicing rig and associated necessary equipment to reach the well from a public street or access way, solely over the parcel on which the well is located. A well servicing rig, and any necessary equipment, should be able to pass unimpeded along and over the route, and should be able to access the well without disturbing the integrity of surrounding infrastructure.
2. Nothing guarantees that wells abandoned to current standards will not start leaking oil, gas, and/or water in the future. It always remains a possibility that any well may start to leak oil, gas, and/or water after abandonment, no matter how thoroughly the well was plugged and abandoned. The Division acknowledges wells that are presently abandoned to current

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Susan Tse Koo, CALTRANS
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standards have a lower probability of leaking oil, gas, and/or water in the future, but makes no guarantees as to the adequacy of the abandonment or the potential need for future re-abandonment. The Division recommends that the four wells in the project area be located, unearthed and tested for leakage prior to authorizing any construction. Since there is no record of plating "Pfeiler" 10, the Division recommends that a determination be made at the time the well is tested. The Division recommends that if any construction is permitted by the local land use agency to be built over any plugged and abandoned well, monitoring equipment should be considered to monitor for any leakage.

3. The Division recommends that any soil containing significant amounts of hydrocarbons be disposed of in accordance with local, state, and federal laws. Please notify the appropriate authorities if soil containing significant amounts of hydrocarbons is discovered during development.
4. To ensure that present and future property owners are aware of (1) the wells located on the property, and (2) potentially significant issues associated with any improvements near oil or gas wells, the Division recommends that information regarding the above identified wells, and any other pertinent information obtained after the issuance of this letter, be communicated to the appropriate county recorder for inclusion in the title information of the subject real property.
5. No well work may be performed on any oil or gas well without written approval from the Division in the form of an appropriate permit. This includes, but is not limited to, mitigating leaking fluids or gas from abandoned wells, modifications to well casings including plating, and/or any other re-abandonment work. (NOTE: The Division regulates the depth of any well below final grade (depth below the surface of the ground). Title 14, Section 1723.5 of the California Code of Regulations states that all well casings shall be cut off at least 5 feet but no more than 10 feet below grade. If any well needs to be lowered or raised (i.e. casing cut down or casing riser added) to meet this grade regulation, a permit from the Division is required before work can start.)
6. The Division has determined that one well on the above list, "Sturgis" 1, which lies within the proposed path of the "temporary detour road" is not plugged and abandoned to current standards. The Division recommends that this well be abandonment to current standards prior to any permanent construction, because the proposed work will likely prevent or impede access to the well for purposes of remedying potential problems in the future.
7. The Division advises all parties not to undertake construction that could prevent or impede access to any wells in or directly adjacent to proposed construction, such as wells "Sturgis" 1, "Pfeiler" 2, "Pfeiler" 10, and "A. L. Gordon Estate" 3.

The Division directs you to PRC section 3208.1, which states:

- (a) To prevent, as far as possible, damage to life, health, and property, the supervisor or district deputy may order, or permit, the reabandonment of any previously abandoned well if the supervisor or the district deputy has reason to question the integrity of the previous abandonment, or if the well is not accessible or visible.
- (b) The operator responsible for plugging and abandoning deserted wells under Section 3237 shall be responsible for the reabandonment except in the following situations:

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(1) The supervisor finds that the operator plugged and abandoned the well in conformity with the requirements of this division in effect at the time of the plugging and abandonment and that the well in its current condition presents no immediate danger to life, health, and property but requires additional work solely because the owner of the property on which the well is located proposes construction on the property that would prevent or impede access to the well for purposes of remedying a currently perceived future problem. In this situation, the owner of the property on which the well is located shall obtain all rights necessary to reabandon the well and be responsible for the reabandonment.

(2) The supervisor finds that the operator plugged and abandoned the well in conformity with the requirements of this division in effect at the time of the plugging and abandonment and that construction over or near the well preventing or impeding access to it was begun on or after January 1, 1988, and the property owner, developer, or local agency permitting the construction failed either to obtain an opinion from the supervisor or district deputy as to whether the previously abandoned well is required to be reabandoned or to follow the advice of the supervisor or district deputy not to undertake the construction. In this situation, the person or entity causing the construction over or near the well shall be responsible for the reabandonment.

(3) The supervisor finds that the operator plugged and abandoned the well in conformity with the requirements of this division in effect at the time of the plugging and abandonment and after that time someone other than the operator or an affiliate of the operator disturbed the integrity of the abandonment in the course of developing the property, and the supervisor is able to determine based on credible evidence, including circumstantial evidence, the party or parties responsible for disturbing the integrity of the abandonment. In this situation, the party or parties responsible for disturbing the integrity of the abandonment shall be responsible for the reabandonment.

