

# STATE ROUTE 118/STATE ROUTE 34 INTERSECTION IMPROVEMENT PROJECT

Ventura County, California  
District 7-VEN  
SR-118 Post Mile 10.72/11.80  
SR-34 Post Mile 16.80/17.66  
EA 105960

## DRAFT ENVIRONMENTAL IMPACT REPORT

Prepared by the  
State of California Department of Transportation



May 2012



SCH# 1998081078  
SR-118 PM 10.72/11.80, SR-34 PM 16.80/17.66  
EA 105960

The California Department of Transportation (Caltrans) is proposing improvements at the State Route 118 (Los Angeles Ave.)/State Route 34 (Somis Rd.) "T" intersection in Ventura County. The project limits extend approximately 1.1 miles on SR-118 from Post Mile (PM) 10.72 to PM 11.80 and approximately 0.86 mile on SR-34 from PM 16.80 to PM 17.66.

## DRAFT ENVIRONMENTAL IMPACT REPORT

Submitted Pursuant to: (State) Division 13, Public Resources Code  
THE STATE OF CALIFORNIA  
Department of Transportation

April 27, 2012  
Date of Approval

  
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# Summary

## Introduction

This summary provides an overview of the information provided in this Draft Environmental Impact Report (DEIR), which has been prepared for the State Route 118 (SR-118)/State Route 34 (SR-34) Intersection Improvement Project. The proposed project would occur within the County of Ventura. This DEIR describes the existing environmental setting within the project limits and surrounding area; discusses the objectives of the proposed project; identifies environmental impacts associated with the proposed project; provides feasible avoidance and minimization measures that can be implemented to reduce or avoid identified environmental impacts.

The proposed project is a joint project by the California Department of Transportation (Caltrans) and the Federal Highway Administration (FHWA), and is subject to state and federal environmental review requirements. Caltrans is the lead agency under both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). Federal environmental review and NEPA requirements for the proposed project have already been met with the approval of the Environmental Assessment (EA) and subsequent Finding of No Significant Impact (FONSI).

Following receipt of comments from the public and reviewing agencies, a final environmental document will be prepared. Caltrans may undertake additional environmental and/or engineering studies to address comments. The final environmental document will include responses to comments received on the Draft EIR and will identify the preferred alternative. If the decision is made to approve the project, a Notice of Determination will be published for compliance with the California Environmental Quality Act.

The proposed project is included in the Southern California Association of Governments' (SCAG) 2008 Regional Transportation Plan (2008 RTP) and the SCAG 2008 RTP amendment #2, with funding for preliminary engineering only. The proposed project is also included in the SCAG 2008 RTIP amendment #08-24 modeling list.

## Project Background

In 1993, the Ventura County Public Works Agency (VCPWA) requested a joint venture with Caltrans for a project that proposed to widen the SR-118/SR-34 intersection, and realign Donlon Road (Rd.) to replace the SR-118/SR-34 "T" intersection with a four-way intersection. Caltrans approved a Project Study Report (PSR) for the proposed project on

February 15, 1995. An Initial Study/Environmental Assessment (IS/EA) was prepared for the proposed project and approved for circulation on February 1, 2000. A Negative Declaration/Finding of No Significant Impact (ND/FONSI) was subsequently prepared and approved on September 26, 2000.

In November 2000, the Save Our Somis (SOS) community organization filed a lawsuit contending that Caltrans violated the CEQA by declining to prepare an EIR for the proposed project. In late 2002, the Ventura County Superior Court vacated approval of the proposed project and held that an EIR was necessary. Caltrans is preparing this DEIR in order to fulfill state environmental review and CEQA requirements.

The ND/FONSI (Caltrans, September 2000) for the proposed project presented six alternatives, one No-Build Alternative and five Build Alternatives. The realignment of Donlon Rd. was included as part of the scope of work for four of the five Build Alternatives presented in the ND/FONSI (Caltrans, September 2000) and the accompanying Project Report (PR), approved by Caltrans on September 29, 2000. In both documents, it was recommended that Caltrans undertake construction of the entire project, with the VCPWA and the Ventura County Transportation Commission (VCTC) funding the Donlon Rd. portion of the project through a cooperative agreement. Caltrans initiated this DEIR under the assumption that the proposed project would proceed in this manner. All six of the alternatives considered in the ND/FONSI (Caltrans, September 2000) were revisited for the purpose of this DEIR.

A Notice of Preparation (NOP) for this DEIR was issued by Caltrans on October 30, 2008. The NOP was sent to the State Clearinghouse, Responsible Agencies, Trustee Agencies, Local Agencies, Community Groups, and members of the public. An NOP informs the reviewer of the lead agency's intent to prepare an EIR. An Alternatives Workshop was held on Thursday, May 7, 2009 and a Community Meeting was held on Wednesday, August 26, 2009, at the Somis School Auditorium. The Alternatives Workshop was advertised in the Ventura County Star. Also, over 150 invitations were sent to local government agencies, organizations and the public before each of the meetings. Meetings were also held with members of the SOS community organization on June 29, 2009 at the Caltrans District 7 Headquarters Building, and on October 28, 2010 at the Caltrans Ventura County Satellite Office. The purpose of these meetings was to provide an overview on the proposed project's purpose and alternatives, and to solicit input from all interested parties. Project information was also made available for a period of time on the Caltrans District 7 website.

The VCPWA issued a Notice of Intent (NOI) to Adopt a Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Donlon Rd. Realignment Project (VCPWA Project) on September 10, 2010. The VCPWA project involves the realignment of Donlon Rd. to replace the SR-118/SR-34 “T” intersection with a four-way intersection. It is anticipated that the VCPWA project will be completed prior to the proposed project. The realignment of Donlon Rd. is no longer a part of the proposed project. Due to this change in the scope of the project, the Roundabout Alternative and the Bridge Alternative, both presented in the Caltrans NOP and at community meetings, are no longer considered feasible.

Furthermore, the Somis Bypass Alternative was determined to result in substantially greater effects to farmlands, housing, visual resources, floodplains, stormwater runoff, wetlands, plant species and animal species. As a result, this alternative is no longer considered. Therefore, the DEIR only considers three alternatives, including the No-Build Alternative. A discussion of the alternatives considered, but eliminated from further consideration, can be found in Chapter 1.

### **Areas of Controversy**

Members of the Somis community have shown great interest in the proposed project, as displayed in the large number of attendees at project-related meetings held by Caltrans since 1997. Throughout the years, community members have voiced their opinions on the proposed project at meetings and through traditional correspondence mail and e-mail. The major source of controversy that has emerged from a review of public comments involves the improvements proposed under the Intersection Improvement Alternative. Community members expressing concern about this alternative are opposed to the size of the intersection that is proposed. For this reason, Caltrans has considered the SOS Alternative and the Somis Bypass Alternative, both of which were proposed by community members.

### **Project Location**

The project location is the SR-118/SR-34 intersection, located approximately 1.5 miles north of the City of Camarillo and 4.5 miles west of the City of Moorpark, in the Somis area of Ventura County. State Route 118 is an east-west interregional highway that travels through the counties of Ventura and Los Angeles. The segment of SR-118 in the project area is a two-lane conventional highway that travels through mostly agricultural and rural areas between the community of Saticoy and the City of Moorpark. From the project location, SR-118 provides regional connectivity to SR-23 to the east, SR-34 and US-101 to the south and SR-126 to the west. Within the project limits, SR-118 forms two closely-spaced “T” intersections with SR-34 and Donlon Rd.

State Route 34 is a two-lane conventional highway that travels through the cities of Oxnard and Camarillo, and the town of Somis. Its northerly terminus is at its intersection with SR-118. Downtown Somis is located along SR-34, approximately a half-mile south of the project location. The highway is also known as Somis Rd. in the project area. Defined communities in the project area include the town of Somis, La Cumbre Road Existing Community, and the Groves 1, 2, and 3 communities. The communities are isolated from each other, interspersed among agricultural land and open space.

### **Overview of Proposed Project**

The purpose of the proposed project is to improve overall traffic operations at the SR-118/SR-34 intersection. To achieve this goal, the following project objectives have been identified:

- reduce delay time;
- relieve congestion;
- and enhance safety.

The SR-118/SR-34 intersection currently operates poorly due to high traffic volumes and limited queuing capacity. Motorists experience heavy traffic congestion at the intersection during both the morning and evening peak commute hours. Insufficient storage for vehicles making left turns from westbound (WB) SR-118 to southbound (SB) SR-34 poses a problem at the intersection, as this causes vehicles to back up onto the WB SR-118 through lane. The high volume of traffic passing through the intersection at these hours results in substantial delays, and is a factor in congestion-related accidents in the vicinity of the project location. Traffic congestion and safety issues at the SR-118/SR-34 “T” intersection during peak commute hours are worsened by its proximity to the SR-118/Donlon Rd. “T” intersection. The close spacing of the two intersections leads to weaving and a build-up of traffic.

### **Project Alternatives**

There are three alternatives under consideration for the proposed project, including the No-Build Alternative. The two Build Alternatives under consideration both propose widening and additional left-turn lanes at the SR-118/SR-34 intersection.

### **Summary of Impacts**

Neither of the Build Alternatives would result in significant impacts. Table S-1 lists the summary of impacts associated with the proposed project alternatives. All impacts are considered to be less than significant. A less than significant impact would cause no

substantial adverse change in the the physical environment, and not mitigation is required. The Build Alternatives would have the same effects on nearly all resource areas, with the exception of agricultural land acquisition. As a result the table below presents the effects of the Build Alternatives together. Chapter 1 contains a comparison of the proposed alternatives, with relation to reduced delay times, right-of-way acquisition, and agricultural land acquisition. Chapter 2 provides a detailed discussion on the effects and avoidance and/or minimization measures summarized in the table.

**Table S-1 Summary of Impacts**

Resource Area to be Impacted	No-Build Alternative	Build Alternatives	Impact Determination
<b>Consistency with State, Regional, and Local Plans and Programs</b>	Inconsistent with transportation/circulation goals and policies in the Ventura County General Plan. Would also conflict with the 2009 Ventura County CMP.	Inconsistent with agricultural land preservation goals and policies in the Ventura County General Plan.	<b>Less Than Significant</b>
<b>Utilities and Emergency Services</b>	Increase in emergency service response times during peak commute hours.	<p><b>Permanent</b> Relocation of utilities.</p> <p><b>Temporary</b> Potential increase in emergency service response times during construction.</p>	<p><b>Less Than Significant</b></p> <p><b>Minimization Measures</b> Timely coordination with affected utilities. Emergency service providers will be notified in advance of any temporary road closures and delays.</p>
<b>Traffic and Transportation</b>	SR-118/SR-34 intersection would continue to operate at LOS F.	<b>Temporary</b> Construction would require lane closures, which would potentially result in traffic delays.	<p><b>Less Than Significant</b></p> <p><b>Minimization Measures</b> A Traffic Management Plan (TMP) will be incorporated to minimize potential construction impacts.</p>

Resource Area to be Impacted	No-Build Alternative	Build Alternatives	Impact Determination
Water Quality and Storm Water Runoff	None	<p><b>Permanent</b> Additional impervious area. Increase in storm water volume.</p> <p><b>Temporary</b> Exposure of surface soils during construction would potentially lead to a temporary increase in surface runoff and erosion.</p>	<p><b>Less Than Significant</b></p> <p><b>Minimization Measures</b> Proposed project would comply with the NPDES permit process, which requires preparation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP would contain a detailed plan for erosion and sediment control, including plans for implementing BMPs for the control of storm water runoff, erosion and sedimentation.</p>
Geology and Soils	None	<p><b>Permanent</b> Potential for liquefaction exists within the project limits.</p> <p><b>Temporary</b> Exposure of surface soils during construction activities could result in temporary erosion. Construction activities could potentially be affected by ground motion and liquefaction if an earthquake were to occur during construction.</p>	<p><b>Less Than Significant</b></p> <p><b>Minimization Measures</b> Prior to completion of final design, a design-level geotechnical report shall be prepared. Implementation of standard design and construction practices and compliance with Caltrans and Division of Occupational Safety and Health Administration (Cal-OSHA).</p>

Resource Area to be Impacted	No-Build Alternative	Build Alternatives	Impact Determination
<p><b>Hazardous Waste/Materials</b></p>	<p>None</p>	<p>Acquisitions and easements required on potential hazardous materials/waste sites.</p> <p>Removal of yellow and white traffic striping.</p> <p>Relocation of utility poles with transformers containing polychlorinated biphenyl (PCB).</p>	<p><b>Less Than Significant</b></p> <p><b>Avoidance Measures</b> Acquisition of potential hazardous materials/waste sites would not occur until remediation is complete.</p> <p><b>Minimization Measures</b> Preparation of Lead Compliance Plan.</p>
<p><b>Air Quality</b></p>	<p>None</p>	<p><b>Temporary</b> Temporary emissions of Carbon Monoxide, Nitrogen Oxide, Reactive Organic Gases and Particulate Matter during construction.</p>	<p><b>Less Than Significant</b></p> <p><b>Minimization Measures</b> All construction vehicles and equipment would be required to be equipped with state-mandated emission control devices. Implementation of fugitive dust reduction measures.</p>
<p><b>Noise</b></p>	<p>None</p>	<p><b>Permanent</b> Future worst-hour noise levels would approach or exceed the Noise Abatement Criteria (NAC) for Federal Highway Administration (FHWA) Activity Category B at three sensitive receptors.</p> <p><b>Temporary</b> Noise from construction activities may intermittently dominate the noise environment in the immediate area of construction.</p>	<p><b>Less Than Significant</b></p> <p><b>Noise Abatement</b> The presence of driveways, local street intersections, and adjacent commercial developments restrict continuous sound walls that could provide effective noise reductions.</p> <p><b>Minimization Measures</b> Noise reduction through modification of the time, place, and/or method of operation of a particular source.</p>

Resource Area to be Impacted	No-Build Alternative	Build Alternatives	Impact Determination
Natural Communities	None	<p><b>Permanent</b> Permanent impacts to 0.18 acre of riparian vegetation.</p> <p><b>Temporary</b> Temporary impacts to woodrat habitat in Coyote Canyon.</p>	<p><b>Less Than Significant</b></p> <p><b>Minimization Measures</b> Invasive control in Coyote Canyon and on-site vegetation replacement where space allows. Consideration to the enhancement of the wildlife crossing along the Coyote Canyon. Any trees removed are proposed to be replaced at a 3 to 1 ratio. Pre-construction surveys</p>
Animal Species	None	<p><b>Temporary</b> Temporary impacts to woodrat and bird species.</p>	<p><b>Less Than Significant</b></p> <p><b>Minimization Measures</b> Pre-construction surveys</p>
Threatened and Endangered Species	None	<p><b>Permanent</b> Permanent impact to 0.09 acre of potential California Red-legged Frog breeding and foraging habitat.</p>	<p><b>Less Than Significant</b></p> <p><b>Minimization Measures</b> Pre-Construction Surveys</p>



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### **1.1.1 Project Background**

In 1993, the Ventura County Public Works Agency (VCPWA) requested a joint venture with Caltrans for a project that proposed to widen the SR-118/SR-34 intersection, and realign Donlon Road (Rd.) to create a four-way intersection. A Negative Declaration/Finding of No Significant Impact (ND/FONSI) for the project was approved on September 26, 2000. In November 2000, the Save Our Somis (SOS) community organization filed a lawsuit contending that Caltrans violated the CEQA by declining to prepare an EIR for the proposed project. In late 2002, the Ventura County Superior Court vacated approval of the proposed project and held that an EIR was necessary. Caltrans is preparing this DEIR in order to fulfill state environmental review and CEQA requirements. Federal environmental review and NEPA requirements for the proposed project have been met with the approval of the FONSI.

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the Roundabout Alternative and the Bridge Alternative, both presented in the Caltrans NOP and at community meetings, are no longer considered feasible.

### **1.1.2 Project Location**

The project location is the SR-118/SR-34 intersection, approximately 1.5 miles north of the City of Camarillo and 4.5 miles west of the City of Moorpark. Figure 1.1-2 identifies the project location in the Somis Area. State Route 118 is an east-west interregional highway that travels through the counties of Ventura and Los Angeles. The segment of SR-118 within the project area is primarily a two-lane conventional highway, also known as Los Angeles Avenue (Ave.), which provides regional connectivity to SR-23 to the east, US-101 to the south, and SR-126 to the west. At the project location, SR-118 forms two closely-spaced “T” intersections with SR-34 and Donlon Rd. State Route 34 is a two-lane conventional highway that travels through the cities of Oxnard and Camarillo, ending at the intersection with SR-118. The highway is also known as Somis Rd. in the project area.

### **1.1.3 Existing Facilities**

The SR-118/SR-34 intersection is located between Post Mile (PM) 10.80 and PM 11.05 on SR-118, and at PM 17.66 on SR-34. The existing intersection configuration is shown in Figure 1.2-1. The intersection is controlled by traffic signal, and is located approximately 270 ft. west of the SR-118/Donlon Rd. “T” intersection. Donlon Rd. is a two-lane County roadway that forms the north leg of the “T” intersection with SR-118. There is a 30 ft. left-turn lane on eastbound (EB) SR-118, allowing access to Donlon Rd. Donlon Rd. is controlled by a stop sign.

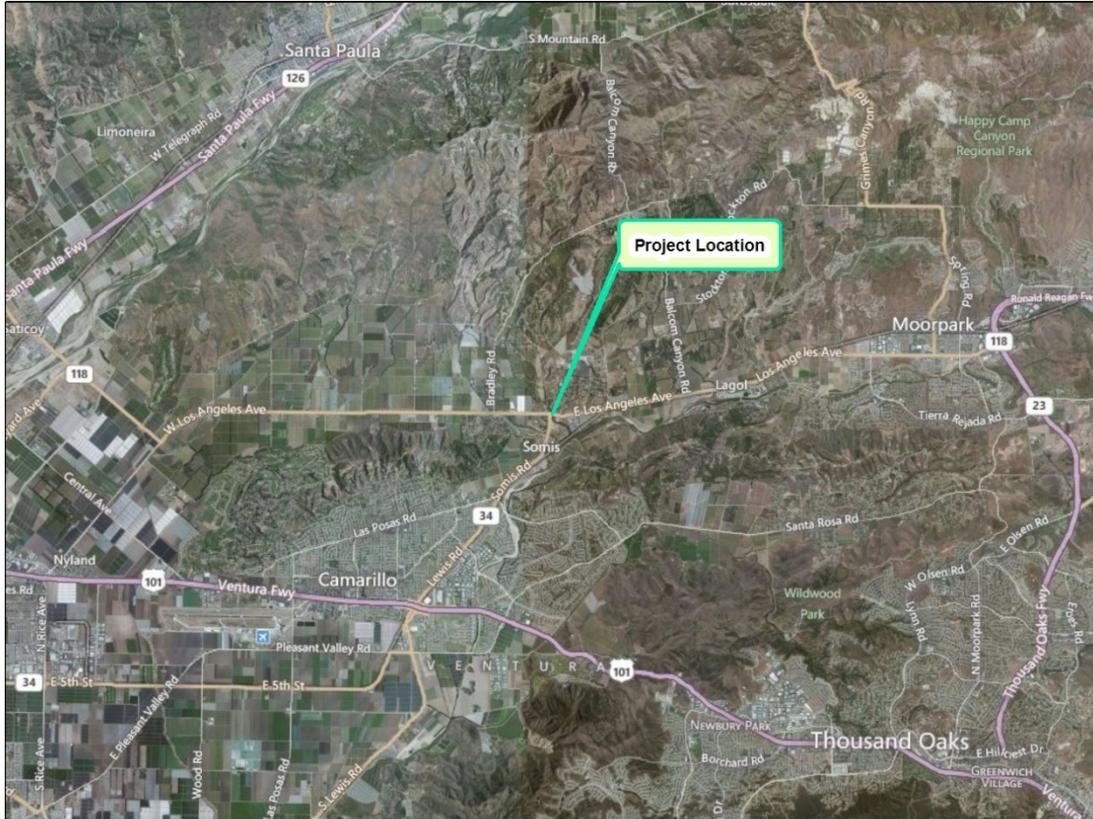
Within the project limits, both SR-118 and SR-34 are two-lane conventional highways that carry one 12 ft. lane and a 4 ft. shoulder in each direction. There are no existing sidewalks or dedicated bike lanes within the project limits. The width of the existing right-of-way on SR-34, south of the intersection, and on SR-118, west of the intersection, is 60 feet. The width of the existing right-of-way on SR-118, east of the intersection, is 100 feet. State Route 118 is on the National Highway System (NHS). Both routes are on the California Freeway and Expressway System. Both routes are also part of the Ventura County Regional Road Network. According to the Ventura County General Plan, the SR-118 portion of the Regional Road Network within the project limits does not adequately meet present travel demands.

### **1.1.4 Surrounding Land Uses**

The project area is characterized by low-intensity land uses, predominantly Agricultural. Agricultural uses in the project area include farmlands, commercial nurseries, and ranches/residences. Downtown Somis is located along SR-34, approximately a half-mile south of the intersection. The six-square-block downtown includes a mixture of residential, commercial, and agricultural zoning. The rest of the town consists mostly of single-family

residences, concentrated west of SR-34. There are also two areas in town that are zoned for light industrial/quasi-industrial activities.

**Figure 1.1-2 Project Location**



## 1.2 Purpose and Need

The SR-118/SR-34 intersection currently operates poorly due to high traffic volumes and limited queuing capacity. Motorists experience heavy traffic congestion at the intersection during both the morning and evening peak commute hours. The intersection has numerous operational deficiencies as a result of a rise in traffic volume over the years. The high volume of vehicles passing through the intersection during peak commute hours results in substantial delays, and is a factor in congestion-related accidents within the project area.

The purpose of the proposed project is to improve overall traffic operations at the SR-118/SR-34 intersection. To achieve this goal, the following project objectives have been identified:

- reduce delay time;
- relieve congestion;
- and enhance safety.

### 1.2.1 Average Daily Traffic (ADT)

Average Daily Traffic (ADT) is the average number of vehicles passing a specified point during a 24-hour period. Traffic projections for the project area were developed for the opening year (2015) and the horizon year (2035). The horizon year is the year for which the SCAG 2008 RTP describes the envisioned regional transportation system. Projected 2015 and 2035 ADT volumes are based on the SCAG 2035 RTP Baseline Model. Table 1.2-1 shows the existing, projected 2015 and 2035 ADT, and existing truck percentage.

**Table 1.2-1 Existing and Projected 2015/2035 Average Daily Traffic (ADT)**

	<b>WB SR-118</b>	<b>EB SR-118</b>	<b>SB SR-34</b>	<b>NB SR-34</b>
<b>ADT</b>	11,200	17,700	12,200	15,200
<b>Truck Percentage</b>	26.79	20.63	14.65	14.38
<b>Projected 2015 ADT</b>	11,250	17,750	12,250	15,250
<b>Projected 2035 ADT</b>	12,400	19,600	13,030	16,250

Source: State of California-Department of Transportation, Office of Advanced Planning, 03/08/2010

### 1.2.2 Level of Service (LOS)

Traffic conditions at the SR-118/SR-34 and SR-118/Donlon Rd. intersections were analyzed using the capacity analysis methodology for signalized intersections presented in the Highway Capacity Manual – 2000 Edition (HCM 2000). The HCM 2000, prepared by the National Transportation Research Board, provides a consistent system of techniques for the evaluation of the quality of service on highway and street facilities.

The six defined Levels of Service use letter designations from A to F, with LOS A representing the best operating conditions and LOS F representing the worst. Each LOS represents a range of operating conditions and the driver's perception of those conditions. Levels E and F typically are considered to be unsatisfactory. Table 1.2-2 shows LOS definitions for signalized intersections with corresponding average vehicular delay estimated using the HCM capacity analysis methodology for signalized intersection.

**Table 1.2.2 Level of Service (LOS) and Delay**

LOS	Interpretation	Average Delay (seconds)
A	Uncongested operations; all vehicles clear in a single cycle.	0.0-10.0
B	Uncongested operations; all vehicles clear in a single cycle.	10.1-20.0
C	Light congestion; occasional backups on critical approaches.	20.1-35.0
D	Congestion on critical approaches, but intersection functional. Vehicles required to wait through more than one cycle during short peaks. No long-standing lines formed.	35.1-55.0
E	Severe congestion with some long-standing lines on critical approaches. Blockage of intersection may occur if traffic signal does not provide for protected turning movements.	55.1-80.0
F	Total breakdown with stop-and-go operations.	>80.0

The capacity analysis methodology for signalized intersections addresses the LOS and other performance measures for lane groups and intersection approaches. The methodology also addresses the LOS for the intersection as a whole. Tables 1.2-3 and 1.2-4 show existing peak commute hour volumes, delay and LOS for each approach, as well as the delay and LOS for the whole intersection. Tables 1.2-5 and 1.2-6 show the same traffic data for the horizon year 2035. Traffic data shows that the LOS at the SR-118/SR-34 intersection is currently classified as F, with a delay of 108 seconds per vehicle during morning peak commute hours, and 188.9 seconds per vehicle during evening peak commute hours. The traffic data also shows that without improvements, future peak commute hour volumes at the intersection are expected to increase, with LOS remaining at F during peak commute hours. These conditions would result in delays of 267.5 seconds per vehicle during morning peak commute hours and 315 seconds per vehicle during evening peak commute hours.

### **1.2.3 Operational Deficiencies**

Motorists currently experience traffic congestion and delays at the SR-118/SR-34 intersection during both the morning and evening peak commute hours. Insufficient storage for vehicles making left turns from WB SR-118 to SB SR-34 poses a problem at the intersection, as this causes vehicles to back up onto the WB SR-118 through lane. The congestion at the intersection is worsened by the proximity of the SR-118/Donlon Rd. “T” intersection. The close spacing of the two intersections leads to weaving and a build-up of traffic.

**Table 1.2.3 Existing AM Peak Hour Traffic Volumes, Delay and LOS**

		Peak Hour Traffic	Approach Delay (sec.)	Approach LOS	Intersection Delay (sec.)	Intersection LOS
Eastbound SR-118	Through	352	92.1	F	108.0	F
	Right-Turn	8				
Westbound SR-118	Left-Turn	502	162.7	F		
	Through	358				
SR-34	Left-Turn	63	32.5	C		
	Right-Turn	484				

Source: State of California-Department of Transportation, Traffic Study Report, June 2010

**Table 1.2.4 Projected 2035 AM Peak Hour Traffic Volumes, Delay and LOS**

		Peak Hour Traffic	Approach Delay (sec.)	Approach LOS	Intersection Delay (sec.)	Intersection LOS
Eastbound SR-118	Through	420	150.9	F	267.5	F
	Right-Turn	10				
Westbound SR-118	Left-Turn	600	464.3	F		
	Through	410				
SR-34	Left-Turn	70	35.0	D		
	Right-Turn	570				

Source: State of California-Department of Transportation, Traffic Study Report, June 2010

**Table 1.2.5 Existing PM Peak Hour Traffic Volumes, Delay and LOS**

		Peak Hour Traffic	Approach Delay (sec.)	Approach LOS	Intersection Delay (sec.)	Intersection LOS
Eastbound SR-118	Through	345	73.3	E	188.9	F
	Right-Turn	12				
Westbound SR-118	Left-Turn	409	339.0	F		
	Through	464				
SR-34	Left-Turn	98	45.8	D		
	Right-Turn	529				

Source: State of California-Department of Transportation, Traffic Study Report, June 2010

**Table 1.2-6 Projected 2035 PM Peak Hour Traffic Volumes, Delay and LOS**

		Peak Hour Traffic	Approach Delay (sec.)	Approach LOS	Intersection Delay (sec.)	Intersection LOS
Eastbound SR-118	Through	410	85.4	F	315.0	F
	Right-Turn	12				
Westbound SR-118	Left-Turn	480	608.4	F		
	Through	510				
SR-34	Left-Turn	120	56.2	E		
	Right-Turn	630				

Source: State of California-Department of Transportation, Traffic Study Report, June 2010

**1.2.4 Accident Rates**

During meetings held in the community of Somis, members of the community expressed concern about safety and traffic operations at the intersection. Traffic Accident Surveillance and Analysis System (TASAS) accident output reports of the intersection and intersection approaches were reviewed for the three-year period of April 1, 2006 to March 31, 2009. The total limits of the proposed project alternatives were considered in the accident analysis.

Table 1.2-7 summarizes the Caltrans District 7 TASAS Selective Accident Rate Calculation (Table B) report. The report contains both the actual accident rate within the project limits and the statewide average accident rate for similar highway segments. The accident rate is expressed as a ratio between the number of collisions that occur over a set time period on a certain roadway segment and the average traffic volume traveling over the length of that segment. The calculated ratio can then be compared to ratios calculated for similar highway segments to establish the relative safeness of a given segment. Accident rates are calculated to evaluate the relative safeness of a highway and to set priorities for safety improvement work.

**Table 1.2-7 TASAS Selective Accident Rate Calculation (4/01/06-3/31/09)**

Location	Post Mile	Accident Total	Accident Rate (A/MVM)	
			Actual Rate	Average Rate
SR-118/SR-34 Intersection	10.92	14	.47	.30
SR-118 Intersection Approach	10.70-11.80	54	2.68	.77
SR-34 Intersection Approach	16.80-17.66	41	3.29	1.35
A/MVM = Accidents per Million Vehicle Miles				

Source: Caltrans District 7 TASAS Selective Accident Rate Calculation (Table B)

The TASAS Selective Accident Rate Calculation (Table B) report indicates that the accident rate, expressed in accidents per million vehicle miles (A/MVM), at the SR-118/SR-34 intersection and intersection approaches is higher than the statewide average for similar highway segments. The corresponding TASAS Selective Accident Retrieval (TSAR) report indicates that some of the safety issues at the intersection are due to traffic congestion. The TSAR report is a detailed list of accidents and/or summary for any type or types of accidents on any section of highway, any ramp or any intersection in the State Highway System. Accidents may be selected by location, highway characteristics, accident data codes or any combination of these. A typical TSAR report contains accident summary fields that include principal collision

factor, environmental conditions, road condition, right of way control, type of collision, number of vehicles involved, etc.

Table 1.2-8 shows the accident type summary from the TSAR report reviewed for the accident analysis. The accident type summary indicates that the majority of accidents recorded within the project limits on SR-118 during the specified period involved rear end-collisions. The high percentage of rear-end type accidents occurring on SR-118 are indicative of stop-and-go traffic related to existing congested conditions. According to the TSAR report, stop-and-go traffic was a factor in 35 percent of the accidents along SR-118. The construction of the proposed project is expected to improve overall traffic operations at the SR-118/SR-34 intersection through congestion relief, which in turn would reduce the number of rear-end collisions, and improve safety at this location.

**Table 1.2-8 TASAS Selective Accident Retrieval (4/1/06-3/31/09)**

Type of Accident	SR-118/SR-34 Intersection (PM 10.92)		SR-118 (PM 10.70-11.80)		SR-34 (PM 16.80-17.66)	
	Number of Accidents	Percentage	Number of Accidents	Percentage	Number of Accidents	Percentage
Head-On	0	0%	0	0%	2	4.9%
Sideswipe	3	21.4%	2	3.6%	3	7.2%
Rear End	6	42.9%	38	69.1%	11	26.8%
Broadside	0	0%	7	12.7%	7	17.1%
Hit Object	4	28.6%	7	12.7%	13	31.7%
Overturn	1	7.1%	1	1.8%	3	7.3%
Other	0	0%	0	0%	2	4.9%

Source: Caltrans District 7 Traffic Accident Surveillance and Analysis System (TASAS)

### 1.2.5 Geometric Deficiencies

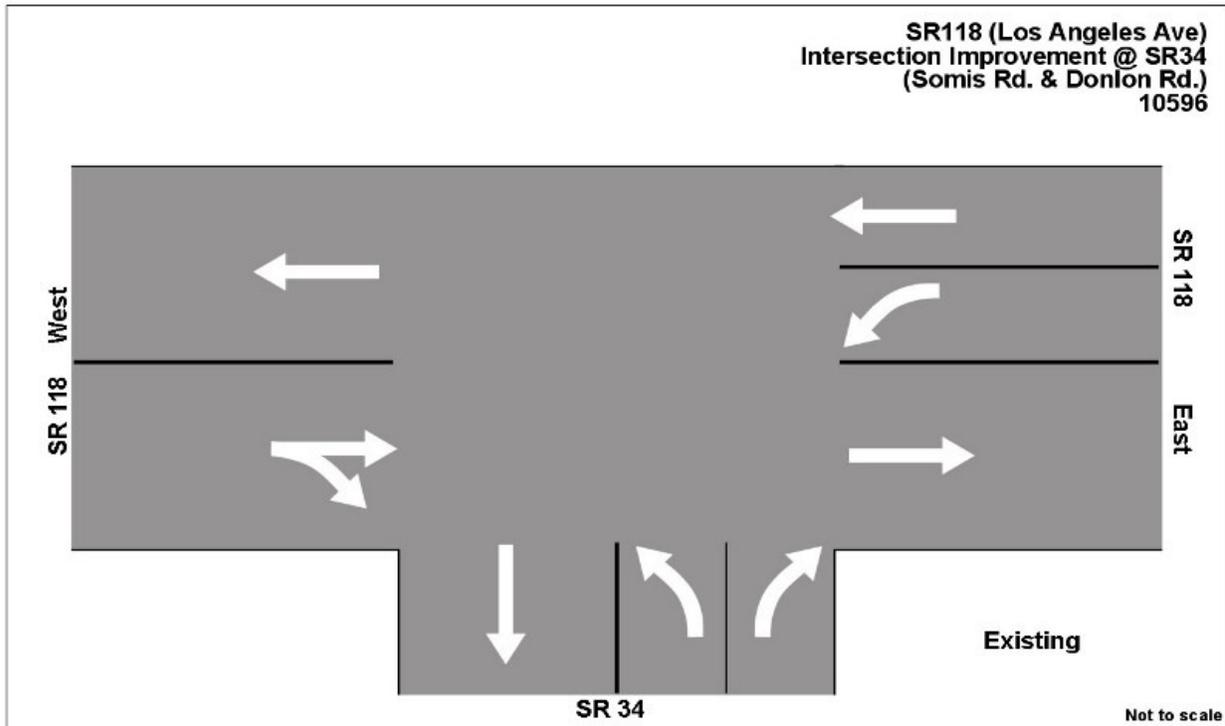
A major reason for the traffic congestion at the SR-118/SR-34 intersection is queuing at the traffic signal that extends beyond the length of the existing left-turn lane on WB SR-118. Approximately 480 vehicles currently make this turn during evening peak commute hours and 358 vehicles during morning peak commute hours. The Caltrans Highway Design Manual recommends that double left-turn lanes be considered at signalized intersections on multi-lane conventional highways if left-turn demand is 300 vehicles per hour or more.

## 1.3 Proposed Project Alternatives

### 1.3.1 No-Build Alternative

Figure 1.3-1 illustrates the existing SR-118/SR-34 intersection configuration. The No-Build Alternative proposes to maintain the existing configuration. Existing right-of-way width at the intersection is 60 ft. on SR-34 and SR-118, west of the intersection. The existing right-of-way width on SR-118, east of the intersection, is 100 feet.

Figure 1.3-1 Existing Intersection Configuration



### **1.3.2 Build Alternatives**

The improvements proposed under both Build Alternatives extend approximately 1.1 miles on SR-118 and approximately 0.86 mile on SR-34. Both Build Alternatives differ from earlier versions, presented in the NOP and at community meetings, with respect to left-turn lane storage length, elimination of striped medians, and a reduction in the amount of right-of-way required from adjacent properties. Also, the Intersection Improvement Alternative now includes the addition of a merge lane on westbound SR-118, west of the intersection. The Build alternatives have some common design features, which are presented in the following section.

#### **Common Design Features**

The Intersection Improvement Alternative and Save Our Somis (SOS) Alternative both proposed the following:

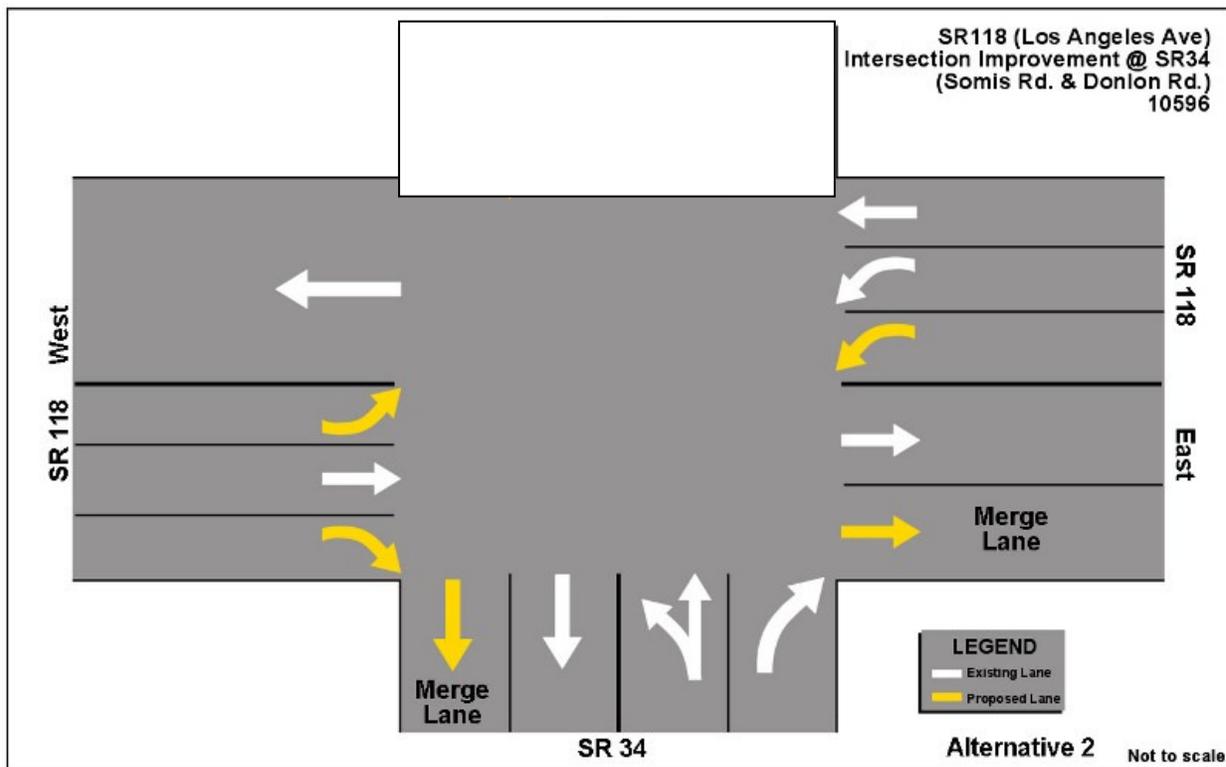
- widen shoulders along SR-118 and SR-34 to 8 ft.;
- reconstruct existing pavement;
- extend SR-118 arch culvert for Coyote Canyon;
- rock slope protection in Coyote Canyon;
- biofiltration swales;
- utility relocation (e.g., telephone poles, cable pull boxes, water meters);
- right-of-way acquisition;
- and drainage easements.

## Intersection Improvement Alternative

Figure 1.3-2 depicts additional lanes proposed under this alternative, which requires approximately 2.44 acres of new right-of-way. The maximum proposed width on SR-118 is 115 ft., west of the intersection, and 142 ft., east of the intersection. The maximum proposed width on SR-34 is 119 ft. In addition to the common design features, the following is proposed:

- extend existing left-turn lane on westbound (WB) SR-118 from 160 ft. to 800 ft;
- add 800 ft. left-turn lane on WB SR-118;
- extend existing left-turn lane on northbound (NB) SR-34 from 170 ft. to 629 ft.
- add 640 ft. merge lane on southbound (SB) SR-34;
- add 800 ft. merge lane on eastbound (EB) SR-118;
- add 374 ft. right-turn lane on EB SR-118;
- add 454 ft. left-turn lane on EB SR-118;
- add 600 ft. merge lane on WB SR-118 (not shown in Figure 1.3-2).

**Figure 1.3-2 Proposed Intersection Configuration**



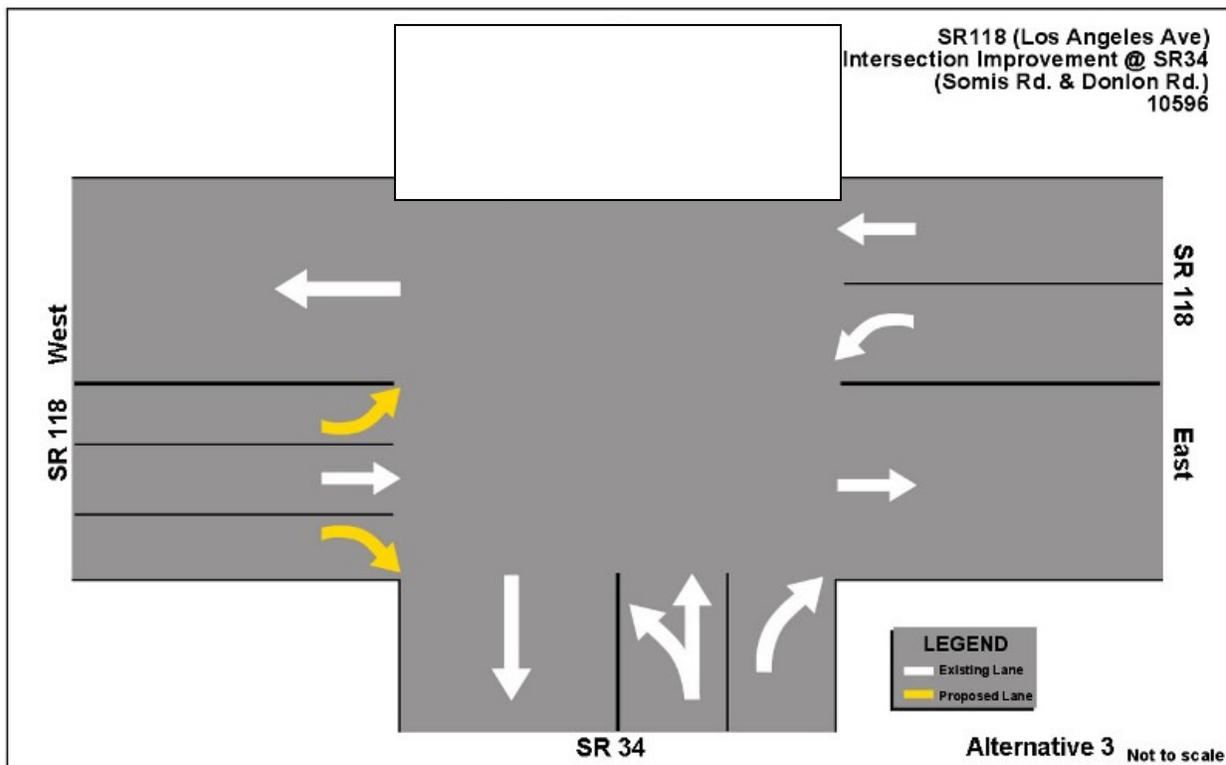


### Save Our Somis (SOS) Alternative

Figure 1.3-3 depicts additional lanes proposed under this alternative, which requires approximately 1.62 acre of new right-of-way. The maximum proposed width on SR-118 is 100 ft., west of the intersection, and 107 ft., east of the intersection. The maximum proposed width on SR-34 is 92 ft. In addition to the common design features, the following is proposed:

- extend existing left-turn lane on WB SR-118 from 160 ft. to 1,164 ft.;
- extend existing left-turn lane on NB SR-34 from 170 ft. to 619 ft
- add 440 ft. right-turn lane on EB SR-118
- add 440 ft. left-turn lane on EB SR-118

**Figure 1.3-3 Proposed Intersection Configuration**





### 1.3.3 Comparison of Alternatives

Traffic analysis results, shown in Table 1.3.3-1, indicate that both of the Build Alternatives would substantially reduce delay time during future peak commute hours compared to the No-Build Alternative.

**Table 1.3-3 Projected Peak Hour Delay**

	Delay in Seconds	
	AM Peak Hour	PM Peak Hour
<b>2015</b>		
<b>No-Build</b>	135.5	194.9
<b>Intersection Improvement</b>	28.9	30.7
<b>Save Our Somis</b>	32.1	36.7
<b>2035</b>		
<b>No-Build</b>	267.5	315.0
<b>Intersection Improvement</b>	31.6	35.8
<b>Save Our Somis</b>	39.6	52.1

Reduced delay times are expected to relieve congestion and decrease the potential for congestion-related accidents at the intersection approaches. Therefore, both Build Alternatives would meet the project objectives. The Intersection Improvement Alternative would achieve a greater reduction in delay time and would meet Caltrans design standards. However, this alternative would result in the acquisition of 2.44 acres, compared to 1.62 acre that would be acquired for the SOS Alternative. Also, the Intersection Improvement Alternative would result in the acquisition of 2.07 acres of agricultural land, compared to 1.58 acre as a result of the SOS Alternative. The major source of controversy that has emerged from a review of public comments involves the improvements proposed under the Intersection Improvement Alternative. Community members have expressed concerns about the size of the intersection proposed under the Intersection Improvement Alternative, and its effects on the rural character of the town of Somis. Caltrans is considering the SOS Alternative, which was proposed by community members, as a result of this.

### 1.3.4 Alternatives Considered And Dismissed From Further Consideration

The following alternatives were considered during the project development process, but dismissed from further consideration.

#### **Roundabout Alternative**

This alternative proposed to realign Donlon Rd. and replace the existing SR-118/SR-34 intersection with a roundabout. Under this alternative, Donlon Rd. would form the north leg of

the roundabout. This alternative is no longer considered feasible because none of the alternatives under consideration for the VCPWA Project match the alignment that Caltrans proposed for the north leg of the roundabout. The proposed location of the roundabout was selected in order to avoid potential significant impacts to Coyote Canyon.

### **Bridge Alternative**

This alternative proposed the same modifications to the SR-118/SR-34 intersection as the Intersection Improvement Alternative, with the exception of the Donlon Rd. realignment. This alternative is no longer considered feasible because Caltrans will not be undertaking the realignment of Donlon Rd.

### **Somis Bypass Alternative**

The Somis Bypass Alternative was determined to result in substantially greater effects than the Intersection Improvement Alternative and SOS Alternative with relation to farmland acquisition, housing, visual resources, floodplains, stormwater runoff, wetlands, plant species and animal species. The sections below briefly discuss each of these effects.

#### ***Farmlands***

The Somis Bypass Alternative would convert 20.69 acres of agricultural land compared to a maximum of 2.07 acres under the Build Alternatives. This alternative would also affect a total of 11 agricultural parcels, compared to a maximum of five under the Build Alternatives. Six of the parcels that would be affected by this alternative are currently used for agricultural production. The amount of land required from one parcel would potentially render it permanently non-farmable. Furthermore, this alternative would result in the removal of an agricultural tree row that is approximately one quarter-mile long on another parcel.

#### ***Relocations***

The Somis Bypass Alternative would require partial acquisition of 24 parcels and the full acquisition of one parcel, compared to a maximum of 14 partial acquisitions and one full acquisition under the Build Alternatives. Furthermore, this alternative would result in the displacement of one multi-family residential unit. Both Build Alternatives would avoid residential displacement.

#### ***Visual Resources***

Changes in views as a result of the the Somis Bypass Alternative would have greater visual effects than the Build Alternatives. The views to and from the road would be affected by the construction of the new road and two new signalized intersections proposed under this alternative. The new roadway would replace existing agricultural lands and require new utilities, causing a visual distraction. Vividness would drop from high to moderate visual quality as the new roadway would encroach upon the natural landscape. The encroachment of

the roadway on the visual setting would create an eyesore to viewers, resulting in a diminishment of intactness from high to moderately low visual quality. Existing development and the natural landscape would be disturbed and would not reinforce each other, causing the visual setting to look chaotic and jumbled. This would result in a diminishment in unity from high to low visual quality.