(c) For purposes of this section, being responsible for the reabandonment means that the responsible party or parties shall complete the reabandonment and be subject to the requirements of this chapter as an operator of the well. The responsible party or parties shall file with the supervisor the appropriate bond or security in an amount specified in Section 3204, 3205, or 3205.1. If the reabandonment is not completed, the supervisor may act under Section 3226 to complete the work.

(d) Except for the situations listed in paragraphs (1), (2), and (3) of subdivision (b), nothing in this section precludes the application of Article 4.2 (commencing with Section 3250) when its application would be appropriate.

As PRC section 3208.1, subdivision (b)(1), indicates, since the State of California Department of Transportation (CalTrans) has plans to construct improvements on the property that would prevent or impede access to the well(s), reentry of the well(s) for the purposes of upgrading the plugging and abandonment condition is the responsibility of the property owner/CalTrans. The Division is not responsible to reabandon these well(s).

If during development activities, any wells are encountered that were not part of this review, CalTrans shall immediately notify an engineer with the Division's Coastal District Ventura office, and file for Division review an amended site plan with well casing diagrams. The District office will send a follow-up well evaluation letter to CalTrans and the local permitting agency. Remedial plugging and reabandonment operations may be required.

If you have any questions, please contact Mr. Justin LaForge at (805) 465-9626 or via email at justin.laforge@conservation.ca.gov.

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Susan Tse Koo, CALTRANS
March 12, 2018
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Sincerely,



Patricia A. Abel,
Coastal District Deputy

cc: State Clearinghouse
Tim Shular
Crina Chan
Jan Perez
Chrono
Well File

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Response to Comment D

All commitments proposed by the Division of Oil, Gas, and Geothermal Resources have been accepted by the City of Oxnard. Measures were included in the environmental document and Environmental Commitments Record for the Project.

Appendix M: Written Comments Received and Response to Comments

1/31/2018

CALIFORNIA DEPARTMENT OF TRANSPORTATION

RICE AVENUE GRADE SEPARATION)
PROJECT, PUBLIC HEARING AT)
THE CITY OF OXNARD COUNCIL)
CHAMBERS)
)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

WEDNESDAY, JANUARY 31, 2018

6:30 P.M.

OOO

CITY OF OXNARD COUNCIL CHAMBERS

305 WEST 3RD STREET

OXNARD, CALIFORNIA 93030

REPORTED BY:

JOHANNA MANGUAL LEDESMA, CSR 6951

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1/31/2018

1 APPEARANCES :

2

3 ERINN SILVA, SENIOR ENVIRONMENTAL PLANNER

4 CARLOS CADENA, PROJECT ENGINEER

5 PETER DEHAAN, REPRESENTATIVE FOR VENTURA COUNTY
TRANSPORTATION COMMISSION

6

JUSTIN LINK, REPRESENTATIVE FOR CITY OF OXNARD

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1	SPEAKER:	PAGE :
2	JAMES MCGILLIS	16
3	PATRICIA V. BROWN	20
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1/31/2018

1 WEDNESDAY, JANUARY 31, 2018, OXNARD, CALIFORNIA

2 6:30 P.M.

3 000

4

5 MR. LINK: All right. Welcome, everybody to the
6 Rice and Fifth Street overhead public hearing for the
7 draft circulation of the EIR -- excuse me, of the
8 circulation of the draft EIR. So let's go ahead and get
9 right into it. This was our agenda this evening. We've
10 now reached that magical 6:30 hour, so let's get started.

11 The project team is made up of the City of
12 Oxnard, and I'm Justin Link, the Transportation Services
13 Manager for the City of Oxnard. In addition, we have
14 Caltrans who is the environmental lead agency for the
15 project. So while the City of Oxnard is the, essentially
16 the host of the project, that Caltrans is leading the
17 effort with respect to the environmental document. So if
18 you see Caltrans logos all over everything, that's why.
19 Although its full of experts, it's the City's project.

20 In addition, we have the County of Ventura and a
21 couple of representatives with us here tonight, the
22 Ventura County Transportation Commission, V.C.T.C., also a
23 cooperating agency. The Federal Railroad
24 Administration -- railway?

25 MR. DEHAAN: Railroad.

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1 MR. LINK: Railroad. Thank you.

2 MR. DEHAAN: Railway is the --

3 MR. LINK: There you go.

4 WKE who is our engineer of record and has
5 prepared the key AED and PR reports thus far and is
6 working closely with GPA who is the environmental
7 consultant. And we have cumulatively some associates, and
8 KHI (sic) is our contract engineer.

9 Probably easier to see the board up front, but
10 for those of you who are unfamiliar with the project
11 location, although it should be fairly familiar after
12 events that have occurred in the recent past, the project
13 is located at the intersection of Fifth Street and Rice
14 Avenue. Along with it is designated as a freight corridor
15 to and from the Port of Hueneme, a very strategic
16 location.