### ***Floodplains***

A portion of the new roadway proposed for the Somis Bypass Alternative would be constructed within the Fox Barranca and Coyote Canyon Zone A 100-year floodplain. Also, a bridge would be required at the location where the roadway would cross Coyote Canyon. This alternative would potentially result in a longitudinal encroachment on Fox Barranca, and would result in a transverse encroachment on Coyote Canyon, which could increase base flood levels. A longitudinal encroachment is an encroachment that is parallel to the direction of flow, and would occur if the new roadway runs along the edge of Fox Barranca, as currently proposed in the Draft Project Report. A transverse encroachment is an encroachment that is perpendicular to the direction of flow and would occur as a result of the required bridge encroachment on the floodplain. An increase in base flood levels at this location would result in overtopping of the Union Pacific Railroad (UPRR) main line. Currently, the Southern California Regional Rail Authority (SCCRA) and the UPRR operate passenger trains and freight trains over this line, respectively. Increased base flood levels would also affect neighboring properties, and could result in damages to crops. These impacts are considered to be significant.

### ***Water Quality and Storm Water Runoff***

The potential for permanent water quality and storm water runoff impacts as a result of the Somis Bypass Alternative would be incrementally greater than those associated with the Build Alternatives. The proposed increase in impervious area as a result of this alternative would be 9.4 acres compared to a maximum of 2.8 acres under the Build Alternatives. Furthermore, the potential impacts as a result due to exposure of surface soils during construction activities would also be greater, because the disturbed soil area under this alternative would be 22.91 acres compared to a maximum of 7.58 acres under the Build Alternatives.

### ***Natural Communities***

The Somis Bypass Alternative would have permanent impacts to 6.49 acres of riparian vegetation compared to 0.18 acre of riparian vegetation under either of the Build Alternatives. Furthermore, the area that would be impacted by this alternative contains riparian habitat occupied by Least Bell's Vireos, a Federal and State endangered species, and other bird species that utilize the area as an important stopping point along their migratory routes. Additionally, the fragmentation of Least Bell's Vireo habitat as a result of this alternative would result in

cumulative impacts to nesting and foraging sites. These impacts are considered to be significant.

**Wetlands**

The Somis Bypass Alternative would affect 0.170 acre of wetlands compared to no effect to wetlands under the Build Alternatives.

**Plant Species**

Potential impact to Southern Willow Scrub, a special status species, would be limited to the area south of SR-118, in the vicinity of the Somis Bypass Alternative. The Build Alternatives would have no impacts on special status plant species.

**Animal Species**

The Somis Bypass Alternative would result in potential impacts to Desert Woodrat (*Neotoma lepida intermedia*), Two-striped Garter Snake (*Thamnophis hammondi*), Arroyo Chub (*Gila orcutti*), Yellow-breasted Chat (*Icteria virens*), and Yellow Warblers (*Dendroica petechia*), all special status animal species. The Build Alternatives would avoid impacts to most of these special status species, with the exception of Desert Woodrat.

**1.4 Permits and Approvals Needed**

Permits and approvals that are required for the proposed project include the following:

**Table 1.4-1 Permits and Approvals**

Agency/Jurisdiction	Permit/Approval
Superior Court of California, County of Ventura	California Environmental Quality Act compliance determination
U.S. Army Corps of Engineers	Section 404 Permit
Federal Highway Administration	Transportation Conformity/Clean Air Act
State Water Resources Control Board	Construction General Permit/Order No. 2009-0009-DWQ; National Pollutant Discharge Elimination System Nos. CAS000002 and CAS000003
California Department of Fish and Game	1600 Series Agreement for Streambed Alteration
Los Angeles Regional Water Quality Control Board	Section 401 Water Quality Certification
Ventura County Watershed Protection District	Watercourse and Encroachment Permit



# **Chapter 2** Environmental Setting, Impacts, and Minimization, Avoidance, and/or Mitigation Measures

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## **2.1 Introduction**

Chapter 2 describes and evaluates the existing environmental setting in the project area and study areas, discusses environmental impacts associated with each alternative and identifies proposed avoidance, minimization measures, and/or mitigation measures.

As part of the scoping and environmental analysis conducted for the proposed project, the following environmental resources were considered, but no potential for adverse effects to these resources was identified. Consequently, there is no further discussion regarding the following resources in this document.

### **Coastal Zone**

The proposed project does not fall within a coastal zone.

### **Wild and Scenic Rivers**

The proposed project would not affect a Wild and Scenic River or any rivers under study for designation as a Wild and Scenic River.

### **Timberlands**

The proposed project does not fall within Timber Production Zones (TPZ), and would not result in impacts to forest resources or substantial conversion of timberlands.

### **Paleontological Resources**

The proposed project would not pose any significant effects to paleontological resources.

### **Mineral Resources**

The proposed project would not result in the loss of availability of a known mineral resource.

## 2.2 Human Environment

### 2.2.1 Land Use

#### Regulatory Setting

##### Ventura County General Plan

The Ventura County General Plan, which is mandate by State law, sets forth the goals, policies, and programs the County will implement to manage future growth and land uses. The General Plan, adopted by the the Board of Supervisors on May 24, 1988, emdodies the vision for the future of unincorporated Ventura County. There have been 50 amendments to the General Plan since its approval. Ventura County has adopted a General Plan consisting of the following:

- A *Goals, Policies and Programs* document governing the unincorporated area of the county;
- Four Appendices (*Resources, Hazards, Land Use, and Public Facilities and Services*) providing background information in support of the General Plan goals, policies and programs;
- and Ten Area Plans governing specific geographical areas of the unincorporated county (*Ahmanson Ranch, Coastal, El Rio/Del Norte, Lake Sherwood/Hidden Valley, North Ventura Avenue, Oak Park, Ojai Valley, Piru, Saticoy, and Thousand Oaks*).

#### Environmental Setting

The information in this section is based on research performed by the Caltrans Office of Environmental Planning. The existing land use pattern in Ventura County has been shaped by growth policy policies focused primarily on, “channeling growth into cities; on maintaining a physical separation between those urbanized cities; and, to some extent, on protecting farmland.”<sup>1</sup>

The first of these policies traces its genesis to 1965, when the Local Agency Formation Commission (a county agency with the power to approve or deny proposed annexations, creation of special districts, incorporations of cities, and mergers of districts or cities) proposed a network of greenbelts separating Ventura County cities. The concept was codified in 1969 with the Guidelines for Orderly Development, a set of binding policies adopted by the county

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<sup>1</sup> Southern California Studies Center, University of Southern California and Solimar Research Group, December 2003. *Recent Growth Trends and Future Growth Policy Choices for Ventura County*.

and its cities, which directed that urban growth in Ventura County take place (with few exceptions) inside the boundaries of incorporated cities.<sup>2</sup> The guidelines were incorporated into the land use policies of the County General Plan in 1988.<sup>3</sup>

The Ventura Local Agency Formation Commission (LAFCO) established “spheres of influence” and “areas of interest” in an effort to create distinct urban communities and distinguish between rural and urban land. The establishment of “spheres of influence”, required by State law, designates the probable boundaries of each city and special district. The establishment of “areas of interest” divided the county into major geographic areas reflective of community and planning identity.

Much of the unincorporated County remains rural or semi-rural in character.<sup>4</sup> The entire study area is located within the unincorporated area, which falls under the jurisdiction of the Ventura County General Plan. The study area is located within the Las Posas Planning Area, which is not governed by an Area Plan. Table 2.2.1-1 gives a brief description of the six land use designations utilized by the General Plan.

**Table 2.2.1-1 General Plan Land Use Designations**

LAND USE DESIGNATION	DEFINITION
URBAN	Depicts existing and planned urban centers which include commercial and industrial uses as well as residential uses where building intensity is greater than one principal dwelling unit per two acres.
EXISTING COMMUNITY	Identifies existing urban residential, commercial or industrial enclaves located outside Urban designated areas. May include uses, densities, building intensities and zoning designations which are normally limited to Urban designated areas.
RURAL	Identifies areas suitable for low-density and low-intensity land uses such as residential estates of two acres or greater parcel size and other rural uses which are maintained in conjunction with agricultural and horticultural uses or in conjunction with the keeping of farm animals for recreational purposes.
AGRICULTURAL	Applied to irrigated lands which are suitable for the cultivation of crops and raising of livestock.
OPEN SPACE	Encompasses land as defined under Section 65560 of the State Government Code as any parcel or area of land or water which is essentially unimproved and devoted to an open-space use as defined in the Land Use Designations Section of the Ventura County General Plan, and which is designated as any of the categories found in the aforementioned section of the General Plan on a local, regional or State open-space plan.
STATE OR FEDERAL FACILITY	Identifies Federal or State facilities, excluding forest and park lands, over which the County has no or limited land use authority. Areas so designated include lands under Federal or State ownership on which governmental facilities are located.

Source: Ventura County General Plan – Goals, Policies & Programs

<sup>2</sup>John Krist. Ag Futures Alliance. Farming in Suburbia: A Community Approach to Sustainability.

<sup>3</sup> <http://www.ventura.lafco.ca.gov/files/2012/02/LanduseGrowthMgntHandouts.pdf>

<sup>4</sup> Ventura County General Plan Land Use Appendix

### ***Existing Land Use***

The study area for the proposed project is defined as the area west and south of Balcom Canyon Rd., east of Bradley Rd., and north of the City of Camarillo Sphere of Influence boundary. Defined communities in the study area include the town of Somis, La Cumbre Road Existing Community, and the Groves 1, 2, and 3 communities. Figure 2.2.1-1 shows the existing land use in the study area. Land use within the study area is distributed as follows:

- Agriculture – 5,742 Acres
- Open Space – 1,592 Acres
- Rural – 572 Acres
- Existing Community – 371 Acres

The study area is a rural agricultural area, characterized by low-intensity land uses. Agricultural uses in the study area include farmland, commercial nurseries, and ranches/residences. Defined communities in the study area are isolated from each other, interspersed among agricultural land and open space. These communities are generally set away from SR-118 and SR-34. Downtown Somis is located along SR-34, approximately a half-mile south of the intersection. The six-square-block downtown includes a mixture of residential, commercial, and agricultural land use zones. The town of Somis and the La Cumbre Road Existing Community are both Existing Community designated areas. According to the Ventura County General Plan, this land use designation, “was established to recognize existing land uses in unincorporated areas which have been developed with urban building intensities and urban land uses; to contain these enclaves within specific areas so as to prevent further expansion; and to limit the building intensity and land use to previously established levels.” The Groves 1, 2, and 3 communities are Rural designated areas, comprised of single-family residences on large lot parcels.

### ***Future Land Use***

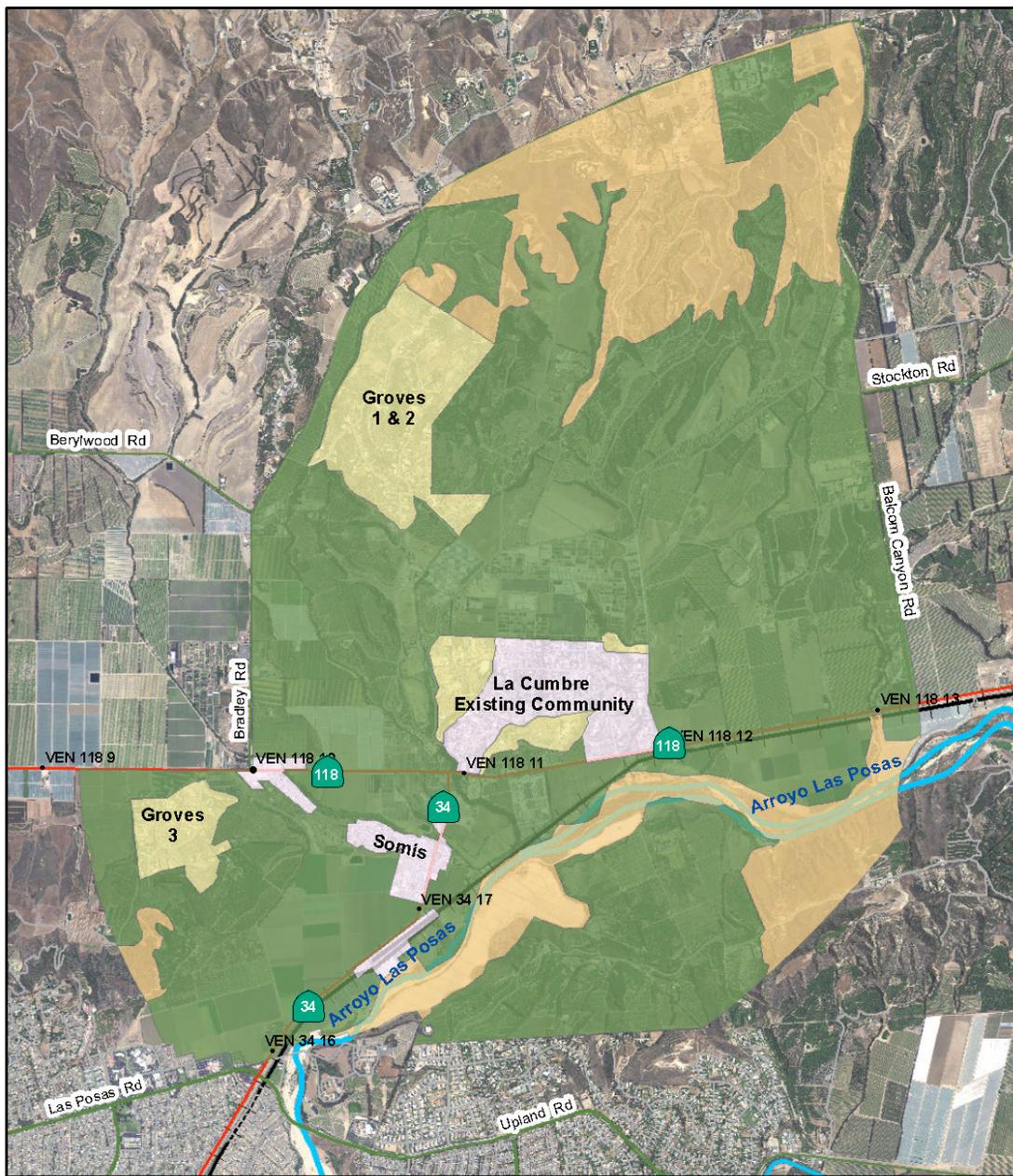
Ventura County has a long history of strongly managing growth, mostly for the purpose of protecting agricultural land threatened by urbanization.<sup>5</sup> In addition to its value to the local economy, farmland is seen as the principal form of open space around the county’s cities. The farmland protection policies of local governments in Ventura County, as a result, are among the most aggressive and far reaching in California.<sup>6</sup> Approximately 5,742 acres, or 69 percent, of land in the study area is designated for Agricultural use. As a result, it is anticipated that future land use type, placement and density will be primarily influenced by these policies.

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<sup>5</sup> Southern California Studies Center, University of Southern California and Solimar Research Group, 2003. Recent Growth Trends and Future Growth Policy Choices for Ventura County.

<sup>6</sup> Regents of the University of California, 1996. The Value of Agriculture in Ventura County: An Economic Analysis.

Figure 2.2.1-1 Existing Land Use



G:\GIS\Routes\Ven-034\EA\10596\0\Cesar\_Moreno\Landuse\Landuse\_StudyArea\2-2-10-12 edits by Billy.mxd Revision By: Billy Ho February 10, 2012



**Study Area**  
 California Department of Transportation  
 District 7, Los Angeles

\*Landuse data provided by County of Ventura Mgmt. Agency/Operations



Land Use Type	
	<all other values>
<b>TYPE</b>	
	agricultural
	existing community
	open space
	rural
	urban
	rail

Between 1995 and 2000, Ventura County voters passed a series of growth-control measures, known as the Save Open-Space and Agricultural Resources (SOAR) initiatives. Smart Growth advocates credit these SOAR measures with adding another layer of protection to several previous county-wide actions to assist in the retention of the semi-rural character of the area and to help promote higher density mixed use redevelopment within the urban boundaries.<sup>7</sup> These measures lock in current land-use policies and require voter approval for conversion of additional agricultural or open space land to urban use. In effect, the supply of land planned and/or used for commercial, industrial, and residential development at the time of SOAR's enactment is "locked-in" through 2020 unless a majority of voters approves a change to and urban-growth boundary and/or conversion of non-urban land to urban use.<sup>8</sup> As a result, land use patterns in the study area are expected to remain stable into the foreseeable future.

It is important to note that although the SOAR measures subjected future changes to a public vote they did not substantially alter the growth management already in place.<sup>9</sup> The growth management and open space preservation policies implemented prior to SOAR have created a distinctive landscape in which all the cities but one are separated from one another by "greenbelts" of farmland and natural vegetation.<sup>10</sup> To that end, seven Greenbelt Agreements have played a role in preserving land use patterns in Ventura County. The Ventura County General Plan states that greenbelt agreements reinforce the county's "Guidelines for Orderly Development". The General Plan defines a greenbelt agreement as a joint resolution between interested cities and/or the County to protect open space and agricultural lands and to reassure property owners located within these areas that lands will not be prematurely converted to agriculturally incompatible uses.

Cities have agreed not to annex territory and the County has pledged to permit only open space or agricultural uses in these areas.<sup>11</sup> The Ventura LAFCO has endorsed each of the seven greenbelt agreements and considers these agreements in making decisions on "sphere of influence" amendments and annexations. In the study area, the majority of land south of the Union Pacific Railroad (UPRR) is located within the Santa Rosa Valley Greenbelt. Also, the

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<sup>7</sup> Gail Osherenko, Jeff Onsted, Keith Clarke, Noelle Boucquey, and Kristin N. Hart. *Retaining California's Coastal Agricultural Land Through Economic Incentives, Regulation, and Purchase* Ocean and Coastal Policy Center, Marine Science Institute. University of California, Santa Barbara.

<sup>8</sup> William Fulton, Chris Williamson, Kathleen Mallory, and Jeff Jones. *Smart Growth In Action: Housing Capacity and Development in Ventura County*, Reason Foundation, December 2001.

<sup>9</sup> Geoffrey Segal, William Fulton, Susan Weaver, and Lily Okamura. *Smart Growth In Action, Part 2: Case Studies in Housing Capacity and Development from Ventura County, California*, Reason Foundation, May 2003.

<sup>10</sup> Christine Ryan, John Wilson, and William Fulton. *The Impact of Urban Growth Boundaries on Future Urbanization*, GIS Research Laboratory, University of Southern California, Department of Geography, University of Southern California and Solimar Research Group, Spring 2003.

<sup>11</sup> <http://www.ventura.lafco.ca.gov/faqs/>

General Plan recommends that consideration be given to a greenbelt agreement for the Las Posas Valley.

## **Impacts**

### ***No-Build Alternative***

No construction activities would occur under this alternative. As such, no structures will be built that would physical divide any established communities in the study area. Also, this alternative would not result in changes to existing land use.

### ***Build Alternatives***

Both of the Build Alternatives would result in changes to existing land uses as a result of the displacement of one business on the southwest corner of the SR-118/SR-34 intersection. Surrounding uses are expected to continue in operation and to relate to each other as they do presently without disruption. Therefore, neither alternative would substantially disrupt existing land uses. As a result, land use impacts are considered less than significant.

### ***Construction Impacts***

Construction of the Build Alternatives would result in some temporary, localized effects to land uses in the study area, including pollutant emissions from construction activities, increased noise and vibration, as well as temporary delays and/or detours. Minimization measures will be implemented to reduce these effects.

## **Avoidance, Minimization and/or Mitigation Measures**

Minimization measures described in the following sections of the document will be implemented to reduce temporary, localized effects to land uses in the study area.

- 2.4.5, Air Quality
- 2.3.7, Noise and Vibration
- 2.2.7, Traffic and Transportation/Pedestrian & Bicycle Facilities

## 2.2.2 Consistency with State, Regional, and Local Plans and Programs

### Regulatory Setting

#### ***General and Community Plans***

##### *Ventura County General Plan*

Land use-related goals, policies, and programs from the Ventura County General Plan that are applicable for the study area include the following:

#### 3. *Land Use*

##### 3.1.1 *Goals*

1. *Ensure that the County can accommodate anticipated future growth and development while maintaining a safe and healthful environment by preserving valuable natural resources, guiding development away from hazardous areas, and planning for adequate facilities and services. Promote planned, well-ordered and efficient land use and development patterns.*
9. *Zone changes, if necessary, shall be processed concurrently with General Plan Amendments to assure zoning consistency.*

##### 3.1.3 *Programs*

*Greenbelt Agreements: In order to maintain the integrity of separate, distinct cities and to prevent inappropriately placed development between city boundaries, some cities and the County have entered into greenbelt agreements. These agreements protect open space and agricultural lands and reassure property owners located within these areas that land will not be prematurely converted to uses which are incompatible with agriculture or open space uses. In addition, the greenbelt agreements reinforce the County Guidelines for Orderly Development. Traditionally, agreements have been executed as joint, or co-adopted resolutions by mutually interested cities and, in cases where the County is a party to it, by the Board of Supervisors.*

#### 3.2 *Land Use Designations*

##### 3.2.1 *Goals*

2. *Existing Community:*

*Recognize and confine existing urban enclaves which are outside Urban designated areas, even though the enclaves may include uses, densities, and zoning designations normally limited to Urban designated areas.*

3. *Rural:*

*Recognize and plan for low density rural residential and recreational development, while preserving resources, avoiding hazards, and providing adequate public facilities and services.*

4. *Agricultural:*

- (1) Identify the farmlands within the County that are critical to the maintenance of the local agricultural economy and which are important to the State and Nation for the production of food, fiber and ornamentals.*
- (2) Preserve and protect agricultural lands as a nonrenewable resource to assure their continued availability for the production of food, fiber and ornamentals.*
- (3) Maintain agricultural lands in parcel sizes which will assure that viable farming units are retained.*
- (4) Establish policies and regulations which restrict agricultural land to farming and related uses rather than other development purposes.*
- (5) Restrict the introduction of conflicting uses into farming areas.*

5. *Open Space:*

- (1) Preserve for the benefit of all the County's residents the continued wise use of the County's renewable and nonrenewable resources by limiting the encroachment into such areas of uses which would unduly and prematurely hamper or preclude the use or appreciation of such resources.*
- (2) Acknowledge the presence of certain hazardous features which urban development should avoid for public health and safety reasons, as well as for the possible loss of public improvements in these areas and the attendant financial costs to the public.*
- (3) Retain open space lands in a relatively undeveloped state so as to preserve the maximum number of future land use options.*
- (4) Retain open space lands for outdoor recreational activities, parks, trails and for scenic lands.*
- (5) Define urban areas by providing contrasting but complementary areas which should be left generally undeveloped.*
- (6) Recognize the intrinsic value of open space lands and not regard such lands as "areas waiting for urbanization."*

6. *State and Federal Facilities:*

- (1) Recognize lands devoted to governmental uses which are under the authority of the State or Federal government and over which the County has no effective land use jurisdiction.*
- (2) Encourage proper planning of governmental lands so that uses on these lands are compatible with existing and planned uses on adjacent privately owned lands.*

3.2.2 Policies

4. Agricultural:

- (1) *The Agricultural land use designation shall primarily include lands which are designated as Prime Farmlands, Farmlands of Statewide Importance or Unique Farmlands in the State’s Important Farmland Inventory (IFI), although land may not be designated Agricultural if small areas of agricultural land are isolated from larger blocks of farming land (in such cases, the agricultural land is assigned to the Open Space or Rural designation of the surrounding properties).*
- (3) *Agricultural land shall be utilized for the production of food, fiber and ornamentals; animal husbandry and care; uses accessory to agriculture and limited temporary or public uses which are consistent with agricultural or agriculturally related uses.*

6. State or Federal Facility:

- (1) *The State or Federal Facility land use designation shall include State or Federally owned lands on which a significant governmental use is located, and which are under the control of the State or Federal government, and, therefore, effectively beyond the land use jurisdiction of the County.*

4. Public Facilities and Services

4.1.1 Goals

- 3. *Ensure that public facilities and services are consistent with the land use and development goals, policies and programs of the County General Plan.*

The Transportation/Circulation section of the Ventura County General Plan identifies goals, policies and programs related to roads and highways. The following goals, policies and programs regarding traffic and circulation are relevant to the proposed project:

4.2 Transportation/Circulation

*In order to accommodate projected traffic resulting from the implementation of the land use policies of the General Plan, improvements to the Regional Road Network and the Local Road Network will be necessary. The Regional Road Network anticipated for the year 2020 will function at an acceptable Level of Service (LOS) in the unincorporated area of the County if development occurs in accordance with the General Land Use Map at the projected rate of development. In addition to automobiles, trucks, buses and bicycles use some roads in the Regional Road Network and require accommodation where feasible.*

4.2.1 Goals

*Facilitate the safe and efficient movement of persons and goods by encouraging the design, construction and maintenance of an integrated transportation and circulation system consisting of regional and local roads, bus transit, bike paths, ridesharing, rail transit and freight service, airports and harbors.*

1. *Facilitate the safe and efficient movement of persons and goods by designing, constructing , and maintaining a Regional Road Network and Local Road Network that is consistent with the County road standards and that will function at an acceptable Level of Service (LOS).*
4. *Ensure that as discretionary development creates the need, existing roads within the Regional Road Network and Local Road Network are improved, and additional roads are needed to complement the Regional Road Network and Local Road Network are constructed, so as to keep all such roads safe and functioning at an acceptable LOS .*
5. *Promote measures to reduce vehicle miles traveled and disperse peak traffic to better utilize the existing transportation infrastructure.*

#### 4.2.2 Policies

1. *County thoroughfares and County maintained local roads shall be designed and constructed in accordance with County road standards or better and should primarily serve in-county transportation needs. County roads should not be widened for the purpose of relieving congestion on Federal or State highways or accommodate interregional traffic that is more appropriately served by the Federal and State highway systems.*
3. *The minimum acceptable Level of Service (LOS) for road segments and intersections within the Regional Road Network and Local Road Network shall be as follows:*
  - (a) *LOS-“D” for all County thoroughfares and Federal highways and State highways in the unincorporated area of the County, except as otherwise provided in subparagraph (b);*
  - (b) *LOS-“E” for State Route 33 between the northerly end of the Ojai Freeway and the City of Ojai, Santa Rosa Road, Moorpark Road north of Santa Rosa Road, State Route 34 north of the City of Camarillo and State Route 118 between Santa Clara Avenue and the City of Moorpark;*

#### 4.2.3 Programs

1. *The County Planning Division will periodically recommend updates to the County General Plan’s Transportation/Circulation Section and the Public Facilities Map. This effort will be coordinated with the PWA Transportation Department and the Ventura County Transportation Commission which provides the Congestion Management Program.*
6. *The Public Works Agency will continue to coordinate with the Port of Hueneme-Oxnard Harbor District, the cities of Port Hueneme and Oxnard, and CalTrans to ensure an adequate road network is available to accommodate project harbor related commerce.*

## **Transportation Plans and Programs**

### **Southern California Association of Governments (SCAG) 2008 Regional Transportation Plan (RTP)**

The Southern California Association of Governments (SCAG) is the Metropolitan Planning Organization (MPO) for the six-county region of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura Counties. The SCAG's mandated responsibilities include developing plans and policies with respect to the region's population growth, transportation programs, air quality, housing and economic development. The SCAG also serves as a Council of Governments (COG), and a Regional Transportation Planning Agency (RTPA) with the responsibility identifying Southern California's transportation priorities through development of Regional Transportation Plans (RTP). The RTP addresses congestion concerns, identifies funding options and coordinates mobility throughout the region. In accordance with federal and state laws, SCAG develops a RTP every four years. The SCAG 2008 RTP is a 25-year plan that provides long-range regional strategies that include new construction and improvements to the existing transportation system. Projects that are in the RTP become eligible for federal and state funding, and federal environmental clearance. The RTP is implemented through the Regional Transportation Implementation Program (RTIP).

### **2009 Ventura County Congestion Management Program**

The Ventura County Congestion Management Program (CMP) is a State-mandated program enacted by the State legislature. The requirements for the CMP became effective upon voter approval of Proposition 111 in 1990. The intent of the CMP legislation was to create a state transportation planning program that required local jurisdictions to assume responsibility for their land use decisions which impact the regional transportation system. The CMP provides local jurisdictions with a mechanism to link transportation and land use policies with the objective of reducing local and regional traffic congestion and improving air quality. The Ventura County Transportation Commission (VCTC) is the designated Congestion Management Agency (CMA) responsible for implementing the CMP in Ventura County. VCTC designated a CMP road network as part of the development of the first Ventura County CMP. All state routes in Ventura County are part of the CMP road network. The purpose for designating the CMP road network is to:

1. Monitor the level of congestion on Ventura County's busiest highways and roads every two years as part of the CMP update process.
2. Identify the most congested locations on the CMP road network.
3. Remedy congestion at locations at LOS "F".

## **Environmental Setting**

The SR-118/SR-34 intersection is part of the Ventura County Regional Road Network. The Regional Road Network is the road system in Ventura County consisting of Federal/State highways, and County/City thoroughfares. The Regional Road Network, together with the Local Road Network, provides the principal means for the movement of persons and goods within Ventura County. The existing County Regional Road Network does not adequately meet present travel demands at the project location because the LOS at the SR-118/SR-34 intersection is currently classified as F. The Regional Road Network anticipated for the year 2020 shows the segment of SR-118 in the project area as a 4-lane facility. The 2020 Regional Road Network also shows the proposed SR-34 bypass under consideration for this project. The SR-118/SR-34 intersection is also part of the CMP road network, designated by VCTC in 1991. The network is comprised of the state highway system and principal arterials in Ventura County.

## **Impacts**

### ***No-Build Alternative***

This alternative would maintain existing conditions at the SR-118/SR-34 intersection. An analysis of projected future traffic conditions under this alternative indicates that the intersection would continue to operate at LOS F in 2015 and 2035. As a result, this alternative would conflict with the 2009 Ventura County CMP, as well as with the transportation/circulation-related goals and policies of the Ventura County General Plan.

### ***Build Alternatives***

Implementation of the Build Alternatives would improve overall traffic operations at the SR-118/SR-34 intersection. Traffic analysis results indicate that both of the Build Alternatives would reduce delay time at the SR-118/SR-34 intersection during peak hours, improving LOS to the minimum acceptable level set forth in the Ventura County General Plan. The Build Alternatives would thus be consistent with the goals and policies in the General Plan related to transportation/circulation and public facilities/services, as well as the 2009 Ventura County CMP. Furthermore, the proposed project is included in the SCAG 2008 RTP and the SCAG 2008 RTP amendment #2, with funding for preliminary engineering only. The proposed project is also included in the SCAG 2008 RTIP amendment #08-24 modeling list. The design, concept and scope of the proposed project is consistent with the project descriptions in the SCAG 2008 RTP, the SCAG 2008 RTP amendment #2, and the SCAG 2008 RTIP amendment #08-24, as well as with the assumptions in the SCAG regional emissions analysis. As a result, the proposed project would not interfere with the timely implementation of all Transportation

Control Measures (TCMs) identified in the currently approved State Implementation Plan (SIP) and/or RTP and is considered to have met the conformity requirement for regional emissions analysis. No significant regional impacts would occur from operation of the proposed project.

Both of the Build Alternatives require acquisition of agricultural land, which would be inconsistent with land use-related goals and policies to preserve agricultural land. However, partial acquisition of agricultural land as a result of the proposed project would have no effect on property owners ability to farm existing farmland. Therefore, no land would be removed from agricultural production. As a result, this impact is considered less than significant.

### **Avoidance, Minimization and/or Mitigation Measures**

Inconsistencies with land use-related goals and policies to preserve agricultural land are considered less than significant. No avoidance or minimization measures are proposed.

## **2.2.3 Growth**

### **Regulatory Setting**

The California Environmental Quality Act (CEQA) requires the analysis of a project's potential to induce growth. CEQA Guidelines, Section 15126.2(d), require that environmental documents "...discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment...

### **Environmental Setting**

In 1969, the Ventura LAFCO, the County of Ventura and each of the county's cities established the "Guidelines for Orderly Development". Under the guidelines, the policy of the County and its ten cities is not to facilitate urban development in the unincorporated areas. In December 1996, the guidelines were re-adopted by the county's Board of Supervisors and all City Councils within the county. The Ventura LAFCO avoided development patterns experienced in Los Angeles and Orange Counties, by effectively limiting the number of cities that could be created in the County, and then limiting the pace at which cities could annex and develop new land.<sup>12</sup> The persistence of farming in Ventura County, on the suburban edge of the sprawling Southern California metropolis, is no accident. It is the consequence of nearly four decades of deliberate land-use policies, many of them imposed by voter-approved ballot initiatives,

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<sup>12</sup> <http://www.ventura.org/rma/planning/About/History.html>

intended to concentrate and slow urban development, and to preserve rural buffers between cities.<sup>13</sup>

### ***Development Trends***

Between 1984 and 2006, total agricultural land conversion to urban uses in the county was 21,204 acres, roughly the size of the City of Ventura. Of that, 965 acres of farmland located outside the urban growth boundaries were lost to urbanization between 2000 and 2006, a significant improvement from the 9,108 acres converted to urban uses from 1996-2000. The slowing rate of farmland has been largely due to existing urban growth boundaries. Between 2000 and 2006, urbanized land in the county increased from 97,000 acres to 102,000 acres. Of that total developed land 87,000 acres or 85% is located within urban growth boundaries.<sup>14</sup> According to data from the Farmland Mapping and Monitoring Program (FMMP), urbanized land in the county increased another 1,500 acres from 2006 to 2008. The majority of urbanization during this time period was due to the expansion of urban development in or adjacent to the cities of Moorpark, Simi Valley, and Thousand Oaks.<sup>15</sup>

In 2008, the housing market essentially collapsed in Ventura County and throughout the nation.<sup>16</sup> In its 2008 Comprehensive Housing Market Analysis of Ventura County, the U.S. Department of Housing and Urban Development reported that between July 2007 and July 2008 builders slowed or stopped residential construction in the South Ventura County submarket, which includes Somis, in response to the overall decline in new and existing home sales. Single-family home construction activity, as measured by the number of building permits issued, totaled 200 units during the 12-month period ending July 2008, a decline of 250 units or 56 percent, compared with the number of permits issued during the previous 12-month period.<sup>17</sup>

Figure 2.2.3-2 shows the number of permits for new residential units countywide and in the unincorporated area each year from 2000 through 2010. During that time period, permits were issued for 26,649 new residential units countywide and for 1,704 new residential units in the unincorporated area. The number of permits issued countywide has declined in every year since 2005, except for 2010, which showed a slight increase. The unincorporated area has seen a steady decline in the number of permits issued during the past decade.

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<sup>13</sup> John Krist. Ag Futures Alliance. Farming in Suburbia: A Community Approach to Sustainability.

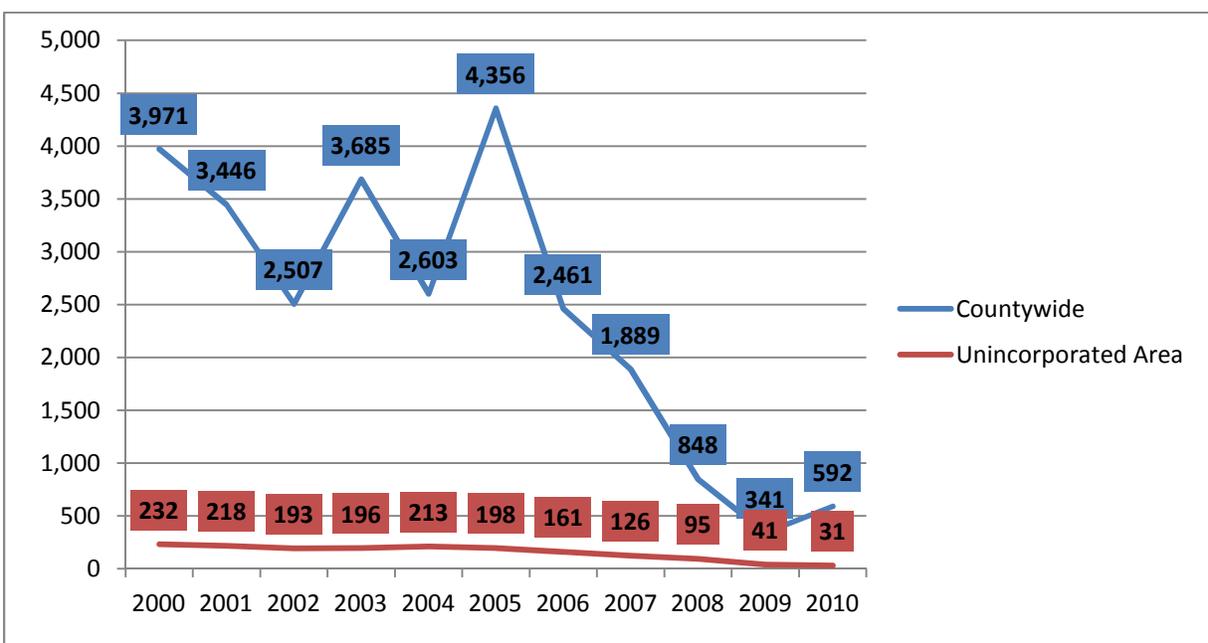
<sup>14</sup> Ventura Council of Governments and the Ventura County Civic Alliance, February 2008. Phase One: A Compact for a Sustainable Ventura County.

<sup>15</sup> California Department of Conservation, 2008. Farmland Mapping and Monitoring Program Ventura County Field Report.

<sup>16</sup> Ventura County General Plan Land Use Appendix.

<sup>17</sup> U.S. Department of Housing and Urban Development, Office of Policy Development and Research, August 2008. Comprehensive Housing Market Analysis Ventura County, California.

**Figure 2.2.3-2 Building Permits for New Residential Units, 2000-2010**



Source: Southern California Association of Governments, Local Profiles Report 2011 – Ventura County  
 Southern California Association of Governments, Local Profiles Report 2011 – Ventura County (Unincorporated Area)

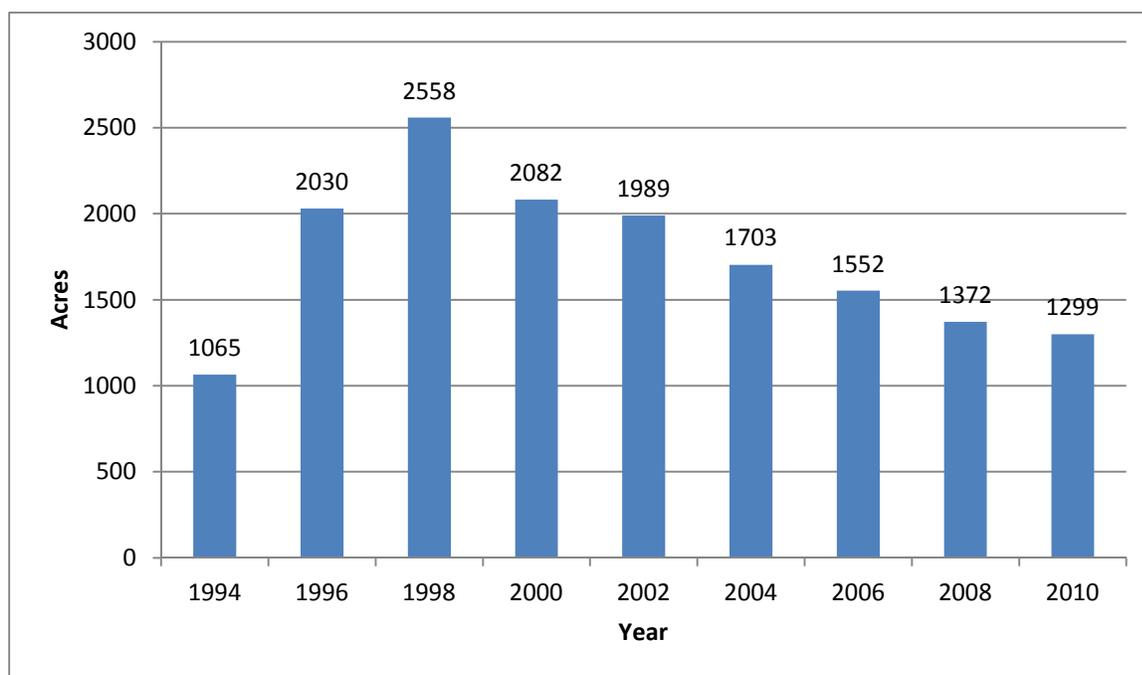
As of September 2008, there have been ten ballot initiatives attempting to expand the SOAR boundaries.<sup>18</sup> These elections took place in the cities of Ventura, Santa Paula, Simi Valley, and Moorpark, and in unincorporated county territory near Ojai. Six were approved by voters and four were rejected. Four of the six that passed covered relatively small areas, and three of the six were for community, church, or senior facilities. The four defeated measures were for large residential developments on large tracts of open space.<sup>19</sup>

Counties and cities voluntarily submit documentation to the FMMP on “Land Committed to Nonagricultural Use” in order to provide details on the nature of changes expected to occur in the future. This FMMP category includes existing farmland, grazing land, and vacant areas which have a permanent commitment for development. Figure 2.2.3-3 shows this FMMP data for Ventura County from 1994 to 2010. The amount of farmland expected to be developed has declined in every FMMP reporting period since 1998. A review of the November 2011 Ventura County Planning Division Pending Projects/Recently Approved map and reports showed no development projects in the study area.

<sup>18</sup> Save Open-Space & Agricultural Resources, 2008. 2008 Open Space At Risk Report.

<sup>19</sup> Ibid.

**Figure 2.2.3-3 Farmland Expected to be Developed**



Source: [www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx](http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx)

Agricultural protection zoning in the form of large minimum parcel sizes serves as a financial disincentive to the construction of non-farm homes on Agricultural designated land, and as a tool to keep overall density low. Interview data from a 2006 study by the University of Nebraska-Lincoln and the American Farmland Trust indicates that agricultural protection zoning in Ventura County works effectively. Those interviewed included knowledgeable observers and participants in Ventura County’s agricultural sector, considered “local experts” on the subject. The study also employed a survey questionnaire, aimed at measuring agricultural landowner attitudes that could shape the continued viability of agriculture in Ventura County. The survey focused on agricultural landowners because they can make critical decisions for the continued viability of agriculture. Also, they are the ones who decide whether or not to accept developers’ bids for their land or to act as land subdividers themselves.<sup>20</sup> The survey results showed that 53 percent of respondents expected none of their land to be developed in ten years. The results also showed that only 10 percent expected more than 25 percent of their land to be developed in the same time period.

Agricultural preservation has been integrated into the county’s overall land use planning strategy.<sup>21</sup> The Guidelines for Orderly Development and Greenbelt Agreements serve as the

<sup>20</sup> Dick Esseks, Lydia Oberholtzer, Kate Clancy, Mark Lapping, and Anita Zurbrugg. *Sustaining Agriculture in Urbanizing Counties*, University of Nebraska-Lincoln, June 2009.

<sup>21</sup> Ventura County General Plan Resources Appendix

principal interagency programs that Ventura County has adopted to preserve agriculture. Specific County agricultural preservation programs include the Land Conservation Act (LCA ) Program and the Agricultural Land Use Designation.

Under the LCA, agricultural producers voluntarily establish a contract with the county in which the farmer or rancher agrees to restrict usage of the land to agricultural purpose from ten to twenty years in to the future, depending on the contract, in exchange for lower property taxes in the current year. Once approved, the contract is binding. Annual renewals are automatic unless either the county or the producer initiates the non-renewal process. Nonrenewal results in taxes gradually rising to the full rate over the remaining years of the contract and the land being no longer restricted to agricultural purposes when the contract expires. Only under rare circumstances is the cancellation of the contract allowed.<sup>22</sup> Figure 2.2.3-4 shows land in the study area within the Santa Rosa Valley Greenbelt and/or part of the LCA Program.

### **Regional Population**

Population growth rate has declined notably in Ventura County over the last 20 years. Following a 26 percent increase during the 1980s, the county’s population growth rate slowed to 12.6 and 9.3 percent in the next two decades, respectively

The 2007 University of California, Santa Barbara Real Estate and Economic Outlook cites the decline in net-migration as the source of this distinct decrease in population growth.<sup>23</sup> From 2000 to 2008, net natural change (resident births minus resident deaths) declined, as younger households and retirees moved to relatively more affordable housing areas in California and other states.<sup>24</sup> Despite this decline, net natural change has accounted for all of the population gain since 2000 because net migration was negative, meaning that more people are leaving the county than are moving in. Table 2.2.3-1 displays a comparison of population and housing changes countywide and in the unincorporated area between 2000 and 2010. The table also contains the adopted Ventura Council of Governments (VCOG) 2010, 2015, and 2020 forecasts found in the Ventura County General Plan.

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<sup>22</sup> Rachael Goodhue, Richard Howitt, Peter Howard and Henry An. *Effects of the January 2008 CDPR Field Fumigation Regulations: Ventura County Case Study*, California Department of Food and Agriculture, April 2009.

<sup>23</sup> Ventura County General Plan Land Use Appendix

<sup>24</sup> U.S. Department of Housing and Urban Development, Office of Policy Development and Research, August 2008. *Comprehensive Housing Market Analysis Ventura County, California*.