17 Caltrans owns the right-of-way to the east
18 length of the intersection. To the north is the City of
19 Oxnard and to the south is the County of Ventura.

20 At this point I believe I will be turning it
21 over to Carlos Cadena with WKE Associates. He's our
22 project manager, and he'll discuss the purpose of our
23 meeting.

24 MR. CADENA: Thank you, Justin.

25 MR. LINK: Before I forget, I'd actually like to

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1/31/2018

1 recognize we have a representative here tonight from
2 Congresswoman Julia Brownley's office, Talin
3 Sardarbegians. So thank you very much for being present
4 tonight.

5 MR. CADENA: And thank you. I hope you have the
6 opportunity to walk around and look at the boards that we
7 have. It gives you a little more description of the
8 project, but I'll go over the slides here.

9 The purpose of the project is to eliminate the
10 conflict that occurs at the railroad crossing. We have --
11 and the only way we can -- thank you -- eliminate that
12 conflict is by creating a grade separation and building a
13 bridge over the railroad tracks and Fifth Street.

14 So here's an accident that occurred back in
15 February of 2015. And from what I understand, there's a
16 truck driver that was coming south on Rice Avenue and he
17 was Googling where he was, the destination. And then he
18 was told to turn right, but because the intersection and
19 the railroad tracks are so close, he made a turn into the
20 tracks and then he got stuck on the tracks.

21 So he, he panicked. He got out of the truck.
22 He went to try to call somebody to come and help him out,
23 and then while he was gone searching, the train came and
24 this is what happened. And the conductor was killed in
25 this accident.

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1 So that's the purpose of the project, and the
2 need is to eliminate this type of things from happening in
3 the future.

4 So we looked back at a number of alternatives.
5 There's one build alternative that remains on the project
6 with two options. One is the 2A which is a double
7 connector, and the other one is 2B, single connector.

8 We also evaluated a number of alternatives that
9 were discarded. That included the roundabout option. We
10 looked at a single point interchange. We looked at the
11 realignment of Rice Avenue and that was eliminated as
12 well, and this tight diamond interchange and we also
13 looked at reversible lanes.

14 One of the main reasons for eliminating those
15 alternatives is because of the environmental impact and
16 the impact of the farmland. It was much greater than the
17 alternatives that we decided to pursue.

18 This is alternative 2B, a single connector. And
19 the reason we located the connector on the east side of
20 Rice Avenue is because of the traffic moves. That's,
21 that's the, that's the moves that has the most traffic
22 going northbound Rice Avenue to eastbound SR34.

23 And then we looked at the double connector and
24 this seems to be, there's a preference here. We can't
25 make a decision yet until we get all the comments back

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1 from the review, the circulation of the environmental
2 document, and then we evaluate all the comments and make a
3 final decision of what the local preferred alternative is,
4 but there's a great benefit on this alternative.

5 If you look, all the moves here are right turns:
6 Northbound Rice, out of the connector road down south of
7 Rice Avenue and then going northbound on Rice. And the
8 benefit here is that we have the opportunity to eliminate
9 the signal at the intersection.

10 And being this a grade corridor, it's a great
11 advantage of not having the trucks stop on the climb to go
12 over the railroad tracks on the bridge and having to start
13 up again when the signal goes green.

14 This is the right-of-way that would be required
15 for Alternative A which has the bigger footprints. That's
16 why we show, we chose to show Alternative 2A. You can see
17 the red is the take and those areas to the south of Fifth
18 Street and SR34, those are within the county area. And
19 then the yellow, it's right-of-way that's owned by
20 Caltrans. That's SR34.

21 And then the blue that you see there is the UP
22 right away. That's 100' footprints. The green east
23 lanes, that's required for the detour road that's going to
24 be put in place to construct the project which you may
25 have seen on the board to the end.

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1 This is the detour that will be constructed
2 while traffic is on Rice Avenue. And when we finish the
3 detour, we'll move traffic to that, to that road and then
4 complete the project. And then we can, once we finish the
5 project, we move traffic there and then we'll remove the
6 detour.

7 And then with that, Peter is going to talk about
8 funding.

9 MR. DEHAAN: Good evening. I'm Peter DeHaan --
10 excuse me -- with the Ventura County Transportation
11 Commission. And the Commission has been taking the lead
12 for the funding, looking at the funding of the project and
13 how to get it funded which isn't really part of the
14 environmental process and the purpose of this public
15 hearing, but we wanted to have this information available
16 because it has been a challenge that what the slides
17 shows, there's a little bit over \$10,000,000 right now
18 that we can reasonably count on as being available to the
19 project. And as you can see, the total cost is estimated
20 to be 79,000,000, just over \$61,000,000 just for
21 construction.

22 And what we are looking to is Senate Bill 1.
23 That is the gas tax increase that was passed by the State
24 Legislature this last spring. And Assembly Member Jackie
25 Erwin who represents this district has been very

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1 involved in pushing to get commitments from the state to
2 make this the Number 1 priority for the funds from SB1
3 that will be coming to Ventura County.

4 And we think this is a reasonable amount given,
5 given what's available. And based on the commitment to
6 Jackie Erwin, Caltrans is actually taking a lead in
7 preparing the actual application that has to be prepared
8 and that application has been submitted by Caltrans as a
9 priority of Caltrans, but it's still, there's no final
10 decision on the funding.

11 So one of the things I want to make clear is we
12 do have the funds already from the City of Oxnard and from
13 federal sources that have been used to do the
14 environmental impact report and that can get us started on
15 design, but we only have funds for, to get through to six
16 months or so to keep the funding going forward, but we
17 expect by May to be a final decision by the state in terms
18 of the funding and the funding from the Senate Bill 1.

19 And so there's also Mr. Martin and Mr. Martinez
20 here representing Senator Jackie Erwin here tonight. I
21 also was going to mention, and this is part of the effort
22 that we worked with on Caltrans to prepare the funding
23 application for the SB1 funds.

24 We do have a lot of letters of support including
25 Assemblywoman Erwin, Congresswoman Brownley, the various

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1 sponsoring agencies, the Port of Hueneme. We also have a
2 slew of letters from various local employers in the area
3 and we have a letter that's important of support from the
4 Union Pacific Railroad because they own the tracks through
5 here.

6 So I'm available after the presentation if you
7 have any questions. So I'll now turn it over to Erinn
8 Silva from the --

9 MS. SILVA: Thank you.

10 Well, good evening. Oh, thank you. I need
11 that. Thank you so much for coming out.

12 AUDIENCE MEMBER: What agency are you with?

13 MS. SILVA: I'm with GPA Consulting. We did the
14 environmental document for this project, and with that in
15 mind, that's why we're actually here tonight. It's really
16 nice to hear about the design of the project, why we need
17 it, how it's funded, but really the purpose of the project
18 tonight is to talk about the environmental issues and the
19 environmental document as required by California law.

20 So with that, the environmental laws that are
21 relevant here are of course the state law, the California
22 Environmental Quality Act and also national law, the
23 National Environmental Policy Act, CEQA and NEPA
24 respectively.

25 As mentioned, Caltrans is the lead agency under

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1 both CEQA and NEPA. And what we did is we elected to just
2 combine the environmental documents so there's not two
3 circulating around for people to review. It's a combined
4 document, an EIR and an EA.

5 I will note because it will be relevant a little
6 bit later that sometimes the threshold of significance is
7 different with CEQA than with NEPA and that will be
8 relevant later in the discussion. So I wanted to mention
9 that.

10 Basically the environmental process for us
11 begins with the Notice of Preparation. That's for CEQA.
12 It's a requirement. We did circulate the Notice of
13 Preparation which let's you know, hey, we're going to
14 write an environmental impact report. So that was
15 completed.

16 We did not receive comments from the public, and
17 then we went ahead and completed the technical studies.
18 Yes, and in a different slide, I'll show you how many were
19 conducted. It was extensive. And a technical study is
20 basically just a study of a certain environmental
21 discipline like air quality, noise, cultural resources.
22 And so we completed those and then began to draft the
23 draft environmental document which basically just compiles
24 all of those very detailed technical studies and makes
25 them, you know, understandable for me and for you.

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1 And so what we're required to do is to circulate
2 that environmental document as a draft to the public and
3 then also receive comments during that comment period
4 which is a required 30 days, but Caltrans has elected to
5 allow us to circulate it for 45 days so people have a
6 longer time, more of an ability to comment if they'd like
7 to.

8 And that's really why we're here tonight. The
9 public comment period ends February 12th and we take all
10 kinds of comments. We take written comments. I'll show
11 you at the end. Tonight, what we're really looking for is
12 either if you'd like to step up to the microphone, please
13 fill out a yellow speaker card and we'll listen to your
14 comments. We're not going to respond to questions. We're
15 required to do that in writing in the environmental
16 document so that the technical specialists are able to
17 respond probably better than some of us in the room could.

18 So if you'd like to step up to the mic after the
19 presentation and, you know, publically state your comment,
20 you're welcome to do that. We do have a court reporter
21 here who will take that information. And if you're shy to
22 do that, we also have comment cards and you can give that
23 to me, to anybody in the back of the room.

24 What will be done at that point once the public
25 comment period ends is we'll take all of the public

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1 comments that have been received. We will document them
2 in the final environmental document, and we will respond
3 to questions or comments if they're about environmental.

4 If they're about the project design,
5 unfortunately it's not necessarily relevant to the
6 environmental document, but we'll do our best.

7 Again, we would then draft the final EIR/EA.
8 And we do expect that for CEQA, there will be a statement
9 of overriding considerations for impacts to farm lands
10 which I'll talk to you about here in a minute.