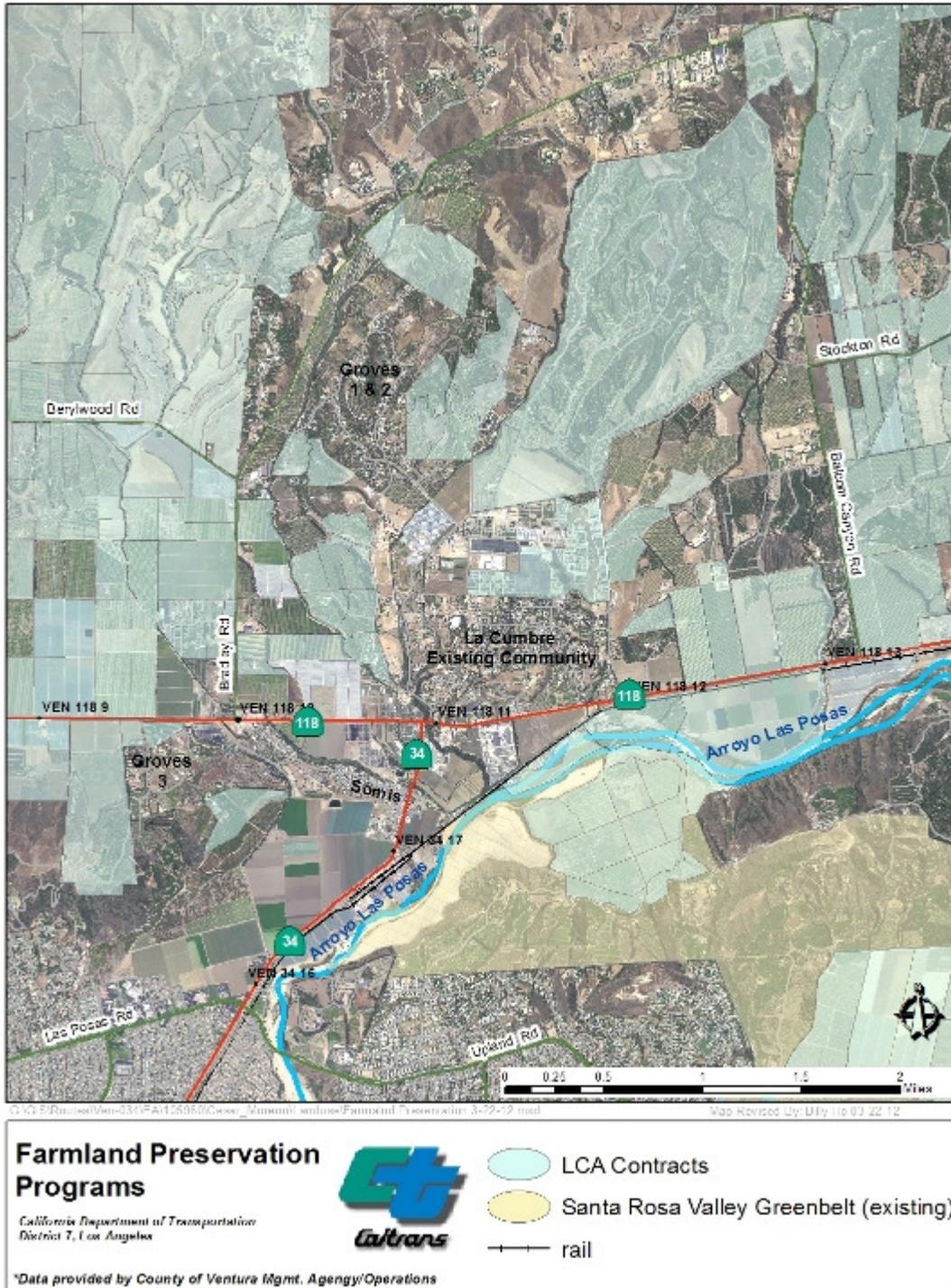
**Table 2.2.3-1 Regional Population and Housing**

	Census 2000	Census 2010	Net Change	Average Annual Growth	2000-2010 Growth	VCOG Forecast 2010	VCOG Forecast 2015	VCOG Forecast 2020
<b>Countywide</b>								
<b>Population</b>	753,197	823,318	70,121	0.9%	9.3%	829,944	867,671	907,797
<b>Housing</b>	251,710	281,695	29,985	1.2%	11.9%	282,942	295,768	310,118
<b>Unincorporated Area</b>								
<b>Population</b>	93,120	94,937	1,817	0.2%	2.0%	104,496	112,452	114,973
<b>Housing</b>	32,141	34,983	2,842	0.9%	8.9%	38,801	39,560	40,626

Source: Southern California Association of Governments, Local Profiles Report 2011 – Ventura County and Unincorporated Area  
Ventura County General Plan, Land Use Index

While Ventura County’s population continues to grow, it is doing so at a slow rate. During the past decade, the county’s total population increased 0.9 percent annually, reaching 823,318 residents in 2010. In the same period, the unincorporated area’s total population increased 0.2 percent annually, reaching 94,937 residents. The VCOG 2020 Forecast projects this trend to continue into the next decade, with growth in the unincorporated area occurring at a faster rate. However, this scenario is not likely to unfold. The percentage of the county population living in the unincorporated area declined from 12.3 percent in 2000 to 11.5 percent in 2010. Furthermore, a comparison of the VCOG 2010 Forecast and Census 2010 data reveals that actual population in the unincorporated did not reach projected levels. Actual population growth in the unincorporated area was approximately 10 percent lower than the VCOG Forecast. General Plan projections were adopted by the VCOG in 2001 and modified by the county in 2005. Subsequent projections, prepared in 2007 for the purpose of the SCAG 2008 Regional Transportation Plan (RTP), anticipate population growth in the unincorporated area to occur at a much slower rate. Updated projections also anticipate that the percentage of the county’s population living in its cities’ will increase as well. The 2040 Population Forecast report (May 2008), prepared by the Ventura County Planning Division for the VCOG, contains the adopted VCOG 2040 Forecast. Table 2.2.3-2 displays the updated 2020 projections, as well as 2030 and 2040 projections for the county and the unincorporated area.

Figure 2.2.3-4 Farmland Preservation Programs



**Table 2.2.3-2 Projected Regional Population**

	2020	2030	2040
Countywide	935,452	957,113	995,375
Unincorporated Area	101,255	105,961	110,645

Source: Ventura Council of Governments, 2040 Population Forecast, Ventura Cities and County, May 2008

The VCOG 2040 Forecast differ from earlier projections in that more growth is anticipated countywide, while less growth is anticipated in the unincorporated area. These projections anticipate the county’s total population to increase to 935,452 by 2020, while General Plan projections anticipate the county’s total population to increase to 907,797. The VCOG 2040 Forecast also anticipates the total population in the unincorporated area to increase to 101,255, while General Plan projections anticipate total population to increase to 114,973. The difference between the two projections is approximately 3 percent higher for the entire county and 14 percent lower for the unincorporated area.

### **Regional Housing**

As in other areas of the nation, housing is at the center of Ventura County’s growth-management efforts.<sup>25</sup> Housing production in the county is affected by constraints that limit residential development in the unincorporated area. The Ventura County General Plan Land Use Appendix lists the Guidelines for Orderly Development and SOAR ordinances as policies that represent constraints to residential development.

New housing production rates in Ventura County have been moderate since the 1990s.<sup>26</sup> Between 1990 and 2000, the average annual increase in housing units was less than 1 percent. Between 2000 and 2010, housing units increased faster than population countywide and in the unincorporated area, totaling 281,695 and 34,983 units respectively in 2010. However, the countywide average annual growth rate barely rose between 2000 and 2010, increasing by 1.2 percent countywide, and remaining below 1 percent in the unincorporated area. A comparison of the adopted VCOG 2010 Forecast and Census 2010 data reveals that, as with projected population figures, the county experienced a shortfall in projected housing growth.

According to the Los Angeles County Economic Development Corporation (LAEDC), 271 permits had been issued countywide as of July 2011. By comparison, in 2010, 352 permits were issued during the same period, a difference of 23 percent. The Ventura County Civic Alliance (VCCA) website shows that housing affordability has improved in Ventura County since 2006, but is still relatively low with only 40 percent of residents able to afford to buy a

<sup>25</sup> Ventura County General Plan Land Use Appendix

<sup>26</sup> Ventura Council of Governments and the Ventura County Civic Alliance, February 2008. Phase One: A Compact for a Sustainable Ventura County.

home. This is attributed in part to high unemployment and the falling of average wages and salaries across most industries, which has affected the projected growth of the region.

### ***Regional employment***

Ventura County historically served as a bedroom community for the principal job base in the San Fernando and San Gabriel Valleys. However, the county evolved into a jobs center with the growth of the technology corridor that stretches along Highway 101 from Woodland Hills to Camarillo. The principal employment clusters in Ventura County are biotechnology, information technology, healthcare services, financial services, agriculture and military/government. The U.S. Navy and the County government are the largest public employers, though naval employment is expected to downsize over time. Amgen, the largest private employer in the county has downsized by over 2,100 workers since 2007. Data from the California Lutheran University Center for Economic Research and Forecasting shows that the actual rate of job growth in the county was lower than forecasted levels between 2007 and 2009. Furthermore, the actual rate of unemployment in the county was higher than forecasted levels during the same time period. Across Southern California, job loss continued for the third straight year in 2010, though the rate of decline was much lower than in 2009. During 2010 2,800 jobs were lost in Ventura County, representing a growth rate of -0.9 percent. The unemployment rate increased to 10.7 percent.<sup>27</sup> According to the SCAG Local Profiles Report 2011 (May 2011), total jobs in Ventura County numbered 325,672 in 2010, a decrease of 7.6 percent from 2007. Total jobs in the unincorporated area numbered 40,487 in 2010, a decrease of 5.4 percent from 2007.

### ***Las Posas Planning Area***

Table 2.2.3-3 presents population and housing information for the Las Posas Planning Area and the Existing Community designated areas in the study area. The data was obtained from the Ventura County General Plan. The Ventura County General Plan does not publish socioeconomic data for the Groves 1, 2, and 3 communities. Historical socioeconomic information for the Las Posas Planning Area is based on Census 2000 data. The General Plan has not been updated with Census 2010 data. Projected data is based on the adopted 2010 and 2020 VCOG Forecasts. The General Plan does not publish projected data for any of the affected communities.

As of 2000, the population of the Las Posas Planning Area stood at 3,232 residents. The population of the Somis and La Cumbre Road Existing Communities was 892 and 828, respectively. The adopted VCOG Forecast projected the total population in the Las Posas Planning Area to increase by 17.2 percent from 2000 to 2010 and by 6.5 percent from 2010 to

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<sup>27</sup> California Department of Transportation, Economic Analysis Branch, 2011. Ventura County Economic Forecast.

2020. Demand in housing units was projected to increase by 15.2 percent, to 1,234 units, from 2000 to 2010 and by 6.5 percent, to 1,314 units, from 2010 to 2020. Given that 2010 actual population and housing units in the unincorporated area fell well short of the VCOG 2010 Forecast, it is likely that the same holds true for the Las Posas Planning Area.

**Table 2.2.3-3 Local Population and Housing**

	Census 2000	VCOG Forecast 2010	VCOG Forecast 2020
<b>Las Posas Planning Area</b>			
Population	3,232	3,788	4,034
Housing	1,072	1,234	1,314
<b>Somis Existing Community</b>			
Population	892	N/A	N/A
Housing	276	N/A	N/A
<b>La Cumbre Road Existing Community</b>			
Population	828	N/A	N/A
Housing	256	N/A	N/A

Source: Ventura County General Plan – Goals, Policies & Programs

In 2000, the VCOG estimated that there were 1,320 employees in the Las Posas Planning Area, accounting for 0.4 percent of the countywide total and 3.4 percent of the unincorporated area total. The adopted VCOG Forecast projects this number to increase 1.5 percent from 2000 to 2020, to 1,340 employees. The projected number of employees in 2020 would account for 0.3 percent of the projected countywide total and 3.1 percent of the projected unincorporated area total. The County does not provide cash or tax incentives to businesses interested in locating in the unincorporated areas of the County. Generally, business is more likely to locate within the cities infrastructure.<sup>28</sup>

### **Study Area**

The study area for the proposed project comprises parts of three census tracts. Census tracts are small, relatively permanent statistical subdivisions of a county. Census tracts are delineated with the intention of being maintained over a long time so that statistical comparisons can be made from census to census. The study area lies within parts of Ventura County Census Tracts 51, 52.02, and 53.05. Figure 2.2.3-5 shows the portions of these census tracts within the project area. The census tracts extend for considerable distances beyond the study area. Therefore, it

<sup>28</sup> Ventura County Planning Division, June 2004. Economic/Transit/Mixed Use Strategies For Housing Rich Communities Ventura County.

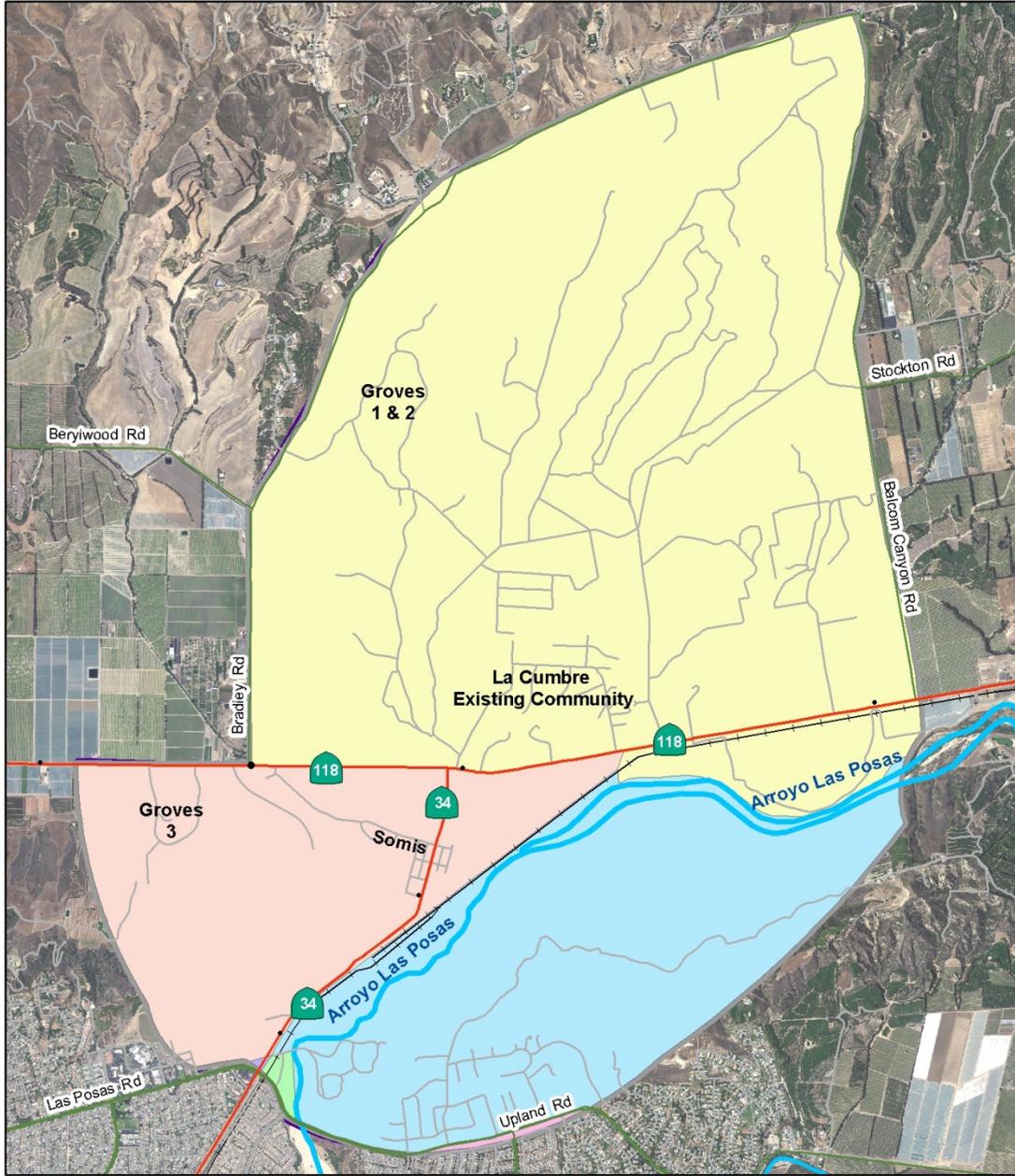
was necessary to use a unit of analysis smaller than census tracts. A census block is a subdivision of a census tract and is the smallest geographic area for which the Census Bureau collects and tabulates decennial census data. Census blocks allow one to track demographic changes on a very fine scale. Many census blocks correspond to individual city blocks bounded by streets. However, census blocks in rural areas, such as the study area, may include many square miles and may have some boundaries that are not streets.

Table 2.2.3-4 presents Census 2000 and Census 2010 data for the study area. Census data was obtained from the U.S. Census Bureau American FactFinder website. During the past decade, population and housing changes in the study area have reflected the slow rate of growth in the county’s unincorporated area. Between 2000 and 2010, total population in the study area increased by 3.1 percent, with an average annual growth rate of 0.3 percent. Housing units in the study area increased by 8.0 percent during this period, with an annual average growth rate of 0.8 percent. Historical land use maps, obtained from the Ventura County Resources Management Agency, indicate that the town of Somis and the surrounding area have remained virtually unchanged in the last three decades. This is due in part to county growth policies, but also to opposition to development on the part of community residents. Community members have expressed a desire to maintain the low-intensity land uses and “rural lifestyle” that characterize the area.

**Table 2.2.3-4 Study Area Population and Housing**

	Census 2000	Census 2010	Net Change	2000-2010 Growth Percentage	Annual Growth Percentage
<b>Study Area</b>					
<b>Population</b>	2,086	2,151	65	3.1%	0.3%
<b>Housing</b>	710	767	57	8.0%	0.8%
<b>Unincorporated Area</b>					
<b>Population</b>	93,120	94,937	1,817	2.0%	0.2%
<b>Housing</b>	32,141	34,983	2,842	8.9%	0.9%
<b>Countywide</b>					
<b>Population</b>	753,197	823,318	70,121	9.3%	0.9%
<b>Housing</b>	251,710	281,695	29,985	11.9%	1.2%

Figure 2.2.3-5 Study Area Census Tracts



G:\GIS\Routes\Ven-034\EA\105960\Cesar\_Moreno\Landuse\Census\_Tract.mxd

Map Created By: Cristina Alejandre 08/23/11

**Census Tract  
Ventura County**

California Department of Transportation  
District 7, Los Angeles

\*Census Tract Data provided by [www.census.gov](http://www.census.gov)



**Census Tracts**

51	53.05	 rail	
52.02	53.06		
53.03	54.04		

0 0.25 0.5 1 1.5 2 Miles

## **Impacts**

### ***No-Build Alternative***

This alternative would maintain existing conditions at the SR-118/SR-34 intersection. An analysis of projected future traffic conditions under this alternative indicates that the intersection would continue to operate at LOS F in 2015 and 2035. Delay times at the intersection would increase substantially, thereby increasing congestion at this location. This alternative is not expected to affect growth in the study area and would not result in growth-related effects.

### ***Build Alternatives***

The proposed project is a transportation project which would not directly induce substantial population growth in the study area. The project was proposed as a response to existing traffic congestion at the intersection and is not designed with excess capacity. Additionally, the proposed project is consistent with the Ventura County General Plan 2020 Regional Road Network. The 2020 Regional Road Network is the road system the County anticipates will be necessary to accommodate projected traffic resulting from the implementation of the land use policies of the General Plan. A review of the November 2011 Ventura County Planning Division Pending Projects/Recently Approved map and reports showed no development projects in the study area. As a result, the proposed project would not facilitate planned growth. However, an unintended result of the proposed project would be increased accessibility to undeveloped land in the study area.

Both Build Alternatives propose widening and additional left-turn lanes at the SR-118/SR-34 intersection. Both alternatives would reduce congestion in the study area by providing additional storage capacity at the intersection. Although the existing facilities currently provide access to undeveloped land in the study area, reducing congestion at this intersection would increase accessibility to land along SR-118 and north of SR-118. However, geographic and legal/regulatory factors currently limit opportunities for unplanned growth in the study area.

The vast majority of undeveloped land in the study area that would be made more accessible by the Build Alternatives is zoned as Agricultural Exclusive (A-E). Zoning regulation in Ventura County acts as a safeguard for agricultural lands through the establishment of minimum parcel sizes for lands designated as such. The County has established minimum parcel sizes of 40 acres for agricultural land, restricting housing on these parcels to one unit. Furthermore, the Ventura County SOAR Ordinance puts limitations on General Plan amendments relating to Agricultural land use designations. Such land use designations within the County may not be changed unless an amendment is approved by voters or the County Board of Supervisors, under certain specified conditions. The ordinance currently acts as a level of protection against the

development of agricultural lands in the study area. As a result, there is low opportunity for land use changes that would support substantial population growth in undeveloped areas within the study area. The county's SOAR Ordinance is set to expire in 2020. Potential growth in the study area after 2020 cannot be determined at this time due to uncertainty about the nature of future land uses and is therefore not reasonably foreseeable.

Undeveloped land south of the Union Pacific Railroad is subject to the same land use controls that limit opportunities for unplanned development and growth north of SR-118. This land is also located within the Santa Rosa Valley Greenbelt. Furthermore, approximately 16 parcels in this area are a part of the Williamson Act Program and under LCA contract. An LCA contract indicates that the property owner intends to maintain the property in agricultural production into the foreseeable future. In addition to the aforementioned legal/regulatory constraints, geographic constraints also limit development in this area. Undeveloped land on both sides of Arroyo Las Posas is located within a Federal Emergency Management Agency (FEMA) designated floodway area. According to the FEMA, floodway areas must be kept free from encroachment. Furthermore, the Ventura County General Plan prohibits residential development within the regulatory floodway.

Highly restrictive land use controls and growth management policies have created an unfavorable environment for development in the study area, limiting the availability of undeveloped land. These development constraints have shaped the current land use pattern in the study area and will be the primary influence on the rate, type, and amount of growth for the foreseeable future. As a result, the Build Alternatives are not expected to affect growth in or adjacent to the study area. Therefore, the proposed project would not indirectly induce substantial growth, and would not result in growth-related effects.

## **2.2.4 Farmlands**

### **Regulatory Setting**

The California Environmental Quality 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 deter the early conversion of agricultural and open space lands to other uses.

## **Ventura County General Plan**

Ventura County has adopted a number of programs designed to preserve farmland. These programs include the following:

- *The Agricultural land use designation, which established a forty acre minimum parcel size and an Agricultural Exclusive (A-E) zone.*
  - *The purpose of the A-E zone is to preserve and protect commercial agricultural lands as a limited and irreplaceable resource, to preserve and maintain agriculture as a major industry in Ventura County and to protect these areas from the encroachment of nonrelated uses which, by their nature, would have detrimental effects upon the agriculture industry.*
- *Participation in Greenbelt Agreements and the “Guidelines for Orderly Development” with the Ventura County cities which seek to prevent urban encroachment into agricultural areas.*
- *Widespread use of Land Conservation Act Contracts to provide tax rate reductions as an incentive for maintaining agriculture.*

### **Save Open Space and Agricultural Resources (SOAR) Ordinance**

The Ventura County SOAR Ordinance puts limitations on General Plan amendments relating to Agricultural, Open Space, or Rural land use designations. Such land use designations within the county may not be changed unless an amendment is approved by voters or the County Board of Supervisors, under certain specified conditions. The proposed project is not subject to the county’s SOAR ordinance because public roads are not a land use governed by the County Non-Coastal Zoning Ordinance. The County Planning Director is authorized to update appropriate maps and tables in the General Plan to reflect property acquired by the State for expansion of a State Facility.

### **Environmental Setting**

The information in this section is based on research performed by the Caltrans Office of Environmental Planning. Agriculture has historically played an important role in the economy and land use patterns of Ventura County.

Beginning in the early 1970s, the county and its cities took strong steps to channel urban growth into cities and protect agricultural land in unincorporated areas. By agreeing on the so-called “Guidelines for Orderly Development” and a series of greenbelts between cities, the county and its cities first sought to contain urban development within cities’ Sphere of Influence (SOI) boundaries, but permitted these boundaries to expand as new urban development was required.

Agricultural zoning was retained in most unincorporated areas, and most agricultural landowners also participated in California's Williamson Act program, which provides lower property taxes in exchange for long-term commitments to retain undeveloped land in agriculture.<sup>29</sup>

Ventura County ranked No. 8 among California counties in total crop value in 2009, according to the California Department of Food and Agriculture. The most recent national data put it at No. 10 among all counties in the United States.<sup>30</sup> The preservation of agricultural resources and activities has been an explicit goal of the California Department of Conservation (CDC) and the United States Department of Agriculture (USDA). The California Department of Conservation (CDC) conducts jurisdiction over farmlands with specific designations under their FMMP as well as those administering Williamson Act Contracts and other agricultural conservation programs. The CDC initiated the FMMP in 1980 to supplement the efforts of the USDA's National Resources Conservation Service (NRCS).

For the purpose of inventorying land, categorical definitions of important farmlands were developed by the NRCS. These definitions gave recognition to the land's suitability for agricultural production. Seven categories of land use are identified in the FMMP: Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, Grazing Land, Urban and Built-Up Land, and Other Land. The CDC has adopted these categories. The CDC monitors farmland through the FMMP. The FMMP was established in 1982 to continue the Important Farmland mapping efforts begun in 1975 by the NRCS. The program prepares and maintains an automated map and database system to record and report changes in the use of agricultural lands.

According to FMMP data, Ventura County contained a total of 316,961 acres of agricultural land as of 2010. Agricultural land in the county is comprised of 119,683 acres of Important Farmland and 197,278 acres of grazing land. As of 2007, the average farmland size in Ventura County was 106 acres. The estimated gross value for Ventura County agriculture for calendar year 2010 is \$1,859,151,000. This represents a 14% increase over 2009.<sup>31</sup> According to the most recent Census of Agriculture, the county is the number one producer of celery, lemons, and parsley in the state, and is second in the production of avocados, spinach, and strawberries. In addition to generating direct on-farm employment and revenue, agricultural production supports a wide range of other businesses. Altogether, farming and farm-dependent businesses

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<sup>29</sup> Christine Ryan, John Wilson, and William Fulton. *The Impact of Urban Growth Boundaries on Future Urbanization*, GIS Research Laboratory, University of Southern California, Department of Geography, University of Southern California and Solimar Research Group, Spring 2003.

<sup>30</sup> [http://www.farmbureauvc.com/crop\\_report.html](http://www.farmbureauvc.com/crop_report.html)

<sup>31</sup> Office of the Agricultural Commissioner. Ventura County 2010 Annual Crop Report, July 2011.

provide an estimated 31,000 jobs in Ventura County, more than any other sector of the economy except services.<sup>32</sup>

The predominant land use in the study area is agricultural. Approximately 5,742 acres, or 69 percent, of land in the study area is designated for Agricultural use. Agricultural uses in the project area include farmland, commercial nurseries, and ranches/residences. The proposed project would be located on existing farmland or on land within the immediate vicinity of agricultural operations. A review of the FMMP Ventura County Important Farmland 2010 map shows the study area contains Important Farmland. Important Farmland in the study area includes Prime Farmland, Farmland of Statewide Importance, and Unique Farmland.

Table 2.2.4-1 provides a description of the Important Farmland categories within the study area, as well as the total countywide acreage for each category. Major crops within the study area include truck crops (e.g., strawberries, tomatoes, cucumbers, squash, eggplants, broccoli, cabbage, spinach, lettuce, celery), tree crops (e.g., avocados, lemons, tangerine), nursery stock, and greenhouse berries. There are approximately 49 parcels in the study area that are a part of the Williamson Act Program and under LCA contract. None of these parcels are located in the project area (see Figure 2.2.3-4).

**Table 2.2.4-1 Ventura County Important Farmland**

IMPORTANT FARMLAND CATEGORY	DESCRIPTION	VENTURA COUNTY 2010 TOTAL (ACRES)
PRIME FARMLAND	Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.	42,420
FARMLAND OF STATEWIDE IMPORTANCE	Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to mapping date.	33,482
UNIQUE FARMLAND	Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include nonirrigated orchards or vineyards as found in some climactic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.	28,793

Source: Ventura County Important Farmland 2010 map

<sup>32</sup> [http://www.farmbureauvc.com/crop\\_report.html](http://www.farmbureauvc.com/crop_report.html)

## Impacts

### ***No-Build Alternative***

No construction activities would occur under this alternative. As a result, it would neither convert agricultural land, nor would it result in changes to existing land use in the study area. Consequently, this alternative would not result in farmland impacts.

### ***Build Alternatives***

Both of the Build Alternatives would affect the same five agricultural parcels. However, the Intersection Improvement Alternative would convert a half-acre more. Table 2.2.4-2 shows the amount of farmland that would be converted under each alternative. A total of 5 agricultural parcels would be affected by the proposed project. None of the affected parcels are under Williamson Act contract.

**Table 2.2.4-2 Farmland Conversion**

	Number of Agricultural Parcels Affected	Farmland to be Converted Directly (Acres)	Farmland to be Converted Indirectly (Acres)
<b>Intersection Improvement</b>	5	2.07	None
<b>SOS</b>	5	1.58	None

Source: Caltrans District 7, Office of Design

U.S. Department of Agriculture, National Resources Conservation Service, Farmland Conversion Impact Rating for Corridor Type Project Form, 01/31/12

All acquisitions would consist of narrow strips of land adjacent to SR-118 and SR-34. Nurseries are currently located on four of the parcels. The area that would be acquired on the remaining parcel represents less than 1 percent of the entire parcel. The maximum right-of-way width that would be required on this parcel is 21.5 feet, which would not affect agricultural production. Furthermore, these alternatives would convert less than 1 percent of total farmland in Ventura County.

Projects where farmland may be adversely affected require close coordination with the NRCS, and completion of a Farmland Conversion Impact Rating Form. The rating form provides a basis for assessing the extent of farmland impacts relative to federally established criteria. The rating form is based on a Land Evaluation and Site Assessment (LESA) system, which is a numerical system that measures the quality of farmland.

A NRCS Farmland Conversion Impact Rating was completed for the proposed project. The Farmland Conversion Impact Rating determined the relative value for agricultural production of the farmland to be converted by the proposed project as compared to other farmland in the surrounding area. The NRCS evaluates only Prime/Unique and Statewide/Local Importance classified land. The Ventura County NRCS determined that the proposed project would convert farmland having a relative value of 0. As a result, farmland impacts are considered less than significant.

### ***Construction Impacts***

Construction of the Build Alternatives would include disturbance to agricultural activities and limited access to farmland properties. These impacts would be temporary and are considered less than significant. Minimization measures will be implemented to reduce temporary construction impacts to farmland properties.

### **Avoidance, Minimization and/or Mitigation Measures**

Advanced notification and coordination with local property owners/growers would occur to minimize short-term impacts related to construction activities. Before starting work that could interfere with underground infrastructure, specifically water supplies, work must be coordinated with appropriate property owners/growers.

## **2.2.5 Relocations and Real Property Acquisition**

### **Regulatory Setting**

Caltrans' Relocation Assistance Program (RAP) is based on the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (as amended) and Title 49 Code of Federal Regulations (CFR) Part 24. The purpose of 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 C 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 (42 U.S.C. 2000d, et seq.). Please see Appendix B for a copy of the Caltrans' Title VI Policy Statement.

## **Environmental Setting**

The information in this section is based on the Relocation Impact Statement (September 21, 2009), prepared by Caltrans Right of Way Division, and on research performed by the Caltrans Division of Environmental Planning. The purpose of the Relocation Impact Statement is to provide information on the impact that the proposed project would have on residential and nonresidential occupants in the project area.

The project area is characterized by low-intensity land uses, predominantly Agricultural. Agricultural uses in the project area include farmlands, commercial nurseries, and ranches/residences. Defined communities in the study area include the town of Somis, La Cumbre Road Existing Community, and the Groves 1, 2, and 3 communities. These communities are generally set away from SR-118 and SR-34 and are isolated from each other. Downtown Somis is located along SR-34, approximately a half-mile south of the intersection. The six-square-block downtown includes a mixture of residential, commercial, and agricultural zoning. The rest of the town consists mostly of single-family residences, concentrated west of SR-34. There are also two areas in town that are zoned for light industrial/quasi-industrial activities. The La Cumbre Existing Community and the Groves 1, 2, and 3 communities are Rural designated areas, comprised entirely of single-family residences on large lot parcels. The La Cumbre Road Existing Community includes the La Cumbre Road loop and adjoining roads. It is located northeast of the SR-118/SR-34 intersection. A small number of properties within the boundaries of this community are located along SR-118. However, the majority of the community is located away from the highway.

## **Impacts**

### ***No-Build Alternative***

No construction activities would occur under this alternative. As a result, it would not require right-of-way acquisition and would not result in displacements or relocations.

### ***Build Alternatives***

The Intersection Improvement Alternative requires partial acquisition on 13 parcels. This alternative requires 2.44 acres of new right-of-way, including 0.35 acre for drainage easements on four parcels. The maximum acreage required from any parcel as a result of this alternative is 0.83 acre. The SOS Alternative requires partial acquisition on 12 parcels. This alternative requires 1.62 acre of new right-of-way, including 0.31 acre for drainage easements on four parcels. The maximum acreage required from any parcel as a result of this alternative is 0.53 acre. The Build Alternatives would affect the same properties, albeit to various extents. The

majority of affected properties support agricultural-related uses (i.e., nurseries, farmland, fruit stand, et al.). All partial acquisitions would consist of narrow strips of land adjacent to SR-118 and SR-34. Partial acquisitions would result in personal property displacement, and the potential relocation of accessory building(s). However, the size of the affected properties would allow for relocation of personal property and accessory building(s) to other portions of each respective property.

There would be one full nonresidential property acquisition as a result of both Build Alternatives. This property is located on the southwest corner of the SR-118/SR-34 intersection. The acquisition of this parcel would result in the displacement of an existing commercial operation. There are a minimal number of commercial properties for sale, rent or lease in the project area. However, the small number of displacees associated with the Build Alternatives would allow for possible relocation within the project area, as well as adequate time for relocation.

There would be no residential displacements as a result of either Build Alternative. Furthermore, neither of the Build Alternatives displace a substantial number of people. Therefore, both Build Alternatives would have no effect on housing. Minimization measures will be implemented to reduce the effects to impacted properties.

### **Avoidance, Minimization and/or Mitigation Measures**

Relocation assistance and counseling will be provided to displaced persons and businesses in accordance with the Federal Uniform Relocation Assistance and Real Properties Acquisition Policies Act, as amended, to ensure relocation for displaced persons and businesses. All eligible displacees will be eligible for moving expenses. All benefits and services will be provided equitably to all relocatees without regard to race, color, religion, age, national origins and disability as specified under Title VI of the Civil Rights Act of 1964.

Owners of property to be acquired as a result of the proposed project will be compensated for the fair market value of the property as well as damages, if any, to the remainder portion of the property in accordance with the Federal Uniform Relocation Assistance and Real Properties Acquisition Policies Act, as amended.

## 2.2.6 Utilities and Public Services

### Environmental Setting

#### ***Solid Waste***

In Ventura County, the private sector has traditionally been responsible for solid waste collection and disposal. Disposal facilities are either privately owned or owned by a special district. The Toland Road Landfill serves the project area indirectly through a transfer station. The site receives non-hazardous waste. Life expectancy for the Toland Road site is estimated at approximately 25 years at the present waste generation rate, with an estimated remaining capacity of 12.2 million tons of waste.<sup>33</sup>

#### ***Utilities***

##### Water

The project area is served by the Calleguas Municipal Water District (CMWD). The CMWD is a wholesale water agency that supplies imported State Water Project (SWP) water to over 550,000 residents of Ventura County through 22 retail water purveyors.<sup>34</sup> The water purveyor in the project area is the Ventura County Waterworks District No. 19 (District), which delivers a combination of local groundwater imported water provided by the CMWD. The District serves approximately 3,725 customers through 1,050 service connections, 302 of which are agricultural. The District currently delivers a combination local groundwater and imported water to its customers. Imported water is provided by the CMWD. In 2010, the District supplied approximately 2,610 acre-feet of water, 76% from one well and 24% from imported sources. Agricultural customers consumed approximately 74% of the total water. Domestic, commercial, industrial, and fire protection customers consumed the remaining 26%. The District's water distribution system consists of 55 mile of water lines, seven pumping stations, 15 pressure-reducing stations, and nine reservoirs storing 3.09 million gallons of water. Local water, is supplied from three groundwater wells owned and maintained by the District.<sup>35</sup>

##### Natural Gas

Southern California Gas Company supplies natural gas to all of Ventura County through a fixed transmission and distribution system. Distribution lines are located in the project area.<sup>36</sup>

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<sup>33</sup> Ventura County General Plan Public Facilities and Services Appendix.

<sup>34</sup> Calleguas Creek Watershed Management Plan, A Cooperative Strategy for Resource Management and Protection, Phase 1 Report, November 2004.

<sup>35</sup> [http://portal.countyofventura.org/portal/page/portal/PUBLIC\\_WORKS/WaterSanitation/Waterworks\\_district\\_19](http://portal.countyofventura.org/portal/page/portal/PUBLIC_WORKS/WaterSanitation/Waterworks_district_19)

<sup>36</sup> Ventura County General Plan Public Facilities and Services Appendix.

### Electricity

Ventura County is served by the Southern California Edison Company (SCE), which owns and operates generation plants, substations and transmission lines.<sup>37</sup> The SCE operates overhead transmission and distribution lines in the project area.

### Telephone and Cable Service

Telephone and cable lines are located in the project area. Telephone and cable service in the project area is provided by the following companies:

- Verizon Communications
- Ventura County Cablevision

### **Emergency Services**

#### Law Enforcement

The Ventura County Sheriff's Department (VCSD) serves the study area. There are no police stations within the project area. The closest police station is the VCSD Camarillo Station, in the City of Camarillo, located approximately 1.5 miles. There are twenty-one sworn members assigned to the unincorporated area of Ventura County. These deputies are responsible for responding to calls for service in a 136 square mile area, from Somis to Malibu. They also provide additional resources to the City of Camarillo.

#### Fire Protection

The study area is served by the Ventura County Fire Department (VCFD). Fire Station 57 is located in the project area. This station serves the Somis area and provides support to the City of Moorpark, the City of Camarillo and the Santa Rosa Valley. The Somis Fire Station is staffed daily by three firefighters and houses an engine; a brush engine; a 500-gallon potable water trailer; a light and air unit; and a utility pickup.

#### Hospitals

There are no hospitals within the study area. The closest hospital is St. John's Pleasant Valley Hospital, in the City of Camarillo, located approximately 1.5 miles. The hospital provides 24-hour emergency medical and trauma services.

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<sup>37</sup> Ventura County General Plan Public Facilities and Services Appendix.  
EIR SR-118/SR-34 Intersection Improvement Project

## **Public Facilities**

### Schools

Somis Elementary School is located in the study area, one block west of SR-34. The total enrollment at the school was 301 students for the 2009-10 school year. The school campus also houses the Somis Union School District office. A large playground and lighted fields serve both the school and community, including baseball, football and soccer leagues. The Boys and Girls Club of Camarillo's Somis Branch uses the campus Monday through Friday from 2 pm till 6 pm. In addition, 4-H groups meet on the campus weekly. Monthly Board meetings are held in the school's library.

## **Impacts**

### **No-Build Alternative**

No construction activities would occur under this alternative. Therefore, it would not affect utilities. An analysis of projected future traffic conditions under this alternative indicates that the intersection would continue to operate at LOS F in 2015 and 2035. Delay times at the intersection would increase substantially, thereby increasing congestion at this location. As a result, emergency response times are expected to increase under this alternative.

### **Build Alternatives**

Both of the Build Alternatives would result in the permanent relocation of utilities located in the project area. Utilities involved include SCE wood and steel poles, Verizon telephone poles cable pull boxes, water station facilities, water meters, water valves and water manholes. The proposed project would not require additional utilities or expansion of waste facilities. Therefore, the proposed project's affect on utilities and service systems is considered less than significant.

Both of the Build Alternatives would reduce congestion and improve overall traffic operations at the SR-118/SR-34 intersection, which would be beneficial to emergency services. Also, neither of the Build Alternatives would impair implementation of any adopted emergency response or evacuation plans. Furthermore, Somis Elementary School is not located within the project area, and would not be affected by the proposed project. As a result, the proposed project would have not affect public/recreational facilities.

### **Construction Impacts**

Construction of all the Build Alternatives would require traffic lane closures, which would potentially affect emergency services. The number of closed lanes in each direction of travel,

per individual stage construction phase would be limited to one. Traffic impacts as a result of temporary lane closures could result in delayed response times.

Materials within the project area that may become hazardous if they are intercepted or damaged during construction include the following:

- Petroleum pipelines
- High pressure gas lines

These impacts are considered less than significant. Minimization measures will be implemented to reduce these potential construction impacts.

### **Avoidance, Minimization and/or Mitigation Measures**

The potential for interruption of utility services will be considered during the design phase. Design, construction, and inspection of utilities requiring relocation or accommodate the proposed project would be completed in accordance with Caltrans requirements. Timely coordination with affected utilities would be undertaken to minimize disruption of service and to ensure that construction takes place during periods of low demand and in accordance with applicable requirements.

A Traffic Management Plan (TMP) will be prepared to identify lane closures and detour routes within the project area during construction activities. All affected emergency routes will be identified in the TMP. The TMP will be made available to the VCFD and any potentially affected fire or law enforcement agency. Emergency service providers will be notified in advance of any temporary road closures and delays so they have adequate time to make appropriate accommodation to ensure prompt emergency response times. Notification will also be given to residents, businesses, and organizations in the project area.

## **2.2.7 Traffic and Transportation/Pedestrian & Bicycle Facilities**

### **Regulatory Setting**

#### *Ventura County General Plan*

The Transportation/Circulation section of the Ventura County General Plan identifies goals, policies and programs related to roads and highways. The following goals, policies and programs regarding traffic and circulation are relevant to the proposed project:

## 4.2 Transportation/Circulation

*In order to accommodate projected traffic resulting from the implementation of the land use policies of the General Plan, improvements to the Regional Road Network and the Local Road Network will be necessary. The Regional Road Network anticipated for the year 2020 will function at an acceptable Level of Service (LOS) in the unincorporated area of the County if development occurs in accordance with the General Land Use Map at the projected rate of development. In addition to automobiles, trucks, buses and bicycles use some roads in the Regional Road Network and require accommodation where feasible.*

### 4.2.1 Goals

*Facilitate the safe and efficient movement of persons and goods by encouraging the design, construction and maintenance of an integrated transportation and circulation system consisting of regional and local roads, bus transit, bike paths, ridesharing, rail transit and freight service, airports and harbors.*

- 2. Facilitate the safe and efficient movement of persons and goods by designing, constructing , and maintaining a Regional Road Network and Local Road Network that is consistent with the County road standards and that will function at an acceptable Level of Service (LOS).*
- 7. Ensure that as discretionary development creates the need, existing roads within the Regional Road Network and Local Road Network are improved, and additional roads are needed to complement the Regional Road Network and Local Road Network are constructed, so as to keep all such roads safe and functioning at an acceptable LOS .*
- 8. Promote measures to reduce vehicle miles traveled and disperse peak traffic to better utilize the existing transportation infrastructure.*

### 4.2.3 Policies

- 2. County thoroughfares and County maintained local roads shall be designed and constructed in accordance with County road standards or better and should primarily serve in-county transportation needs. County roads should not be widened for the purpose of relieving congestion on Federal or State highways or accommodate interregional traffic that is more appropriately served by the Federal and State highway systems.*
- 3. The minimum acceptable Level of Service (LOS) for road segments and intersections within the Regional Road Network and Local Road Network shall be as follows:  
(a) LOS-“D” for all County thoroughfares and Federal highways and State highways in the unincorporated area of the County, except as otherwise provided in subparagraph (b);  
  
(b) LOS-“E” for State Route 33 between the northerly end of the Ojai Freeway and the City of Ojai, Santa Rosa Road, Moorpark Road north of Santa Rosa Road, State Route*

*34 north of the City of Camarillo and State Route 118 between Santa Clara Avenue and the City of Moorpark;*

#### *4.2.3 Programs*

- 1. The County Planning Division will periodically recommend updates to the County General Plan's Transportation/Circulation Section and the Public Facilities Map. This effort will be coordinated with the PWA Transportation Department and the Ventura County Transportation Commission which provides the Congestion Management Program.*
  
- 9. The Public Works Agency will continue to coordinate with the Port of Hueneme-Oxnard Harbor District, the cities of Port Hueneme and Oxnard, and CalTrans to ensure an adequate road network is available to accommodate project harbor related commerce.*

#### *2009 Ventura County Congestion Management Program*

The Ventura County Congestion Management Program (CMP) is a State-mandated program enacted by the State legislature. The requirements for the CMP became effective upon voter approval of Proposition 111 in 1990. The intent of the CMP legislation was to create a state transportation planning program that required local jurisdictions to assume responsibility for their land use decisions which impact the regional transportation system. The CMP provides local jurisdictions with a mechanism to link transportation and land use policies with the objective of reducing local and regional traffic congestion and improving air quality. The Ventura County Transportation Commission (VCTC) is the designated Congestion Management Agency (CMA) responsible for implementing the CMP in Ventura County. VCTC designated a CMP road network as part of the development of the first Ventura County CMP. All state routes in Ventura County are part of the CMP road network. The purpose for designating the CMP road network is to:

- Monitor the of level congestion on Ventura County's busiest highways and roads every two years as part of the CMP update process.
- Identify the most congested locations on the CMP road network.
- Remedy congestion at locations at LOS "F".

#### *Southern California Association of Governments (SCAG) 2008 Regional Transportation Plan (RTP)*

The Southern California Association of Governments (SCAG) is the Metropolitan Planning Organization (MPO) for the six-county region of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura Counties. The SCAG also serves as a Council of Governments (COG) and a Regional Transportation Planning Agency (RTPA) and is responsible for identifying

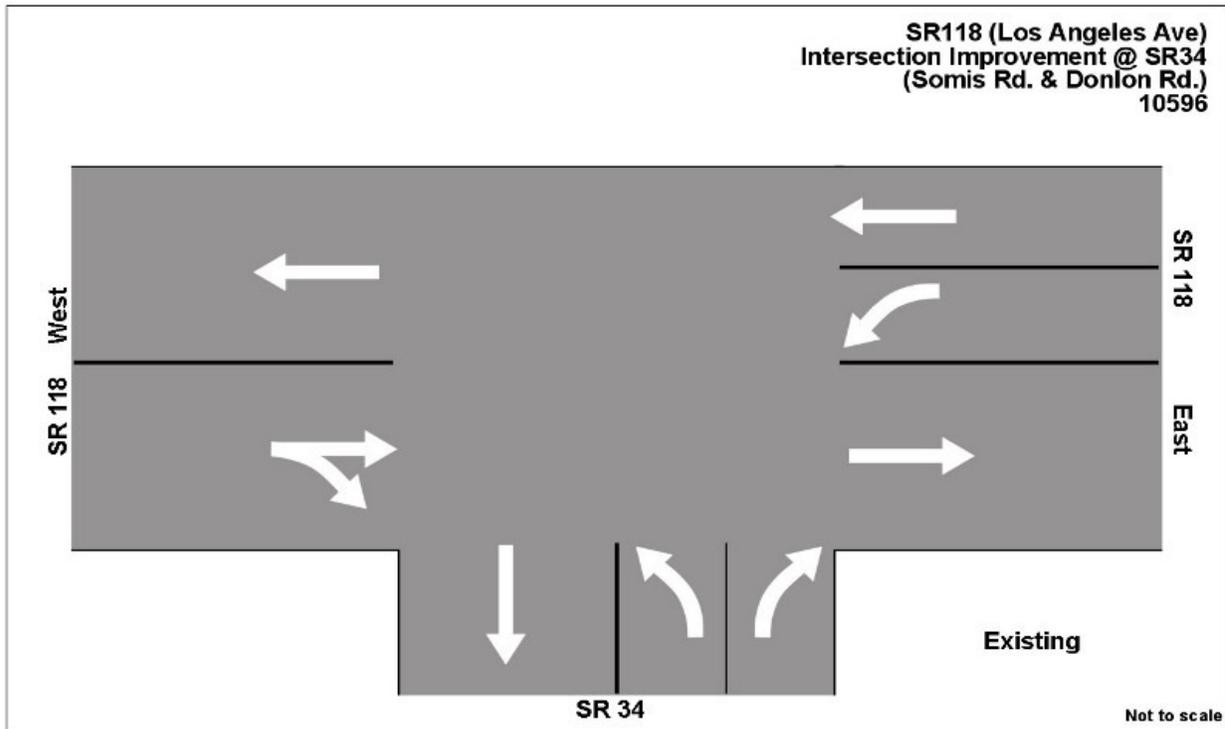
Southern California's transportation priorities through development of Regional Transportation Plans (RTP). The RTP addresses congestion concerns, identifies funding options and coordinates mobility throughout the region. In accordance with federal and state laws, SCAG develops a RTP every four years. The SCAG 2008 RTP is a 25-year plan that provides long-range regional strategies that include new construction and improvements to the existing transportation system. Projects that are in the RTP become eligible for federal and state funding, and federal environmental clearance.

### **Environmental Setting**

The information in this section is based on the Traffic Study Report (Caltrans, June 2010), prepared by Caltrans Office of Traffic Investigations, and on information provided by the Divisions of Project Management and Advanced Planning.

The SR-118/SR-34 intersection is located in the Somis area of unincorporated Ventura County, and is part of the non-freeway segment of SR-118. The segment of SR-118 within the project area is primarily a two-lane conventional highway, which travels through mostly agricultural and rural areas between the community of Saticoy and the City of Moorpark. From the project location, SR-118 provides regional connectivity to SR-23 to the east, SR-34 and US-101 to the south and SR-126 to the west. The high volume of trucks on this segment of SR-118 and the low volume on SR-23 suggest that the trucks are using a route that does not require passing through the existing Commercial Vehicle Enforcement Facilities (CVEF) on US-101, west of the SR-23. State Route 34 is primarily a two-lane conventional highway that travels between Oxnard Boulevard in the City of Oxnard through Camarillo to SR-118 in the community of Somis. Between Las Posas Rd. and SR-118, the route becomes Somis Rd. At its intersection with SR-118, SR-34 forms the south leg of the "T" intersection. State Route 118 is on the National Highway System (NHS). Both routes are on the California Freeway and Expressway System. Both routes are also part of the Ventura County Regional Road Network. According to the Ventura County General Plan, the SR-118 portion of the Regional Road Network within the project limits does not adequately meet present travel demands. Figure 2.2.6-1 shows the existing SR-118/SR-34 intersection configuration.

Figure 2.2.6-1 Existing Intersection Configuration



### ***Project Area***

Within the project limits, both SR-118 and SR-34 are two-lane conventional highways that carry one 12 ft. lane and a 4 ft. shoulder in each direction. There are no existing sidewalks in the vicinity of the SR-118/SR-34 intersection. There are sidewalks along SR-34, in the downtown Somis area. However, during multiple field visits, only minimal pedestrian activity was observed. There are no dedicated bike lanes in the project area. The only transit service in the project area is a Dial-A-Ride service, offered through the Camarillo Health Care District.

The SR-118/SR-34 intersection currently operates poorly due to high volumes and limited queuing capacity. Furthermore, the close spacing of the SR-118/Donlon Rd. intersection leads to weaving and a build-up of traffic. Motorists experience heavy traffic congestion at the intersection during both the morning and evening peak commute hours. The intersection has numerous operational deficiencies as a result of a rise in traffic volume over the years. The high volume of vehicles passing through the SR-118/SR-34 intersection during peak commute hours results in substantial delays, and is a factor in congestion-related accidents within the project area.

### ***Existing Traffic***

Existing traffic conditions, specifically congestion levels and accident rates, were analyzed at the intersection. Congestion levels were analyzed based on existing Average Daily Traffic (ADT) volumes, peak commute hour volumes, and Level of Service (LOS) ratings.

### ***Average Daily Traffic***

Average Daily Traffic (ADT) is the average number of vehicles passing a specified point during a 24-hour period. Table 2.2.6-1 shows the existing ADT and truck percentage.

**Table 2.2.6-1 Average Daily Traffic (ADT) and Truck Percentage**

	<b>WB SR-118</b>	<b>EB SR-118</b>	<b>SB SR-34</b>	<b>NB SR-34</b>
<b>ADT</b>	11,200	17,700	12,200	15,200
<b>Truck Percentage</b>	26.79	20.63	14.65	14.38

Source: State of California-Department of Transportation, Office of Advanced Planning, 03/08/2010

### ***Level of Service (LOS)***

The capacity analysis methodology for signalized intersections from the Highway Capacity Manual – 2000 Edition (HCM) was used to perform the intersection Level of Service (LOS) analysis. The capacity analysis methodology is a set of procedures for estimating the traffic-carrying ability of facilities. Accordingly, capacity analysis also estimates the maximum amount of traffic that a facility can accommodate while maintaining its prescribed level of operation. Level of Service is a qualitative measure of the effect that speed, travel time, traffic interruptions, freedom to maneuver, safety, driving comfort, convenience and operating costs have on driving conditions. Each facility type has one or more performance measures that serve as the primary determinant of LOS. Level of Service for signalized intersections is defined in terms of delay. The delay incurred by drivers, expressed in seconds, is used to define LOS since it reflects driver discomfort, frustration, energy consumption and travel time. Thus, the LOS for a given intersection is an indication of the general acceptability of delay to drivers.

The delay experienced by a motorist is made up of a number of factors that relate to control, geometry, traffic and incidents at the intersection. The total delay is defined as the difference between the actual travel time and the travel time that would result from ideal conditions; in the absence of traffic control, in the absence of geometric delay, in the absence of any incidents, and when there are no other vehicles on the road. For signalized intersection LOS, only the portion of the total delay associated with control is measured. This delay is referred to as control delay and is the portion of the total delay attributed to traffic signal operation for signalized operations. Control delay is defined as the component of delay that results when a

control signal causes a lane group to reduce speed or to stop. The six defined levels of service use letter designations from A to F, with LOS A representing the best operating conditions, and LOS F representing the worst. Each LOS represents a range of operating conditions, and the driver's perception of those conditions. Levels E and F typically are considered to be unsatisfactory. Figure 2.2.6-2 shows corresponding average vehicle delay for each LOS.

The capacity analysis methodology for signalized intersections addresses the LOS and other performance measures for lane groups and intersection approaches, as well as the LOS for the intersection as a whole. Existing LOS for the intersection is based on 2008 traffic volumes. These volumes were determined for the morning and evening peak commute hours. Peak commute hours represent the hour in which the greatest number of trips occur. Tables 2.2.6-2 and 2.2.6-3 show the existing AM and PM delay and LOS for all intersection approaches as well as the delay and LOS for the intersection.

**Table 2.2.6-2 Existing AM Peak Hour Delay and LOS**

	Approach Delay (sec.)	Approach LOS	Intersection Delay (sec.)	Intersection LOS
Eastbound SR-118	92.1	F	108.0	F
Westbound SR-118	162.7	F		
SR-34	32.5	C		

Source: State of California-Department of Transportation, Traffic Study Report, June 2010

**Table 2.2.6-3 Existing PM Peak Hour Delay and LOS**

	Approach Delay (sec.)	Approach LOS	Intersection Delay (sec.)	Intersection LOS
Eastbound SR-118	73.3	F	188.9	F
Westbound SR-118	339.0	F		
SR-34	45.8	D		

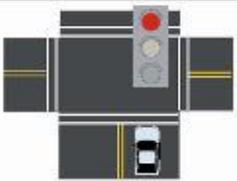
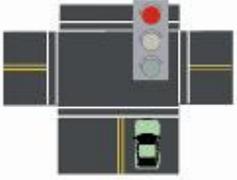
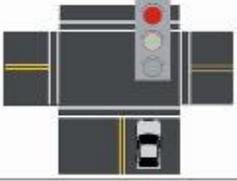
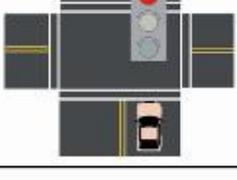
Source: State of California-Department of Transportation, Traffic Study Report, June 2010

As shown above, the traffic analysis of the existing facility indicates that the SR 118/SR 34 intersection is currently classified as LOS F with a delay of 108 (AM) and 188.9 (PM) seconds per vehicle during peak commute hours.

Figure 2.2.6-1 Delay Per Vehicle

# LEVELS OF SERVICE

for Intersections with Traffic Signals

Level of Service	Delay per Vehicle (seconds)
<b>A</b>	 $\leq 10$
<b>B</b>	 11-20
<b>C</b>	 21-35
<b>D</b>	 36-55
<b>E</b>	 56-80
<b>F</b>	 >80

- Factors Affecting LOS of Signalized Intersections**
- Traffic Signal Conditions:**
- Signal Coordination
  - Cycle Length
  - Protected left turn
  - Timing
  - Pre-timed or traffic activated signal
  - Etc.
- Geometric Conditions:**
- Left- and right-turn lanes
  - Number of lanes
  - Etc.
- Traffic Conditions:**
- Percent of truck traffic
  - Number of pedestrians
  - Etc.

Source: 2000 HCM, Exhibit 16-2, Level of Service Criteria for Signalized Intersections

### Accident Rates

During meetings held in the community of Somis, members of the community expressed concern about safety and traffic operations at the SR-118/SR-34 intersection. Traffic Accident Surveillance and Analysis System (TASAS) accident output reports of the intersection and intersection approaches were reviewed for the three-year period of April 1, 2006 to March 31, 2009. The total limits of the proposed project alternatives were considered in the accident analysis.

Table 2.2.6-4 summarizes the TASAS Selective Accident Rate Calculation (Table B) report. The report contains both the actual accident rate within the project limits and the statewide average accident rate for similar highway segments. The accident rate is expressed as a ratio between the number of collisions that occur over a set time period on a certain roadway segment and the average traffic volume traveling over the length of that segment. The calculated ratio can then be compared to ratios calculated for similar highway segments to establish the relative safeness of a given segment.

**Table 2.2.6-4 TASAS Selective Accident Rate Calculation (4/01/06-3/31/09)**

Location	Post Mile	Accident Total	Accident Rate (A/MVM)	
			Actual Rate	Average Rate
SR-118/SR-34 Intersection	10.92	14	.47	.30
SR-118 Intersection Approach	10.70-11.80	54	2.68	.77
SR-34 Intersection Approach	16.80-17.66	41	3.29	1.35
<b>A/MVM = Accidents per Million Vehicle Miles</b>				

Source: Caltrans District 7 Traffic Accident Surveillance and Analysis System (TASAS)

The TASAS Selective Accident Rate Calculation (Table B) report indicates that the accident rate, expressed in accidents per million vehicle miles (A/MVM), at the SR-118/SR-34 intersection and intersection approaches is higher than the statewide average for similar highway segments. The corresponding TASAS Selective Accident Retrieval (TSAR) report indicates that some of the safety issues at the intersection are due to traffic congestion. The TSAR report is a detailed list of accidents and/or summary for any type or types of accidents on any section of highway, any ramp or any intersection in the State Highway System. Accidents may be selected by location, highway characteristics, accident data codes or any combination of these. A typical TSAR report contains accident summary fields that include principal collision factor, environmental conditions, road condition, right of way control, type of collision, number of vehicles involved, etc.

Table 2.2.6-5 shows the accident type summary from the TSAR report reviewed for the accident analysis. The accident type summary indicates that the majority of accidents recorded within the project limits on SR-118 during the specified period involved rear end-collisions. The high percentage of rear-end type accidents occurring on SR-118 are indicative of stop-and-go traffic related to existing congested conditions. According to the TSAR report, stop-and-go traffic was a factor in 35 percent of the accidents along SR-118. The construction of the proposed project is expected to improve overall traffic operations at the SR-118/SR-34 intersection through congestion relief, which would in turn reduce the number of rear-end collisions and improve safety at this location.

**Table 2.2.6-5 TASAS Selective Accident Retrieval (4/01/063/31/09)**

Type of Accident	SR-118/SR-34 Intersection (PM 10.92)		SR-118 (PM 10.70-11.80)		SR-34 (PM 16.80-17.66)	
	Number of Accidents	Percentage	Number of Accidents	Percentage	Number of Accidents	Percentage
Head-On	0	0%	0	0%	2	4.9%
Sideswipe	3	21.4%	2	3.6%	3	7.2%
Rear End	6	42.9%	38	69.1%	11	26.8%
Broadside	0	0%	7	12.7%	7	17.1%
Hit Object	4	28.6%	7	12.7%	13	31.7%
Overturn	1	7.1%	1	1.8%	3	7.3%
Other	0	0%	0	0%	2	4.9%

Source: Caltrans District 7 Traffic Accident Surveillance and Analysis System (TASAS)

## Impacts

Traffic projections for the intersection were developed for the opening year (2015) and the horizon year (2035). The horizon year is the year for which the SCAG 2008 RTP describes the envisioned regional transportation system. Table 2.2.6-6 shows the projected 2015 and 2035 ADT. The traffic projections are based on the SCAG 2035 RTP Baseline Model.

**Table 2.2.6-6 Projected 2015 and 2035 Average Daily Traffic (ADT)**

	WB SR-118	EB SR-118	SB SR-34	NB SR-34
Projected 2015 ADT	11,250	17,750	12,250	15,250
Projected 2035 ADT	12,400	19,600	13,030	16,250

Source: State of California-Department of Transportation, Office of Advanced Planning, 03/08/2010

Future traffic conditions with implementation of all alternatives were assessed for the year 2035. Year 2035 traffic forecasts are based on existing traffic conditions and future traffic demand forecasts provided by the SCAG Regional Transportation Model. Forecasts of future traffic conditions reflect traffic increases resulting from ambient growth and traffic expected to be generated by other developments in the vicinity of the project area. Ambient growth represents normal increases in through traffic from non-development sources, such as traffic which has both origin and destination outside the project area, but nonetheless, adding to traffic congestion.

Future traffic conditions were developed using a growth ratio of 1.22 percent per year, reflecting a 22 percent growth in demand at the SR-118/SR-34 intersection from 2003 to 2035. Analysis of the No-Build Alternative is based upon the existing lane configurations and 2035 projected peak commute hour traffic volumes. The projected 2035 peak commute hour LOS and Intersection Delay for the proposed project alternatives are presented in Table 2.2.6-7.

**Table 2.2.6-7 Existing and Projected Peak Hour Delay and Level of Service (LOS)**

Alternative	AM Peak Hour		PM Peak Hour	
	Delay (sec.)	LOS	Delay (sec.)	LOS
Existing	108.0	F	188.9	F
2035 No-Build	267.5	F	315.0	F
2035 Intersection Improvement	31.6	C	35.8	D
2035 SOS	39.6	D	52.1	D

Source: State of California-Department of Transportation, Traffic Study Report, June 2010

***No-Build Alternative***

This alternative would maintain existing conditions at the SR-118/SR-34 intersection. As shown in the table above, traffic conditions at the intersection are expected to worsen without any improvements. Analysis of future traffic conditions under this alternative indicate that delay would increase substantially, thereby increasing congestion at this location. Furthermore, the intersection would continue to operate at LOS F. As a result, this alternative would conflict with the 2009 Ventura County CMP, as well as with the transportation/circulation-related goals and policies of the Ventura County General Plan.

***Build Alternatives***

Both Build Alternatives propose widening and additional left-turn turn lanes to provide additional storage capacity at the SR-118/SR-34 intersection, which would improve vehicle movements at this location. Traffic analysis results indicate that the proposed improvements under both Build Alternatives would reduce delay time during peak commute hours, and would improve LOS at the intersection to the minimum acceptable level set forth in the Ventura

County General Plan. Therefore, both Build Alternatives would be consistent with the goals, policies, and programs related to roads and highways in the Transportation/Circulation section of the Ventura County General Plan, and with the 2009 Ventura County CMP. Furthermore, neither of the Build Alternatives would result in a conflict with or preclude implementation of any adopted policies, plans or programs supporting alternative transportation. As a result, the proposed project is expected to have a beneficial effect on the Ventura County Regional Road Network and the CMP Road Network.

### ***Construction Impacts***

Construction of the proposed project would require lane closures, which could potentially result in temporary traffic delays. This impact is considered less than significant. Minimization measures will be implemented to reduce this potential construction impact.

### **Avoidance, Minimization and/or Mitigation Measures**

A Traffic Management Plan (TMP) would be incorporated during construction to minimize potential construction impacts. The TMP would identify lane closures and detour routes within the project area during construction activities. All affected emergency routes will be identified in the TMP. The TMP will be made available to emergency service providers. Emergency service providers will be notified in advance of any temporary road closures and delays so they have adequate time to make appropriate accommodation to ensure prompt emergency response times. Notification will also be given to residents, businesses, and organizations in the project area. The TMP would also consist of the following:

- Construction information flyers
- Portable Changeable Message Signs
- Ground mounted construction signs

A Construction Zone Enhanced Enforcement Program (COZEEP) would be implemented as part of the TMP. The COZEEP is a Statewide Interagency Agreement between Caltrans and the California Highway Patrol (CHP). It enables Caltrans to hire CHP officers and vehicles to patrol project construction zones.

## 2.2.8 Visual/Aesthetics

### Regulatory Setting

The California Environmental Quality Act establishes that it is the policy of the state to take all action necessary to provide the people of the state “with...enjoyment of *aesthetic*, natural, scenic, and historic environmental qualities.” [California Public Resources Code Section 21001(b)].

### Environmental Setting

The information in this section is based on the Visual Impact Assessment (VIA) (March 2010) completed by Caltrans Division of Landscape Architecture. The regional landscape establishes the general visual environment of the project area, but the specific visual environment upon which the assessment focused on was confined to the identified landscape units and project viewshed.

A landscape unit is a portion of the regional landscape and can be thought of as an outdoor room that exhibits a distinct visual character. A landscape unit will often correspond to a place or district that is commonly known among local viewers. A viewshed is a subset of a landscape unit and is comprised of all the surface areas visible from an observer’s viewpoint. The limits of a viewshed are defined as the visual limits of the views located from the proposed project. The viewshed also include the locations of viewers likely to be affected by visual changes brought about by project features.

The proposed project is in a rural agricultural area with open vistas. The surrounding terrain is a valley floor and generally flat. South Mountain and Camarillo Hills are intermittently visible in the distance at some points along SR-118 and SR-34. The nearby mountain ranges are partially visible but obstructed by structures and tree windrows. Residential, commercial and agricultural-related structures are interspersed throughout the project area. Agricultural tree windrows are generally perpendicular to SR-118 and are prominent elements in the landscape. Coyote Canyon traverses SR-118, approximately 200 ft. east of SR-34, and is slightly visible from the highway.

State Route 118 is shown as eligible for county scenic highway status in the Ventura County General Plan Designated and Eligible Scenic Highways Map. However, the portion of the highway within the project area is not currently listed as eligible for or officially designated route in the California Scenic Highway Program. Furthermore, the project area is not identified

as a Scenic Resource Area in the Ventura County General Plan and is not subject to the Scenic Resource Overlay Zone of the Non-Coastal Zoning Ordinance.

The natural and agricultural features and patterns in the project area were determined to be reasonably attractive and interesting, but not visually distinctive or unusual within the regional area. The project area is considered to be rural agricultural in character and of moderate visual quality. Community members have expressed a desire to maintain the rural character of the area.

### ***Viewer Groups***

Project viewers fall into two categories: those using the highway and those looking toward it. The study corridor contains four viewer groups: motorists, residents, pedestrians and recreational users. Methods of predicting how viewers might react to visual changes brought about by the project are based on viewer sensitivity and viewer exposure. Viewer sensitivity is defined as both the viewer's concern for scenic quality and the viewer's response to change in the visual resources that make up the view. Viewer exposure is typically assessed by measuring the number of viewers exposed to the resource change, type of viewer activity, duration of their view, speed at which the viewer moves, and position of the viewer. For each viewer group, the predicted response to visual change is described below in relationship to viewer sensitivity and viewer exposure.

#### **Motorist Viewer Group**

The motorist viewer group consists of commuters, local residents, and travelers. A motorist's awareness of surrounding views varies based on travel speed, purpose of the drive and the scenic quality of surrounding views. Frequently traveling through the area, commuters are primarily focused on the commute and the task of navigating through traffic. Commuters usually consider views as a secondary focus. Commuters and residents gain familiarity with surrounding views through repetitive exposure. Unlike local residents, commuters do not have the same sense of ownership and awareness of views because they do not reside within that environment. Travelers have less familiarity with existing views, yet, because they are generally traveling at a slower pace, they tend to focus on the visual environment.

#### **Resident Viewer Group**

The resident viewer group includes people who may have views of the project area from their homes, place of business or employment. Residents have a high level of exposure to the visual environment and high visual awareness. Unlike motorists, residents are stationary and usually have more time to take in their surrounding views at a fairly leisurely pace. They observe the visual environment on a daily basis and for an extended period of time. They become very familiar with the local environment and may take ownership of it. Residents are highly

sensitive to visual changes, particularly if the changes occur within close proximity to their homes, place of business, employment or if changes include displacement of nearby residences and/or important visual features.

### *Pedestrian Viewer Group*

Similar to residents, pedestrians have a high level of exposure to the visual environment and a high level of awareness. It is anticipated that a majority of pedestrian traffic for the proposed project is comprised of people who are local in the area: employees, residents or students. This viewer group may have some sense of ownership over the existing environment. Pedestrians tend to be more aware of the visual environment because of their immediate and tangible experience of moving through it. Pedestrians are normally traveling at a slow speed and therefore have more opportunity to view the surrounding area. Even for those pedestrians whose primary purpose is to travel from point A to point B, their slower travel of speed and tangible physical experience of the surrounding environment causes them to be highly sensitive to visual changes.

### ***Visual Impact Assessment***

The visual effects of the proposed project was determined by assessing the visual resource change due to the project and predicting the viewer response to that change. To determine the visual resource change, the compatibility of the Build Alternatives with the visual character of the existing landscape was assessed. Also, a comparison was made between the visual quality of the existing resource and the projected visual quality after construction of the selected alternative.

Visual quality was evaluated at each key viewpoint by identifying the vividness, intactness and unity present in the viewshed. The three criteria for evaluating visual quality can be defined as follows:

- **Vividness** is the visual power or memorability of landscape components as they combine in distinctive visual patterns.
- **Intactness** is the visual integrity of the natural and built landscape and its freedom from encroaching elements. It can be present in well-kept urban and rural landscapes, as well as in natural settings.
- **Unity** is the visual coherence and compositional harmony of the landscape considered as a whole. It frequently attests to the careful design of individual man-made components in the landscape.

Viewer response to the changes in the visual resources at key viewpoints was assessed using the following criteria:

- **Low:** Minor adverse change to the existing visual resource, with low viewer response to the change in the visual environment.
- **Moderate:** Moderate adverse change to the visual resource with moderate viewer response.
- **Moderately High:** Moderate adverse visual resource change with high viewer response or high adverse visual resource change with moderate viewer response.
- **High:** A high level of adverse change to the resource or a high level of viewer response; or high level of viewer response to visual change such that architectural design and landscape treatment cannot mitigate the impacts.

### ***Key Viewpoints***

Because it is not feasible to analyze all the views in which the Build Alternatives would be seen, a number of key viewpoints that would most clearly display the visual effect of each alternative were selected. Key viewpoints also represent the primary viewer groups that would potentially be affected by the project. Key Viewpoints 1 through 3 were chosen to assess the visual effects for the Build Alternatives.

#### ***Key Viewpoint 1***

Key viewpoint 1 is west of the SR-118/SR-34 intersection, looking east on SR-118. Figure 2.2.7-1 shows the existing view at this location. Presently, several nurseries, a flower shop and a water garden business occupy the area in the vicinity of the intersection. Existing metal beam guardrail can be seen on both sides of SR-118 at the location where Coyote Canyon Creek traverses the roadway. Utility poles, lighting, and signs clutter the existing view. Vividness is seen as having a moderate visual quality because elements form perceivable patterns (i.e, line, color, texture) and the view is somewhat memorable. However, the multiple utility lines in the line of sight clutter the viewshed, resulting in a rating of moderate to low visual quality for intactness and unity.

**Figure 2.2.7-1 SR-118/SR-34 Intersection Existing Condition (Looking East)**



**Key Viewpoint 2**

Key viewpoint 2 is south of the SR-118/SR-34 intersection on SR-34, looking north on SR-34. Figures 2.2.7-2 through 2.2.7-4 show the existing view at this location. Utility poles, lighting and signs clutter the existing view. Mature trees and vegetation are seen in the background and provide a visible screen. The Santa Susana Mountains can be seen in the background, northwest of the SR-118/SR-34 intersection. Vividness is seen as having a moderate visual quality because elements form perceivable patterns (i.e, line, color, texture) and the view is somewhat memorable. However, multiple utility lines in the line of sight clutter the viewshed, resulting in a rating of moderate to low visual quality for intactness and unity.

**Figure 2.2.7-2 SR-118/SR-34 Intersection (Looking North)**



**Figure 2.2.7-3 SR-34 Approach (Looking Northeast)**



**Figure 2.2.7-4 SR-34 Approach (Looking Northwest)**



**Key Viewpoint 3**

Key viewpoint 3 is east of the SR-118/SR-34 intersection on SR-118, looking west on SR-118. This viewpoint was chosen to assess the visual effect of both Build Alternatives. Figures 2.2.7-5 shows the existing view at this location. Utility poles, lighting, metal beam guard rails and signs clutter the existing view. Presently, several nurseries, a flower shop and a water garden business occupy the area adjacent to the intersection. Mature trees set in a windrow are seen in the background and provide a visible screen to the adjacent agricultural land. Vividness is seen as having a moderate visual quality because elements form perceivable patterns (i.e, line, color, texture) and the view is somewhat memorable. However, the multiple utility lines in the line of sight clutter the viewshed, resulting in moderate to low visual quality for intactness and unity.

**Figure 2.2.7-5 SR-118/SR-34 Intersection Existing Condition (Looking West)**



## **Impacts**

### ***No-Build Alternative***

No construction activities would occur under this alternative. Therefore, this alternative would not result in impacts to the existing visual setting.

### ***Build Alternatives***

Both of the Build Alternatives would affect the existing visual setting. The rural character of the project area is expected to remain of moderate quality under both Build Alternatives.

### **Key Viewpoints 1, 2, and 3**

The visual effects at Key Viewpoints 1, 2, and 3 are similar for both Build Alternatives. Changes in the views under both alternatives would be from the motorist perspective (view of the road), rather than views to the road. The motorists' view would be affected by the loss of vegetation in Coyote Canyon and on a proposed cut slope on the north side of SR-118. However, this effect will be reduced with implementation of minimization measures. Foreground views of agricultural lands and views of the road that include background vistas of

the Santa Susana Mountains would not change in quality as a result of the additional lanes proposed for either alternative. Both alternatives would include the removal of two buildings on the southwest corner of the SR-118/SR-34 intersection. The removal of these buildings would open up this viewshed for motorists, resulting in an improvement in visibility and motorists' line of sight. The visual effects of the Build Alternatives are not considered adverse.

### **Avoidance, Minimization and/or Mitigation Measures**

Visual effects as a result of the proposed project would be reduced with implementation of the following minimization measures:

- Proposed cut slopes would be terraced or cut at a slope ratio no greater than 2:1.
- Disturbance to Coyote Canyon should be limited. Vegetation that is removed would be replaced native vegetation found within this particular region where space allows, and where necessary, irrigation would be installed.

## **2.2.8 Cultural Resources**

### **Regulatory Setting**

“Cultural resources” as used in this document refers to all historical and archaeological resources, regardless of significance. Laws and regulations dealing with cultural resources include:

The National Historic Preservation Act of 1966, as amended, (NHPA) sets forth national policy and procedures regarding historic properties, defined as districts, sites, buildings, structures, and objects included in or eligible for the National Register of Historic Places. Section 106 of NHPA requires federal agencies to take into account the effects of their undertakings on such properties and to allow the Advisory Council on Historic Preservation the opportunity to comment on those undertakings, following regulations issued by the Advisory Council on Historic Preservation (36 CFR 800). On January 1, 2004, a Section 106 Programmatic Agreement (PA) between the Advisory Council, FHWA, State Historic Preservation Officer (SHPO), and Caltrans went into effect for Caltrans projects, both state and local, with FHWA involvement. The PA implements the Advisory Council's regulations, 36 CFR 800, streamlining the Section 106 process and delegating certain responsibilities to the Caltrans. The FHWA's responsibilities under the PA have been assigned to Caltrans as part of the Surface Transportation Project Delivery Pilot Program (23 CFR 327) (July 1, 2007).

Historical resources are considered under the California Environmental Quality Act (CEQA), as well as California Public Resources Code (PRC) Section 5024.1, which established the California Register of Historical Resources. PRC Section 5024 requires state agencies to identify and protect state-owned resources that meet National Register of Historic Places listing criteria. It further specifically requires California to inventory state-owned structures in its rights-of-way.

## **Environmental Setting**

In order to identify cultural resources located within and/or in the vicinity of the project area, an Archaeological Survey Report (ASR) (February 2009), an Archaeological Extended Phase I Report (June 2010) and a Supplemental Historic Property Survey Report (HPSR) (January 2011) were prepared by the Caltrans District 7, Division of Environmental Planning, Cultural Studies Branch.

An HPSR was prepared by the Caltrans Division of Environmental Planning for the proposed project in December 1998. The ND/FONSI (Caltrans, 2000) for the proposed project presented the findings from the original HPSR (Caltrans, December 1998) that no cultural resources located within the Area of Potential Effects (APE) met the criteria for eligibility in the National Register of Historic Properties and/or the California Register of Historic Places. The APE is the area within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, should any be present. Undertaking, as defined by the 1992 amendments to the NHPA, means any project, program, or activity with federal funding or under the direct or indirect jurisdiction of a federal agency, including federal license, permit, or approval, or administered pursuant to federal agency delegation or approval. The State Historic Preservation Office (SHPO) concurred with the findings in the original HPSR (Caltrans, December 1998).

The APE established for the proposed project in the original HPSR (Caltrans, December 1998) considered all of the Build Alternatives, except for the Somis Bypass Alternative. The APE established for the proposed project in the Supplemental HPSR (January 2011) was expanded in order to consider all alternatives. The APE for the proposed project incorporates the maximum existing or proposed right-of-way currently under consideration, easements, proposed right-of-way acquisitions, and any area where ground disturbance may occur during construction activities.

Caltrans identified and invited interested persons to provide information on cultural resources. Interested persons are defined as organizations and individuals that are concerned with the effects of an undertaking on historic properties. Coordination with interested persons occurred

in the form of contact letters and several public meetings. An Alternatives Workshop and a Community Meeting were held on Thursday, May 7, 2009 and Wednesday, August 26, 2009 at the Somis School Auditorium. The Alternatives Workshop was advertised in the Ventura County Star and over 150 invitations were sent to local government agencies, organizations and the public before each of these public meetings. Parties consulted through contact letters during cultural resource identification efforts included the following:

- Ventura County Cultural Heritage Board
- Pleasant Valley Historical Society
- San Buenaventura Conservancy
- Museum of Ventura County
- Native American Heritage Commission
- Native American Tribes, Groups, and Individual

In addition to coordination with interested persons, cultural resource identification efforts also included a records search of the expanded APE. The records search included the following sources:

- National Register of Historic Places
- California Register/Inventory of Historic Places
- California Historical Landmarks
- California Points of Historical Interest
- State Historic Resources Commission
- Archaeological Site Records

The records search resulted in one recorded archaeological site near or within the expanded APE. However, due to past construction in the area, the site may have been damaged or destroyed. An Archaeological Extended Phase I investigation was conducted to determine the presence or absence of subsurface cultural material within the expanded APE and ascertain the degree of disturbance to the identified cultural resource. The Archaeological Extended Phase I Report (Caltrans, June 2010) concluded that it is highly unlikely that any cultural resources exist within the proposed project APE. Consultation and identification efforts for the proposed

project also resulted in the identification of one new cultural resource within the expanded APE that required formal evaluation. Cultural resources previously determined not eligible for inclusion in the National Register of Historic Places and/or California Register of Historic Places in the original HPSR (Caltrans, December 1998) were resurveyed for the purpose of the Supplemental HPSR (Caltrans, January 2011).

### **Impacts**

Caltrans has determined that a finding of no impact is appropriate because there are no historical resources within the project area limits, or there are no impacts to historical resource(s), pursuant to CEQA Guidelines § 15064.5(b)(3). Furthermore, a determination was made in the Supplemental HPSR (Caltrans, January 2011) that neither the previously identified cultural resources nor the newly identified cultural resource are eligible for the National Register of Historic Places and/or the California Register of Historic Places. A determination was also made that there are no State-owned cultural resources within the proposed project APE. As a result, the proposed project would not result in impacts to cultural resources. Avoidance and minimization measures are included in the event that cultural resources are discovered during construction activities.

### **Avoidance, Minimization and/or Mitigation Measures**

Should buried cultural materials be encountered during construction, work within and around the immediate discovery area must stop until a qualified archaeologist can evaluate the nature and significance of the find. If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and the county coroner shall be contacted. Pursuant to Public Resources Code Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission, which will then notify the Most Likely Descendent (MLD). The Caltrans, District 7, Division of Environmental Planning, Cultural Studies Branch shall also be contacted. Further provisions of Public Resources Code 5097.98 are to be followed as applicable.



## **2.3 Physical Environment**

### **2.3.1 Hydrology and Floodplain**

#### **Regulatory Setting**

Executive Order 11988 (Floodplain Management) directs all federal agencies to refrain from conducting, supporting, or allowing actions in floodplains unless it is the only practicable alternative. The Federal Highway Administration requirements for compliance are outlined in 23 CFR 650 Subpart A.

In order to comply, the following must be analyzed:

- The practicability of alternatives to any longitudinal encroachments
- Risks of the action
- Impacts on natural and beneficial floodplain values
- Support of incompatible floodplain development
- Measures to minimize floodplain impacts and to preserve/restore any beneficial floodplain values impacted by the project.

The base floodplain is defined as “the area subject to flooding by the flood or tide having a one percent chance of being exceeded in any given year.” An encroachment is defined as “an action within the limits of the base floodplain.”

#### **Environmental Setting**

The information in this section is based on the Location Hydraulic Study (LHS) (August/September 2010), prepared by the Caltrans Office of Hydraulics, and on research performed by the Caltrans Division of Environmental Planning.

The proposed project is located in the upper northwest portion of the Calleguas Creek Watershed. The term watershed describes an area of land in which waters drain down slope, along a drainage to a lowest point or basin. The water drains via a network of surface and underground drainage pathways, and generally these pathways merge into a stream or river system that becomes progressively larger as the water moves downstream. Watersheds can vary in size, and every stream, tributary or river has an associated watershed. The Calleguas Creek

Watershed covers an area of 341 square miles and is comprised of three major drainage systems that run from northeast to southwest toward the Pacific Ocean. The longest of these drainage systems is the Arroyo Simi/Arroyo Las Posas/Calleguas Creek system. Calleguas Creek Reach 6 is immediately adjacent to the project area, south of the Union Pacific Railroad (UPRR), approximately 0.5 mile from the intersection. The upstream limit of Reach 6 is Moorpark Road. The downstream limit is at the confluence of Calleguas Creek and Conejo Creek.<sup>38</sup> Calleguas Creek is known as Arroyo Las Posas in this area. Minor tributaries to Arroyo Las Posas within the project area include Coyote Canyon..

The project area is included on the FEMA Flood Insurance Rate Map, Community Panel Number 06111C0813, shown in Figure 2.3.1-1. Coyote Canyon is shown as FEMA designated Zone A 100-year floodplains. Zone A areas are subject to inundation by the 1 percent annual chance flood event generally determined using approximate methodologies.<sup>39</sup> The 1 percent annual chance flood is also referred to as the base flood or 100-year flood.<sup>40</sup>

The Coyote Canyon Debris Basin is located upstream from SR-118, approximately 650 ft. northwest of the existing SR-118/SR-34 intersection. This facility is owned and maintained by the Ventura County Watershed Protection District (VCWPD). The debris basin intercepts and controls flows from Coyote Canyon. Information furnished by the VCWPD estimates the 100-year runoff to this facility to be 4,300 cubic feet per seconds (cfs) from a 5,000-acre drainage area. Based on discussions with the VCWPD and Caltrans Field Maintenance, there are no records of overtopping of this basin. Flows are conveyed under SR-118 by means of an existing 10 feet x 11 feet reinforced concrete arch culvert. The hydraulic capacity of this culvert has been reduced to nearly 50 percent as a result of sediment and silt build-up. The culvert is expected to function efficiently with improvements, including cleaning and lining.

## Impacts

### ***No-Build Alternative***

Existing conditions would remain under this alternative. As a result, it would have no effect on the hydrology of the area.

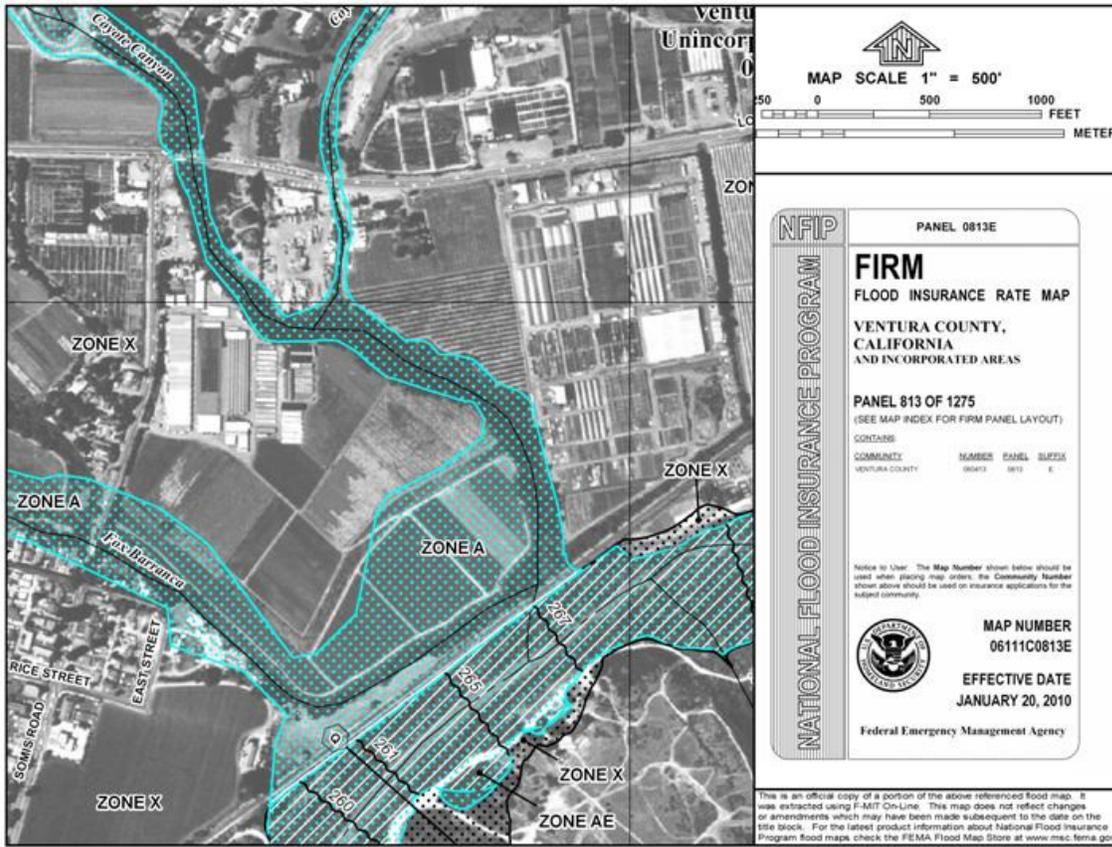
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<sup>38</sup> Ventura County Watershed Protection District. Calleguas Creek Integrated Watershed Protection Plan Phase II Management Strategy Study, April 2010.

<sup>39</sup> [http://www.fema.gov/plan/prevent/floodplain/nfipkeywords/zone\\_a.shtm](http://www.fema.gov/plan/prevent/floodplain/nfipkeywords/zone_a.shtm)

<sup>40</sup> [http://www.fema.gov/plan/prevent/floodplain/nfipkeywords/flood\\_zones.shtm](http://www.fema.gov/plan/prevent/floodplain/nfipkeywords/flood_zones.shtm)

Figure 2.3.1-1 Flood Insurance Rate Map



**LEGEND**

**SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD**

The 1% annual flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently identified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

**FLOODWAY AREAS IN ZONE AE**  
The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

**OTHER FLOOD AREAS**  
**ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

**OTHER AREAS**  
**ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.  
**ZONE D** Areas in which flood hazards are undetermined, but possible.

**COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS**

**OTHERWISE PROTECTED AREAS (OPAs)**

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

- 1% annual chance floodplain boundary
- 0.2% annual chance floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
- Base Flood Elevation line and value; elevation in feet\*
- Base Flood Elevation value where uniform within zone; elevation in feet\*

- \* Referenced to the North American Vertical Datum of 1988
- ⊕ ⊖ Cross section line
- ⊕ ⊖ Transsect line
- 87°07'45", 32°22'30" Geographic coordinates; referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
- 176°00'N 1000-meter Universal Transverse Mercator grid values, zone 11
- 600000 FT 5000-foot grid ticks; California State Plane coordinate system, zone V (FIPSZONE 0405), Lambert Conformal Conic projection
- DX5510 x Bench mark (see explanation in Notes to Users section of this FIRM panel)
- M1.5 River Mile

**MAP REPOSITORY**  
Refer to listing of Map Repositories on Map Index

**EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP**  
January 20, 2010

**EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL**

### ***Build Alternatives***

Hydraulic and floodplain risks are considered to be low for both Build Alternatives. Both propose to extend the SR-118 arch culvert for Coyote Canyon on the upstream and downstream side to accommodate roadway widening. The maximum hydraulic capacity of this culvert before overtopping of the roadway is estimated to be 3,000 cfs. Overtopping of the roadway is not expected to occur because the maximum outflow of the Coyote Canyon Debris Basin is regulated by spillway to 1,860 cfs. Furthermore, neither of these alternatives would alter the existing drainage pattern of the area. Therefore, the proposed project would have no effect on the hydrology of the area.

### **Avoidance, Minimization and/or Mitigation Measures**

The proposed project would have no effect on the hydrology of the area.

## **2.3.2 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 source unlawful unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. Known today as the Clean Water Act (CWA), Congress has amended it 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. Important CWA sections are:

- Sections 303 and 304 require states to promulgate water quality standards, criteria, and guidelines.
- Section 401 requires an applicant for a federal license or permit to conduct any activity, which 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. (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 U.S. This permit program is administered by the U.S. Army Corps of Engineers (USACE).

The objective 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: Standard and General 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 authorize a variety of minor project activities with no more than minimal effects.

There are two types of Standard permits: Individual permits and Letters of Permission. Ordinarily, projects that do not meet the criteria for a Nationwide Permit may be permitted under one of USACE’s Standard permits. For Standard permits, the USACE decision to approve is based on compliance with U.S. EPA’s Section 404 (b)(1) Guidelines (U.S. EPA CFR 40 Part 230), and whether permit approval is in the public interest. The Section 404(b)(1) Guidelines were developed by the U.S. EPA in conjunction with 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 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 significant adverse environmental consequences. Per 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 Water Code)***

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 (WDRs) 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 regarding water quality standards in a project area are contained in the applicable RWQCB Basin Plan. States designate beneficial uses for all water body segments, and then set criteria necessary to protect these uses. Consequently, the water quality standards developed for particular water segments are based on the designated use and vary depending on such use. In addition, each state identifies waters failing to meet standards for specific pollutants, which 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 controls, the CWA requires the establishment of Total Maximum Daily Loads (TMDLs). 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, water pollution control, and water quality functions throughout the state. RWQCBs are responsible for protecting beneficial uses of water resources within their regional jurisdiction using planning, permitting, and enforcement authorities to meet this responsibility.

### **National Pollution Discharge Elimination System (NPDES) Program**

#### ***Municipal Separate Storm Sewer Systems***

Section 402(p) of the CWA requires the issuance of NPDES permits for five categories of storm water dischargers, including Municipal Separate Storm Sewer Systems (MS4s). The U.S. EPA defines an MS4 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 are designed or used for collecting or conveying storm water. The SWRCB

has identified Caltrans as an owner/operator of an MS4 by the SWRCB. This permit covers all Caltrans 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, under revision at the time of this update, contains three basic requirements:

1. Caltrans must comply with the requirements of the Construction General Permit (see below);
2. Caltrans must implement a year-round program in all parts of the State to effectively control storm water and non-storm water discharges; and
3. Caltrans storm water discharges must meet water quality standards through implementation of permanent and temporary (construction) Best Management Practices (BMPs) and other measures.

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 proposed project will be programmed to follow the guidelines and procedures outlined in the latest SWMP to address storm water runoff.

Part of and appended to the SWMP is the Storm Water Data Report (SWDR) and its associated checklists. The SWDR documents the relevant storm water design decisions made regarding project compliance with the MS4 NPDES permit. The preliminary information in the SWDR prepared during the Project Initiation Document (PID) phase will be reviewed, updated, confirmed, and if required, revised in the SWDR prepared for the later phases of the project. The information contained in the SWDR may be used to make more informed decisions regarding the selection of BMPs and/or recommended avoidance, minimization, or mitigation measures to address water quality impacts.

### *Construction General Permit*

Construction General Permit (Order No. 2009-009-DWQ), adopted on September 2, 2009, became effective on July 1, 2010. The permit regulates storm water discharges from construction sites which 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 results 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 apply according to 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 the Caltrans' Standard Specifications, a Water Pollution Control Plan (WPCP) is necessary for projects with DSA less than one acre.

### *Section 401 Permitting*

Under Section 401 of the Clean Water Act (CWA), any project requiring a federal license or permit that may result in a discharge to a water body 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 U.S. Army Corps of Engineers (USACE). The 401 permit certifications are obtained from the appropriate Regional Water Quality Control Board (RWQCB), dependent on the project location, and are required before 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 Waste Discharge Requirements (WDRs) under the State Water Code 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.

## Environmental Setting

The information in this section is based on the Storm Water Data Report (Caltrans, April 2011) prepared by the Caltrans Office of Design; the preliminary Hazardous Waste Assessment (December, 2008), Environmental Site Assessment (ESA) (August, 2009), and Hazardous Waste MEMO (July, 2010), prepared by Caltrans Office of Environmental Engineering and Corridor Studies, Hazardous Waste Branch; and on research performed by the Division of Environmental Planning.

The proposed project is located in the upper northwest portion of the Calleguas Creek Watershed. The term watershed describes an area of land in which waters drain down slope, along a drainage to a lowest point or basin. The water drains via a network of surface and underground drainage pathways, and generally these pathways merge into a stream or river system that becomes progressively larger as the water moves downstream. Watersheds can vary in size, and every stream, tributary or river has an associated watershed. The Calleguas Creek Watershed covers an area of 341 square miles and is comprised of three major drainage systems that run from northeast to southwest toward the Pacific Ocean. The longest of these drainage systems is the Arroyo Simi/Arroyo Las Posas/Calleguas Creek system.

Historically, Calleguas Creek and its tributaries were intermittent and flowed seasonally from its headwaters near the City of Simi Valley onto the Oxnard Plain. Due to development, Calleguas Creek is now primarily a perennial stream predominantly fed continuously by treated wastewater flows, with secondary surface flows originating from rising groundwater, agricultural and urban runoff, and periodic stormwater flows.<sup>41</sup> Most of the surface waters within the Calleguas Creek Watershed have been identified as impaired, as defined by the U.S. EPA's 303(d) list, meaning that conditions are inadequate to support beneficial uses. Impaired uses include drinking water, aquatic life support, and recreation<sup>42</sup>.

Calleguas Creek Reach 6 is immediately adjacent to the project area, south of the Union Pacific Railroad (UPRR), approximately 0.5 mile from the intersection. The upstream limit of Reach 6 is Moorpark Road. The downstream limit is at the confluence of Calleguas Creek and Conejo Creek.<sup>43</sup> Calleguas Creek is known as Arroyo Las Posas in this area. Minor tributaries to Arroyo Las Posas within the project area include Coyote Canyon. Calleguas Creek Reach 6 listed on the Regional Board Approved 2006 303(d) list. Calleguas Creek Reach 6 is impaired with the following pollutants: Ammonia, Chlordane, Chloride, Chlorypyrifos, DDT (sediment), Diazinon, Dieldrin, Fecal Coliform, Nitrate and Nitrite, Nitrate as Nitrate(NO<sub>3</sub>),

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<sup>41</sup>[http://portal.countyofventura.org/portal/page/portal/PUBLIC\\_WORKS/Watershed\\_Protection\\_District/Watersheds/Calleguas\\_Creek](http://portal.countyofventura.org/portal/page/portal/PUBLIC_WORKS/Watershed_Protection_District/Watersheds/Calleguas_Creek)

<sup>42</sup> <http://www.calleguas creek.org/ccwmp/2b.asp>

<sup>43</sup> Ventura County Watershed Protection District. Calleguas Creek Integrated Watershed Protection Plan Phase II Management Strategy Study, April 2010.

Sedimentation/Siltation, Sulfates, Toxicity and Total Dissolved Solids (TDS). Pollutants of concern include chloride, sulfates, TDS, fecal coliform, sedimentation/siltation, and boron.

### **Established Total Maximum Daily Loads (TMDL)**

Section 303(d) also specifically requires the State to develop a list of impaired water bodies, investigate the causes of impairment(s) and set subsequent numeric Total Maximum Daily Loads (TMDL). The Calleguas Creek watershed is currently under an adopted TMDL order. A TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive while still meeting water quality objectives and protecting beneficial uses. There are five established TMDL within the Calleguas Creek Watershed.

### **Nitrogen Compounds and Related Effects**

The Calleguas Creek Nitrogen Compounds and Related Effects TMDL became effective July 16, 2003. The TMDL requires the Calleguas Creek Watershed Management Plan Subcommittees to submit a Monitoring Work Plan and complete several special studies including planning and preparation of construction for TMDL remedies to reduce Nitrogen loads. Caltrans is actively participating in the Subcommittee and working toward compliance of the TMDL. Caltrans' monitoring data depicts its discharges to be below the TMDL limits, thus no additional measures are needed to be considered for meeting the conditions of the Nitrogen TMDL.

### **Organochlorine (OC) Pesticides and Polychlorinated Biphenyl (PCB)/Toxicity, Chlorpyrifos and Diazinon**

The Calleguas Creek Watershed OC Pesticides and PCBs TMDL and the Toxicity, Chlorpyrifos and Diazinon TMDL became effective March 24, 2006. Caltrans is working with other Responsible Agencies to jointly comply with the TMDL requirements.