11 These are the environmental technical studies
12 that were completed for the project. A lot of them found
13 no impact or no adverse effect, but as you can see, there
14 was quite a study done here, you know, especially when
15 we're talking about the double connector. There's quite
16 an impact to farmland areas, so I really want to focus on
17 two studies out of that list so as not to bore you.

18 The first one would be the cultural resource
19 studies which basically includes all three of the last
20 bullet point items: Archaeological resources, historical
21 resources. We did extensive surveys out there because of
22 the fact that there's a high sensitivity, but nothing was
23 found out there during our investigations. So -- but I
24 did want to note it because it was heavily investigated.

25 And then, secondly, the farmland impact. Again,

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1 I mean you can see from the, from the maps that you've
2 seen that the farmland impacts are somewhat extensive for
3 the double connector and not quite as extensive for the
4 single connector.

5 However, under CEQA, they were found to be
6 significant and unavoidable, those impacts. And so I want
7 to note that because that's important. That's probably
8 the most important thing to know here tonight, is there an
9 impact to farmland? However, for NEPA, because the
10 threshold is different, it's not an adverse affect.

11 Again, what we're really looking for here, if
12 you have reviewed the environmental document, it's for
13 your comments on the environmental document. And if you
14 have not, I want to tell you how to get it.

15 We do have CDs at the sign-in table at the back
16 so you can grab one of those absolutely and feel free to
17 grab one or two or however many you want for the people
18 that might be interested, but it is also available online
19 on the Caltrans website. That information is provided in
20 the fact sheet that was given to you when you came in.

21 Secondly, it is a hard copy is available at
22 Caltrans District 7. If you'd like to drive to Downtown
23 L.A., go ahead and do that, but if you would prefer, a
24 hard copy is also available at the area libraries that are
25 listed here.

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1 And then finally again, CDs are available at the
2 welcome table. And then just, if you're not interested in
3 commenting here because you haven't read the environmental
4 document or you're not familiar with it yet or maybe you
5 just want to think a little bit more about what we've
6 said, I'm going to go ahead and leave this up here during
7 the public comment period so that if you'd like to write
8 down how to mail in your comments either by U.S. Mail or
9 by e-mail, please do feel free to do that as well. Just
10 please make sure that it is by February 12 so we can
11 incorporate your comments in the environmental document.

12 I believe that that's it. Again, I'm going to
13 leave that up there just in case anybody's interested to
14 jot that down.

15 Did we have anybody who is interested in making
16 a public comment? Any yellow speaker cards at all? Okay.
17 Excellent. Let me make sure that microphone is working.

18 MR. LINK: It is.

19 MS. SILVA: It is?

20 MR. LINK: Yes.

21 MS. SILVA: Feel free to step up to the
22 microphone.

23 MR. MCGILLIS: Do you want to take my card or --

24 MS. SILVA: I'll take that if you have one.

25 Thank you so much.

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1 MR. MCGILLIS: Give it a try here. Is that good
2 enough?

3 MS. SILVA: Yes. That's great.

4 MR. MCGILLIS: Okay. My name is James McGillis
5 and I live in Simi Valley, California, not too far from
6 here.

7 After the Metrolink collision and the death of
8 the senior engineer which was, he was conductor in a
9 sense, but he was also the senior engineer training the
10 individual who was operating the train, I was shocked like
11 so many people in Ventura County and elsewhere were about
12 this accident. I drove to the site and, making sure I
13 didn't walk on the right-of-way, I observed what the
14 circumstances were one month after the collision.

15 The collision itself was well documented as you
16 know by news sources and others. I took particular
17 interest in how and why that individual would make that
18 turn onto the tracks rather than the turn onto the State
19 Route 34. There's been a lot of discussion about that so
20 I will try to keep my comments brief.

21 I will say I do support the double connector as
22 the appropriate solution to the issue we have at hand. My
23 observations, if I may and this is for the City of Oxnard
24 as well because I understand that Rice Avenue coming south
25 is shown in the maps of the overhead maps is the

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1 responsibility of the City of Oxnard.

2 At the time of the collision, the road markings
3 were beginning to deteriorate from my observation, and the
4 road surface itself where the big rigs and other cars have
5 come to rest was also somewhat deteriorated.

6 There were no delineating pylons, no reflectors,
7 and the white line that goes along the right-hand side of
8 the road disappeared into the dirt before you got to the
9 place where the driver made the turn, the wrong turn.

10 So I've gone to that site now half a dozen times
11 since then, and my observations are that the changes that
12 have happened there that I would say are in the interest
13 of public safety and are doing a good thing are several,
14 couple. One is they repaired the pad where the cars and
15 trucks come to rest at the, where the gate comes down.