### **Metals and Selenium**

The Calleguas Creek Watershed Metals and Selenium TMDL became effective March 26, 2007. The TMDL assigns waste load allocations to the Permitted Stormwater Dischargers (PSD) that include the MS4 Permittees, Caltrans, and others. The PSD are required to achieve final dry and wet weather waste load allocations in 15 years. Caltrans is working with a group of Responsible Agencies to jointly comply with the TMDL.

### **Boron, Chloride, Sulfate and Total Dissolved Solids (Salts)**

The Calleguas Creek Watershed Chloride, Sulfate and TDS TMDL became effective December 2, 2008. The TMDL assigns interim and final Dry Weather waste load allocations (WLA) to the PSD for Chloride, TDS, Sulfate, and Boron. The PSD are required to achieve the interim

WLAs in a progressive manner and to meet the final WLAs in 15 years. Caltrans is not named in the TMDL.

**Groundwater Resources**

The proposed project is located within the East Las Posas Groundwater Basin. The vast majority of groundwater extraction in this basin is by agricultural operators. Based on the 2009 Groundwater Section Annual Report, prepared by the Ventura County Watershed Protection District, seven wells were utilized to measure water quality within this basin. Two wells located in the southwestern portion of the basin have demonstrated high levels of TDS, sulfate and manganese, which were above the maximum contamination level (MCL) for drinking water. Groundwater depths from the upper water bearing unit vary from 120 – 150 ft., while depths measured from the lower unit vary from 530 – 580 ft. The remainder of the wells tested proved to be of good quality for drinking water. There are no groundwater percolation facilities within the project area. Groundwater in the vicinity of the SR-118/SR-34 intersection is contaminated as a result of past activities on the property at the southwest corner of the intersection. Groundwater levels are close to 30 feet below ground surface in this area. According to a report prepared by the consultant who is performing the remediation activities, benzene, toluene, xylenes, and MTBE (methyl ter-butyl ether) have been detected in monitoring wells. Remediation, or cleanup activities, are ongoing at this location.

**Impacts**

***No-Build Alternative***

Existing conditions would remain under this alternative and water quality and storm water runoff impacts would occur.

***Build Alternatives***

Table 2.3.2-1 displays the total disturbed soil area and additional impervious area associated with each of the Build Alternatives.

**Table 2.3.2-1 Total Disturbed Soil and Additional Impervious Area**

Alternative	Acres	
	Disturbed Soil Area	Additional Impervious Area
Intersection Improvement	7.58	2.8
SOS	5.86	1.7

Source: Caltrans District 7, Office of Design

Permanent water quality and storm water runoff impacts could potentially occur following construction of the Build Alternatives. Caltrans has a well-developed storm water program that under most circumstances addresses all potentially significant impacts to water quality during storm events. This program is intended to comply with the Construction General Permit and ensures that all construction, design and treatment BMPs are implemented and comply with the requirements set forth in the Caltrans Statewide NPDES permit. Caltrans' targeted design constituent (TDC) approach will be utilized for the proposed project to address potential water quality and storm water runoff impacts. A TDC is a pollutant that has been identified to be discharging with a load or concentration that commonly exceeds allowable standards and that is considered treatable by currently available Caltrans-approved treatment BMPs. The TDCs for the proposed project include Ammonia, Nitrate and Nitrite, NO<sub>3</sub> and Sedimentary/Siltation.

Biofiltration swales would be included as part of the proposed project. Biofiltration swales are vegetated channels that use plants to capture and biologically degrade pollutants. As an additional benefit, biofiltration swales also reduce the velocity and volume of storm water runoff. Biofiltrated strips would also be considered for the proposed project. Biofiltration strips are sloped vegetated land areas located adjacent to impervious areas, over which storm water runoff flows as sheet flow. Pollutants are removed by filtration through the vegetation, uptake by the plant biomass, sedimentation, absorption to soil particles, and infiltration through soil. Other design features that have been or will be implemented to address potential impacts include the following:

- Disturbing existing slopes only when necessary;
- minimizing cut and fill areas to reduce slope lengths; and
- rounding and shaping slopes to reduce concentrated flow.

Streams in the project area are unlined and covered with vegetation on the slopes. Both of the Build Alternatives would result in the removal or reduction of vegetation, which would increase sediment load of downstream flow. Furthermore, this could affect water quality by increasing the potential for erosion. The proposed project would be designed to collect concentrated flows in stabilized drains and channels. Concentrated flow conveyance systems proposed include new asphalt concrete dike, ditches and rock slope protection. Rock Slope Protection is the placement of rock on the surface of the soil, which serves to protect against wind and water erosion and buttress slopes against lateral movement. Furthermore, slope areas disturbed during construction would be replanted with native vegetation. No change in the existing rate of erosion is expected after construction of the proposed project. As a result, this effect is considered less than significant.

Storm water and non-storm water discharges after construction of both Build Alternatives would meet water quality standards with implementation of permanent BMPs and other measures that would reduce pollutants. As a result, potential permanent water quality and storm water runoff impacts are considered less than significant.

### ***Construction Impacts***

In general, impacts associated with construction activities would be temporary. Exposure of surface soils during construction activities associated with all of the Build Alternatives could lead to a temporary increase in surface runoff and erosion. In areas, adjacent to streams, increased erosion could lead to increased stream sedimentation. Rain events, concentrated storm water discharges and dust generation can have a temporary effect on surface water quality. Potential sources of temporary surface water impacts also include the following:

- Construction materials;
- Contaminants in the existing roadway;
- Vehicle leaks;
- Illegal dumping;
- Inadequate stockpile management;
- Sanitary and septic waste management;
- Concrete Waste.

The relocation of utility poles with transformers containing PCB during construction could also potentially result in temporary surface water impacts. Construction impacts related to water quality would be minimal and are considered less than significant.

### **Avoidance, Minimization and/or Mitigation Measures**

The disturbed soil area as a result of the proposed project would be larger than 1 acre, requiring a Storm Water Pollution Prevention Plan (SWPPP) to minimize water quality impacts. The proposed project would comply with the NPDES permit process, which requires Caltrans to file a NOC and prepare and submit a SWPPP to the LARWQCB. The SWPPP would contain a detailed plan for erosion and sediment control, including plans for implementing BMPs for the control of storm water runoff, erosion and sedimentation. Examples of BMPs that may be implemented during construction include: soil stabilization, sediment control, erosion control, tracking control, non-storm water control, waste management and materials pollution control. The selection and design of BMPs will be determined during final design with input from

Caltrans functional units (i.e., Design, Structure Design, Landscape, Geotechnical, Hydraulics, Stormwater, Maintenance, Environmental Planning).

The Caltrans Storm Water Management Program (SWMP) is intended to comply with the Construction General Permit and ensures that all construction, design and treatment BMPs are implemented and comply with the requirements set forth in the Caltrans Statewide NPDES Storm Water Permit. The SWMP addresses not only temporal impacts to water quality from construction activities, but long-term water quality impacts from new construction. The following will be implemented to the maximum extent practical and as approved by the Caltrans Division of Construction:

- During construction, standard temporary and permanent erosion and sediment control practices will be utilized on finished slopes.
- The proposed project will incorporate permanent storm water design pollution prevention BMPs that preserve the existing hydrology in the project area. In the vicinity of creeks and slopes, storm water will be routed through vegetated areas to minimize direct connections between the facility and waterways.
- Storm water runoff rates and volumes would be minimized by encouraging sheet flow, preserving vegetation, and minimizing impervious surfaces within Caltrans right-of-way.
- The proposed project will be designed to minimize impacts to riparian areas, preserve channel length and movement and preserve shade canopy to the maximum extent practicable.
- Staging areas for construction equipment, stockpiles etc., should be located in upland locations at least 100 ft. from all waterways, wetlands and riparian areas.
- Anticipated increase in sediment load to downstream flow will be minimized by replanting native vegetation and providing rock slope protection in drainage and slope areas disturbed during construction.
- All invasive plants that could adversely affect water quality and associated beneficial uses should be removed and prevented from spreading, if feasible.

### **2.3.3 Geology/Soils/Seismic**

#### **Regulatory Setting**

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 the California Environmental Quality Act (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. The current policy is to use the anticipated Maximum Credible Earthquake (MCE), from young faults in and near California. The MCE is defined as the largest earthquake that can be expected to occur on a fault over a particular period of time.

#### **Environmental Setting**

The information in this section is based on the Preliminary Geotechnical Design Report (March 2009), prepared by Caltrans Division of Geotechnical Services, and on research performed by the Caltrans Division of Environmental Planning.

Regionally, the project area is within the east portion of the Ventura Basin. The Ventura Basin lies within the east-west trending active fold-and-thrust belt of the western Transverse Ranges province of Southern California. The province is characterized by east-west-trending folds and faults that contrast with the regional northwest-southeast structural trends that predominate in California. The Ventura Basin bisects the western Transverse Ranges between Point Conception and the San Gabriel fault. This basin is an elongate, east-trending structural trough in which a thick section of sedimentary rocks has accumulated throughout most of Tertiary time. Locally, the project area is within the Las Posas sub-basin. The area in the vicinity of the community of Somis is underlain by terrace deposits which are in turn, underlain by the Saugus formation. The SR-118/SR-34 intersection has been mapped as Quarternary Alluvium deposited by floodplains consisting of clay, silt, sand and gravel.

The proposed area is located within the East Las Posas Groundwater Basin. Based on the 2009 Groundwater Section Annual Report, prepared by the Ventura County Watershed Protection District, seven wells were utilized to measure water quality within this basin. Groundwater depths from two wells located in the southwestern portion vary from 120 – 150 ft. the upper

water bearing unit, and from 530 – 580 ft in the lower unit. Groundwater levels in the vicinity of the SR-118/SR-34 intersection are close to 30 feet below ground surface.

### ***Seismicity***

The project area is in a seismically active area. The geologic processes which have caused earthquakes in the past can be expected to continue. Seismic events could include a moderate event on the Simi-Santa Rosa-Northridge Hills fault zone and/or a large event on a distant earthquake fault. A fault is considered by the State of California to be active if geologic evidence indicates that movement on the fault has occurred in the last 11,000 years, and potentially active if movement is demonstrated to have occurred in the last 2 million years. There is no geological information that indicates an active fault in the project location. The nearest known active fault (under Alquist-Priolo Earthquake Zoning Act) is the Springville Fault Zone and is located 1.13 miles to the southwest.

### **Impacts**

#### ***No-Build Alternative***

This alternative would maintain existing conditions at the SR-118/SR-34 intersection. As a result, no impacts related to geology, soils, and seismic activity would occur.

#### ***Build Alternatives***

Impacts associated with both Build Alternatives would be similar. Once an alternative is selected, a detailed geotechnical investigation will be required.

#### ***Ground Shaking***

Ground shaking is the primary cause of structural damage during an earthquake; it is to be considered the most likely damage-producing earthquake phenomenon for this project. The magnitude, duration and vibration frequency characteristics will vary greatly, depending upon the particular causative fault and its distance from the project location.

Using the Los Angeles Area Seismic Hazard Map prepared by Caltrans in 2007, the Simi-Santa Rosa-Northridge Hills Fault System located approximately 1.32 miles south of the project location could produce a MCE of 7.5-M<sub>m</sub> along this fault system. The MCE is expressed in terms of magnitude.

Ground shaking from a moderate earthquake along the Simi-Santa Rosa-Northridge Hills Fault System or other close-by earthquake fault would have the greatest potential impact for this project. Final design and construction of the proposed project will comply with Caltrans'

Seismic Design Criteria. Implementation of standard design and construction practices will reduce the project's risk of geologic hazards. As a result, this potential impact is considered less than significant. Secondary effects of seismic activity include surface fault rupture, soil liquefaction and landslides. Site-specific potential for each of these seismic hazards is discussed in the following paragraphs.

### ***Ground Rupture***

The proposed project is not located within the confines of the Alquist-Priolo Earthquake Fault Zoning Act. The closest well-defined fault trace zoned under the auspices of the Alquist-Priolo Act is the Springville Fault Zone, which is located 1.13 miles southwest of the project. The potential for ground rupture is very low and is not considered to be a hazard for this project.

### ***Liquefaction***

Liquefaction exists when fine silts and sands are located below the water table. The water can also be perched groundwater. Liquefaction has been documented to affect soils to 50 feet deep during prolonged periods of ground shaking. The 2000 Seismic Hazard Zones map for the Moorpark Quadrangle shows a potential for liquefaction within the project limits. However, during the last two major earthquakes in the Southern California area (1971 San Fernando –  $M_m = 6.62$ , 1994 Northridge –  $M_m = 6.7$ ), liquefaction did not occur within the project limits. Furthermore, according to a regional study conducted by the U.S. Geological Survey in 1985, the relative liquefaction susceptibility along the project limits is considered to be low to very low. As a result, this potential effect is considered less than significant. Final design for the selected alternative will require subsurface exploration that would permit a detailed assessment of the potential for liquefaction. Additional boring exploration will also be required to evaluate the ground water conditions at the site.

### ***Landslides***

Neither of the Build Alternatives will involve any work that increases landslide potential.

### ***Erosion***

Construction of the proposed project could result in temporary effects related to erosion. However, no change in the existing rate of erosion is expected after construction of the proposed project. As a result, this effect is considered less than significant. The implementation of minimization measures identified in Section 2.3.3, Water Quality and Storm Water Runoff would reduce this effect.

### ***Construction Impacts***

Construction activities associated with the proposed project could result in temporary impacts. Exposure of surface soils during construction activities could result in temporary erosion. Construction of the proposed project would be undertaken in accordance with the applicable

National Pollutant Discharge Elimination System (NPDES) permit(s) and Best Management Practices that would address the potential for temporary erosion. Moreover, avoidance and/or minimization measures identified in Section 2.3.3, Water Quality and Storm Water Runoff, of this DEIR would ensure that temporary erosion impacts will be minimized.

Construction grading and construction of cut and fill slopes would alter existing landforms. These construction activities could potentially be affected by ground motion and liquefaction if an earthquake were to occur during construction. Potential temporary geologic and soil effects would not be adverse.

### **Avoidance, Minimization and/or Mitigation Measures**

The following avoidance and/or minimization measures would be implemented to address potential geologic and soil effects during construction:

- Prior to completion of final design, a design-level geotechnical report shall be prepared. The report will include an evaluation of expansive soils and recommendations regarding construction procedures and/or design criteria to minimize the impact of these soils on the development of the project. The report will also include identification of liquefiable areas within the project limits. There are an array of engineering methods to address the potential for liquefaction. Pending review of the proposed exploration results, the appropriate engineering solution will be applied, if necessary.
- Implementation of safe construction practices and compliance with Caltrans and California Division of Occupational Safety and Health Administration (Cal-OSHA) requirements would minimize temporary effects associated with construction.

### **2.3.4 Hazardous Waste/Materials**

#### **Regulatory Setting**

Hazardous materials and hazardous wastes are regulated by many state and federal laws. These include not only specific statutes governing hazardous waste, but also a variety of laws regulating air and water quality, human health and land use.

The primary federal laws regulating hazardous wastes/materials are the Resource Conservation and Recovery Act of 1976 (RCRA) and the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA). The purpose of CERCLA, often referred to as Superfund, is to clean up contaminated sites so that public health and welfare are not

compromised. RCRA provides for “cradle to grave” regulation of hazardous wastes. 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 12088, Federal Compliance with Pollution Control, mandates that necessary actions be taken to prevent and control environmental pollution when federal activities or federal facilities are involved.

Hazardous waste in California is regulated primarily under the authority of the federal Resource Conservation and Recovery Act of 1976, and the California Health and Safety Code. Other California laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup and emergency planning.

Worker health and safety and public safety are key issues when dealing with hazardous materials that may affect human health and the environment. Proper disposal of hazardous material is vital if it is disturbed during project construction.

### **Environmental Setting**

The information in this section is based on the preliminary Hazardous Waste Assessment (December, 2008), Environmental Site Assessment (ESA) (August, 2009), and Hazardous Waste MEMO (July, 2010), prepared by Caltrans Office of Environmental Engineering and Corridor Studies, Hazardous Waste Branch.

The project location is the SR-118/SR-34 intersection, located approximately 1.5 miles north of the City of Camarillo and 4.5 miles west of the City of Moorpark, in the Somis area of Ventura County. The land in the project area is generally flat with the Santa Susana Mountains and South Mountain to the north, and the Las Posas and Camarillo Hills to the south.

Coordination with other agencies included contacting the Ventura County Environmental Health Division (VCEHD) for information regarding contaminated and/or cleaned sites in the vicinity of the project location. The VCEHD regulates cleanup of unauthorized releases from leaking underground storage tanks (LUST) in Ventura County. A records search was conducted using Geotracker, the State Water Resources Control Board (SWRCB) web-based information system. The system tracks regulatory data about LUST, Spills-Leaks-Investigations-Cleanups (SLIC), Department of Defense (DOD), and Landfill sites. According to Geotracker, five LUST are present within 5000 ft. of the SR-118/SR-34 intersection. Geotracker results indicate that no other environmentally sensitive sites including cleanup sites, land disposal sites, military sites, permitted underground storage tank facilities, Department of Toxic Substances Control (DTSC) cleanup sites or DTSC hazardous waste sites are present in the area.

As part of the preliminary Hazardous Waste Assessment (Caltrans, December 2008), a records search was conducted using the Environmental FirstSearch network to identify all environmentally sensitive sites within a one mile radius of the project location. The address of a residential property, located 300 ft. east of the SR-118/SR-34 intersection, was used as the target property in order to conduct the database search. The records search identified six properties within a one mile radius of the target property as known or potential hazardous waste/materials sites. Contaminants at these sites generally include petroleum hydrocarbons, volatile organics and heavy metals. Also, LUST were identified at 4 of the 6 sites. In addition to the contaminants found at identified sites, some of the hazardous materials/waste that may be present within the project limits include the following:

- Aerially deposited lead (ADL) may exist along each side of SR-118 and SR-34. The ADL concentration within the project limits is anticipated to be non-hazardous and mostly below threshold levels.
- Agricultural chemicals are likely present in the soils located in and adjacent to past and present nurseries within the project limits.

## **Impacts**

### ***No-Build Alternative***

This alternative would maintain existing conditions at the SR-118/SR-34 intersection. As a result, it would have no impacts related to hazardous waste/ materials.

### ***Build Alternatives***

The locations of the six properties identified as known or potential hazardous waste/materials sites are shown on Figure 3.4.5-1. Sites 4, 5, and 6 would not be affected.

### **Site 1**

Both Build Alternatives would require the acquisition of a narrow strip of land adjacent to SR-34 on site 1. A LUST was discovered on the site in 1988. Contamination at this site consisted of waste oil, motor oil, hydraulic fluids and lubricants. A final closure letter was issued for the site by VCEHD on December 7, 1988, affirming that State standards set out in an initial cleanup agreement had been met in the cleanup process. However, the site is still considered contaminated to a limited extent. There is currently a nursery at this site.

### **Site 2**

Both Build Alternatives would require the acquisition of a narrow strip of land adjacent to SR-118 and a drainage easement at site 2. The site is permitted as a Small Quantity Generator (SGN) and is not listed in the SWRCB Geotracker. An SGN generates more than 100 kilograms (kg) (220 pounds), but less than 1000 kg (2,200 pounds), of hazardous waste per month and has no more than 6000 kg of hazardous waste at the site at any one time.

### **Site 3**

Both Build Alternatives would require the full acquisition of site 3. Remediation, or cleanup activities, are ongoing at this site and final closure has not yet occurred. The site is considered a contaminated property until final cleanup. There are several monitoring wells installed at this site to monitor the progress of the remediation. The latest report from the consultant responsible for remediating the site states that benzene, toluene, xylenes and methyl tert-butyl ether (MTBE) were detected in some of the monitoring wells. The VCEHD provided Caltrans an update on the status of this site in December 2010, indicating that remediation would take a minimum of 2 years.

### **Operational Impacts**

The operation of the proposed project would not generate any hazardous waste and is not anticipated to result in direct or indirect permanent hazardous materials/waste impacts. As a result, impacts related to hazardous materials/waste are considered less than significant. Avoidance and/or minimization measures will be implemented in relation to potential hazardous waste/materials sites.

### **Construction Impacts**

Existing pavement would have to be removed as part of the proposed project. Existing yellow and white traffic striping markings that would be removed may contain lead and chromium that require special handling and proper disposal. Also, utility poles would have to be relocated as part of the proposed project. Several older-model electrical transformers are located on top of utility poles within the project area. These pole-mounted transformers have the potential to contain polychlorinated biphenyl. Polychlorinated biphenyl (PCB) is a chemical that was

banned by Congress in 1976. The relocation of utility poles with transformers containing PCB during construction could potentially result in temporary impacts. Materials within the project area that may become hazardous if they are intercepted or damaged during construction include the following:

- Petroleum pipelines
- High pressure gas lines

Avoidance and/or minimization measures will be implemented to reduce these potential impacts. Construction impacts related to hazardous materials/waste are considered less than significant.

### **Avoidance, Minimization and/or Mitigation Measures**

A Site Investigation (SI) will be performed during the design phase to evaluate the extent and concentration of agricultural chemicals and ADL. General Caltrans requirement for project specifications on construction projects require a project-specific Lead Compliance Plan (LCP) to prevent or minimize worker exposure to lead while handling removed yellow and white traffic striping marking residue. Caltrans policy states that proposed new right-of-way for a project must be free of hazardous material before such title is transferred to Caltrans. As a result, acquisition of land on potential hazardous waste/materials sites would not occur until remediation has been completed.

Figure 2.3.4-1 Hazardous Waste/Materials Sites



### 2.3.5 Air Quality

#### Regulatory Setting

The Federal Clean Air Act (FCAA) as amended in 1990 is the federal law that governs air quality. The California Clean Air Act of 1988 is its companion state law. These laws, and related regulations by the United States Environmental Protection Agency (U.S. EPA) and the California Air Resources Board (ARB), set standards for the quantity of pollutants that can be 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. The criteria pollutants are: carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), ozone (O<sub>3</sub>), particulate matter (PM, broken down for regulatory purposes into particles of 10 micrometers or smaller – PM<sub>10</sub> and particles of 2.5 micrometers and smaller – PM<sub>2.5</sub>), lead (Pb), and sulfur dioxide (SO<sub>2</sub>). In addition, State standards exist for visibility reducing particles, sulfates, hydrogen sulfide (H<sub>2</sub>S), and vinyl chloride. The NAAQS and State standards are set at a level that protects 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 within their general definition.

Federal and State air quality standards and regulations provide the basic scheme for project-level air quality analysis under the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). In addition to this type of environmental analysis, a parallel “Conformity” requirement under the FCAA also applies.

FCAA Section 176(c) prohibits the U.S. Department of Transportation and other Federal agencies from funding, authorizing, or approving plans, programs or projects that are not first found to conform to State Implementation Plan (SIP) for achieving the goals of Clean Air Act requirements related to the NAAQS. “Transportation Conformity” 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 CFR 93 govern the conformity process.

Regional conformity is concerned with how well the regional transportation system supports plans for attaining the standards set for carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), ozone (O<sub>3</sub>), particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), and in some areas sulfur dioxide (SO<sub>2</sub>). California

has attainment or maintenance areas for all of these transportation-related “criteria pollutants” except SO<sub>2</sub>, 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 Regional Transportation Plans (RTPs) and Federal Transportation Improvement Programs (FTIPs) that include all of the 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 is based on use of travel demand and air quality models to determine whether or not the implementation of those projects would conform to emission budgets or other tests showing that requirements of the Clean Air Act and the SIP are met. If the conformity analysis is successful, the Metropolitan Planning Organization (MPO), and the Federal Highway Administration (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 Clean Air Act. Otherwise, the projects in the RTP and/or FTIP must be modified until conformity is attained. If the design concept, scope, and “open-to-traffic” schedule of a proposed transportation project are the same as described in the RTP and the FTIP, then the proposed project is deemed to meet regional conformity requirements for purposes of project-level analysis.

Conformity at the project-level also requires “hot spot” analysis if an area is “nonattainment” or “maintenance” for carbon monoxide (CO) and/or particulate matter (PM<sub>10</sub> or PM<sub>2.5</sub>). A region is “nonattainment” if one or more of the monitoring stations in the region measures violation of the relevant standard, and U.S. EPA officially designates the area nonattainment. Areas that were previously designated as nonattainment areas but subsequently meet the standard may be officially redesignated to attainment by U.S. EPA, and are then called “maintenance” areas. “Hot spot” analysis is essentially the same, for technical purposes, as CO or particulate matter analysis performed for NEPA purposes. Conformity does include some specific procedural and documentation standards for projects that require a “hot spot” analysis. In general, projects must not cause the “hot spot”-related standard to be violated, and must not cause any increase in the number and severity of violations in nonattainment areas. If a known CO or particulate matter violation is located in the project vicinity, the project must include measures to reduce or eliminate the existing violation(s) as well.

### ***Local Regulatory Setting***

The primary agencies responsible for regulations to improve air quality in the project area are the Ventura County Air Pollution Control District (VCAPCD) and the California Air Resources Board (CARB). The proposed project is located in the South Central Coast Air Basin (Basin). The Basin is comprised of San Luis Obispo, Santa Barbara and Ventura Counties.

The SCAG is an important partner to the VCAPCD as it is the designated metropolitan planning authority for the respective area and produces estimates of anticipated future growth and vehicular travel in the Basin. Estimates are used for air quality planning and analyses. The VCAPCD sets and enforces regulations for non-vehicular sources of air pollution in the Basin and works with SCAG to develop and implement Transportation Control Measures. Transportation Control Measures (TCMs) are intended to reduce and improve vehicular travel and associated pollutant emissions.

The CARB was established in 1967 by the California Legislature to attain and maintain healthy air quality, conduct research into the causes and solutions to air pollution and systematically attack the serious problem caused by motor vehicles, which are the major causes of air pollution in the State. The CARB sets and enforces emission standards for motor vehicles, fuels and consumer products; sets the health-based California Ambient Air Quality Standards (CAAQS) and monitors air quality levels throughout the state; and identifies and sets control measures for toxic air containments. The CARB also monitors air quality, provides compliance assistance for business and produces education/outreach programs and materials.

### *Air Quality Management Plan*

The CCAA required all air pollution control districts in the state to prepare a plan prior to December 31, 1994 to reduce pollutant concentrations exceeding the CAAQS. The districts are required to review and revise these plans every three years. The VCAPCD satisfies this requirement through the publication of an Air Quality Management Plan (AQMP). The AQMP is developed in coordination with local governments and the private sector. Once approved and adopted, the AQMP is incorporated into the SIP by CARB to satisfy the FCAA requirements.

The VCAPCD adopted the 2007 Ventura County Air Quality Management Plan (2007 AQMP) to comply with the FCAA in achieving the NAAQS on May 13, 2008. The 2007 AQMP presents Ventura County's strategy for attaining the federal 8-hour ozone standard as required by the FCAA Amendments of 1990. The 2007 AQMP also presents the District's Triennial Assessment and Plan Update required by the CCAA. Also, the 2007 AQMP contains an attainment demonstration showing that Ventura County will attain the federal 8-hour ozone standard by June 15, 2013, the deadline for serious 8-hour ozone nonattainment areas. Moreover, the 2007 AQMP incorporates the CARB's State Strategy to achieve the additional emission reductions needed for all areas of the state, including Ventura County, to attain the federal 8-hour ozone standard.

### ***Criteria Pollutants***

The United States Environmental Protection Agency (EPA) is the primary federal agency for regulating air quality. The EPA implements the provisions to the FCAA. This Act establishes

the NAAQS that are applicable nationwide. The EPA designates areas with pollutant concentrations that do not meet the NAAQS as “nonattainment”. States are then required by the FCAA to prepare a SIP for the areas designated as “nonattainment”. The SIP is required to demonstrate how the areas will attain the NAAQS by the prescribed deadlines and what measures will be required to attain the standards. The EPA also oversees implementation of the prescribed measures. Areas that achieve the NAAQS after “nonattainment” designation and are subsequently redesignated as “maintenance” areas must have approved Maintenance Plans to ensure continued attainment of the NAAQS.

Since the passage of the FCAA and subsequent amendments, the EPA has established and revised the NAAQS. The NAAQS was established for six major pollutants or criteria pollutants. The NAAQS are two tiered: primary, to protect public health; and secondary, to prevent degradation to the environment (i.e., impairment of visibility, damage to vegetation and property). Figure 2.3.5-1 presents the state and federal Ambient Air Quality Standards (AAQS). A brief explanation of each pollutant is presented below.

#### Ozone ( $O_3$ )

Ozone is a toxic gas that irritates the lungs and damages materials and vegetation. Ozone is a secondary pollutant; it is not directly emitted. It is formed in the atmosphere through a series of reactions involving hydrocarbons (HC) and nitrogen oxides in the presence of sunlight.

#### Particulate Matter ( $PM_{10}$ and $PM_{2.5}$ )

Particulate matter includes both aerosols and solid particles of a wide range of size and composition. Of particular concern are those particles 10 microns in diameter ( $PM_{10}$ ) and those with 2.5 microns or smaller in diameter ( $PM_{2.5}$ ). The size of the particulate matter is referenced to the aerodynamic diameter of the particulate. The  $PM_{10}$  criteria are aimed primarily at what the EPA refers to as “coarse particles”. Coarse particles are often found near roadways, dusty industries, construction sites and fires. The  $PM_{2.5}$  criteria are referred to as “fine particles”. These particles can also be directly emitted and they can also form when gases emitted from power plants, industries and automobiles react in the air. The principal health effect of airborne particulate matter is on the respiratory system. Studies have linked particulate pollution with irritation of the airways, coughing, aggravated asthma, irregular heartbeat and premature death in people with heart or lung disease.

#### Carbon Monoxide (CO)

Carbon Monoxide is a colorless and odorless gas, which, in the urban environment, is associated primarily with the incomplete combustion of fossil fuels in motor vehicles. Carbon Monoxide combines with hemoglobin in the bloodstream and reduces the amount of oxygen that can be circulated through the body. High CO concentrations can lead to headaches,

aggravation of cardiovascular disease, and impairment of central nervous system functions. Carbon monoxide concentrations can vary greatly over comparatively short distances. Relatively high concentrations are typically found near crowded intersections, along heavily used roadways carrying slow-moving traffic and at or near ground level. Even under the most severe meteorological and traffic conditions, high concentrations of CO are limited to locations within a relatively short distance (300 to 600 ft.) of heavily traveled roadways. Overall, CO emissions are decreasing as a result of the Federal Motor Vehicle Control Program, which has mandated increasingly lower emission levels for vehicles manufactured since 1973.

### Nitrogen Oxides (NO<sub>x</sub>)

Nitrogen oxides (NO<sub>x</sub>) from automotive sources are some of the precursors in the formation of ozone and secondary particulate matter. Ozone and particulate matter are formed through a series of photochemical reactions in the atmosphere. Because the reactions are slow and occur as the pollutants are diffusing downwind, elevated ozone levels are often found many miles from the source of precursor emission. The effects of NO<sub>x</sub> emission are examined on a regional basis.

### Lead (Pb)

Since 1975, lead (Pb) emissions have been in decline due in part to the introduction of catalyst-equipped vehicles and decline in production of leaded gasoline. In general, an analysis of Pb is limited to projects that emit significant quantities of the pollutant (i.e., lead smelters) and are not applied to transportation projects.

### Sulfur Oxides (SO<sub>x</sub>)

Sulfur oxides (SO<sub>x</sub>) constitute a class of compounds of which sulfur dioxide (SO<sub>2</sub>) and sulfur trioxide (SO<sub>3</sub>) are of greatest importance. The oxides are formed during combustion of the sulfur components in motor fuels. Relatively few SO<sub>x</sub> are emitted from motor vehicles since motor fuels are now de-sulfured. The health effects of SO<sub>x</sub> include respiratory illness, damage to the respiratory tract and bronchia-constriction.

## **Environmental Setting**

The information in this section is based on the Air Quality Report (AQR) (June 2010) prepared by the Caltrans Office of Environmental Engineering Corridor Studies, Air Quality Branch to address compliance with state and federal Clean Air regulations.

The proposed project is located in Ventura County, which is on the southern portion of the Central Coast of California. General topography in the county is diversified and characterized by mountain ranges, river valleys and plains. The general area of the project location is flat to

mildly sloped towards the southeast. According to the United States Geological Survey (USGS) topographic map (1978), the approximate elevation of the project location is around 320 ft. above mean sea level (MSL).

### ***Climate and Meteorology***

The climatological station closest to the project location is the Santa Paula station maintained by the Western Regional Climate Center. The annual average maximum temperature recorded from 1971 to 2000 at this station is 74.7°F and the average minimum is 48.0°F. The average annual precipitation recorded was 18.41 inches. The air above Ventura County often exhibits weak vertical and horizontal dispersion characteristics, which limit the dispersion of emissions and cause increased ambient air pollutant levels. The diurnal land/sea breeze pattern common in the county re-circulates air contaminants. The land breeze pushes air pollutants toward the ocean during the early morning and the sea breeze pushes pollutants inland during the afternoon. This creates a “sloshing” effect, causing pollutants to remain in the area for several days. Residual emissions from previous days accumulate and chemically react with new emissions in the presence of sunlight, thereby increasing ambient air pollutant levels. This pollutant “sloshing” effect happens most predominantly from May through October (“smog season”) because air temperatures are usually higher and sunlight more intense during this time period.

### **Impacts**

The AQR (June 2010) addressed all pertinent aspects of conformity, the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA); and adhered to the Transportation Conformity Rule.

### ***Transportation Conformity Rule***

The intent and purpose of the Transportation Conformity Rule is to satisfy the FCAA Amendments of 1990. This requires that projects do not cause a new violation relating to the NAAQS, increase the severity of such violation and delay the attainment of the NAAQS. The Transportation Conformity Rule, requires a regional emissions analysis to be performed by a metropolitan planning organization (MPO) for projects within its jurisdiction. The MPO for the South Central Coast Air Basin (Basin) is the Southern California Association of Governments (SCAG). The regional emissions analysis includes all projects listed in the Regional Transportation Plan (RTP) and the Regional Transportation Improvement Program (RTIP). Both the RTP and the RTIP must support an affirmative conformity finding to obtain FHWA approval. Projects in an RTP and RTIP approved by the FHWA are considered to have met the conformity requirement for regional emissions analysis.

Figure 2.3.5-1 Ambient Air Quality Standards (AAQS)

Ambient Air Quality Standards						
Pollutant	Averaging Time	California Standards <sup>1</sup>		Federal Standards <sup>2</sup>		
		Concentration <sup>3</sup>	Method <sup>4</sup>	Primary <sup>3,5</sup>	Secondary <sup>3,6</sup>	Method <sup>7</sup>
Ozone (O <sub>3</sub> )	1 Hour	0.09 ppm (180 µg/m <sup>3</sup> )	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m <sup>3</sup> )		0.075 ppm (147 µg/m <sup>3</sup> )		
Respirable Particulate Matter (PM <sub>10</sub> )	24 Hour	50 µg/m <sup>3</sup>	Gravimetric or Beta Attenuation	150 µg/m <sup>3</sup>	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m <sup>3</sup>		—		
Fine Particulate Matter (PM <sub>2.5</sub> )	24 Hour	No Separate State Standard		35 µg/m <sup>3</sup>	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m <sup>3</sup>	Gravimetric or Beta Attenuation	15.0 µg/m <sup>3</sup>		
Carbon Monoxide (CO)	8 Hour	9.0 ppm (10mg/m <sup>3</sup> )	Non-Dispersive Infrared Photometry (NDIR)	9 ppm (10 mg/m <sup>3</sup> )	None	Non-Dispersive Infrared Photometry (NDIR)
	1 Hour	20 ppm (23 mg/m <sup>3</sup> )		35 ppm (40 mg/m <sup>3</sup> )		
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m <sup>3</sup> )		—		
Nitrogen Dioxide (NO <sub>2</sub> )	Annual Arithmetic Mean	0.030 ppm (57 µg/m <sup>3</sup> )	Gas Phase Chemiluminescence	0.053 ppm (100 µg/m <sup>3</sup> )	Same as Primary Standard	Gas Phase Chemiluminescence
	1 Hour	0.18 ppm (339 µg/m <sup>3</sup> )		0.100 ppm (see footnote 8)	None	
Sulfur Dioxide (SO <sub>2</sub> )	Annual Arithmetic Mean	—	Ultraviolet Fluorescence	0.030 ppm (80 µg/m <sup>3</sup> )	—	Spectrophotometry (Pararosaniline Method)
	24 Hour	0.04 ppm (105 µg/m <sup>3</sup> )		0.14 ppm (365 µg/m <sup>3</sup> )	—	
	3 Hour	—		—	0.5 ppm (1300 µg/m <sup>3</sup> )	
	1 Hour	0.25 ppm (655 µg/m <sup>3</sup> )		—	—	
Lead <sup>9</sup>	30 Day Average	1.5 µg/m <sup>3</sup>	Atomic Absorption	—	—	—
	Calendar Quarter	—		1.5 µg/m <sup>3</sup>	Same as Primary Standard	High Volume Sampler and Atomic Absorption
	Rolling 3-Month Average <sup>10</sup>	—		0.15 µg/m <sup>3</sup>		
Visibility Reducing Particles	8 Hour	Extinction coefficient of 0.23 per kilometer — visibility of ten miles or more (0.07 — 30 miles or more for Lake Tahoe) due to particles when relative humidity is less than 70 percent. Method: Beta Attenuation and Transmittance through Filter Tape.		No Federal Standards		
Sulfates	24 Hour	25 µg/m <sup>3</sup>	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m <sup>3</sup> )	Ultraviolet Fluorescence			
Vinyl Chloride <sup>9</sup>	24 Hour	0.01 ppm (26 µg/m <sup>3</sup> )	Gas Chromatography			

See footnotes on next page ...

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California Air Resources Board (02/16/10)

1. California standards for ozone, carbon monoxide (except Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, suspended particulate matter—PM10, PM2.5, and visibility reducing particles, are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
2. National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest eight hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above  $150 \mu\text{g}/\text{m}^3$  is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact U.S. EPA for further clarification and current federal policies.
3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
4. Any equivalent procedure which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.
5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
7. Reference method as described by the EPA. An “equivalent method” of measurement may be used but must have a “consistent relationship to the reference method” and must be approved by the EPA.
8. To attain this standard, the 3-year average of the 98th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 0.100 ppm (effective January 22, 2010).
9. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
10. National lead standard, rolling 3-month average: final rule signed October 15, 2008.

For more information please call ARB-PIO at (916) 322-2990

California Air Resources Board (02/16/10)

The most recently approved RTP and RTIP for the Basin are the SCAG 2008 RTP and the SCAG 2008 RTIP. The SCAG 2008 RTP was adopted on May 8, 2008 as Resolution #06-471-3. The SCAG 2008 RTIP was adopted on July 17, 2008 as Resolution #08-498-1. In order to obtain FHWA approval of the SCAG 2008 RTP and RTIP as conforming, the following tests, demonstrating affirmative findings with respect to the Transportation Conformity Rule, were applied:

- Regional Emissions Analysis
- Timely Implementation of TCM Analysis
- Financial Constraint Analysis
- Interagency Consultation and Public Involvement Analysis

In addition, FHWA approval of the SCAG 2008 RTIP was also contingent on its consistency with the SCAG 2008 RTP.

### ***Regional Air Quality Conformity***

The proposed project is partially funded and is in the SCAG 2008 RTP, which was found to conform on May 8, 2008. The FHWA and the Federal Transit Administration (FTA) adopted the air quality conformity finding on June 5, 2008. The proposed project project is also in the 2008 SCAG RTP amendment #2, which was approved by the FHWA and FTA on January 22, 2010. Although the project is not listed in the SCAG 2008 RTIP, the project is included in the SCAG 2008 RTIP amendment #08-24 modeling list. The SCAG 2008 RTIP amendment #08-24 modeling list was found to conform by the FHWA and FTA on February 17, 2010.

The design, concept and scope of the proposed project has not changed significantly and is consistent with the project descriptions in the SCAG 2008 RTP, the SCAG 2008 RTP amendment #2, and the SCAG 2008 RTIP amendment #08-24, as well as with the assumptions in the SCAG regional emissions analysis. The SCAG 2008 RTP and the SCAG 2008 RTIP satisfy the objectives of the Transportation Conformity Rule by incorporating the applicable SIPs that contain the applicable tests for regional analysis. The proposed project would not interfere with the timely implementation of TCMs identified in the SIP and/or RTP and is considered to have met the conformity requirement for regional emissions analysis.

The following project information is excerpted from the SCAG 2008 RTP amendment #2 and the SCAG 2008 RTIP amendment #08-24 modeling list:

- Project ID: 5A0716

- Description: Widen Intersection, add turn lanes, realign Donlon Road (County portion only)

### ***Project-Level Air Quality Conformity***

The local analysis of a project is commonly referred to as a project-level air quality or “hot spot” analysis. The primary focus of this analysis is the operational impact on air quality that would be created by the proposed project alternatives. Unlike the regional analysis, the local analysis is constrained in scope and is limited to the particular project. The criteria pollutants analyzed do not consist of all pollutants in “nonattainment”. The analysis is restricted to CO, PM<sub>10</sub> and PM<sub>2.5</sub>. The CO analysis can be qualitative, quantitative or computational. The PM<sub>10</sub> and PM<sub>2.5</sub> analyses are qualitative in scope.

The CARB and the VCAPCD operate a regional air quality monitoring network in the South Central Coast Air Basin (Basin) that provides information on ambient concentrations of criteria air pollutants. Using the ambient air monitoring data collected at the monitoring stations around Ventura County, the EPA and CARB determine whether the county air is in “attainment” of the federal and state quality standards, otherwise known as the AAQS. The monitoring station closest to the project location is the El Rio-Rio Mesa School #2 Monitoring Station (CARB number 5643). Table 2.3.5-1 show ambient air monitoring data taken from the station. Among the criteria pollutants, the station monitors 1-hr O<sub>3</sub>, 8-hr O<sub>3</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and NO<sub>2</sub>. None of the CARB monitoring stations in Ventura County monitor CO or SO<sub>2</sub>. Table 2.3.5-2 lists the current designations of the Basin in Ventura County. Areas not in compliance with the AAQS are deemed “nonattainment” areas. Areas that have insufficient data to make a determination are deemed “unclassified”, and are treated as being “attainment” areas until proven otherwise.

### ***Sensitive Receptors***

Generally, sensitive receptors are facilities or land uses that include members of the population sensitive to the effects of air pollutants, such as children, the elderly and people with illnesses. Somis School and a childcare facility at Faith Baptist Church are located within approximately 600 yds from the project location and are considered sensitive receptors. Figure 2.3.5-2 presents a general depiction of the sensitive receptors in the project area.

### ***Carbon Monoxide (CO) Hot Spot Analysis***

The procedure used to perform the CO analysis is detailed in the *Transportation Project-Level Carbon Monoxide Protocol* (CO Protocol), developed by the Institute of Transportation Studies at the University of California, Davis (UC Davis). Procedures and guidelines provided in the CO Protocol evaluate the potential local CO impacts of a project. The procedures and guidelines comply with Section 176(c) of the 1990 Clean Air Act Amendments, federal conformity rules, NEPA and CEQA requirements. The CO Protocol provides conformity

requirement decision flow charts designed to assist in evaluating the requirements that apply to specific projects. These flowcharts were utilized in determining the type of project-level CO analysis required for the proposed project.

**Table 2.3.5-1 Air Quality Levels Measured at Nearby Monitoring Station**

Pollutant	Standard	2006	2007	2008
Ozone(O <sub>3</sub> )		O <sub>3</sub> (1-hour) <sup>a</sup>		
	Maximum Concentration (ppm)	0.089	0.089	0.086
	Days> CAAQS (0.09 ppm)	0	0	0
		O <sub>3</sub> (8-hour)		
	Maximum Concentration (ppm)	0.070	0.072	0.074
	Days> CAAQS (0.070 ppm)	0	1	1
	Days> NAAQS (0.075 ppm)	0	0	0
Particulate Matter (PM <sub>10</sub> )		PM <sub>10</sub> (24-hour)		
	Maximum Concentration (ug/m <sup>3</sup> )	119.4	245.5	79.0
	Days> CAAQS (50 ug/m <sup>3</sup> )	4	2	3
	Days> NAAQS (150 ug/m <sup>3</sup> )	0	1	0
		PM <sub>10</sub> (Annual Average)		
	National Annual Average	27.3	28.9	25.6
Particulate Matter (PM <sub>2.5</sub> )		PM <sub>2.5</sub> (24-hour)		
	Maximum Concentration (ug/m <sup>3</sup> )	29.8	39.9	23.4
	Days> NAAQS (35 ug/m <sup>3</sup> ) <sup>a</sup>	0	1	0
		PM <sub>2.5</sub> (Annual Average)		
	National Annual Average	9.8	10.6	10.0
Nitrogen Dioxide (NO <sub>2</sub> )		NO <sub>2</sub> (1-hour --State Standard)		
	Maximum Concentration (ppm)	0.050	0.053	0.052
	Days > CAAQS (0.25 ppm) <sup>b</sup>	0	0	0
		NO <sub>2</sub> (Annual Average - - National Standard)		
	Maximum Concentration (ppm)	*	*	*
	Days > NAAQS (0.053 ppm)	*	*	*

Source: <http://www.arb.ca.gov/adam/welcome.html>

Notes: \*There was insufficient (or no) data available to determine the value.

a. As of June 15, 2005 EPA revoked the 1-hr ozone standard in all areas except the 8-hr ozone attainment early action compact areas. However the data is presented here for informational purpose only.

b. The California 1-hour NO<sub>2</sub> standard was changed effective February 2, 2007 from 0.25 ppm to 0.18 ppm and establish a new standard annual standard of 0.030 ppm.

**Table 2.3.5-2 Designations of Criteria Pollutants for the Basin in Ventura County**

Pollutants	Federal	State
O <sub>3</sub> (1-hour)	Standard revoked by EPA on June 15, 2005*	Nonattainment
O <sub>3</sub> (8-hour)	Serious Nonattainment	Nonattainment
CO	Attainment/Unclassified	Attainment
PM <sub>10</sub>	Attainment/Unclassified	Nonattainment
PM <sub>2.5</sub>	Attainment/Unclassified	Nonattainment
NO <sub>2</sub>	Attainment/Unclassified	Attainment

Source: [http://www.vcapcd.org/air\\_quality\\_standards.htm](http://www.vcapcd.org/air_quality_standards.htm)

\* On June 15, 2005, the federal 1-hour ozone standard was rescinded along with all nonattainment and attainment-maintenance designations; however, the 1-hour ozone NAAQS designation classification status was retained in reference to the effective date of designation for the 8-hour NAAQS for purpose of the anti-backsliding regulations (40 Code of Federal Regulation [CFR] 51.905)

### **Operational Impacts**

#### **No-Build Alternative**

No construction activities would occur under this alternative. As a result, it would not result in operational impacts to air quality in the project vicinity.

#### **Build Alternatives**

The proposed project is located in a CO attainment area. The following criteria, from section 4.7.1 of the CO protocol, was used to determine whether the Build Alternatives would worsen air quality in the project vicinity:

- Will the project significantly increase the percentage of vehicles operating in cold start mode? Increasing the number of vehicles operating in cold start by as little as 2% should be considered potentially significant.
- Will the project significantly increase traffic volumes? Increases in traffic volumes in excess of 5% should be considered potentially significant. Increasing the traffic volume by less than 5% may still potentially be significant if there is also a reduction in average speeds.
- Will the project worsen traffic flow? For intersection segments, a reduction in average speed or an increase in average delay should be considered as worsening traffic flow.

The proposed project is not expected to increase the percentage of vehicles operating in cold start mode. Also, when compared to the No Build Alternative, the Build Alternatives would not increase traffic volumes by more than 5 percent for the opening (2015) or horizon (2035) years. Furthermore, the Build Alternatives are not expected to worsen traffic flow or operations in the project area.

Figure 2.3.5-2 Sensitive Receptors



The existing Level of Service (LOS) at the SR 118/SR 34 intersection is currently classified as F during both the AM and PM peak commute hours. Table 2.3.5-3 presents the opening year (2015) and horizon year (2035) LOS at the intersection. The table shows that LOS at the intersection would improve under both Build Alternatives. Therefore, the proposed project is expected to improve traffic flow during both the AM and PM peak commute hours.

**Table 2.3.5-3 2015 and 2035 Peak Hour Level of Service (LOS)**

Alternative	Level of Service (LOS)			
	2015		2035	
	AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
No-Build	F	F	F	F
Intersection Improvement	C	C	C	D
SOS	C	D	D	D

Source: State of California-Department of Transportation, Traffic Study Report, June 2010

The qualitative screening analysis performed for the proposed project concluded that neither of the Build Alternatives would have a significant operational impact from CO on the ambient air quality in the project vicinity. The proposed project satisfies the CO protocol criteria and sufficiently addresses CO impacts; indicating that a detailed CO “hot spot” analysis is not necessary and demonstrating that the proposed project will not cause or contribute to any new violation of the CO standard. Therefore, impacts related to CO would not be adverse.

**Particulate Matter (PM10 and PM2.5) Hot Spot Analysis**

The evaluation of the proposed project’s impact on the ambient PM<sub>10</sub> and PM<sub>2.5</sub> was based on the *Particulate Matter and Transportation Projects, An Analysis Protocol* (Protocol) technical report, developed by the UC Davis-Caltrans Air Quality Project at UC Davis, in February 2005. The Protocol allows users to qualitatively screen projects from transportation conformity analyses that are unlikely to create PM<sub>10</sub> hot spot problems. Potential PM<sub>2.5</sub> impacts were evaluated based on the understanding that they are a subset of PM<sub>10</sub>. The proposed project is located in the South Central Coast Air Basin (Basin) in Ventura County, which is designated as an “attainment” area for federal PM<sub>2.5</sub> and PM<sub>10</sub> standards. As a result, the project was screened out of any further PM evaluation and a qualitative PM hot spot analysis was not required. Activities of the proposed project are not expected to cause new violations and are therefore consistent with the purposes of the SIP and conform to the requirements of the FCAA.

While the Basin is in “attainment” for federal PM<sub>2.5</sub> and PM<sub>10</sub> standards, it is in “nonattainment” for state standards. State of California Health and Safety Code Section 39614 requires air districts that violate California PM air quality standards to adopt a schedule for implementing

cost effective PM control measures. The two main sources of PM<sub>2.5</sub> are engine exhaust and PM formed in the atmosphere from other pollutants, such as NO<sub>x</sub> and Reactive Organic Gases (ROG). These pollutants react chemically in the atmosphere PM<sub>2.5</sub>. The VCAPCD did not propose new measures to control PM<sub>2.5</sub> because existing district rules already regulate NO<sub>x</sub> and ROG. However, a schedule was developed for adopting new measures to reduce fugitive dust, a coarser form of PM, most commonly created by soil disturbed activities such as farming and construction operations. The schedule includes new fugitive dust control measures from the following sources: construction, earthmoving and demolition operations; paved and unpaved roads; and staging areas. The VCAPCD Board approved the PM control measure schedule on June 28, 2005.

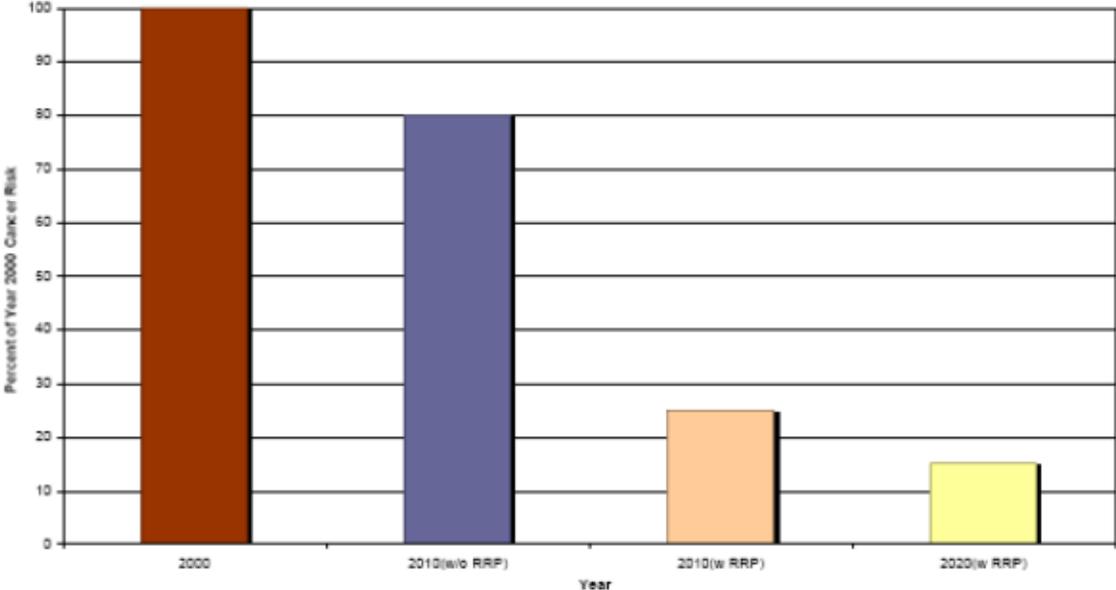
### **Toxic Air Contaminants (TAC)**

In 1998, the EPA's Office of Environmental Health Hazard Assessment (OEHHA) completed a comprehensive health assessment of diesel exhaust. This assessment formed the basis for a decision by the CARB to formally identify particles in diesel exhaust as a toxic air contaminant (TAC) that may pose a threat to human health. Diesel exhaust is a complex mixture of thousands of gases and fine particles (commonly known as soot) that contains more than 40 toxic air contaminants. These include many known or suspected cancer-causing substances, such as benzene, arsenic and formaldehyde. It also contains other harmful pollutants, including nitrogen oxides and PM from diesel-fueled engines (diesel PM). People spending time on or near roads and freeways, operating diesel-powered machinery or working near diesel equipment face exposure to higher levels of diesel exhaust and face higher health risks.

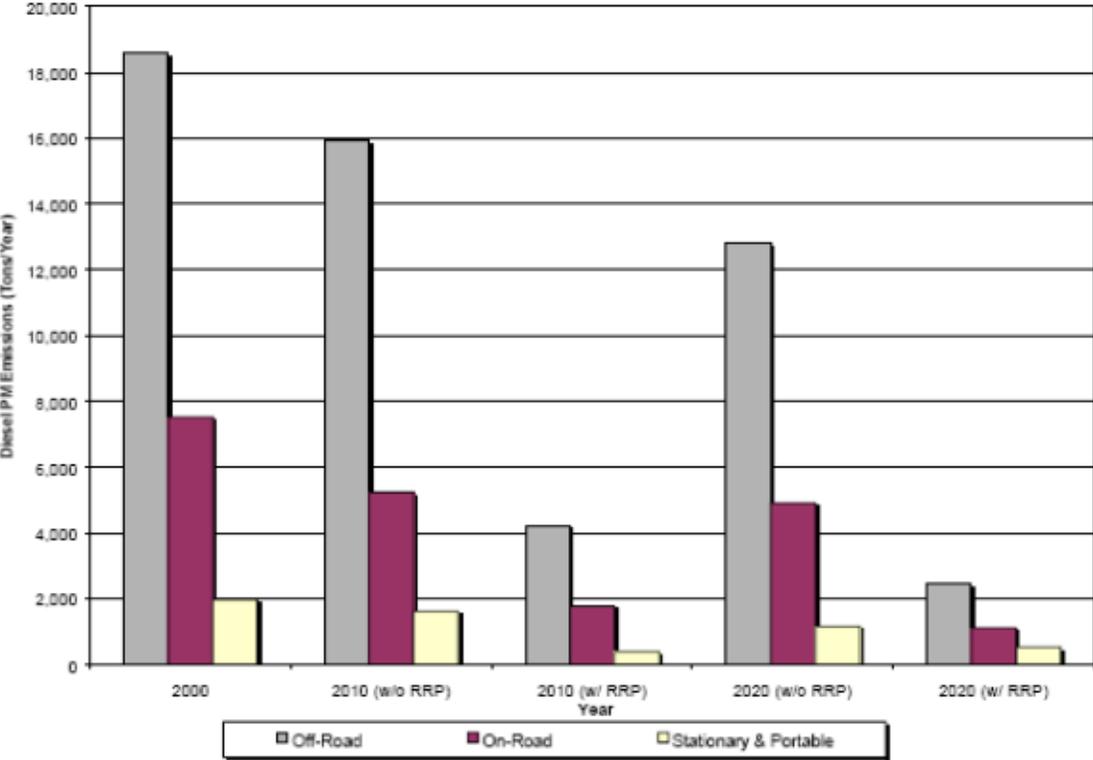
The CARB has found that diesel PM contributes over 70 percent of the known risk from air toxics and poses the greatest cancer risks among all identified air toxics. Diesel trucks contribute more than half of the total diesel combustion sources. The CARB has adopted a Diesel Risk Reduction Plan (RRP) with control measures that would reduce the overall diesel PM emissions by about 85% from 2000 to 2020. While diesel exhaust may pose potential cancer risks to receptors spending time on or near high risk diesel PM facilities, most receptors short-term exposure would only cause minimal harm. Furthermore, these risks would diminish in the future operating years of the project due to planned emission control regulations.

Figures 2.3.5-3 and 2.3.5-4 illustrate the impact of the RRP on projected diesel PM emissions levels for 2010 and 2020. As shown, off-road recommended measures have the largest impact. Of the off-road recommended measures, the retrofit measures result in over 90 percent of the diesel PM reductions associated with all of the off-road measures.

**Figure 2.3.5-3 Projected Reduction in Diesel PM Cancer Risk from Year 2000 Levels With and Without CARB Diesel Risk Reduction Plan (RRP) Implemented**



**Figure 2.3.5-4 Projected Diesel PM Emission Levels With and Without CARB Diesel Risk Reduction Plan (RRP) Implemented**



### ***Construction Impacts***

Short-term impacts to air quality may occur during the construction phase for all of the Build Alternatives. Based on the anticipated 9-month construction schedule for the proposed project, construction-related emissions are considered temporary. Temporary increases in emissions are defined as those that occur only during the construction phase and that last five years or less at an individual site. After project construction, all construction-related impacts would cease, thus resulting in a less than significant impact.

Construction of the proposed project may result in temporary emissions of CO, NO<sub>x</sub>, ROG and PM<sub>10</sub>. Additional sources of construction-related emissions include:

- Exhaust emissions and potential odors from construction equipment use on the construction site, as well as the vehicles used to transport materials to and from the site; and
- exhaust emissions from the motor vehicles of the construction crew.

Stationary or mobile powered on-site construction equipment includes trucks, tractors, signal boards, excavators, backhoes, concrete saws, crushing and/or processing equipment, graders, trenchers, pavers and other paving equipment.

The amount of worker trips to the site is unknown at this time. However, based on anticipated numbers, construction worker trips are not anticipated to contribute to or affect traffic flow on local roadways. Moreover, compared to the existing traffic in the area, the addition of worker trips would be inconsequential.

### **Natural Occurring Asbestos (NOA)**

Asbestos is classified as a known human carcinogen by state, federal and international agencies and was identified as a toxic air contaminant by the CARB in 1986. All types of asbestos are hazardous and may cause lung disease and cancer.

Asbestos can be released from serpentinite and ultramafic rocks when the rock is broken or crushed. At the point of release, the asbestos fibers may become airborne, causing air quality and human health hazards. These rocks have been commonly used for unpaved gravel roads, landscaping, fill projects and other improvement projects in some localities. Asbestos may be released to the atmosphere due to vehicular traffic on unpaved roads, during grading for development projects and at quarry operations. All of these activities may have the effect of releasing potentially harmful asbestos into the air. Natural weathering and erosion processes

can act on asbestos bearing rock and make it easier for asbestos fibers to become airborne if such rock is disturbed.

Asbestos can also be associated with other rock types in California, though much less frequently than serpentinite and/or ultramafic rock. Serpentinite and/or ultramafic rock are known to be present in 44 of California's 58 counties. The California Department of Conservation, Division of Mines and Geology has developed a map of the state showing the general location of ultramafic rock in the state. Serpentinite and ultramafic rock are not known to be present in Ventura County. Therefore, there is minimal potential of encountering Naturally Occurring Asbestos (NOA) during construction of the proposed project.

### **Avoidance, Minimization and/or Mitigation Measures**

Chapter 7-1.01 F of Caltrans Standard Specifications (May, 2006) deals with air pollution control. The chapter requires the contractor to comply with all "air pollution control rules, regulations, ordinances and statutes which apply to any work performed pursuant to the contract, including any air pollution rules, regulations, ordinances and statutes appearing in Section 11017 of the Government Code". Furthermore, the project construction would need to comply with any local or regional applicable rules, guidances and control measures.

In order to minimize anticipated temporary construction-related emissions, all construction vehicles and construction equipment would be required to be equipped with state-mandated emission control devices pursuant to state emission regulations and standard construction practices.

The following measures would be implemented to minimize ozone precursor emissions from construction vehicles:

- Minimize equipment idling time.
- Maintain equipment engines in good condition and in proper tune as per manufacturer's specifications.
- Lengthen the construction period during smog season (May through October), to minimize the number of vehicles and equipment operating at the same time.

Short-term construction PM<sub>10</sub> emissions would be reduced with the implementation of the VCAPCD fugitive dust reduction measures (Rule 55). Also, the project construction would adhere to Caltrans Standard Specifications Section 10 (Dust Control), 18 (Dust Palliative) and 39-3.06 (Asphalt Concrete Plants).

Other key fugitive dust minimization measures that the project construction should abide by include the following:

- The area disturbed by clearing, grading, earth moving or excavation operations shall be minimized to prevent excessive amounts of dust.
- Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavation operations. Application of water (preferably reclaimed, if available) should penetrate sufficiently to minimize fugitive dust during grading activities.
- Fugitive dust produced during grading, excavation and construction activities shall be controlled by the following activities:
  - a) All trucks shall be required to cover their loads as required by California Vehicle Code §23114.
  - b) All graded and excavated material, exposed soil areas and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible.
- Graded and/or excavated areas of the construction site shall be monitored at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally safe dust control materials, shall be periodically applied to portions of the construction site that are inactive for four days. If no further grading or excavation operations are planned for the area, the area should be seeded and watered until grass growth is evident, or periodically treated with environmentally-safe dust suppressants, to prevent fugitive dust.
- Signs shall be posted on-site, limiting traffic to 15 mile per hour or less.
- During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties), all clearing, grading earth moving and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by on-site activities and operations from being a nuisance or hazard, either off-site or on-site. The site superintendent/supervisor shall use his/her discretion in conjunction with the VCAPCD in determining when winds are excessive.

- Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.
- Personnel involved in grading operations, including contractors and subcontractors should be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.

The proposed project is not located in an area identified as potentially containing serpentinite and ultramafic rocks. However, in the unlikely event that NOA, serpentine or ultramafic rock is discovered during grading operations, the VCAPCD should be notified per title 17, Section 93105 of the California Code of Regulations.

### **2.3.6 Climate Change**

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 gases (GHGs), 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's in 1988, has led to increased efforts devoted to greenhouse gas (GHG) emissions reduction and climate change research and policy. These efforts are primarily concerned with the emissions of GHGs related to human activity that include carbon dioxide (CO<sub>2</sub>), methane, nitrous oxide, tetrafluoromethane, hexafluoroethane, sulfur hexafluoride, HFC-23 (fluoroform), HFC-134a (s, s, s, 2 –tetrafluoroethane), and HFC-152a (difluoroethane).

There are typically two terms used when discussing the impacts of climate change. "Greenhouse Gas (GHG) Mitigation" is a term for reducing GHG emissions in order to reduce or "mitigate" the impacts of climate change. "Adaptation," refers to the effort of planning for and adapting to impacts due to climate change (such as adjusting transportation design standards to withstand more intense storms and higher sea levels)<sup>44</sup>.

Transportation sources (passenger cars, light duty trucks, other trucks, buses and motorcycles) in the state of California make up the largest source (second to electricity generation) of greenhouse gas emitting sources. Conversely, the main source of GHG emissions in the United States is electricity generation followed by transportation. The dominant GHG emitted is CO<sub>2</sub>, mostly from fossil fuel combustion.

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<sup>44</sup> [http://climatechange.transportation.org/ghg\\_mitigation/](http://climatechange.transportation.org/ghg_mitigation/)

There are four primary strategies for reducing GHG emissions from transportation sources: 1) improve system and operation efficiencies, 2) reduce growth of vehicle miles traveled (VMT) 3) transition to lower GHG fuels and 4) improve vehicle technologies. To be most effective all four should be pursued collectively. The following regulatory setting section outlines state and federal efforts to comprehensively reduce GHG emissions from transportation sources.

## **Regulatory Setting**

### ***State***

With the passage of several pieces of legislation including State Senate and Assembly Bills and Executive Orders, California launched an innovative and pro-active approach to dealing with greenhouse gas emissions and climate change at the state level.

Assembly Bill 1493 (AB 1493), Pavley. Vehicular Emissions: Greenhouse Gases (AB 1493), 2002: requires the California Air Resources Board (ARB) to develop and implement regulations to reduce automobile and light truck greenhouse gas emissions. These stricter emissions standards were designed to apply to automobiles and light trucks beginning with the 2009-model year. In June 2009, the United States Environmental Protection Agency (U.S. EPA) Administrator granted a Clean Air Act waiver of preemption to California. This waiver allowed California to implement its own GHG emission standards for motor vehicles beginning with model year 2009. California agencies will be working with Federal agencies to conduct joint rulemaking to reduce GHG emissions for passenger cars model years 2017-2025.

Executive Order S-3-05: (signed on June 1, 2005, by Governor Arnold Schwarzenegger) the goal of this Executive Order is to reduce California's GHG emissions to: 1) 2000 levels by 2010, 2) 1990 levels by the 2020 and 3) 80 percent below the 1990 levels by the year 2050. In 2006, this goal was further reinforced with the passage of Assembly Bill 32.

AB32 (AB 32), the Global Warming Solutions Act of 2006: AB 32 sets the same overall GHG emissions reduction goals as outlined in Executive Order S-3-05, while further mandating that ARB create a plan, which includes market mechanisms, and implement rules to achieve "real, quantifiable, cost-effective reductions of greenhouse gases." Executive Order S-20-06 further directs state agencies to begin implementing AB 32, including the recommendations made by the State's Climate Action Team.

Executive Order S-01-07: Governor Schwarzenegger set forth the low carbon fuel standard for California. Under this Executive Order, the carbon intensity of California's transportation fuels is to be reduced by at least ten percent by 2020.

Senate Bill 97 (Chapter 185, 2007): required the Governor's Office of Planning and Research (OPR) to develop recommended amendments to the State CEQA Guidelines for addressing greenhouse gas emissions. The Amendments became effective on March 18, 2010.

### **Federal**

Although climate change and GHG reduction is a concern at the federal level; currently there are , no regulations or legislation that have been enacted specifically addressing GHG emissions reductions and climate change at the project level. Climate change and its associated effects are being addressed through various efforts at the federal level to improve fuel economy and energy efficiency, such as the “National Clean Car Program” and Executive Order 13514- Federal Leadership in Environmental, Energy and Economic Performance.

Executive Order 13514 is focused on reducing greenhouse gases internally in federal agency missions, programs and operations, but also direct federal agencies to participate in the interagency Climate Change Adaptation Task Force, which is engaged in developing a U.S. strategy for adaptation to climate change.

On April 2, 2007, in *Massachusetts v. EPA*, 549 U.S. 497 (2007), the Supreme Court found that greenhouse gases are air pollutants covered by the Clean Air Act and that the U.S. EPA has the authority to regulate GHG. The Court held that the U.S. EPA Administrator must determine whether or not emissions of greenhouse gases from new motor vehicles cause or contribute to air pollution which may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision.

On December 7, 2009, the U.S. EPA Administrator signed two distinct findings regarding greenhouse gases under section 202(a) of the Clean Air Act:

**Endangerment Finding:** The Administrator found that the current and projected concentrations of the six key well-mixed greenhouse gases--carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>)--in the atmosphere threaten the public health and welfare of current and future generations.

**Cause or Contribute Finding:** The Administrator found that the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution which threatens public health and welfare.

Although these findings did not themselves impose any requirements on industry or other entities, this action was a prerequisite to finalizing the U.S. EPA’s Proposed Greenhouse Gas

Emission Standards for Light-Duty Vehicles, which was published on September 15, 2009<sup>45</sup>. On May 7, 2010 the final Light-Duty Vehicle Greenhouse Gas Emissions Standards and Corporate Average Fuel Economy Standards was published in the Federal Register.

U.S. EPA and the National Highway Traffic Safety Administration (NHTSA) are taking coordinated steps to enable the production of a new generation of clean vehicles with reduced GHG emissions and improved fuel efficiency from on-road vehicles and engines. These next steps include developing the first-ever GHG regulations for heavy-duty engines and vehicles, as well as additional light-duty vehicle GHG regulations. These steps were outlined by President Obama in a memorandum on May 21, 2010.<sup>46</sup>

The final combined USEPA and NHTSA standards that make up the first phase of this national program apply to passenger cars, light-duty trucks, and medium-duty passenger vehicles, covering model years 2012 through 2016. The standards require these vehicles to meet an estimated combined average emissions level of 250 grams of carbon dioxide per mile, equivalent to 35.5 miles per gallon (MPG) if the automobile industry were to meet this carbon dioxide level solely through fuel economy improvements. Together, these standards will cut GHG emissions by an estimated 960 million metric tons and 1.8 billion barrels of oil over the lifetime of the vehicles sold under the program (model years 2012-2016).

On January 24, 2011, the U.S. EPA along with the U.S. Department of Transportation and the State of California announced a single timeframe for proposing fuel economy and greenhouse gas standards for model years 2017-2025 cars and light-trucks. Proposing the new standards in the same timeframe (September 1, 2011) signals continued collaboration that could lead to an extension of the current National Clean Car Program.

## **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 participate in a potential impact through its incremental contribution combined with the contributions of all other sources of GHG.<sup>47</sup> In assessing cumulative impacts, it must be determined if a project's incremental effect is "cumulatively considerable." See CEQA Guidelines sections 15064(h)(1) and 15130. To make this determination the incremental

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<sup>45</sup> <http://www.epa.gov/climatechange/endangerment.html>

<sup>46</sup> <http://epa.gov/otaq/climate/regulations.htm>

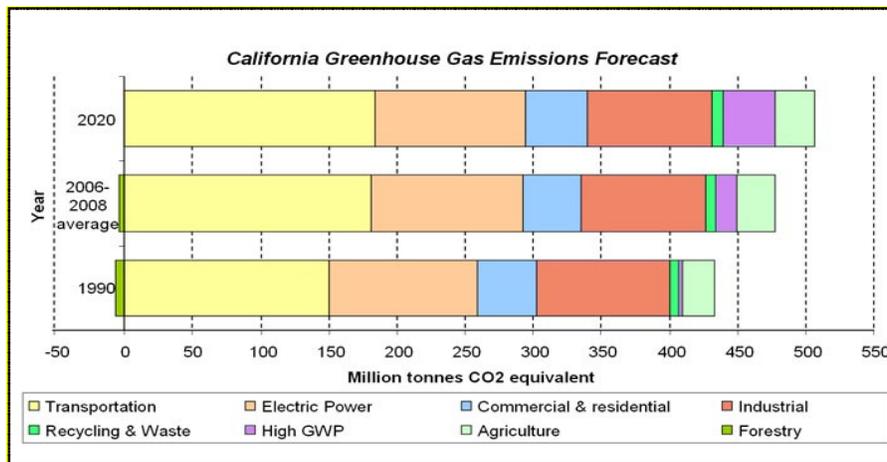
<sup>47</sup> This approach is supported by the AEP: *Recommendations by the Association of Environmental Professionals on How to Analyze GHG Emissions and Global Climate Change in CEQA Documents* (March 5, 2007), as well as the SCAQMD ( Chapter 6: : The CEQA Guide, April 2011) and the US Forest Service (Climate Change Considerations in Project Level NEPA Analysis, July 13, 2009).

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 in order to make this determination is a difficult if not impossible task.

The AB 32 Scoping Plan contains the main strategies California will use to reduce GHG. As part of its supporting documentation for the Draft Scoping Plan, CARB released the GHG inventory for California (Forecast last updated: 28 October 2010). The forecast is an estimate of the emissions expected to occur in the year 2020 if none of the foreseeable measures included in the Scoping Plan were implemented. The base year used for forecasting emissions is the average of statewide emissions in the GHG inventory for 2006, 2007, and 2008.

Caltrans and its parent agency, the Business, Transportation, and Housing Agency, have taken an active role in addressing GHG emission reduction and climate change. Recognizing that 98 percent of California’s GHG emissions are from the burning of fossil fuels and 40 percent of all human made GHG emissions are from transportation, Caltrans has created and is implementing the Climate Action Program at Caltrans that was published in December 2006 (see Climate Action Program at Caltrans (December 2006)).<sup>48</sup>

**Figure 2.3.6-1 California Greenhouse Gas Forecast**



Source: <http://www.arb.ca.gov/cc/inventory/data/forecast.htm>

<sup>48</sup> Caltrans Climate Action Program is located at the following web address: [http://www.dot.ca.gov/hq/tpp/offices/ogm/key\\_reports\\_files/State\\_Wide\\_Strategy/Caltrans\\_Climate\\_Action\\_Program.pdf](http://www.dot.ca.gov/hq/tpp/offices/ogm/key_reports_files/State_Wide_Strategy/Caltrans_Climate_Action_Program.pdf)

The purpose of the proposed project is to improve overall traffic operations at the SR-118/SR-34 intersection. The proposed project is expected to achieve this by reducing delay time, relieving congestion, and enhancing safety at the intersection. Tables 2.3.6-1 and 2.3.6-2 show existing peak commute hour volumes, delay and LOS for each approach, as well as the delay and LOS for the whole intersection.

**Table 2.3.6-1 Existing AM Peak Hour Traffic, Volumes, Delay and LOS**

		Peak Hour Traffic	Approach Delay (sec.)	Approach LOS	Intersection Delay (sec.)	Intersection LOS
Eastbound SR-118	Through	352	92.1	F	108.0	F
	Right-Turn	8				
Westbound SR-118	Left-Turn	502	162.7	F		
	Through	358				
SR-34	Left-Turn	63	32.5	C		
	Right-Turn	484				

Source: State of California-Department of Transportation, Traffic Study Report, June 2010

**Table 2.3.6-2 Existing PM Peak Hour Traffic Volumes, Delay and LOS**

		Peak Hour Traffic	Approach Delay (sec.)	Approach LOS	Intersection Delay (sec.)	Intersection LOS
Eastbound SR-118	Through	345	73.3	E	188.9	F
	Right-Turn	12				
Westbound SR-118	Left-Turn	409	339.0	F		
	Through	464				
SR-34	Left-Turn	98	45.8	D		
	Right-Turn	529				

Source: State of California-Department of Transportation, Traffic Study Report, June 2010

The existing level of service (LOS) at the SR 118/SR 34 intersection is currently classified as F during both the AM and PM peak commute hours. Table 2.3.6-3 presents the opening year (2015) and horizon year (2035) LOS at the intersection. The table shows that with implementation of the proposed project, LOS at the intersection would improve under both Build Alternatives. Therefore, the proposed project is expected to improve traffic flow during

both the AM and PM peak commute hours. To the extent that a project relieves congestion by enhancing operations and improving travel times in high congestion travel corridors, GHG emissions, particularly CO<sub>2</sub>, may be reduced.

**Table 2.3.6-3 2015 and 2035 Peak Hour Level of Service (LOS)**

Alternative	Level of Service (LOS)			
	2015		2035	
	AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
No-Build	F	F	F	F
Intersection Improvement	C	C	C	D
SOS	C	D	D	D

Source: State of California-Department of Transportation, Traffic Study Report, June 2010

The proposed project is included in the Southern California Association of Governments (SCAG) 2008 Regional Transportation Plan (2008 RTP). The 2008 RTP includes programs, policies and measures to address air emissions, including GHG. Measures that address GHG emissions are comprised of strategies that reduce congestion, increase access to public transportation, improve air quality and enhance coordination between land use and transportation decisions.

The SCAG has adopted a set of advisory land use policies and strategies for future regional planning efforts and for localities to consider as they accommodate future growth. These advisory policies and strategies encourage changes to the urban form that improve accessibility to transit and create more compact development, which yields a number of transportation benefits to the region, including reductions in travel time, vehicle miles traveled (VMT), vehicle hours traveled (VHT) and vehicle hours of delay (VHD).

### **Construction Emissions**

GHG emissions for transportation projects can be divided into those produced during construction and those produced during operations. Construction GHG emissions include emissions produced as a result of material processing, emissions produced by onsite construction equipment, and emissions arising from 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. 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 mitigated to some degree by longer intervals between maintenance and rehabilitation events.

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 and indirect impact with respect to climate change. Caltrans does remain firmly committed to implementing measures to help reduce the potential effects of the project. These measures are outlined in the following section.

### ***Greenhouse Gas Reduction Strategies***

#### **AB 32 Compliance**

Caltrans continues to be actively involved on the Governor's Climate Action Team as CARB works to implement the Executive Orders S-3-05 and S-01-07 and help achieve the targets set forth in AB 32. Many of the strategies Caltrans is using to help meet the targets in AB 32 come from the California Strategic Growth Plan, which is updated each year. Former Governor Arnold Schwarzenegger's Strategic Growth Plan calls for a \$222 billion infrastructure improvement program to fortify the state's transportation system, education, housing, and waterways, including \$100.7 billion in transportation funding during the next decade. The Strategic Growth Plan targets a significant decrease in traffic congestion below today's level and a corresponding reduction in GHG emissions. The Strategic Growth Plan proposes to do this while accommodating growth in population and the economy. A suite of investment options has been created that combined together are expected to reduce congestion. The Strategic Growth Plan relies on a complete systems approach to attain CO<sub>2</sub> reduction goals: system monitoring and evaluation, maintenance and preservation, smart land use and demand management, and operational improvements. Caltrans is supporting efforts to reduce vehicle miles traveled by planning and implementing smart land use strategies: job/housing proximity, developing transit-oriented communities, and high density housing along transit corridors. The Caltrans is working closely with local jurisdictions on planning activities; however, the Caltrans does not have local land use planning authority. Caltrans is also supporting efforts to improve the energy efficiency of the transportation sector by increasing vehicle fuel economy in new cars, light and heavy-duty trucks; Caltrans is doing this by supporting on-going research efforts at universities, by supporting legislative efforts to increase fuel economy, and by its participation on the Climate Action Team. It is important to note, however, that the control of the fuel economy standards is held by U.S. EPA and ARB. Lastly, the use of alternative fuels is also being considered; Caltrans is participating in funding for alternative fuel research at the UC Davis. Table 2.3.6-4 summarizes the Caltrans and statewide efforts Caltrans is implementing in order to reduce GHG emissions. More detailed information about each strategy is included in the Climate Action Program at Caltrans (December 2006).

**Table 2.3.6-4 Climate Change/CO2 Reduction Strategies 1**

Strategy	Program	Partnership		Method/Process	Estimated CO <sub>2</sub> Savings (MMT)	
		Lead	Agency		2010	2020
Smart Land Use	Intergovernmental Review (IGR)	Caltrans	Local Governments	Review and seek to mitigate development proposals	Not Estimated	Not Estimated
	Planning Grants	Caltrans	Local and regional agencies & other stakeholders	Competitive selection process	Not Estimated	Not Estimated
	Regional Plans and Blueprint Planning	Regional Agencies	Caltrans	Regional plans and application process	.975	7.8
Operational Improvements & Intelligent Trans. System (ITS) Deployment	Strategic Growth Plan	Caltrans	Regions	State ITS; Congestion Management Plan	.07	2.17
Mainstream Energy & GHG into Plans and Projects	Office of Policy Analysis & Research; Division of Environmental Analysis	Interdepartmental effort		Policy establishment, guidelines, technical assistance	Not Estimated	Not Estimated
Educational & Information Program	Office of Policy Analysis & Research	Interdepartmental, CalEPA, CARB, CEC		Analytical report, data collection, publication, workshops, outreach	Not Estimated	Not Estimated
Fleet Greening & Fuel Diversification	Division of Equipment	Department of General Services		Fleet Replacement B20 B100	.0045	.0065 .045 .0225
Non-vehicular Conservation Measures	Energy Conservation Program	Green Action Team		Energy Conservation Opportunities	.117	.34
Portland Cement	Office of Rigid Pavement	Cement and Construction Industries	2.5 % limestone cement mix	1.2	4.2	
			25% fly ash cement mix > 50% fly ash/slag mix	.36	3.6	
Goods Movement	Office of Goods Movement	Cal EPA, CARB, BT&H, MPOs		Goods Movement Action Plan	Not Estimated	Not Estimated
<b>Total</b>					2.72	18.18

## 2.3.7 Noise and Vibration

### Regulatory Setting

#### California Environmental Quality Act

The California Environmental Quality Act (CEQA) requires a strictly No-Build 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 the act dictates that mitigation measures must be incorporated into the project unless such measures are not feasible.

#### Caltrans Traffic Noise Analysis Protocol (Protocol)

The California Traffic Noise Analysis Protocol (Protocol) outlines the requirements for preparing noise study reports. The purpose of the Protocol is to present Caltrans policies and procedures for applying Federal Regulation 23 CFR 772 in California. The Noise Abatement Criteria (NAC) specified in the Protocol are the same as those specified in 23 CFR 772. Table 3.4.7-1 table lists the NAC used for 23 CFR 772 analysis.

In identifying noise impacts, primary consideration is given to exterior areas of frequent human use. In situations where there are no exterior activities, or where the exterior activities are far from the roadway or physically shielded in a manner that prevents an impact on exterior activities, the interior criterion (Activity Category E, Table 2.3.6-1) is used as the basis for determining a noise impact. Figure 2.3.7-1 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.

In accordance with the Protocol, a noise impact occurs when the future noise level with the project results in a substantial increase in 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 will 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.

The Protocol sets forth the criteria for determining when an abatement measure is reasonable and feasible. A minimum 5 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 basically a cost-benefit analysis. Factors used in determining whether a proposed noise

abatement measure is reasonable include: residents acceptance, the absolute noise level, build versus existing noise, indirect impacts of abatement, public and local agencies input, newly constructed development versus development pre-dating 1978 and the cost per benefited residence.

**California Streets and Highways Code Section 216**

Section 216 of the California Streets and Highways Code relates to the noise effects of a proposed freeway project on public and private elementary and secondary schools. Under this code, a noise impact occurs if, as a result of a proposed freeway project, noise levels exceed 52 dBA- $L_{eq}(h)$  in the interior of public or private elementary or secondary classrooms, libraries, multipurpose rooms, or spaces. This requirement does not replace the “approach or exceed” NAC criterion for FHWA Activity Category E for classroom interiors, but is a requirement that must be addressed in addition to the requirements of 23 CFR 772. If a project results in a noise impact under this code, noise abatement must be provided to reduce classroom noise to a level that is at or below 52 dBA- $L_{eq}(h)$ . If the noise levels generated from freeway and non-freeway sources exceed 52 dBA- $L_{eq}(h)$  prior to the construction of the proposed freeway project, then noise abatement must be provided to reduce the noise to the level that existed prior to construction of the project.

**Table 2.3.7-1 Activity Categories and Noise Abatement Criteria (NAC)**

Activity Category	NAC, Hourly A-Weighted* Noise Level, dBA $L_{eq}(h)$ *	Description of Activities
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	67 Exterior	Picnic areas, recreation areas, playgrounds, active sport areas, parks, residences, motels, hotels, schools, churches, libraries, and hospitals.
C	72 Exterior	Developed lands, properties, or activities not included in Categories A or B above
D	–	Undeveloped lands.
E	52 Interior	Residence, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals, and auditoriums

Source: State of California – Department of Transportation, Traffic Noise Study Report

\*A-weighted decibel is a sound weighting network utilized to measure the frequency response of the human ear. Noise levels for traffic noise reports are typically reported in terms of A-weighted decibels (dBA).

\*  $L_{eq}$  - Represents an average of the sound energy occurring over a specified period.

**Figure 2.3.7-1 Typical Noise Levels**

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
Jet Fly-over at 300m (1000 ft)	110	Rock Band
Gas Lawn Mower at 1 m (3 ft)	100	
Diesel Truck at 15 m (50 ft), at 80 km (50 mph)	90	Food Blender at 1 m (3 ft)
Noisy Urban Area, Daytime	80	Garbage Disposal at 1 m (3 ft)
Gas Lawn Mower, 30 m (100 ft)	70	Vacuum Cleaner at 3 m (10 ft)
Commercial Area		Normal Speech at 1 m (3 ft)
Heavy Traffic at 90 m (300 ft)	60	Large Business Office
Quiet Urban Daytime	50	Dishwasher Next Room
Quiet Urban Nighttime	40	Theater, Large Conference Room (Background)
Quiet Suburban Nighttime		Library
Quiet Rural Nighttime	30	Bedroom at Night, Concert Hall (Background)
	20	Broadcast/Recording Studio
	10	
Lowest Threshold of Human Hearing	0	Lowest Threshold of Human Hearing

## **Environmental Setting**

The information in this section is based on the Traffic Noise Study Report (January 2010), prepared by the Caltrans Office of Environmental Engineering and Corridor Studies, Noise and Vibration Branch. A field investigation of the entire area within the proposed project limits was performed in support of the Traffic Noise Study Report (Caltrans, January 2010). The field investigation was conducted to identify land uses, select noise measurement sites, determine existing noise levels, and gather information to develop and calibrate the traffic noise model used for predicting future noise levels.

### ***Land Use and Sensitive Areas***

The proposed project is located in the Somis area of unincorporated Ventura County. The Ventura County General Plan designates the area for agricultural, open space, rural and existing community land uses. Land uses along SR-118 in the vicinity of the intersection are agricultural-related and include farmlands, commercial nurseries, a flower shop, ranches/residences, a heavy equipment repair shop/storage, a produce stand and vacant lots. Downtown Somis is located along SR-34, just south of the intersection. Land uses along this three-block stretch include a mixture of residential, commercial, and agricultural-related uses. Somis School is located one block west of SR-34. The rest of the project area is composed mainly of agricultural-related and residential uses. Developed lands in the project area, consisting mostly of single-family residences, are concentrated west of SR-34 and in the La Cumbre Road Existing Community, located northeast of the SR-118/SR-34 intersection.

### ***Noise Measurement Sites***

Noise sensitive land uses that could be subject to traffic and construction noise impacts from the proposed project alternatives were identified. Land uses in the project area were categorized by land use type, extent of frequent human use and the Activity Categories described in Table 2.3.6-1. As stated in the Protocol, noise abatement is only considered for areas of frequent human use that would benefit from a lowered noise level. Accordingly, the impact analysis focused on locations with defined frequent human use areas. These areas typically include residences, schools, libraries, churches and temples, hospitals, recreation and sport areas, playgrounds, hotels and motels. Noise measurement sites were selected by taking into consideration the following general site requirements:

1. Sites were acoustically representative of areas and conditions of interest and located at areas of human use.
2. Sites were clear of major obstructions between source and receiver. Microphone positions were more than 3 meters away from reflecting surfaces.

3. Sites were free of noise contamination by sources other than those of interest. Sites were not located near barking dogs, lawn mowers, pool pumps, air conditioners, etc.
4. Sites were not exposed to prevailing meteorological conditions that are beyond the constraints discussed in the Technical Noise Supplement (TeNS) to the Protocol.

The entire area within the project limits was acoustically represented by 20 noise measurement site locations, shown on Figures 2.3.6-2 through 2.3.6-4. The existing noise environment in the project area was determined by performing long-term (24-hour) and short-term (10 and 20 minute) noise measurements. Short-term measurements were conducted at 18 locations. These locations are acoustically representative of the noise environment and land uses within the limits of the project. Long-term measurements were conducted at 5 of the 18 short-term measurement locations to determine the noisiest hour within the project limits.

Additionally, two community background noise measurements were taken within the project limits. Background noise is the total of all noise generated within a community and is measured away from the highway, where highway traffic noise does not contribute to the total noise level. Background noise levels are typically measured to determine the acoustical feasibility (noise reducibility of 5dBA) of noise abatement and to insure that noise reduction goals can be achieved. Noise abatement cannot reduce noise levels below background noise levels. Table 2.3.7-2 summarizes the background noise measurements. The background noise levels ranged from 50 to 57 dBA-Leq(h).

**Table 2.3.7-2 Background Noise Measurements**

Location	Address	Type of Development	Field-Measured Noise Level dBA-Leq(h)
BG1	5631 La Cumbre Rd.	Residential	56.6
BG2	5120 Dodson St.	Residential	49.8

Source: State of California – Department of Transportation, Traffic Noise Study Report

### ***Existing Traffic Noise***

#### ***Short-term Noise Measurements (10 & 20 minute)***

Short-term noise measurements were recorded at 18 noise sensitive locations. These locations, shown in Figures 2.3.7-2 through 2.3.7-4, were selected to represent developed areas within the project limits. All measurement locations were identified as falling under Activity Category B with corresponding NAC of 67 dBA- L<sub>eq</sub>(h). As required by the Protocol, all developed land uses were evaluated in the Traffic Noise Study Report (Caltrans, January 2010). However, the impact analysis focused on locations with defined outdoor activity areas, such as residential

backyards and common use areas at multi-family residences, that would benefit from a lowered noise level. Existing ambient noise levels for the project area, summarized in Table 2.3.7-3, were between 53 and 67 dBA.

**Table 2.3.7-3 Existing Traffic Noise Levels**

Noise Sensitive Locations	Site	Location	Field-Measured dBA-Leq(h)	Modeled dBA-Leq(h)
1	R1*	6754 Los Angeles Ave.	60.8	62.8
2	R2	6580 La Cumbre Rd.	60.3	62.2
3	R3	6564 La Cumbre Rd.	56.9	57.5
4	R4*	5696 Los Angeles Ave.	62.8	59.9
5	R5	5470 Los Angeles Ave.	61.8	64.1
6	R6*	3970 Donlon Rd.	59.9	57.0
7	R7	5487 La Cumbre Rd.	54.0	56.2
8	R9	5306 Los Angeles Ave.	64.9	65.1
9	R10	3186 Somis Rd.	64.0	62.4
10	R11*	5436 North St.	62.3	62.2
11	R12	3445 Somis Rd.	67.2	66.6
12	R13	3406 Rice St.	60.3	60.4
13	R14	3318 West St.	57.7	50.5
14	R15	3356 Somis Rd.	64.3	64.1
15	R16	2306 West Rd.	62.8	61.8
16	R17	N/A	52.7	N/A
17	R18*	3508 Rice St.	56.7	N/A
18	R20	N/A	57.5	N/A

Source: State of California – Department of Transportation, Traffic Noise Study Report

\*Long-Term Noise Measurement Location

**Long-term Noise Measurements (24-hour)**

Long-term noise measurements were recorded at 5 locations representative of residential areas. The purpose of these measurements was to capture variations in traffic noise levels throughout the day, rather than absolute noise levels at a specific receptor of concern. Short-term noise measurement results were analyzed and adjusted using long-term noise measurement results to determine existing worst-hour noise levels.

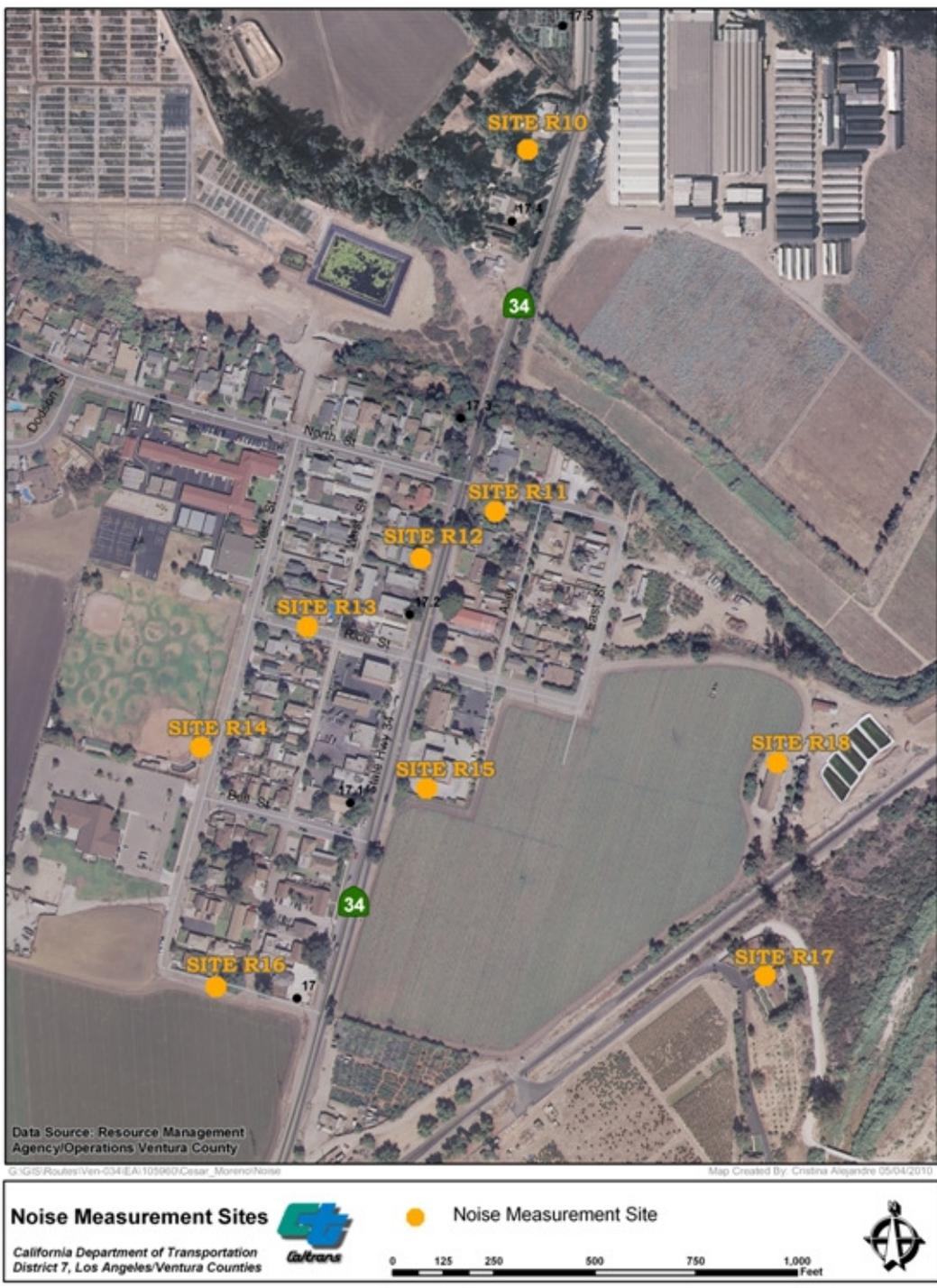
Figure 2.3.7-2 Noise Measurement Sites SR-118/SR-34 Intersection



Figure 2.3.7-3 Noise Measurement Sites (East of Intersection)



Figure 2.3.7-4 Noise Measurement Sites (South of Intersection)



## **Impacts**

Analysis of noise impacts under the CEQA involves determining whether the proposed project would result in significant adverse environmental effects. A proposed project could potentially cause a significant adverse environmental effect if it would result in a substantial noise increase over existing noise levels. Caltrans considers a noise increase substantial when the predicted noise levels of a proposed project exceed existing noise levels by 12 dBA. Whether the substantial increase would result in a significant adverse effect is determined based on the context and intensity of the substantial noise increase, by comparing the existing noise level to the predicted noise level with the project.