16 Second, there have been two pylons, one on
17 either side of the right-of-way that have been installed
18 and they have little reflectors and they're about 2 and a
19 half feet tall. Other than that, there's nothing to
20 prevent a similar accident from happening tomorrow morning
21 at 5:00 a.m.

22 The white line next to the side of the road
23 still disappears into the dirt. The limit lines at the
24 grade crossing have not been repainted. The general
25 appearance of the area is complete deterioration strewn

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1 with trash. Large pieces of wood have fallen off trucks,
2 not in the roadway, but in that general area so that clean
3 up and maintenance both by Union Pacific and in my
4 personal opinion to some degree City of Oxnard, but just
5 whoever is responsible for the area around that, it is in
6 what I would consider to be a derelict condition.

7 So I said I'd keep my comments as short as I
8 could, but my thesis, my point is before we're able to get
9 to an alternate connector and all the great things that
10 are planned which I support 100 percent, I think it is
11 time to take a hard look at that busy intersection coming
12 south and what can we do collectively, individually or as
13 institutions or city, county, state, to start to do
14 something to keep a similar accident from happening
15 because if we come back when it's time to build this
16 project and I'm standing here and I say, "Well, only two
17 people turned on the tracks and were hit," you know,
18 that's unacceptable to me. I hope it's unacceptable to
19 everybody else. So I've pretty much said my peace.

20 I had a very good friend who was injured in the
21 Metrolink accident. He was the most seriously injured
22 individual who did not perish in the accident. He
23 couldn't be here tonight because he's in pain and requires
24 significant care to this day. And I'm speaking, I won't
25 mention his name because I don't think that's appropriate,

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1 but I'm speaking on his behalf because he's the one that
2 was riding on that train. And when it hit, there was no
3 warning and he was severely injured.

4 So if we can prevent anything like that
5 happening in the future, then that's what I support. And
6 I thank you very much for letting me speak.

7 MS. SILVA: Thank you so much for sharing.

8 MR. MCGILLIS: Thank you.

9 MS. SILVA: Is there anybody else who would like
10 to speak publically? No? Yes? Excellent.

11 MS. BROWN: I've been traveling along Fifth
12 Street east and west three days a week since 1993, and I
13 came through there after they cleaned up this last mess,
14 and I just couldn't see why this fellow did what he did,
15 where he did. It didn't make any senses to me, but that
16 was in the middle of the night. Who knows? You know,
17 maybe he wasn't familiar with the area or whatever.
18 Something spooked him or whatever, but I think this
19 project is a terrific project.

20 I think we ought to go full out and finish it up
21 and do it as quickly as we possibly can, and it will help
22 greatly with the traffic. And we know that the truck
23 traffic has been getting worse. It depends on which side
24 of the fence you're on. If you're a farmer, it's been
25 getting better over all these years. If -- because

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1 there's more of it, but if you're one who travels it all
2 the time, it's just getting more and more stacked up and
3 stacked up.

4 And if the freeway's clogged, everybody comes
5 down to Fifth Street to use Fifth Street instead of the
6 freeway because they're in a hurry to get to work and they
7 don't have, you know, or to get home or whatever and they
8 just don't have time to hassle with the freeway.

9 So I can see that by the time this thing gets
10 built, if it's four, five years, we're going to really be
11 needing it. As a matter of fact, there could be more
12 accidents between now and the time that we get this thing
13 done.

14 So for me, my thought is each and every day that
15 goes by that we don't have an accident there is like
16 crossing your fingers and holding your breath. And I
17 can't wait until it gets done. I will be very, very happy
18 when it gets done.

19 And I know that the mayor is very much in favor
20 of it because of doing it the full process because he's
21 made comments to me in the past year or two that he really
22 would like to have that taken care of.

23 So -- and this isn't the first accident that's
24 been there. There was another one before that there at
25 that, at that, at that intersection. So -- but I do think

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1 that the signage that's there now, if they don't get it
2 with that signage, they'll never get it. You know?
3 Either they're drunk or something, because the signage is
4 very, very good there right now, but the traffic is still
5 horrendous in the early morning and late afternoons and I
6 would like to see Caltrans continue the project once this
7 is done and make four lanes, two lanes going in each
8 direction all the way along Fifth from Rose Avenue all the
9 way to Pleasant Valley Road. It really, really needs it.

10 You get a lot of slow tractors driving through
11 there, and you get the big huge trucks, and then you get
12 the cars of people that are in a hurry to get through
13 there and they don't want to go up the freeway. And, and
14 you just got a mess and that's the way it is most of the
15 time, mornings and evenings, late afternoons.

16 Actually after about 4:00, 4:30, it starts
17 really picking up in the afternoon. Anyway, that's just
18 my thought. Thank you.