### ***Traffic Noise Level Prediction Methods***

The Federal Highway Administration's (FHWA) Traffic Noise Model Version 2.5 (TNM 2.5) computer program was used for highway traffic noise prediction and analysis. Traffic noise was modeled for existing conditions, design year (2035) No-Build conditions and design year (2035) conditions under each Build Alternative. The FHWA TNM 2.5 was used to compare the measured traffic noise levels presented in Table 2.3.7.3 to modeled noise levels for existing conditions and calibrated in order to correctly predict noise levels at analysis locations

### ***Operational Impacts***

Table 2.3.7-4 lists existing worst-hour noise levels as well as design year (2035) worst-hour noise levels under the No-Build Alternative and under the Build Alternatives. Existing worst-hour noise levels were compared to design year (2035) worst-hour noise levels under the Build Alternatives to analyze noise impacts. Also, design year (2035) worst-hour noise levels under the No-Build Alternative were compared to design year (2035) worst-hour noise levels under the Build Alternatives to determine the traffic noise increase as a result of the proposed project.

Future noise levels are predicted to be in the range of 53 – 70 dBA- $L_{eq}(h)$ . Predicted increases in traffic noise for design year (2035) worst-hour conditions for the No-Build Alternative and both Build Alternatives compared to existing worst-hour conditions are generally in the range of 0-2 dBA. Neither of the Build Alternatives would result in substantial (12 dBA or greater) noise increases. Therefore, noise impacts are not considered adverse.

**Table 2.3.7-4 Worst-Hour Noise Levels (dBA-Leq[h])**

Site	Existing	2035		
		No-Build Alternative	Intersection Improvement Alternative	Save Our Somis Alternative
R1	61	62	62	62
R2	63	64	63	63
R3	59	59	59	59
R4	64	65	64	64
R5	63	64	64	63
R6	61	62	62	61
R7	55	56	56	55
R9	67	67	67	67
R10	65	65	65	65
R11	64	65	65	65
R12	68	70	69	69
R13	62	62	62	62
R14	59	53	53	53
R15	66	67	66	66
R16	65	65	65	65

Source: State of California – Department of Transportation, Traffic Noise Study Report

**Noise Abatement Considerations**

In accordance with 23 CFR 772, noise abatement is considered where noise impacts are predicted in areas of frequent human use that would benefit from a lowered noise level. Traffic noise impacts are predicted to occur at three noise sensitive receptors within the project area where worst-hour noise levels under both Build Alternatives would approach or exceed the NAC criterion for FHWA Activity Category B. As a result, noise abatement was considered at these locations. However, the presence of driveways, local street intersections, and adjacent commercial developments restrict continuous soundwalls that could provide effective noise reduction. It was determined that soundwalls are neither reasonable nor acoustically feasible and feasible traffic noise abatement cannot be provided for the impacted receptors.

**Construction Impacts**

During the construction phases of the project, noise from construction activities may intermittently dominate the noise environment in the immediate area of construction. Construction noise is regulated by Caltrans Standard Specifications, Section 7-1.01I, Sound Control Requirements. These requirements state that noise levels generated during construction shall comply with applicable local, state and federal regulations. Figure 2.3.7-5 summarizes

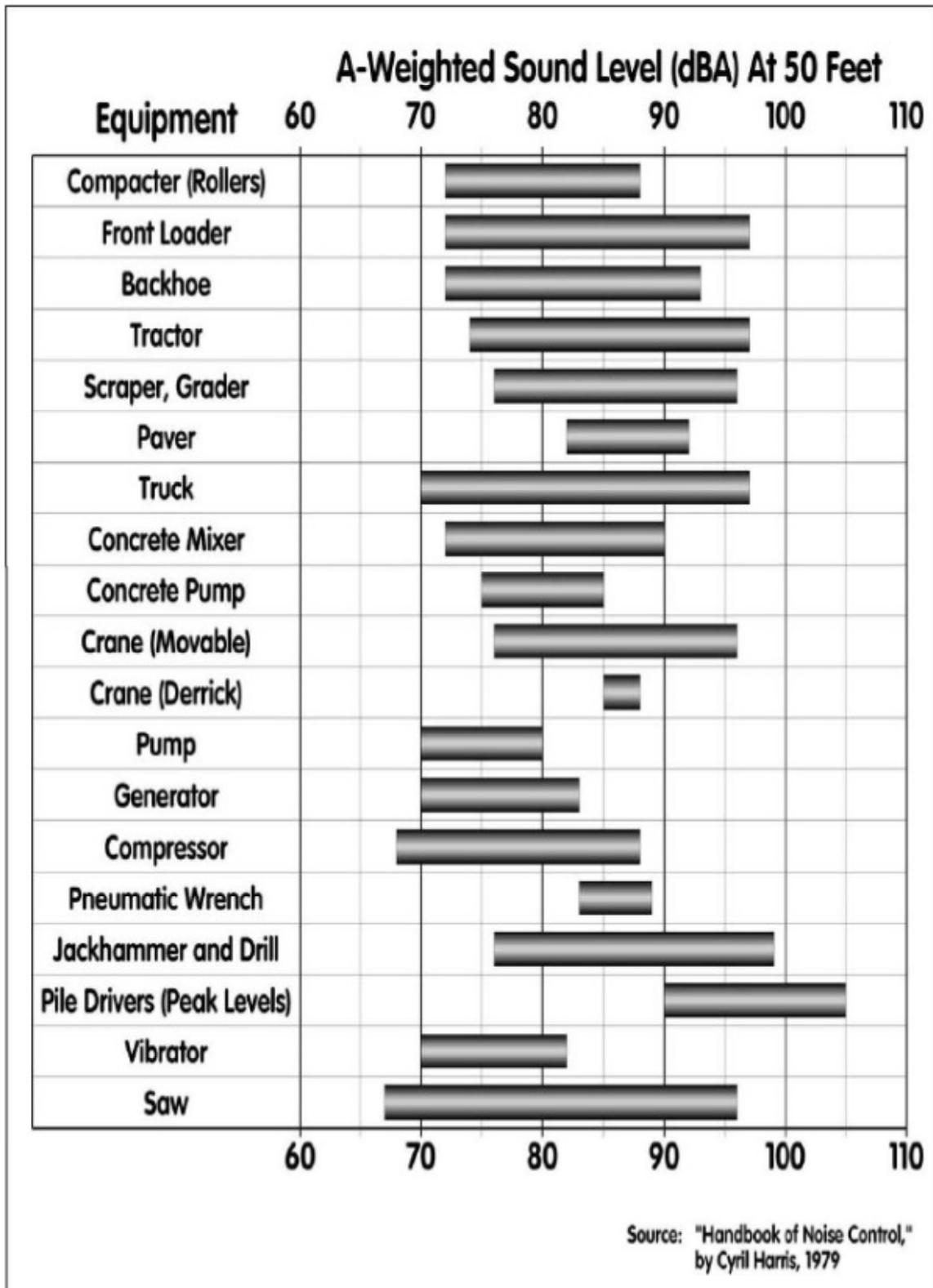
typical noise levels produced by construction equipment commonly used on roadway construction projects. As indicated, equipment involved in construction is expected to generate noise levels ranging from 70 to 90 dBA at a distance of 50 feet. Noise produced by construction equipment would be reduced over distance at a rate of about 6 dBA per doubling of distance. Normally construction noise levels should not exceed 86 dBA (Lmax) at a distance of 50 feet. Construction activities for the proposed project would be in accordance with Caltrans Standard Specifications and would be short-term, intermittent, and dominated by local traffic noise. As a result, construction noise impacts would be considered less than significant. Avoidance and/or minimization measures will be implemented to reduce construction impacts.

### **Avoidance, Minimization and /or Mitigation Measures**

Minimization measures will be implemented to reduce temporary construction noise impacts. Minimization measures will include site restrictions to achieve noise reduction through modification of the time, place or method of operation of a particular source. Other measures may include making contractors and their employees more aware of construction site noise problems and giving them instruction on methods that they can implement to improve these conditions in the local community.

Site restrictions will be applied to achieve noise reduction through different methods, resulting in an immediate reduction of noise emitted to the community without requiring any modification to the source noise emissions. The methods include shielding with barriers for equipment and site, truck rerouting and traffic control, time scheduling and equipment relocation. Shielding with barriers will be implemented at an early stage of the project to reduce construction equipment noise. The placement of barriers must be carefully considered to reduce limitation of site access. Barriers may be natural or man-made, such as excess land fill used as a temporary berm strategically placed to act as a barrier. Efficient rerouting of trucks and control of traffic activity on the construction site will reduce noise due to vehicle idling, gear shifting and accelerating under load. In addition, the rerouting of trucks will transfer noise to other areas that are less sensitive to noise. Traffic control would result in efficient workflow and reduce noise levels. Time scheduling of activities will be implemented to minimize noise impact on exposed areas. Local activity patterns and surrounding land uses will be considered in establishing site curfews. Also, equipment will be located as far from noise sensitive land use areas as possible.

Figure 2.3.7-5 Average Construction Equipment Noise Levels



## **2.3.8 Energy**

### **Regulatory Setting**

The CEQA Guidelines, Appendix F, Energy Conservation, state that EIRs are required to include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy.

### **Environmental Setting**

California's major sources of energy include electricity, natural gas, and crude oil. Much of the energy in the state is for residential, commercial, and transportation purposes. Energy consumption associated with vehicular movement is almost entirely related to the consumption of fossil fuel (i.e., gasoline and diesel). According to the Southern California Association of Governments' (SCAG) 2008 Regional Transportation Plan (RTP), in the six-county SCAG region, over 23 million gallons of oil are consumed daily and the vehicle fuel consumption has increased 20 percent over the last 10 years.

### **Impacts**

#### ***No Build Alternative***

No construction activities would occur under this alternative. As a result, it would not result in impacts related to energy consumption

#### ***Operational Impacts***

Both of the Build Alternatives would improve Level of Service (LOS), moving traffic more efficiently by reducing delay at the intersection, and hence will help reduce gasoline consumption by the traveling public. Therefore, the proposed project would not result in operational impacts related to energy.

#### ***Construction Impacts***

Construction of the proposed project would entail a one-time energy expenditure to manufacture building materials, prepare the surface and construct the roadway and facilities. This expenditure is balanced by the improved system efficiency over the design life of the proposed project. Therefore, the proposed project would not result in construction impacts related to energy.

#### **Avoidance, Minimization and /or Mitigation Measures**

The proposed project would not result in impacts related to energy.

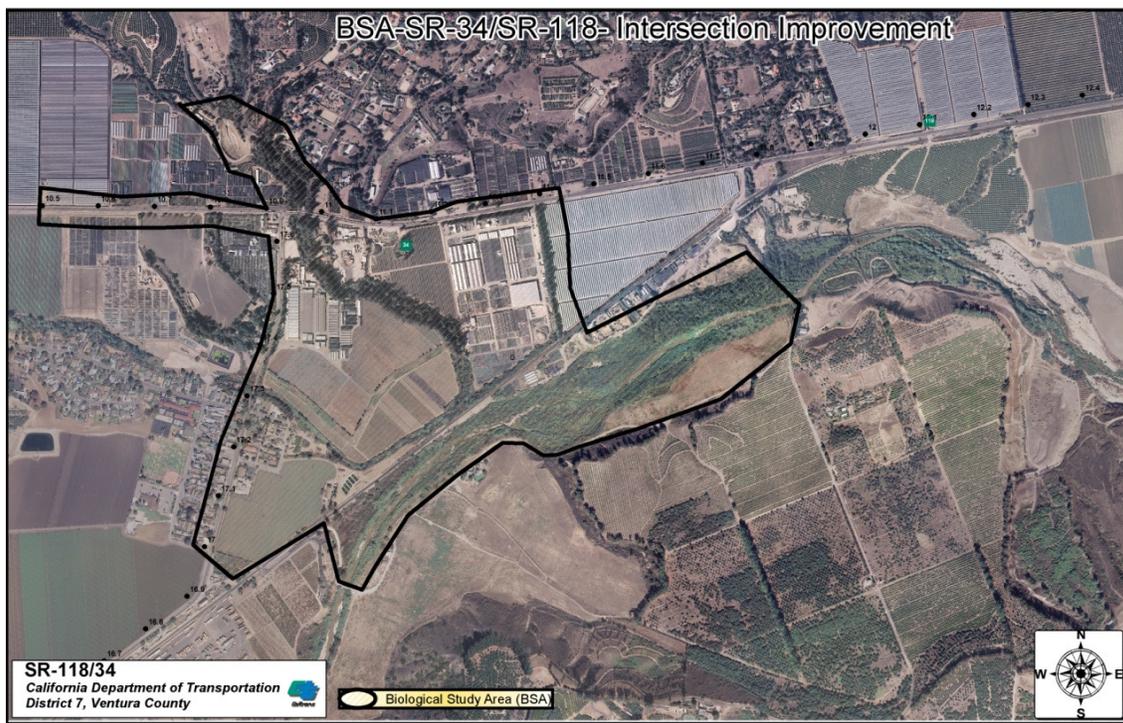


## 2.4 Biological Environment

The information in this section is based on the Natural Environment Study Report (March 2012), prepared by the Caltrans Division of Environmental Planning. Background research consisting of aerial photos of the project area, United States Geological Survey (USGS) 7.5 minute topographic quadrangle maps, a United States Fish and Wildlife Service (USFWS) Species List, California Department of Fish and Game California Natural Diversity Database (CNDDDB), California Native Plant Society (CNPS) Inventory of Rare and Endangered Two consecutive year-round field surveys of the site were performed to inventory plant and animal species, to determine the presence or absence of sensitive species and determine the potential effects of the project on the natural environment. General biological field surveys were conducted over several seasons to identify the flora and fauna present in the project area. These field surveys consisted of a combination of windshield surveys and ground surveys within areas of project impact. Initial surveys were conducted in the spring of 2008, with the last surveys being concluded in spring 2011.

The Biological Study Area (BSA) for the proposed project is located on the USGS Moorpark 7.5-minute quadrangle map at Longitude – 118.9944 and Latitude – 34. The BSA is surrounded by SR-118 on the east and west sides, SR-34 on the south side, and the Coyote Canyon Debris Basin on the north side. Figure 2.4-1 shows the BSA for the proposed project.

**Figure 2.4-1 Biological Study Area**



### **2.4.1 Natural Communities**

This section of the document discusses natural communities of concern. The focus of this section is on biological communities, not individual plant or animal species. The emphasis of the section should be on the ecological function of the natural communities within the area. This section also includes information on wildlife corridors and habitat fragmentation. Wildlife corridors are areas of habitat used by wildlife for seasonal or daily migration. Habitat fragmentation involves the potential for dividing sensitive habitat and thereby lessening its biological value. Include any regulations that pertain to the natural communities discussed (i.e. Oak Woodland protection, California Fish and Game Code, etc.).

Habitat areas that have been designated as critical habitat under the Federal Endangered Species Act are discussed above in Section 2.4.5, Threatened and Endangered Species. Wetlands and other waters are also discussed in section 2.4.2.

### **Affected Environment**

The BSA for this project is mainly made up of farmland, riparian, and disturbed areas. The BSA also includes the northern edge of riparian habitat along Arroyo Las Posas. Habitats found directly within the project area include riparian areas that run along the north and south sides of the project, and highway right-of-way developed area with shoulders vegetated by ruderal and landscape vegetation. The project area and its surrounding habitats have the potential to support several sensitive wildlife species.

The BSA includes Coyote Canyon, Fox Barranca and an unnamed north-south drainage (Drainage 2), all tributaries to Arroyo Las Posas. Coyote Canyon is a north-south drainage adjacent to Donlon Road from SR-118. The Coyote Canyon Debris Basin is located approximately 800 ft. upstream from SR-118. The debris basin intercepts and controls flows from Coyote Canyon. Flows are conveyed under SR-118 by means of an existing 10 ft. x 11 ft. reinforced concrete arch culvert.

Primary habitat within the undeveloped area in the vicinity of the SR-118/SR-34 intersection is a Eucalyptus grove with elements of native riparian undergrowth. Coyote Canyon is dominated by ornamental vegetation, specifically Tasmanian blue gum (*Eucalyptus globulous*), which was likely planted to provide windrows for past agricultural land uses. Other plant species found are Peruvian pepper trees (*Schinus molle*), willows (*Salix* spp.), Mexican elderberry (*Sambucus mexicana*), black mustard (*Brassica nigra*), Greater Periwinkle (*vinca major*), Cape ivy (*Delairea odorata Lem.*), and castor bean (*Ricinus communis*). Coyote Canyon provides habitat for woodrat ssp. as well as some bird species.

Coyote Canyon continues south of SR-118 and east of SR-34 through agricultural fields for approximately 2,700 linear feet where it joins with Fox Barranca, north of the Union Pacific Railroad (UPRR) tracks. Fox Barranca is an east-west drainage located in the south region of the project area. Drainage 2 is a north-south drainage located 2,400 feet east of Donlon Road. This drainage extends from SR-118 downstream approximately 1,500 feet to its confluence with Fox Barranca. Coyote Canyon and Drainage 2 both flow into Fox Barranca, north of the tracks that parallel Arroyo Las Posas. Dense riparian habitat is present in this area. The dominant species in this area are willows.

Coyote Canyon likely allows for some limited wildlife movement to the north, associated with South Mountain and the Santa Clara River Valley. The existing culvert under SR-118 is undersized, and is likely a barrier to connectivity within Coyote Canyon during at least some portion of the year. There is also a large vertical concrete wall over 6 ft. in height on the north side of SR-118, which likely precludes most movement within the channel, even when it is dry. To the south, Coyote Canyon is blocked from Arroyo Los Posas by the elevated UPRR tracks, with a rectangular concrete box under the tracks providing limited connectivity.

## **Impacts**

### ***No-Build Alternative***

Existing conditions would remain under this alternative. As a result, it would have no effect on natural communities.

### ***Build Alternatives***

Both Build Alternatives propose widening at the SR-118 and SR-34 approaches. This widening would not affect native biological resources, since all the vegetation composition along the shoulders is a mixture of landscaped, ruderal, and invasive species. However, both alternatives also propose extending the SR-118 arch culvert, on both the upstream and downstream side, which would result in permanent impacts to 0.18 acre of riparian vegetation. These impacts are considered less than significant with implementation of mitigation measures.

### ***Construction Impacts***

Construction of the Build Alternatives would result in temporary impacts to woodrat ssp. habitat in Coyote Canyon. These impacts are considered less than significant. Avoidance and minimization measures will be implemented during construction to reduce effects on Coyote Canyon.

## **Avoidance, Minimization and /or Mitigation Measures**

Mitigation measures would include on-site and off-site restoration. On-site mitigation would include invasive control in Coyote Canyon and on-site vegetation replacement where space allows. Consideration will also be given to the enhancement of the wildlife crossing along the Coyote Canyon through improvements to the existing culvert under SR-118. Off-site mitigation in the Calleguas Creek watershed would be established through the Santa Monica Mountains Conservancy. Further details related to on-site and off-site mitigation will be available once required permits are issued from resource agencies.

The removal of riparian habitat will be avoided to the greatest extent possible. However, should it be necessary to remove riparian trees during construction, the number of trees removed will be minimized to the least amount necessary. Due to the relatively high value that trees in the project footprint provide, any trees removed are proposed to be replaced at a 3 to 1 ratio.

### **2.4.2 Wetland and Other Waters**

#### **Regulatory Setting**

Wetlands and other waters are protected under a number of laws and regulations. At the federal level, the Federal Water Pollution Control Act, more commonly referred to as the Clean Water Act [CWA (33 U.S.C. 1344)] is the primary law regulating wetlands and surface waters. The CWA regulates the discharge of dredged or fill material into waters of the United States (U.S.), including wetlands. Waters of the U.S. include navigable waters, interstate waters, territorial seas and other waters that may be used in interstate or foreign commerce. To classify wetlands for the purposes of the CWA, a three-parameter approach is used that includes the presence of hydrophytic (water-loving) vegetation, wetland hydrology, and hydric soils (soils formed during saturation/inundation). All three parameters must be present, under normal circumstances, for an area to be designated as a jurisdictional wetland under the CWA.

Section 404 of the CWA establishes a regulatory program that provides that discharge of dredged or fill material cannot be permitted if a practicable alternative exists that is less damaging to the aquatic environment or if the nation's waters would be significantly degraded. The Section 404 permit program is run by the U.S. Army Corps of Engineers (USACE) with oversight by the U.S. Environmental Protection Agency (U.S. EPA).

The USACE issues two types of 404 permits: Standard and General permits. Nationwide permits, a type of General permit, are issued to authorize 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 USACE's Standard permits. For Standard permits, the USACE decision to approve is based on compliance with U.S. EPA's EPA Section 404(b)(1) Guidelines (U.S. EPA 40 CFR Part 230), and whether permit approval is in the public interest. The 404 (b)(1) Guidelines were developed by the U.S. EPA in conjunction with 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 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 significant adverse environmental consequences.

The Executive Order for the Protection of Wetlands (E.O. 11990) also regulates the activities of federal agencies with regard to wetlands. Essentially, this executive order states that a federal agency, such as the Federal Highway Administration (FHWA) and/or Caltrans, as assigned, cannot undertake or provide assistance for new construction located in wetlands unless the head of the agency finds: 1) that there is no practicable alternative to the construction and 2) the proposed project includes all practicable measures to minimize harm.

At the state level, wetlands and waters are regulated primarily by the California Department of Fish and Game (CDFG), the State Water Resources Control Board (SWRCB) and the Regional Water Quality Control Boards (RWQCB). In certain circumstances, the Coastal Commission (or Bay Conservation and Development Commission or the Tahoe Regional Planning Agency) may also be involved. Sections 1600-1607 of the California Fish and Game Code require any agency that proposes a project that will substantially divert or obstruct the natural flow of or substantially change the bed or bank of a river, stream, or lake to notify CDFG before beginning construction. If CDFG determines that the project may substantially and adversely affect fish or wildlife resources, a Lake or Streambed Alteration Agreement will be required. CDFG jurisdictional limits are usually defined by the tops of the stream or lake banks, or the outer edge of riparian vegetation, whichever is wider. Wetlands under jurisdiction of the USACE may or may not be included in the area covered by a Streambed Alteration Agreement obtained from the CDFG.

The RWQCBs were established under the Porter-Cologne Water Quality Control Act to oversee water quality. The RWQCB also issues water quality certifications for impacts to wetlands and waters in compliance with Section 401 of the CWA. Please see the Water Quality section of this document for additional details.

## **Environmental Setting**

The information in this section is based on the Natural Environment Study Report (March 2012), prepared by the Caltrans Division of Environmental Planning, and the Jurisdictional Delineation Report (August 2010), prepared by Bonterra Consulting. The report provides baseline data concerning the type and extent of resources under USACE, CDFG and RWQCB jurisdictions for the proposed project.

The study area is located on the USGS Geological Survey's Moorpark 7.5 minute quadrangle map. The study area includes a portion of a north-south drainage (Coyote Canyon) and a portion of an east-west drainage (Fox Barranca), which are both tributaries to Arroyo Las Posas. A jurisdictional delineation was conducted by Bonterra Consulting on May 11, 2010, in accordance with USACE and CDFG requirements.

The Coyote Canyon wetland delineation area consists of the area adjacent to Donlon Rd., from SR-118 upstream approximately 800 ft. to the Coyote Canyon Debris Basin, and from SR-118 downstream approximately 150 ft. This area is comprised primarily of gum trees (*Eucalyptus* spp.) with no appreciable understory habitat. Directly adjacent to the location where Coyote Canyon crosses under SR-118, there are also a few willows (*Salix* spp.) and Mexican elderberry (*Sambucus mexicana*); however, these species are limited to the portion of Coyote Canyon directly adjacent to SR-118.

### ***U.S. Army Corps of Engineers (USACE) Determination***

An area must exhibit three wetland parameters, as described in the *Regional Supplement to the Corps Engineers Wetland Delineation Manual: Arid West Region* (USACE 2008) and the *1987 Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory 1987), in order to be considered a jurisdictional wetland. Wetland criteria were not met within the Coyote Canyon delineation area.

The Coyote Canyon delineation areas exhibit evidence of hydrology sufficient to document that the ordinary high water mark (OHVM) meets the criteria for USACE jurisdictional waters. The OHVM is defined as "that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank; shelving; changes in the character of the soil; destruction of terrestrial vegetation; the presence of litter and debris; or other appropriate means that consider the characteristics of the surrounding area" (33 *Code of Federal Regulations* [CFR], Section [§] 328.3[e]). The OHVM within the wetland delineation areas was based on the presence of water marks; sediment deposits, drift deposits, and water stained leaves at four sampling points; and surface water and saturated soils at two sampling points. Based on field observations and data collection, a total of approximately 1.096 acres of Waters of the U.S. occur within the project area. This includes

0.199 acre in the Coyote Canyon delineation area (0.007 acre open water and 0.192 acre non-wetlands Waters of the U.S.), and 0.987 acres in the Fox Barranca delineation area (0.170 acres wetlands, 0.247 acre open water, and 0.480 acre non-wetlands Waters of the U.S.).

**California Regional Water Quality Control Board (RWQCB) Determination**

The RWQCB’s jurisdictional boundaries are defined as those determined for the USACE under Waters of the U.S. for drainages within the study area, shown in Table 2.4.2-1. However, the RWQCB takes jurisdiction over both connected and isolated waters. There are not isolated waters in the study area; therefore, a total of approximately 1.096 acre under the jurisdiction of the RWQCB occurs in the study area.

**Table 2.4.2-1 Waters and Wetland Resources Under the Jurisdiction of the USACE**

Coyote Canyon Wetland Delineation Area		Acres
Wetlands		0.000
Open Water		0.007
Other Non-Wetland Waters		0.192
<b>Total “Waters of the U.S.”</b>		<b>0.199</b>
Fox Barranca Wetland Delineation Area		Acres
Wetlands		0.170
Open Water		0.247
Other Non-Wetland Waters		0.480
<b>Total “Waters of the U.S.”</b>		<b>0.897</b>
<b>Total “Waters of the U.S.” in study area</b>		<b>1.096</b>

**California Department of Fish and Game (CDFG) Determination**

The CDFG’s jurisdiction was defined by the top of the bank in the absence of riparian vegetation. Based on field observations and data collection, approximately 3.740 acres of CDFG jurisdiction occurs in the study area.

**Impacts**

**No Build Alternative**

No construction activities would occur under this alternative. As a result, this alternative would not result in impacts to wetlands.

### **Build Alternatives**

Based on the jurisdictional delineation conducted for the proposed project, Coyote Canyon is subject to USACE, RWQCB and CDFG jurisdiction. Both of the Build Alternatives would result in impacts to “Waters of the U.S.”. However, wetland criteria were not met within the Coyote Canyon delineation area. Therefore, the Build Alternatives would not result in impacts to wetlands.

Both of the Build Alternatives would impact non-wetland waters as a result of the extension of the SR-118 arch culvert for Coyote Canyon to accommodate roadway widening. This would also result in impacts to waters under the jurisdiction of the CDFG. These impacts are considered less than significant

### **Avoidance, Minimization and /or Mitigation Measures**

Impacts to non-wetland waters and waters under the jurisdiction of the CDFG are considered less than significant. Implementation of minimization measures identified in Section 2.3.3, Water Quality and Storm Water Runoff would reduce the effects on Coyote Canyon.

## **2.4.3 Plant Species**

### **Regulatory Setting**

The U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG) have regulatory responsibility for the protection of special-status plant species. “Special-status” species are selected for protection because they are rare and/or subject to population and habitat declines. Special status is a general term for species that are afforded varying levels of regulatory protection. The highest level of protection is given to threatened and endangered species; these are species that are formally listed or proposed for listing as endangered or threatened under the Federal Endangered Species Act (FESA) and/or the California Endangered Species Act (CESA). Please see Section 2.4.5, Threatened and Endangered Species in this document for detailed information regarding these species.

This section of the document discusses all the other special-status plant species, including CDFG species of special concern, USFWS candidate species, and California Native Plant Society (CNPS) rare and endangered plants.

The regulatory requirements for FESA can be found at 16 USC Section 1531, et seq. See also 50 CFR Part 402. The regulatory requirements for CESA can be found at California Fish and Game Code, Section 2050, et seq. Caltrans projects are also subject to the Native Plant

Protection Act, found at Fish and Game Code, Section 1900-1913, and the California Environmental Quality Act, Public Resources Code, Sections 2100-21177.

### **Environmental Setting**

The BSA for this project is mainly made up of farmland, riparian, and disturbed areas. The vegetation composition along the shoulders in the vicinity of the SR-118/SR-34 intersection is a mixture of landscaped, ruderal, and invasive species. Primary habitat within the undeveloped area in the vicinity of the SR-118/SR-34 intersection is a Eucalyptus grove with elements of native riparian undergrowth. Coyote Canyon is dominated by ornamental vegetation, specifically Tasmanian blue gum (*Eucalyptus globulous*), which was likely planted to provide windrows for past agricultural land uses. Other plant species found are Peruvian pepper trees (*Schinus molle*), willows (*Salix* spp.), Mexican elderberry (*Sambucus mexicana*), black mustard (*Brassica nigra*), Greater Periwinkle (*vinca major*), Cape ivy (*Delairea odorata Lem.*), and castor bean (*Ricinus communis*). Coyote Canyon provides habitat for woodrat ssp. as well as some bird species.

The CNDDDB for the Santa Paula, Camarillo, Newbury Park, and Moorpark quads revealed the following natural communities: Southern Coast Live Oak Riparian Forest, Southern Riparian Forest, Southern Sycamore Alder Riparian Woodland, Southern Riparian Scrub, Southern Willow Scrub, valley needlegrass grassland and Valley Oak Woodland. Field surveys revealed the finding of one natural community, Southern Willow Scrub. However this natural community was found south of SR-118, outside of the project area

### **Impacts**

The Build Alternatives would result in no impact to Southern Willow Scrub or any other special status plant species.

### **Avoidance, Minimization and /or Mitigation Measures**

The proposed project would not result in impacts to special status plant species.

## 2.4.4 Animal Species

### Regulatory Setting

Many state and federal laws regulate impacts to wildlife. The U.S. Fish and Wildlife Service (USFWS), the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries Service) and the California Department of Fish and Game (CDFG) are responsible for implementing these laws. This section discusses potential impacts and permit requirements associated with animals not listed or proposed for listing under the state or federal Endangered Species Act. Species listed or proposed for listing as threatened or endangered are discussed in Section 2.4.5 below. All other special-status animal species are discussed here, including CDFG fully protected species and species of special concern, and USFWS or NOAA Fisheries Service candidate species.

Federal laws and regulations pertaining to wildlife include the following:

- National Environmental Policy Act
- Migratory Bird Treaty Act
- Fish and Wildlife Coordination Act

State laws and regulations pertaining to wildlife include the following:

- California Environmental Quality Act
- Sections 1600 – 1603 of the Fish and Game Code
- Section 4150 and 4152 of the Fish and Game Code

### Environmental Setting

Based on a review of the CNDDDB and U.S. Fish and Wildlife Service species list, six special status animal have potential to occur in portions of the project area. Special status animal species that were listed include Least Bell's Vireo (*Vireo bellii pusillus*), San Diego Desert Woodrat (*Neotoma lepida intermedia*), Two-striped Garter Snake (*Thamnophis hammondi*), Arroyo Chub (*Gila orcutti*), Southwestern Pond Turtle (*Actinemys marmorata pallid*), and Western Yellow-billed Cuckoo (*Coccyzus americanus occidentalis*). Other species evaluated include species identified by the Ventura Audubon Society as having an historic presence in the area, and species identified in the SOS lawsuit were further studied to determine the potential impacts that the project may have. A discussion on these special status follows below, with the

exception of Least Bell's Vireo (*Vireo bellii pusillus*). A discussion on this species can be found in Section 2.4.5, Threatened and Endangered Species.

### **San Diego Desert Woodrat (*Neotoma lepida intermedia*)**

The San Diego Desert Woodrat is a California Species of Special Concern. The presence of woodrat is usually obvious by the large houses built from sticks, twigs, cacti, horse and cow manure, and other bits of plant materials and man-made debris. These houses are above ground, frequently beneath a rock outcrop, in a rock pile, partially under a shrub or within a large branching prickly pear cactus, or at the center of agave patches. The San Diego Desert Woodrat habitat consists of Coastal Sage Scrub and ranges from San Diego County to San Luis Obispo County. They prefer moderate to dense canopies. They are particularly abundant in rock outcrops and rocky cliffs and slopes.

A search of the CNDDDB did not reveal any historic occurrences of this species within the project impact area, but there was a recent occurrence of this species (1992), 4.6 miles west of the project impact area. A preliminary focused survey revealed suitable habitat at the northern and southern points of the project area. Desert Woodrat dens are prevalent in the project area. On December 9, 2009, a nest was found within the project area, but outside of the project impact area. The woodrat nest was large and constructed with sticks. On February 4, 2010, other woodrat nests were spotted inside the Coyote Canyon area. During subsequent protocol surveys, many woodrat houses were found along the drainages in the south side of the project area, within the impact area of the Somis Bypass Alternative.

### **Two-striped snake (*Thamnophis hammondi*)**

The Two-striped garter snake is a California Species of Special Concern, and a Federal Sensitive Species. This species is highly aquatic, found in or near fresh water often along streams with rocky beds and riparian growth. It is generally found around pools, creeks, cattle tanks, and other water resources. The Two-Striped Garter Snake eats tadpoles, newt larvae, small frogs and toads, fish, and occasionally worms and fish eggs. It forages for food in and under water. This snake is primarily aquatic and diurnal. It is also active at night and at dusk during hot weather in some areas. It can be active from January to November, depending on weather conditions. They are found in Coastal California. A search of the CNDDDB did not reveal any historic occurrences of this species within the project impact area. This species is known to be present in Conejo Creek, 3.5 miles south of the impact area. It was not observed during focused surveys.

### **Arroyo Chub (*Gila orcutti*)**

The Arroyo chub (*Gila orcutti*) is a California Species of Special Concern, and a Federal Sensitive Species. Arroyo chub are native to the streams and rivers of the Los Angeles plain in Southern California, including the Los Angeles, San Gabriel, San Luis Rey, Santa Ana, and

Santa Margarita Rivers, and Malibu and San Juan Creeks. They have been extirpated from much of their native range, but have been introduced to streams along the coast as far north as Chorro Creek in San Luis Obispo County. They have also been introduced to the Mojave River system where they have eliminated the Mojave tui chub. Arroyo Chub potential habitat is located directly in the path of the Somis Bypass Alternative.

**Southwestern Pond Turtle (*Actinemys marmorata pallida*)**

The southwestern pond turtle (*Actinemys marmorata pallida*) is a California species of special concern and is the state's only native freshwater turtle.<sup>49</sup> This species is known to occur in Conejo Creek, 2.1 miles south of the project area. It was not observed during general surveys. More surveys are to be conducted prior to the construction.

**Western Yellow-billed Cuckoo (*Coccyzus americanus occidentalis*)**

The Western Yellow-billed Cuckoo (*Coccyzus americanus occidentalis*) is a California Endangered Species. Habitat within the project area is not suitable for this species. Habitat to the south of the Somis Bypass Alternative, across the UPRR tracks, is suitable for this species. This species was not observed during conducted focused surveys.

**Monarch (*Danaus plexippus plexippus*)**

The potential for occurrence of this species was evaluated order to address the concerns of members of the Somis community. In Ventura County, the recorded occurrences are located about 17 miles west of the project location, in the Saticoy and Ventura quads. Monarchs are especially noted for their lengthy annual migration. Their habitat consists of Milkweed, Eucalyptus and Oyamel Fir trees.

A search of the CNDDDB did not reveal any historic occurrences of this species within the project area. No occurrences were reported in the project quad (Moorpark) nor its adjacent quads (Santa Paula, Camarillo and Newbury Park). Residents of the Somis community have expressed concerns about project impacts on Eucalyptus trees, along Donlon Rd., north of the SR-118, in Coyote Canyon. According to the SOS lawsuit, the previously mentioned trees provide habitat for the Monarch Butterfly.

Surveys were conducted for two consecutive years in the Coyote Canyon area and along an agricultural windrow of Eucalyptus trees located in the area of the Somis Bypass Alternative, 2,400 feet east of Donlon Road. No Monarch butterfly population was detected.

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<sup>49</sup> Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Biological Monitoring Program. Southwestern Pond Turtle (*Actinemys marmorata pallid*) Survey Report 2009, April 2010.

## **Impacts**

### ***No Build Alternative***

No construction activities would occur under this alternative. As a result, this alternative would not result in impacts to special status animal species.

### ***Build Alternatives***

Coyote Canyon contains suitable habitat for San Diego Desert Woodrat, a special status animal species. Furthermore, desert woodrat nests found in Coyote Canyon are outside of the project impact area. As a result, the Build Alternatives would have no permanent impact to San Diego Desert Woodrat or any other special status animal species.

The Build Alternatives no longer propose the realignment of Donlon Rd. Consequently, there would be no impact to Eucalyptus trees in Coyote Canyon. Therefore, neither of the Build Alternatives would impact Monarch butterfly habitat.

### ***Construction Impacts***

Coyote Canyon provides habitat for woodrat ssp., as well as some bird species. Temporary impacts to these species are anticipated during construction of all the Build Alternatives. These impacts are considered less than significant. Avoidance and minimization measures will be implemented during construction to reduce effects on Coyote Canyon.

### **Avoidance, Minimization and /or Mitigation Measures**

Presence of San Diego Desert Woodrat was not determined within the project site, therefore compensatory mitigation is not required. Avoidance and the minimization measures will include pre-construction surveys. If the San Diego Desert Woodrat is determined to be present within the project impact area, passive translocation will be employed. The passive translocation technique will be used in accordance to the guidelines outlined by the CDFG.

Woodrat dens are prevalent in the project area. If any dens are determined to be impacted due to the project implementation, avoidance and minimization measures will include relocation of woodrat dens during the construction of the project.

Bird protection would include surveys two weeks prior to constructions. If birds are found to be nesting within the project impact area, a 150-foot buffer for songbirds and 500-foot for raptors will be established until the birds have fledged.

## 2.4.5 Threatened and Endangered Species

### Regulatory Setting

The primary federal law protecting threatened and endangered species is the Federal Endangered Species Act (FESA): 16 USC Section 1531, et seq. See also 50 CFR Part 402. This act and subsequent amendments provide for the conservation of endangered and threatened species and the ecosystems upon which they depend. Under Section 7 of this act, federal agencies, such as the Federal Highway Administration (FHWA), are required to consult with the US Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries Service) to ensure that they are not undertaking, funding, permitting or authorizing actions likely to jeopardize the continued existence of listed species or destroy or adversely modify designated critical habitat. Critical habitat is defined as geographic locations critical to the existence of a threatened or endangered species. The outcome of consultation under Section 7 is a Biological Opinion or an Incidental Take statement. Section 3 of FESA defines take as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect or any attempt at such conduct."

California has enacted a similar law at the state level, the California Endangered Species Act (CESA), California Fish and Game Code Section 2050, et seq. CESA emphasizes early consultation to avoid potential impacts to rare, endangered, and threatened species and to develop appropriate planning to offset project caused losses of listed species populations and their essential habitats. The California Department of Fish and Game (CDFG) is the agency responsible for implementing CESA. Section 2081 of the Fish and Game Code prohibits "take" of any species determined to be an endangered species or a threatened species. Take is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." CESA allows for take incidental to otherwise lawful development projects; for these actions an incidental take permit is issued by CDFG. For species listed under both FESA and CESA requiring a Biological Opinion under Section 7 of the FESA, CDFG may also authorize impacts to CESA species by issuing a Consistency Determination under Section 2080.1 of the Fish and Game Code.

Another federal law, the Magnuson-Stevens Fishery Conservation and Management Act of 1976, was established to conserve and manage fishery resources found off the coast, as well as anadromous species and Continental Shelf fishery resources of the United States, by exercising (A) sovereign rights for the purposes of exploring, exploiting, conserving, and managing all fish within the exclusive economic zone established by Presidential Proclamation 5030, dated March 10, 1983, and (B) exclusive fishery management authority beyond the exclusive economic zone

over such anadromous species, Continental Shelf fishery resources, and fishery resources in special areas.

### **Environmental Setting**

A request for a species list was sent to the USFWS on October 27, 2008. This request effectively started the consultation process. The species list was received on December 9, 2008. The USFWS recommendation was for Least Bell's Vireo (*Vireo bellii pusillus*) surveys to be conducted according to the USFWS protocol. Least Bell's Vireo presence was addressed by protocol surveys and/or habitat assessments following the USFWS guidelines during summer 2010. BonTerra Consulting personnel performed Least Bell's Vireo surveys for the proposed project, and elevated the concern of the project area being a potential habitat for the federally listed species Southwestern Willow Flycatcher (*Empidonax traillii extimus*). Further consultation with the USFWS was done in order to assess the need for Southwestern Willow Flycatcher protocol surveys within the project vicinity. The USFWS determination was that there was no need for Southwestern Willow Flycatcher protocol surveys since none were observed during the Least Bell's Vireo protocol surveys conducted in 2010.

BonTerra Consulting personnel also performed herpetology surveys for the proposed project, and elevated the concern of the project area being a potential habitat for the federally listed species California Red-legged Frog (*Rana draytonii*). After consulting with the USFWS, it was determined that there was a need for pre-project protocol surveys and/or habitat assessments following the USFWS guidelines. A habitat assessment for the California Red-legged Frog, as well as for the Arroyo Toad (*Bufo Californicus*) was conducted in 2010. Protocol surveys for the California Red-legged Frog were performed in 2011, between February and April.

### **Least Bell's Vireo ( *Vireo bellii pusillus* )**

Least Bell's Vireo is a State and Federal Endangered species. These birds are small, measuring only 4.5 to 5.0 inches long (11.3-12.7 cm). They have short rounded wings, short straight bills and have a faint white eye ring. The feathers of this vireo are mostly grey above and pale below. Least Bell's are typically found in the dense deciduous shrubs along riparian habitats, as well as in ravines and along forest edges. The range of the least Bell's Vireo is along the southern coastal areas of California as well as parts of Colorado, Indiana and Mexico. This species is threatened by Brown-headed Cowbird (*Molothrus ater*) parasitism, habitat degradation and increases in agricultural land uses. The Least Bell's Vireo was formerly more common and widespread, but is now a rare, local summer resident of Southern California's lowland riparian woodlands. As a result, the Least Bell's Vireo was listed by the CDFG as Endangered on October 2, 1980, and by the USFWS as Endangered on May 2, 1986.

A search of the CNDDDB revealed an occurrence of this species in 1991 within Santa Clara River, southwest of Santa Paula. The breeding habitat of the Least Bell's Vireo is primarily riparian dominated by willows with dense understory vegetation; shrubs such as mule fat and California Rose (*Rosa californica*) are often a component of the understory. The Least Bell's Vireo is often found in areas that include trees such as Willow, Western Sycamore (*Platanus racemosa*), or Cottonwood (*Populus* sp.), particularly where the canopy is within or immediately adjacent to an understory layer of vegetation. The Least Bell's Vireo generally nests in early successional stages of riparian habitats, with nest sites frequently located in willows that are between four and ten years of age. The most critical factor in habitat structure is the presence of a dense understory shrub layer from approximately two to ten feet above ground.

The survey area is not located in the designated critical habitat area for this species. The USFWS protocol for the Least Bell's Vireo requires that at least eight surveys be conducted from April 10 to July 31 with a ten-day interval between each site visit. BonTerra Consulting conducted surveys on April 30; May 10 and 26; June 7, 17, and 28; and July 8, and 19, 2010. All surveys were conducted under optimal weather conditions.

A total of three Least Bell's Vireo territories were observed in the study area along Fox Barranca and the Arroyo Las Posas. Two territories were located along Fox Barranca north of the railroad tracks; however, the vireos at both these territories were observed crossing the railroad tracks and also using habitat within the Arroyo Las Posas. A third territory was located within the Arroyo Las Posas; this pair was also observed crossing the railroad tracks to use habitat along Fox Barranca.

### **California Red-legged Frog (*Rana draytonii*)**

The California Red-legged Frog was federally listed as an Endangered species by the USFWS on May 23, 1996, and is considered a California Species of Special Concern. This frog has been extirpated from approximately 70 percent of its historic range. This species is found in humid forests, woodlands, grasslands, streams, wetlands, ponds, and lakes from sea level to 8,000 feet above mean sea level. Preferred breeding habitat includes deep ponds and slow-moving where emergent vegetation is found on the bank edges. Although primarily aquatic, it has been recorded in damp terrestrial places up to 302 feet from water for up to 50 consecutive days and using small mammal burrows and moist leaf litter as refugia during dry periods. California Red-legged Frog adults tend to be primarily nocturnal, while juveniles can be active at any time of the day.

The search of the CNDDDB did not reveal any historic occurrence of this species within the project area. Within the project region, the California Red-legged Frog has been reported from

San Antonio Creek, Matilja Creek, and Lion Creek near Ojai; Matilja Creek, and Lower Rose Lake in the Los Padres National Forest; and Las Virgenes Creek in Agoura Hills. The nearest known locality is the Las Virgenes Creek, approximately 17 miles southeast of the study area. The habitat assessment determined that portions of the project site provided potentially suitable breeding habitat and the entire project site provided potentially suitable foraging habitat. Approximately 0.09 acre of potential California Red-legged Frog breeding and foraging habitat lies in the project area. A total of six surveys were conducted between March 8, 2011 and April 25, 2011, according to the California Red-legged Frog protocol. Nocturnal surveys were conducted during appropriate environmental conditions conducive to the activity patterns for the California Red-legged Frog. None were observed during the focused amphibian surveys.

### **Arroyo Toad (*Bufo Californicus*)**

The Arroyo Toad was listed as a federally Endangered species by the USFWS on December 16, 1994, and is considered a California Species of Special Concern. This toad only occurs in streams of southwestern California and northwestern Baja California, Mexico. In California, it primarily occurs along the Coast Ranges from San Luis Obispo County south to San Diego County. The Arroyo Toad is generally found in semi-arid regions near washes or intermittent streams. It can be generally said that the Arroyo Toad frequents third order washes, streams, and arroyos in semiarid parts of the southwest. Stream substrates range from sands to small cobble, with sandy banks supporting mule fat, willows (*Salix* spp.), cottonwoods (*Populus* spp.), or sycamores (*Platanus racemosa*). Arroyo toads are nocturnal and will move extensively in upland habitats and seasonally.

The study area is not within proposed critical habitat for this species. Within the project region, the Arroyo Toad has been reported from Sespe Creek and Piru Creek in the Los Padres National Forest. The nearest locality is in Sespe Creek, approximately 21 miles north of the study area. Coyote Canyon, Fox Barranca, and Drainage 2 are too small and do not contain appropriate stream morphology for the Arroyo Toad. There is also a notable lack of historical records for the Arroyo Toad in the Calleguas Creek Watershed, which extends from Port Hueneme north to Oxnard and east to the County line.

### **Impacts**

The Arroyo Toad is not expected to occur in the study area due to low aquatic habitat suitability, lack of suitable upland habitat, and lack of historic occurrence throughout the Calleguas Creek Watershed. Also, potential impacts to the Least Bell's Vireo limited to areas that would be affected by the Somis Bypass Alternative. Therefore, the Build Alternatives would not affect these species. The Build Alternatives would affect 0.09 acre of potential

California Red-legged Frog breeding and foraging habitat as a result of the extension of the SR-118 arch culvert for Coyote Canyon to accommodate roadway widening. This is considered to be a less than significant impact.

**Avoidance, Minimization and /or Mitigation Measures**

Avoidance and the minimization measures will include pre-construction surveys. Depending on the results of the pre-construction surveys, translocation will be employed. The translocation technique will be used in accordance to the guidelines outlined by CDFG and USFWS.



## 2.5 Cumulative Impacts

### Regulatory Setting

Cumulative impacts are those that result from past, present, and reasonably foreseeable future actions, combined with the potential impacts of this 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 substantial impacts taking place over a period of time.

Cumulative impacts to 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 types of 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.

The California Environmental Quality Act (CEQA) Guidelines, Section 15130, describes when a cumulative impact analysis is warranted 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.