19 MS. SILVA: Thank you. Would you mind filling
20 out a speaker card so at least we have your name?

21 MS. BROWN: Sure.

22 MS. SILVA: Thank you very much.

23 Is anyone else wanting to speak publically?
24 Okay. Well, then what we're going to do is conclude the
25 presentation. We're going to stay afterward and we're

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1 happy to talk to you about the project or about the
2 environmental document, answer any questions that you have
3 for about the next half hour to an hour.

4 And so we'll go ahead and conclude, and just
5 feel free to approach us if you like. Thank you very much
6 for coming.

7 (END OF PROCEEDINGS AT 6:57 P.M.)

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1	REPORTER'S CERTIFICATE
2	
3	I, JOHANNA MANGUAL LEDESMA, CSR No. 6951,
4	Certified Shorthand Reporter for the State of California,
5	certify;
6	That the foregoing proceedings were taken before
7	me at the time and place herein set forth;
8	That any and all testimony of witnesses, any
9	questions propounded, and all objections and statements
10	made at the time of the proceedings were recorded
11	stenographically by me and were thereafter transcribed;
12	That the foregoing is a true and correct
13	transcript of my shorthand notes so taken.
14	I further certify that I am not a relative or
15	employee of any of the parties, nor financially interested
16	in the action.
17	I declare under penalty of perjury under the
18	laws of the State of California that the foregoing is true
19	and correct.
20	Dated this 15th day of February, 2018.
21	
22	
23	_____
24	JOHANNA MANGUAL LEDESMA, CSR No. 6951
25	

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Appendix N: Notice of Availability

DEPARTMENT OF TRANSPORTATION**DISTRICT 7**

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FAX (213) 897-0360

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a California Way of Life.*

December 29, 2017

Agencies, Individuals, and Organizations
Interested in the Rice Avenue Grade Separation Project

Notice of Availability of the Environmental Impact Report/Environmental Assessment for the Rice Avenue Grade Separation Project

The City of Oxnard (City), in cooperation with the Ventura County Transportation Commission (VCTC) and the California Department of Transportation (Caltrans), is proposing to construct a grade separation (Project) on Rice Avenue where it crosses over State Route 34 (SR-34) and the Union Pacific Railroad track (Project Area). The project improvements are proposed along SR-34 (Fifth Street) from Post Mile (PM) 6.27 to PM 6.77, and along Rice Avenue for approximately 0.4 miles to the north and south of the Rice Avenue/SR-34 (Fifth Street) intersection. The northern portion of the Project Area is located within the City, while the southern portion is located in an unincorporated area of the County of Ventura (County); SR-34, east of Rice Avenue, is located within Caltrans right-of-way.

There are three alternatives under consideration, including the No Build Alternative and two Build Alternatives. Caltrans is the lead agency under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). The Federal Railroad Administration is a cooperating agency under NEPA.

Caltrans has studied the effects this project may have on the environment and has prepared an Environmental Impact Report/Environmental Assessment (EIR/EA). The EIR/EA is available online at <http://www.dot.ca.gov/d7/env-docs/>. The EIR/EA is also available for review and reproduction at the Caltrans District 7, Division of Environmental Planning Office (100 S. Main Street, Suite 100, Los Angeles, CA 90012) on weekdays from 8:00 a.m. to 4:00 p.m. Additionally, the EIR/EA will be available for review at the Oxnard Public Library Colonial Branch (1500 Camino del Sol #26, Oxnard, CA 93030), Oxnard Public Library Downtown Main Library (251 South 'A' Street, Oxnard, CA 93030), and Oxnard Public Library South Oxnard Branch (4300 Saviers Road, Oxnard, CA 93030).

A public hearing will be held on January 31, 2018 from 6:00 p.m. to 8:00 p.m. at:

**City of Oxnard Council Chambers
305 West 3rd Street
Oxnard, CA 93030**

December 29, 2017

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This meeting will be held for any interested parties to learn more about the Project, ask questions, and provide input as the Project moves forward.

Please submit any written comments on the EIR/EA, no later than **February 12, 2018** to the address below.

Mr. Ron Kosinski, Deputy District Director
California Department of Transportation
Division of Environmental Planning (Rice Avenue Grade Separation Project)
100 South Main Street MS-16A
Los Angeles, CA 90012

Thank you for your interest in this important transportation project. If you have any questions, please contact Susan Tse Koo, Senior Environmental Planner, at (213) 897-1821 or susan.tse@dot.ca.gov.

Sincerely,



RON KOSINSKI

Deputy District Director, Division of Environmental Planning
California Department of Transportation, District 7



Appendix O: SHPO Letter of Concurrence



**DEPARTMENT OF PARKS AND RECREATION
OFFICE OF HISTORIC PRESERVATION**

Lisa Ann L. Mangat, Director

Julianne Polanco, State Historic Preservation Officer

1725 23rd Street, Suite 100, Sacramento, CA 95816-7100

Telephone: (916) 445-7000 FAX: (916) 445-7053

calshpo.ohp@parks.ca.gov www.ohp.parks.ca.gov

February 15, 2018

VIA ELECTRONIC MAIL

Reply in Reference To: FHWA_2017_1030_001

Ms. Emily Castano, Acting Section 106 Coordinator
Cultural Studies Office
Caltrans Division of Environmental Analysis
1120 N Street, MS-27
Sacramento, CA 95814

Subject: Finding of No Adverse Effect for the Rice Avenue Grade Separation Project (07-VEN-34 PM 6.27/6.77; EA 07-31780) in the City of Oxnard, Ventura County

Dear Ms. Castano:

The Office of Historic Preservation (OHP) received your letter on January 18, 2018. The California Department of Transportation (Caltrans) is continuing consultation with the State Historic Preservation Officer (SHPO) regarding the above referenced undertaking in accordance with the January 1, 2014 *First Amended Programmatic Agreement Among the Federal Highway Administration (FHWA), the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California* (Section 106 PA). Pursuant to Stipulation X.B.2 of the Section 106 PA, Caltrans is consulting with the SHPO on their finding of no adverse effect without standard conditions. Enclosed with your letter is a Finding of No Adverse Effect (FOE) with the attached Environmentally Sensitive Area (ESA) report.

The City of Oxnard (City), in cooperation with Ventura County Transportation Commission (VCTC), and Caltrans is proposing to construct a grade separation on Rice Avenue where it crosses over State Route 34 (SR 34) and the Union Pacific Railroad (UPRR) track (undertaking). Three alternatives are proposed for this undertaking, including a No Build Alternative (Alternative 1), and two Build Alternatives with design options, i.e., Alternative 2A Double Connector, Alternative 2B Single Connector, Alternative 3A Double Connector, and Alternative 3B Single Connector. A more detailed description of the undertaking and the area of potential effects (APE) can be found on pages 3 through 6 of the FOE.

In earlier consultation with the SHPO, Caltrans identified three historic properties within the APE:

- Montalvo Cutoff: a one-mile segment of the Montalvo Cutoff of the Southern Pacific Railroad's (SPRR) Coast Line located north of East 5th Street and South Rice Avenue (APNs 216016016 and 216019311). In accordance with Stipulation VIII.C.4 of the Section 106 PA, Caltrans will treat the Montalvo Cutoff as eligible for listing on the National Register of Historic Places (NRHP) under Criteria A for the purposes of this undertaking only;

- CA-VEN-918/P-56-000918: a low density prehistoric shell scatter. Pursuant to Stipulation VIII.C.4 of the Section 106 PA, Caltrans will treat CA-VEM-918 as eligible for inclusion in the NRHP under Criterion D because evaluation of the entire property was not possible; and
- CA-VEN-1514/P-56-001514: a low density prehistoric shell scatter with one flake fragment. Pursuant to Stipulation VIII.C.4 of the Section 106 PA, Caltrans will treat CA-VEN-1514 as eligible for inclusion in the NRHP under Criterion D because evaluation of the entire property was not possible.

In earlier consultation with Caltrans, the SHPO did not object to Caltrans' assumptions of eligibility.

Caltrans has applied the criteria of adverse effect and finds that the undertaking will not result in an adverse effect to the Montalvo Cutoff of the SPRR. In all build alternatives, the proposed undertaking includes grade-separated crossing improvements to the assumed eligible segment of the SPRR located within the APE, including an aerial easement for a bridge over the tracks, a tunnel for utility relocation beneath the tracks, and a temporary at-grade crossing during construction. Intersection improvements and construction staging will also take place in the immediate vicinity. However, there will be no direct physical changes to the segment's intact character-defining features nor will there be a reduction in the segment's integrity.

Caltrans has also applied the criteria of adverse effect and finds that effects to the characteristics that qualify CA-VEN-918 and -1514 for inclusion in the NRHP under Criterion D will not be adverse. Both properties will be protected from adverse effects through the establishment of an Environmentally Sensitive Area. The ESAs will be enforced through the implementation of the ESA Action Plan.

Pursuant to Stipulation X.B.2 of the Section 106 PA, Caltrans has found that the proposed undertaking will have no adverse effect on historic properties. Based on my review of the submitted documentation, **I concur** with this finding.

Caltrans, as assigned by FHWA, intends to make a de minimis finding for Section 4(f) use of a historic property pursuant to Section 6009(a) of SAFETEA-LU.

Please be advised that under certain circumstances, such as post-review discoveries or a change in the undertaking description, Caltrans may have future responsibilities for this undertaking under the Section 106 PA and 36 CFR Part 800. If you require further information, please contact my staff Natalie Lindquist at 916-445-7014 or Natalie.Lindquist@parks.ca.gov or Alicia Perez at 916-445-7020 or Alicia.Perez@parks.ca.gov.

Sincerely,



Julianne Polanco
State Historic Preservation Officer