### Cumulative Setting

The project area is a rural agricultural area, characterized by low-intensity land uses. Defined communities in the area are isolated from each other, interspersed among agricultural land and open space. These communities are generally set away from SR-118 and SR-34. Land use within the project area is distributed as follows:

- Agriculture – 5,742 Acres
- Open Space – 1,592 Acres
- Rural – 572 Acres
- Existing Community – 371 Acres

As previously discussed in Section 2.2.3, Growth, highly restrictive land use controls and growth management policies have created an unfavorable environment for development in the project area, limiting the availability of undeveloped land. A review of Ventura County Planning Division Pending Projects/Recently Approved maps and reports shows that projects in the vicinity of the project area consist of minor modification or extension of permits for existing development, and minor modification to existing residential and commercial properties. These projects are not expected to contribute to cumulative effects and are not considered for the cumulative impacts analysis. Table 2.5-1 lists transportation and non-transportation projects, which could contribute to cumulative effects. These projects were selected because they are located within close proximity to the proposed project and/or have the potential to impact similar resources.

**Table 2.5-1 Cumulative Projects List**

<b>Project/Applicant</b>	<b>Location</b>	<b>Description</b>	<b>Status</b>
<b>Transportation Projects</b>			
<b>Los Angeles Avenue Road Widening</b>	City of Moorpark (Moorpark Ave. to 200 feet east of Spring Rd.)	Street widening along the south side of the street to provide three (3) travel lanes in each direction. Additionally, a right turn pocket will be added at the NE corner of Los Angeles Ave. and Moorpark Ave.	Final design and right-of-way acquisition.
<b>Lewis Road Widening Project</b>	City of Camarillo (Ventura Blvd. to Hueneme Rd. Bridge)	Widen Lewis Rd. to 4 traffic lanes including two 8-foot Class II bicycle lanes between Hueneme Road and Ventura Blvd. to improve traffic and bicycle safety.	Completed in 2011
<b>Donlon Road Realignment Project</b>	Ventura County (SR-118/SR-34 Intersection)	The proposed project involves the realignment of the Donlon Road/SR 118 intersection to align Donlon Road with Somis Road. Ventura County is considering two alternative alignments.	Draft EIR circulated in February 2012.
<b>Princeton Avenue Widening</b>	City of Moorpark (west of Condor Drive)	Widening of Princeton Ave. to provide two travel lanes, a center paved median and an eight foot (8') wide paved shoulder for pedestrians and bicycle.	Final design and right-of-way acquisition.
<b>Spring Road Widening</b>	City of Moorpark (Flinn Ave. to Los Angeles Ave.)	Widening along the east side of Spring Rd. to provide additional right-of-way for landscaped medians and bike lanes.	Design proposals under review.

<b>Project/Applicant</b>	<b>Location</b>	<b>Description</b>	<b>Status</b>
<b>Spring Road Rail Crossing Improvements</b>	City of Moorpark (between Princeton Ave. and rail crossing)	Reconstruction and widening of rail crossing to provide a “standard” double gate design (with a raised center median). Also road widening on east side of Spring Rd.	Construction plans at 95% completion level.
<b>Residential Projects</b>			
<b>Moorpark Country Club Estates</b>	City of Moorpark North Side of Championship Dr., West of Grimes Canyon Rd.	49 Single Family Residences	Approved, Not Yet Under Construction
<b>Pardee Homes</b>	City of Moorpark South East Corner of Ridgecrest Dr. and Elk Run Loop	133 Single Family Residences	Under Construction
<b>Pardee Homes</b>	City of Moorpark East of Spring Rd. and North of Charles St.	318 Single Family Residences and 102 Triplex Condominium Units	Under Construction
<b>Toll Brothers, Inc.</b>	City of Moorpark East of Spring Rd. and North of Ridgecrest Dr.	132 Single Family Residences	Under Construction
<b>Moorpark 150, LLC</b>	City of Moorpark East of Walnut Canyon Rd., North of Wicks Rd.	110 Single Family Residences	Approved, Not Yet Under Construction
<b>Resmark EQ. Partners, LLC</b>	City of Moorpark Meridian Hills Dr. West of Walnut Canyon Rd.	248 Single Family Homes	Construction On Hold
<b>Resmark EQ. Partners, LLC</b>	City of Moorpark West of Walnut Canyon Rd. and South of Meridian Hills Dr.	17 Single Family Residences	Approved, Grading Complete
<b>Shea Homes</b>	City of Moorpark South of Los Angeles Ave. Between Spring Rd. and Fremont St.	99 Detached and Duplex Condominiums	Approved, Not Yet Under Construction
<b>Essex Portfolio</b>	City of Moorpark South of Casey Rd. and West of Walnut Canyon Rd.	200 Apartment Residences	Approved, Not Yet Under Construction
<b>Birdsall Group, LLC</b>	City of Moorpark Marin View Dr., East of Walnut Canyon Rd. at Championship Dr.	21 Single Family Residences	Approved, Not Yet Under Construction

Project/Applicant	Location	Description	Status
Area Housing Authority of Ventura	City of Moorpark 396-436 Charles St.	20 Apartment Residences	Under Construction
Standard Pacific Easton Crossing	City of Camarillo	77 Single Family Dwellings	Approved
DR Horton Cedar Creek	City of Camarillo	69 Single Family Dwellings	Approved
Mammanna	City of Camarillo	9 Single Family Dwellings	Approved
Hiji	City of Camarillo	36 Mixed Use Units	Approved
Amlí	City of Camarillo	384 Apartment Units	Approved
LLS, LLC	City of Camarillo	32 Mixed Use Units	Approved
<b>Commercial Projects</b>			
Grand Moorpark	City of Moorpark 635 W. Los Angeles Ave.	76,000 SQ. FT. Medical Office Building	Approved, Not Yet Under Construction
<b>Industrial Projects</b>			
A-B Properties	City of Moorpark North of Union Pacific Railroad Tracks, West of Gabbert Rd.	17 Lots	Grading Underway, No Building Plans Filed
Moorpark West Studios	Los Angeles Ave. West of Southern California Edison Substation	Motion Picture Studio Complex	Approved

## Cumulative Impacts

There are several resources for which the Build Alternatives would not cause direct or indirect effects, and consequently would not contribute to a cumulative impact. These resources include, housing, public services, recreational facilities, visual resources, cultural resources, hydrology/floodplains, climate change, energy, wetlands, and plant species. Also, temporary impacts to land use, transportation/traffic, emergency services, air quality, noise and animal species as a result of both Build Alternatives would cease upon completion of construction and would not contribute to a cumulative impact.

The proposed project effects related to agricultural resources, utilities, water quality, geology/soils/seismic, hazardous waste/materials, and natural communities are considered less than significant. The proposed project would not have impacts that could potentially be cumulatively considerable. The following sections contain the basis for this conclusion.

### ***Agricultural Resources***

A National Resources Conservation Service (NRCS) Farmland Conversion Impact Rating was completed for the proposed project. The Farmland Conversion Impact Rating determined the relative value for agricultural production of the farmland to be converted by the proposed project as compared to other farmland in the surrounding area. The acreage that would be converted under either of the Build Alternatives is less than 1 percent of total farmland in Ventura County. Furthermore, the Ventura County NRCS determined that the proposed project would convert farmland having a relative value of 0. Therefore, impacts to agricultural resources as a result of the proposed project are not cumulatively considerable.

### ***Utilities***

Although several utilities would be permanently relocated as part of the proposed project, they are confined to the immediate area in the vicinity of the project area. The VCPWA Project is in the immediate vicinity of the project area, but it would not result in impacts to utilities. As a result, impacts to utilities as a result of the proposed project are not cumulatively considerable.

### ***Water Quality***

Each project considered for the cumulative impact analysis is required to comply with federal National Pollutant Discharge Elimination System (NPDES) stormwater permit regulations governing discharges to surface waters. In particular, all projects over 1-acre in size must prepare a project-specific Storm Water Pollution Prevention Plan (SWPPP) that identifies construction site Best Management Practices (BMPs). The purpose of the NPDES permit program is to restore the beneficial uses of receiving waters. The Regional Water Quality Control Board (RWQCB) updates NPDES permits every five years, based on the conditions of the watershed. Compliance with the NPDES program is considered sufficient to mitigate impacts to water quality.

The proposed project will comply with the requirements of Caltrans Storm Water Management Program (SWMP), which specifies implementation of construction, pollution prevention and treatment BMPs. Examples of BMPs that may be implemented during construction include: soil stabilization, sediment control, erosion control, tracking control, non-storm water control, waste management and materials pollution control. The SWMP is intended to comply with the Construction General Permit and ensures that all construction, design and treatment BMPs are implemented and comply with the requirements set forth in the Caltrans NPDES Storm Water Permit.

The SWMP addresses not only temporal impacts to water quality from construction activities, but long-term water quality impacts from new construction. Storm water and non-storm water discharges after construction of both Build Alternatives would meet water quality standards

with implementation of permanent BMPs and other measures that would reduce pollutants. Caltrans' targeted design constituent (TDC) approach will be utilized for the proposed project to address potential water quality and storm water runoff impacts. A TDC is a pollutant that has been identified to be discharging with a load or concentration that commonly exceeds allowable standards and that is considered treatable by currently available Caltrans-approved treatment BMPs.

Biofiltration swales would be included as part of the proposed project. Biofiltration swales are vegetated channels that use plants to capture and biologically degrade pollutants. As an additional benefit, biofiltration swales also reduce the velocity and volume of storm water runoff. Other design features that have been or will be implemented to address potential impacts include the following:

- Disturbing existing slopes only when necessary;
- minimizing cut and fill areas to reduce slope lengths; and
- rounding and shaping slopes to reduce concentrated flow.

With implementation of these measures, the proposed project would not result in water quality impacts that are cumulatively considerable.

### ***Geology/Soils/Seismic***

Final design for the selected alternative will require subsurface exploration that would permit a detailed assessment of the potential for liquefaction. The selected alternative would be designed to satisfy the most current seismic design standards and accommodate the potential for liquefaction. With implementation of these measures, the proposed project would not result in seismic impacts that are cumulatively considerable.

### ***Hazardous Waste/Materials***

Caltrans policy states that proposed new right-of-way for a project must be free of hazardous material before such title is transferred to Caltrans. As a result, acquisition of land on potential hazardous waste/materials sites would not occur until remediation has been completed. Furthermore, construction impacts related to hazardous waste/materials would not contribute to a cumulative impact. Therefore, hazardous waste/materials impacts as a result of the proposed project are not cumulatively considerable.

### ***Biological Resources***

The only related project in the Biological Study Area (BSA) for the proposed project is the VCPWA project. The BSA for this project is mainly made up of farmland, riparian, and disturbed areas. The vegetation composition along the shoulders in the vicinity of the SR-

118/SR-34 intersection is a mixture of landscaped, ruderal, and invasive species. Primary habitat in the vicinity of the SR-118/SR-34 intersection is a Eucalyptus grove with elements of native riparian undergrowth.

Based on field observations and data collection, a total of approximately 1.096 acre of U.S. Army Corps of Engineers (USACE) Waters of the U.S. occur within the BSA. This includes 0.199 acre in the Coyote Canyon delineation area (0.007 acre open water and 0.192 acre non-wetlands Waters of the U.S.).

Coyote Canyon is dominated by ornamental vegetation, specifically Tasmanian blue gum (*Eucalyptus globulous*), which was likely planted to provide windrows for past agricultural land uses. Other plant species found are Peruvian pepper trees (*Schinus molle*), willows (*Salix* spp.), Mexican elderberry (*Sambucus mexicana*), black mustard (*Brassica nigra*), Greater Periwinkle (*vinca major*), Cape ivy (*Delairea odorata Lem.*), and castor bean (*Ricinus communis*). There are no special status plant species associated with the Coyote Canyon riparian system. Coyote Canyon provides habitat for woodrat ssp., as well as some bird species. Also, Approximately 0.09 acre of potential California Red-legged Frog breeding and foraging habitat lies in the project area.

The proposed project would result in impacts to USACE non-wetland waters of the U.S. and waters under the jurisdiction of the CDFG. These impacts would be reduced with implementation of minimization measures identified in Section 2.3.3, Water Quality and Storm Water Runoff. The proposed project would also result in permanent impacts to 0.18 acre of riparian vegetation in Coyote Canyon and 0.09 acre of potential California Red-legged Frog breeding and foraging habitat as a result of the extension of the SR-118 arch culvert for Coyote Canyon to accommodate roadway widening. Woodrat nests found in Coyote Canyon are outside of the project impact area, and presence of San Diego Desert Woodrat was not determined. Additionally, no California Red-legged Frogs were observed during amphibian surveys. All effects to Coyote Canyon as a result of the proposed project are considered less than significant. Furthermore, avoidance and minimization measures would be implemented to reduce the proposed project's effects. Furthermore, the VCPWA would mitigate all impacts to a less than significant level. As a result, the proposed project would not contribute to a cumulatively considerable impact.



## **Chapter 3**      **Comments and Coordination**

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### **3.1 Notice of Preparation (NOP)**

A Notice of Preparation (NOP) for the DEIR was issued by on October 30, 2008. The NOP was sent to the State Clearinghouse, Responsible Agencies, Trustee Agencies, Local Agencies, Community Groups, and members of the public. An NOP informs the reviewer of the lead agency's intent to prepare an EIR. The NOP for the proposed project is included at the end of this chapter as Figure 3.1-1

### **3.2 Community Meetings**

An Alternatives Workshop was held on Thursday, May 7, 2009 and a Community Meeting was held on Wednesday, August 26, 2009, at the Somis School Auditorium. The Alternatives Workshop was advertised in the Ventura County Star. Also, over 150 invitations were sent to local government agencies, organizations and the public before each of the meetings. The purpose of these meetings was to provide an overview on the proposed project's purpose and alternatives, and to solicit input from all interested parties. Comments from these two meeting generated various opinions regarding the five Build Alternatives presented. The major source of controversy that has emerged from a review of public comments involves the improvements proposed under the Intersection Improvement Alternative. Somis community members' concerns about this alternative focused on the size of the proposed intersection configuration and its effects on the rural character of their town.

Representatives from the California Highway Patrol, Ventura County Sheriff's Department, Ventura County Transportation Commission, County of Ventura Public Works Agency, and the City of Moorpark attended the community meetings. Also the following elected officials were represented at the meetings:

- Office of California Senator Tony Strickland
- Office of Ventura County Supervisor Peter C. Foy
- Office of Ventura County Supervisor Steve Bennett

A letter of support for the SOS Alternative was received from Supervisor Steve Bennett. Also, a letter of support of minimal improvements was received from Supervisor Peter C. Foy.

A meeting was also held with members of the SOS community organization on June 29, 2009, at the Caltrans District 7 Headquarters Building, to address their concerns with the alternatives

presented in the NOP and at the community meetings. A second meeting was held with members of the organization on October 28, 2010, at the Caltrans Ventura County Satellite Office, to discuss project updates.

### **3.3 Interagency Coordination and Consultation**

Consultation and coordination with several agencies occurred in conjunction with the preparation of the technical reports and the DEIR for the proposed project. The agencies are identified below:

- U.S. Fish and Wildlife Services
- U.S. Army Corps of Engineers
- National Resources Conservation Service
- California Department of Fish and Game
- California Office of Historic Preservation
- County of Ventura Public Works Agency
- Ventura County Environmental Health Division
- Ventura County Planning Division

## Figure 3.3-1 Notice of Preparation (NOP) 1

### DEPARTMENT OF TRANSPORTATION

DISTRICT 7  
100 MAIN STREET, SUITE 100  
LOS ANGELES, CA 90012-3606  
PHONE (213) 897-0362  
FAX (213) 897-0360  
TTY (213) 897-4937



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### NOTICE OF PREPARATION

**To:** Office of Planning & Research, State Clearinghouse, P.O. Box 3044  
Sacramento, CA 95812

**From:** California Department of Transportation, District 7, Division of  
Division of Environmental Planning, 100 South Main Street, Suite 100  
Los Angeles, CA 90012

**Subject:** Notice of Preparation of a Draft Environmental Impact Report

**Project Title:** State Route 118 Intersection Improvements at State Route 34 (Somis Rd.)  
and Donlon Road

The California Department of Transportation (Caltrans) will be the Lead Agency for the preparation of an Environmental Impact Report (EIR) for the State Route 118 (SR 118)/ State Route 34 (SR 34) Intersection Improvement Project. Caltrans invites your comments as to the scope and content of the environmental information that is relevant to your agency's statutory responsibilities in connection with the proposed project. Some state and local agencies may need to use the EIR prepared by our agency when considering your permit or approval of certain aspects of the project.

A ND/FONSI was prepared for this project and finalized in December 1999 with State Clearinghouse number 198081078. The findings in that environmental document were challenged in a lawsuit filed against Caltrans, resulting in the court mandating that an EIR be prepared for the proposed project.

The proposed project location is in an unincorporated area of Ventura County, within the community of Somis. At this location, SR 118 is a two-lane conventional highway with no median, forming two "T" intersections with SR 34 and Donlon Rd. Coyote Canyon crosses the highway via an arch drainage culvert between the two intersections. Coyote Canyon tributary crosses SR 118 just east of Donlon Rd.

The purpose of the project is to improve mobility, achieve an acceptable level of traffic operations and improve safety conditions along State Route 118 at the intersections with SR 34 and Donlon Rd. There are six alternatives being considered for this project. Four of the alternatives would relocate and realign Donlon Rd. westerly to align with the existing SR 34. Furthermore, these four alternatives would eliminate the existing intersection of Donlon Rd. at SR 118. The remaining two alternatives consist of a No-Build alternative and an alternative that would bypass the Somis community and construct a 1 mile highway to the south to connect SR 34 to SR 118.

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The proposed project is necessary to alleviate traffic congestion and reduce the risk for traffic accidents. Caltrans accident data for 1993-1998 shows a total accident rate higher than the statewide average at the SR 118/ SR 34 intersection when compared with similar intersections. As of 2004, the intersection operates at level of service (LOS) E. Currently, our traffic analysis reveals that demand at the intersection exceeds capacity.

The SR 118/SR 34 intersection conditions are characterized by severe congestion and low travel speeds during both the AM (6:00 – 9:00 AM) and PM (3:00 – 6:00 PM) peak periods. During these hours, vehicles making a left turn onto southbound SR 34 from westbound SR 118 back up onto the through lane. This impedes westbound traffic from continuing on SR 118. The signalized intersection used to function properly when traffic was at rural levels, but has become a bottleneck with new urban traffic demand. Also, because traffic on SR 118 and SR 34 has increased significantly, the existing “T” intersection of SR 118 with Donlon Rd. no longer functions effectively.

The proximity of both “T” intersections exacerbates the congested conditions and poses problems for motorists exiting Donlon Rd. The intersection of SR 118/Donlon Rd. is located 275 ft. east of the SR 118/ SR 34 intersection. Vehicles exiting Donlon Rd. to access SR 118 are controlled by a stop sign. Right turning vehicles at this location face a great challenge entering the left-turn pocket to southbound SR 34 due to congestion on the east-leg approach of SR 118. Left turn movements from southbound Donlon Road onto eastbound SR 118 are an even greater challenge due to the traffic backup and inadequate visibility.

Trucks turning at the intersection are also an issue of concern as these vehicles tend to encroach into the other traffic lanes due to inadequate turning radii. Subsequently, this situation generates further potential for vehicle collisions.

## **PROPOSED ALTERNATIVES**

The following six (6) alternatives (five build alternatives and the no-build alternative) are proposed for this project:

- **No Build Alternative**

The No-Build Alternative proposes to maintain the existing conditions without any alterations.

- **Intersection Alternative**

The Intersection Alternative would close the existing Donlon Rd. from SR 118 to La Cumbre Rd. The new alignment of Donlon Rd. would begin at the SR 118/34 intersection and run north along the west side of the creek up to the spillway of the Ventura County Watershed Control District debris basin. At this point, Donlon Rd. would cross over the spillway in a northeasterly direction with a bridge structure. The southbound lane for Donlon Rd. would have a mixed thru/left-turn/right-turn lane at the intersection with SR 118. The realigned northbound lane of Donlon Rd. would not change.

The Intersection Alternative would add an additional left-turn lane in the westbound direction of SR 118 (east leg), an auxiliary lane in the eastbound direction of SR 118 (east leg) and a right-turn only lane in the eastbound direction of SR 118 (west leg). An auxiliary lane would be added on the southbound direction of SR 34 and a left turn/thru lane only on the northbound direction of SR 34.

The existing drainage culvert and large catch basin (north side) for Coyote Canyon would be modified to accommodate the extra left-turn lane and auxiliary lane on SR 118 (east leg).

- **Bridge Alternative**

The Bridge Alternative proposes the same intersection improvements as the Proposed Project Alternative with the exception of the realignment of Donlon Rd. The new Donlon Rd. would be a straight alignment due north of the SR 118/SR 34 intersection and would cross Coyote Canyon via a bridge structure. Caltrans Division of Structures has estimated that a bridge structure of 156 feet by 55.5 feet would be required.

- **Roundabout Alternative**

The Roundabout Alternative would consist of a one-way, one-lane circulatory roadway in a counter-clockwise direction with a width of 24 feet. An additional structural pavement, 8 feet in width, would abut the inner radius of the roadway, which would function as a truck apron. A raised curbed would border the inner radius of the truck apron and delineate the central island. The roundabout would replace the existing signalized intersection.

The east-leg approach of SR 118 would consist of a four-lane roadway (two lanes for ingress and two lanes for egress). The west-leg approach of SR 118 would consist of a three-lane roadway (two lanes for ingress and one lane for egress). The south-leg approach of SR 34 would consist of a three-lane roadway similar to the west-leg approach of SR 118. The realigned Donlon Rd. would travel north over the outlet of the debris basin with a two-lane roadway (one lane for ingress and one lane for egress).

- **Somis Bypass Alternative**

The Somis Bypass Alternative was presented by local residents of the Somis community. This alternative would attempt to alleviate truck and commuter traffic going through this community by constructing a new two-lane highway. The proposed roadway would start at the present Union Pacific railroad crossing with SR 118 on the east side of Somis, continuing south parallel to the railroad alignment and connecting to SR 34 at a point south of the community of Somis.

- **SOS Alternative**

JR Consulting Engineers, LLC, was retained by the Save Our Somis (SOS) community organization and proposed a smaller intersection design for the project. This design would be similar to the Proposed Project Alternative with the following exceptions:

- only one left-turn lane for the westbound direction of SR 118, lengthened to almost 350 feet,
- the east leg of SR 118 would not have an eastbound auxiliary lane and
- no auxiliary lane for the southbound direction of SR 34.

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## POTENTIAL ENVIRONMENTAL IMPACTS

### Biological Resources

- Removal of Eucalyptus trees (habitat for Raptors & migrating Monarch butterflies)
- Impact to wetlands
- Resource permits

### Water Quality

- Increase in storm water runoff into Coyote Canyon and other water related resources that constitute the Calleguas Creek Watershed.

### Farmland

- Acquisition of farmland

### Hazardous Materials

- Pesticides, PCB's and herbicides associated with agricultural activities in surficial soil.
- Lead in soil

## ENVIRONMENTAL REVIEW PROCESS

Following completion of the 30 day Notice of Preparation public review period, Caltrans will incorporate relevant information into the EIR, if and where appropriate and consistent with the limitations of the court's judgment in the action. Subsequently, a draft EIR will be prepared and circulated for public review and comment for the 45-day public review period. All individuals that have requested so will be placed on a Notice of Availability list for the draft EIR. There is no scoping meeting scheduled at this time.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice. Comments are due **December 1, 2008**.

Please send your comments regarding the forthcoming EIR by regular mail or fax to:

**Ron Kosinski**  
**Deputy District Director**  
**Caltrans, Division of Environmental Planning**  
**100 South Main Street, Suite 100**  
**Los Angeles, CA 90012**

Fax: (213) 897-0685

Date: Oct 30, 2008

Signature 

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# Chapter 4      Distribution List

---

The Honorable Dianne Feinstein  
United States Senator  
United States Senate  
11111 Santa Monica Blvd. Suite 915  
Los Angeles, CA 90025

The Honorable Barbara Boxer  
United States Senator  
United States Senate  
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The Honorable Elton Gallegly  
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5051 Verdugo Way, Suite 120  
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The Honorable Tony Strickland  
State Senator – 19<sup>th</sup> District  
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The Honorable Jeff Gorell  
Assembly Member – 37<sup>th</sup> District  
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The Honorable Linda Parks  
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The Honorable Kathy Long  
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Doris Mieczko  
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Somis, CA 93066

Carol Mower  
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Somis, CA 93066

Resident  
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Somis, CA 93066

Sondra Briggs  
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Somis, CA 93066

William & Virginia Shulze  
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Somis, CA 93066

Resident  
6516 Palomino Circle  
Somis, CA 93066

Resident  
5237 Kingsgrove Dr.  
Somis, CA 93066

Resident  
4244 Aspen Lane  
Somis, CA 93066

Resident  
4566 Donlon Rd.  
Somis, CA 93066

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Resident  
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Somis, CA 93066

Resident  
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# Appendix A CEQA Checklist

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<b>I. AESTHETICS:</b> Would the project:				
a) Have a substantial adverse effect on a scenic vista	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**II. 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:

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>III. AIR QUALITY:</b> 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:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>IV. BIOLOGICAL RESOURCES:</b> Would the project:				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES:</b> Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>VI. GEOLOGY AND SOILS:</b> Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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**VII. GREENHOUSE GAS EMISSIONS:** Would the project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

An assessment of the greenhouse gas emissions and climate change is included in the body of environmental document. While Caltrans has included this good faith effort in order to provide the public and decision-makers as much information as possible about the project, 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 and indirect impact with respect to climate change. Caltrans does remain firmly committed to implementing measures to help reduce the potential effects of the project. These measures are outlined in the body of the environmental document.

**VIII. HAZARDS AND HAZARDOUS MATERIALS:** Would the project:

- 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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<b>IX. HYDROLOGY AND WATER QUALITY:</b> Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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**X. LAND USE AND PLANNING:** Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Physically divide an established community?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**XI. MINERAL RESOURCES:** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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?                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**XII. NOISE:** Would the project result in:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| ) 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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**XIII. POPULATION AND HOUSING:** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**XIV. 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: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Fire protection?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Police protection?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Schools?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Parks?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other public facilities?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**XV. RECREATION:**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
--	--------------------------------	---------------------------------------	------------------------------	-----------

**XVI. TRANSPORTATION/TRAFFIC:** Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 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?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**XVII. UTILITIES AND SERVICE SYSTEMS:** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?                            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	--------------

**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE**

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 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)?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |



# Appendix B Title VI Policy Statement

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DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE DIRECTOR  
P.O. Box 942873, MS-49  
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TTY 711



*Flex your power!  
Be energy efficient!*

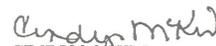
July 20, 2010

## TITLE VI 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, 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, or age, please visit the following web page:  
[http://www.dot.ca.gov/hq/bep/title\\_vi/t6\\_violated.htm](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 Charles Wahnnon, Manager, Title VI and Americans with Disabilities Act Program, California Department of Transportation, 1823 14<sup>th</sup> Street, MS-79, Sacramento, CA 95811. Phone: (916) 324-1353 or toll free 1-866-810-6346 (voice), TTY 711, fax (916) 324-1869, or via email: [charles\\_wahnnon@dot.ca.gov](mailto:charles_wahnnon@dot.ca.gov).

  
CINDY MCKIM  
Director

*"Caltrans improves mobility across California"*



# Appendix C Summary of Relocation Benefits

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## **Your Rights and Benefits as a Displaced Business, Farm or Nonprofit Organization Under the Uniform Relocation Assistance Program**

### **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 nonprofit 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 of 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.

**Displaced Person or Displacee:** Any person who moves from real property or moves personal property from real property as a result of the acquisition of the real property, in whole or in part, or as the result of a written notice from the agency to vacate the real property needed for a transportation project. In the case of a partial acquisition, Caltrans shall determine if a person is displaced as a direct result of the acquisition.

Owners and tenants **not lawfully present** in the United States are not eligible to receive relocation payments and assistance.

**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, or their income must have contributed at least 33 1/3 percent of the owner's or operator's average annual gross income from all sources, 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 of 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.
- 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** – You can accept a fixed payment between \$1,000 and \$20,000, based on your annual earnings IN LIEU OF the moving cost, related expenses and reestablishment cost.

### **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	-
	<u>\$ 500</u>
Net Value	\$ 1,000

OR

Estimated cost to move	\$ 1,050
------------------------	----------

Based on the "lesser 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 copy 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 copy machine and/or chairs.

- 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 continue 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. Professional real estate services needed for the purchase or lease of a replacement site.
9. 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 \$10,000, 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 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.

**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.*

### 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 \$20,000.

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 your represent a nonprofit organization and are interested in a fixed payment, please consult your relocation counselor for additional information.

### 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 is 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 2005:

2003 Annual Net Earnings	\$ 10,500
2004 Annual Net Earnings	\$ 12,500
TOTAL	\$ 23,000
<b>Average over two years</b>	<b>\$ 11,500</b>

This would be the amount of your in-lieu payment. Remember – this is in-lieu of all other moving benefits, including reestablishment expenses. 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. Request a determination of entitlement for in-lieu payment from your Relocation Agent.
- 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 2005, regardless of when negotiations began or the State took title to the property, the taxable years would be 2003 and 2004).
- 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 nonprofit 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 requirements.
- 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
- 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 affect 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.

NOTES

# **Sus Derechos y Beneficios Como Negocio, Operación Agrícola o Organización No Lucrativa Desplazada Bajo el Departamento de Transportación de California, Programa para Asistencia de Reubicación**

## **Introducción**

Cuando se está construyendo un sistema de transporte moderno, el desplazamiento de un pequeño porcentaje de la población es a veces necesario. Sin embargo, es el procedimiento de Caltrans que las personas desplazadas no deben de sufrir innecesariamente como resultado de los programas diseñados para el beneficio del público en general.

Los negocios, operaciones agrícolas, y organizaciones no-lucrativas desplazadas pueden ser elegibles para servicios de reubicación y pagos.

Este libreto le provee información acerca de los servicios y pagos de reubicación disponibles. Si usted tiene que mudarse como resultado de un proyecto de transportación de Caltrans, un Agente de Reubicación lo contactará. El Agente de Reubicación estará disponible para responderle preguntas específicas y darle información adicional.

**Acta de Procedimiento Uniforme de Asistencia para  
Reubicación y Adquisición de Bienes Raíces de 1970,  
Emendada  
“El Acta Uniforme”**

El propósito de esta Acta es de proveer uniformidad e igualdad de tratamiento a personas desplazadas de sus negocios, operaciones agrícolas, u organización no-lucrativa, por programas federales o programas asistidos con fondos federales, y de establecer uniformidad e igualdad en los procedimientos para adquisición de tierras para los programas federales y programas asistidos con fondos federales.

El Código de Regulaciones Federales 49, Parte 24 implementa el “Acta Uniforme” de acuerdo a los siguientes objetivos de asistencia de relocalización:

Para asegurar que las personas desplazadas como resultado directo de proyectos federales o proyectos asistidos con fondos federales sean tratados con justicia, consistencia e igualdad de tal manera que esas personas no sufran daños desproporcionados como resultado de los proyectos diseñados para el beneficio del público en general.

*Mientras se ha hecho todo esfuerzo para asegurar la veracidad de este folleto, debe entenderse que no tiene la fuerza ni efecto de la ley, regla o regulaciones que gobiernan el pago de los beneficios. Si alguna diferencia o error resulta, la ley tomará precedencia.*

## Servicios de Reubicación

El Departamento Transportación tiene dos programas para de ayudar a negocios, granjas y organizaciones no-lucrativas que tienen que reubicarse. Estas son:

1. El Programa de Consejos de Asistencia de Reubicación, que es para ayudarle en localizar una propiedad de reemplazo conveniente, y
2. El Programa de Pagos para Reubicación, que le reembolsará de ciertos costos envueltos en la reubicación. Estos pagos están clasificados como:
  - Gastos Relacionados a Mudanza (costos de mover propiedad personal no adquirida).
  - Gastos de Reestablecimiento (gastos relacionados a la propiedad de reemplazo.)
  - Pagos Fijos (pago fijo en vez de los gastos de mudanzas y otros gastos relacionados, y gastos de reestablecimiento).

**Nota:** *Pagos por pérdida de clientela es considerado un costo de adquisición. La ley de California y las regulaciones federales mandan que los pagos de reubicación no pueden duplicar otros pagos, como los pagos de pérdida de clientela.*

Usted **no** puede ser elegible a recibir ningún pago de reubicación hasta que el Estado haya hecho la primera oferta escrita para comprar su propiedad. Usted también recibirá un aviso escrito por lo menos 90 días antes que se tenga que mover.

## Algunas Definiciones Importantes...

Sus beneficios de relocalización pueden ser entendidos mejor si usted se familiariza con los siguientes términos:

**Negocio:** Cualquier actividad legal, con la excepción de operaciones agrícolas, conducida principalmente para la compra, venta, arrendamiento, y alquiler de bienes personales o bienes raíces, o para la fabricación, elaboración y/o mercadotecnia de productos, mercancías, u otros bienes personales, o solamente para el propósito de ésta Acta, un rótulo con anuncio o anuncios, cuando el rótulo(s) tenga(n) que ser movido(s) como resultado del proyecto.

**Negocios Pequeños:** Un negocio que tenga no más de 500 empleados trabajando en el lugar que esta siendo adquirido o desplazado por un programa o proyecto.

**Contribuye Materialmente:** Un negocio u operación agrícola debe de haber tenido un ingreso bruto en recibos de al menos \$5,000 o un promedio anual de ingreso netos de al menos \$1,000, para poder calificar como una operación de buena fé.

**Operación Agrícola:** Cualquier actividad conducida sola o primariamente para la producción de uno o más productos de agricultura o mercancías, incluyendo venta de madera, para la venta y uso en casa, y producción ordinaria de tales productos o mercancía en cantidades suficientes para tener la capacidad de contribuir materialmente al soporte del operario.

**Organización No-lucrativa:** Una entidad pública o privada que haya establecido su estado de organización no-lucrativa bajo las leyes aplicables.

**Persona desplazada:** Cualquier individuo o familia que se muda de una propiedad o mueva sus bienes personales de una propiedad como resultado de la adquisición de bienes raíces, en todo o en parte, o como resultado de una notificación escrita de una agencia para desocupar la propiedad que se necesita para un proyecto de transportación. En el caso de una adquisición parcial, Caltrans determinará si la persona es desplazada directamente como resultado de la adquisición.

Los residentes que no están legalmente en los Estados Unidos no son elegibles para recibir pagos y asistencia de reubicación.

Los beneficios de reubicación varían según el tipo y tiempo de ocupar una persona desplazada de un unidad residencial usted puede ser clasificado como:

- Un dueño ocupante de una propiedad residencial (incluye casas móviles).
- Un inquilino ocupante de una propiedad Residencial (incluye casas móviles cuartos para dormir)

## GASTOS DE MUDANZA

Si usted califica como un negocio, operación agrícola, u organización no-lucrativa desplazada, usted puede recibir reembolso de los gastos de mudanza y ciertos gastos relacionados incurridos en la mudanza. Para calificar, usted tiene que ocupar la propiedad legalmente como dueño o inquilino cuando Caltrans inicie negociaciones para la adquisición de la propiedad, o al tiempo que Caltrans adquiera título, o tome posesión de la propiedad. Sin embargo, para asegurar su elegibilidad y el pronto pago de los gastos de mudanza, usted tiene que haber contactado a su Agente de Reubicación antes de que se mude.

### Usted Puede Escoger Entre:

**Gastos Razonables de Mudanza Actual** – Usted tiene que haber pagado por sus gastos de mudanza razonables y gastos relacionados cuando una compañía comercial hace la mudanza.

El reembolso será limitado a mudanza de 50 millas o menos. Los gastos relacionados, con limitaciones, **pueden** incluir:

- Transportación.
- Empacamiento y desempacamiento de la propiedad personal.
- Desconexión y reconexión relacionada a la operación de la propiedad personal.
- Almacenamiento temporal de la propiedad personal.

Seguros mientras la propiedad está en almacenamiento o en tránsito, o la propiedad personal es perdida y dañada, si los seguros no son razonablemente disponible.

- Gastos en encontrar un lugar de reemplazamiento.
- Servicios profesionales para planificar y supervisar la mudanza de la propiedad personal al nuevo lugar.
- Licencias, permisos y honorarios requeridos en el lugar de reemplazamiento.

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**Contrato de Mudanza Propia** – Usted puede ser pagado por mover su propia propiedad personal basado en la más baja de dos ofertas aceptables obtenidas por Caltrans. Bajo esta opción, usted deberá todavía ser elegible para el reembolso de los gastos arriba relacionados que no fueron incluidos en la oferta

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**Pago Fijo** – Usted puede aceptar un pago fijo entre \$1,000 y \$20,000 basado en sus ganancias anuales EN VEZ de los costos y gastos relacionados de la mudanza.

### **Costos Actuales Razonables de Mudanza:**

Pueden pagársele los gastos actuales razonables y necesarios de su mudanza si lo transporta con una compañía comercial de muebles y mudanzas. Todos sus gastos deben de ser respaldados con recibos u otra evidencia de gastos incurridos. Además de los gastos de transportación de su propiedad personal, ciertos otros gastos también pueden ser reembolsados, tales como empaque, embalaje, desempaque y desembalaje, desconexión, desmantelación, removimiento, reensamblamiento, y reinstalación de maquinaria relocalizada, equipos y otras propiedades personales. Otros gastos necesarios tales como servicios profesionales para planificar y supervisar la mudanza, almacenaje temporal y el costo para licencias, permisos y certificados también pueden ser reembolsables. Esta no es la intención de ser una lista inclusiva de todos los gastos relacionados de mudanza. Su Agente de Reubicación puede proveerle una explicación completa de los gastos reembolsables.

## Contrato de Mudanza Propia

Si usted elige tomar la responsabilidad total o parcial para la mudanza de su negocio, operación agrícola, u organización no-lucrativa, Caltrans puede aprobar un pago sin exceder el presupuesto mas bajo de dos ofertas aceptables de una compañía comercial de muebles y mudanzas o por el Agente de Reubicación. Una mudanza a costo bajo o sin complicaciones puede ser basada en una sola oferta o estimado. En realidad, la ventaja de esta opción es que releva de la obligación al operador del negocio, operación agrícola u organización no-lucrativa desplazadas de documentar todos los gastos de mudanza. Caltrans puede hacer el pago sin documentación adicional siempre y cuando el pago sea limitado a la cantidad más baja aceptable de la oferta o del estimado. Otros gastos tales como servicios profesionales para planificar, costos de almacenaje y el costo de licencias, permisos, y certificados también pueden ser reembolsables si son necesarios. Estos gastos tienen que ser aprobados de ante mano por el Agente de Reubicación.

### Requisitos:

Antes de que se mueva, usted tiene que proveer a Caltrans con:

- El inventario certificado de toda la propiedad personal que va a mover.
- La fecha que usted intenta desalojar la propiedad.
- La dirección de la propiedad de reemplazamiento.
- La oportunidad de supervisar e inspeccionar la mudanza desde la propiedad adquirada a la propiedad de reemplazo.

## Gastos Relacionados

(1) **Gastos Para la Búsqueda de una Propiedad de Reemplazo** – Negocios, operaciones agrícolas, y organizaciones no-lucrativas tienen derecho a un reembolso por gastos actuales razonables, incurridos en la búsqueda de una propiedad de reemplazo, sin exceder \$1,000. Los gastos pueden incluir transportación, alimento y alojamiento cuando esté lejos de su casa; el valor razonable del tiempo que ha gastado buscando una propiedad de reemplazo; los honorarios pagados a agentes de bienes raíces o asesores; y otros gastos determinados por Caltrans como razonables y necesarios.

**(2) Pérdidas Directas de Bienes Personales Tangibles:** Los negocios, operaciones agrícolas, y organizaciones no-lucrativas desplazadas pueden ser elegibles para un pago por pérdidas directas de bienes personales tangibles incurrido como resultado de la mudanza o discontinuación de la operación. Este pago deberá ser basado en el menor de:

- (a) El valor de mercado de un producto para uso continuo en el sitio de desplazamiento menos la ganancia por su venta.
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- (b) El costo estimado de mudanza y reinstalación de los objetos reemplazados es basado en la oferta mas baja o el estimado obtenido por Caltrans para mudanza elegible y costos relacionados, incluyendo desmantelamiento y reemsamblaje, pero sin pago por almacenamiento.

**POR EJEMPLO:**

Usted determina que el "cortador de documentos" no puede ser movido a la nueva localidad por su condición, y usted no lo va a reemplazar en la nueva localidad.

El Valor de Mercado del Cortador de Documentos basado en su uso actual en la localidad actual es de	\$1,500
Ganancia: Precio recibido por la venta del Cortador de Documentos	- \$ 500
Valor Neto	\$1,000
○	
El costo estimado de moverlo	\$ 1,050
Basado en el "menor de", la cantidad de la "Pérdida de Propiedad Personal Tangible"	= \$ 1,000

**Nota:** Usted tambien tiene derecho a todos los costos razonables incurrido en su esfuerzo por vender el cortador de documentos (por ejemplo, anuncio commercial)

**(3) Compra de Substitución de la Propiedad Personal:** Si un objeto de propiedad personal, el cual es usado como parte del negocio, la operación agrícola, o la organización no-lucrativa, no es movido pero es prontamente reemplazado con un objeto sustituto que hace una función comparable en el sitio de reemplazo, el desplazado tiene derecho al menor de:

(a) El costo de un objeto sustituto, incluyendo los costos de instalación en el sitio de reemplamiento, menos cualquier ganancia por la venta o intercambio del objeto reemplazado.

O

(b) El costo estimado de mudanza y reinstalación del objeto de reemplazo, basado en la oferta mas baja aceptable o el estimado obtenido por Caltrans para una mudanza elegible y gastos relacionados, incluyendo el desmantelamiento y reensamblaje, pero sin pago por almacenamiento

**EJEMPLO A:**

Usted puede determinar que la máquina copiadora no puede ser movida a la nueva localidad porque es ahora obsoleta y la va a reemplazar.

Costo de sustituir una Máquina Copiadora incluyendo costos de instalación en el sitio de reemplazamiento.	\$ 3,000
Pago por el Intercambio	<u>-\$ 2,500</u>
Valor Neto	\$ 500
O	
Costo estimado de la mudanza	\$ 550
Basado en el "menor de" la cantidad de "La Propiedad Personal Substituida"	\$ 500

**EJEMPLO B:**

Usted determina que las sillas no van a ser usadas en la nueva localidad, porque ya no combinan con la decoración, y usted las quiere reemplazar.

Costo de la sillas substitutas	\$ 1,000
Ganancias: Por la venta de las Sillas	<u>-\$ 100</u>
Valor Neto	\$ 900
O	
Costo estimado de la mudanza	\$ 200
Basado en el "menor de", la cantidad de "La Propiedad Personal de Substitución"	\$ 200

**NOTA:** *Usted también tiene derecho a todos los gastos razonables incurridos en su esfuerzo por vender la copiadora (Ejemplo A) o las sillas (Ejemplo B).*

**(4) Desconexión y Reinstalación:** Usted va a ser reembolsado por los costos actuales y razonables de desconexión, desmantelamiento, mudanza, reensamblaje, e reinstalación de cualquier maquinaria, equipo u otra propiedad personal en relación a la mudanza a su nuevo local. Esto incluye conexión a los servicios públicos disponibles en el lugar y a cualquier modificación de los objetos personales que sean necesario para adaptar a los servicios públicos en el sitio de reemplazamiento.

**(5) Cambios Físicos en el nuevo local:** Usted puede ser reembolsado por ciertos cambios físicos de la propiedad de reemplazamiento si los cambios son necesarios para permitir la reinstalación de la maquinaria o equipo necesario para la continua operación del negocio.

**Nota:** *Los cambios no pueden incrementar el valor del edificio para propósitos generales, tampoco pueden incrementar la capacidad mecánica de los edificios más allá de los requerimientos normales.*

## Gastos De Reestablecimiento

Un pequeño negocio, operación agrícola, u organización no-lucrativa puede ser elegible para un pago, que no exceda \$10,000, para los gastos actuales incurridos en la reubicación y el reestablecimiento en el sitio de reemplazo.

Gastos de reestablecimiento pueden incluir, pero no están limitados a, lo siguiente:

1. Reparación y mejoramiento de la propiedad de reemplazamiento requerido por las leyes, códigos, u ordenanzas federales, estatales o locales.
2. Modificaciones de la propiedad de reemplazamiento para hacer la estructura(s) apropiado para la operación del negocio.
3. Construcción e instalación de los letreros exteriores para anunciar el negocio.
4. El costo de instalación de servicios públicos desde la línea del derecho de vía a la estructura(s) o mejoramientos en el sitio de reemplazamiento.

5. Redecoración o reemplazamiento como pintura, tapizado de pared, paneles, o carpetas cuando sean requeridas por la condición del sitio de reemplazo o con propósitos estéticos.
6. El costo de licencias, honorarios, y permisos cuando no sean cubiertos como gastos de mudanza.
7. Estudios de mercado, estudios de factibilidad y exámen de suelo.
8. Anunciar la localidad del nuevo negocio.
9. Servicios profesionales de bienes raíces necesarios para la compra o la renta de un lugar de reemplazo.
10. El aumento del costo estimado de operación en el lugar de reemplazo durante los primeros dos años, por objetos como:
  - a. Cargas de rentas,
  - b. Impuestos de propiedad personal o propiedad real
  - c. Prima de seguros, y
  - d. Carga de servicios públicos (excluyendo honorarios de impacto).
11. Evaluación de una-vez o honorarios de impacto por alta utilización de servicios públicos.
12. Otros objetos que el Departamento considere esenciales para el reestablecimiento del negocio ú operación agrícola.

### **Pago De Una Vez (O Pago Fijo)**

Negocios que han sido desplazados, operaciones agrícolas, y organizaciones no-lucrativas podrían ser elegibles para un pago fijo (en vez de) por los gastos actuales de mudanza, pérdida de propiedad personal, gastos de búsqueda, y gastos de reestablecimiento. Los pagos fijos no podrán ser menos de \$1,000 o más de \$20,000.

Para que un negocio sea elegible por un pago fijo, Caltrans debe de determinar lo siguiente:

1. El negocio posee o renta propiedad personal que debe de ser movida debido al desplazamiento.
2. El negocio no puede ser relocalizado sin una pérdida substancial de la clientela existente.
3. El negocio no es parte de un empresa comercial que tiene mas de tres otros negocios conectados en una misma o actividad similar, las cuales están bajo el mismo dueño y no están siendo desplazadas por el Departamento.
4. El negocio contribuyó materialmente a las ganancias del operador del negocio desplazado durante los dos años anteriores al desplazamiento.

Cualquier operación del negocio que está conectado solamente en la renta del espacio de otros, no es elegible para un pago fijo. Esto incluye la renta de espacio con propósitos residenciales o de negocios.

Los requerimientos de elegibilidad para las operaciones agrícolas y organizaciones no-lucrativas son un poco diferentes a los requerimientos para negocios. Si usted está siendo desplazado de una granja o usted representa una organización no-lucrativa y está interesado en un pago fijo, por favor consulte con su consejero de reubicación para información adicional.

### **La computación de Su Pago Fijo**

El pago fijo para un negocio desplazado o una operación agrícola es basado en el promedio anual neto de ganancias de la operación por los dos años inmediatamente precedentes al año en el cual fue desplazado. Caltrans puede usar un período de dos años diferentes, si se determina que los dos últimos años no reflejan con certeza las ganancias de la operación.

**EJEMPLO:** Caltrans adquiere su propiedad y usted se mueve en el 2001:

1999 Ganancias Netas Anuales	\$10,500
2000 Ganancias Netas Anuales	<u>\$12,500</u>
TOTAL	\$23,000
Promedio de los dos años	\$11,500

Este podría ser la cantidad de su pago fijo. Recuerde – esto es “en vez de” todos los otros beneficios de mudanza. Usted tendrá que proveer Caltrans pruebas de las ganancias netas para verificar su reclamo.

Prueba de las ganancias netas pueden ser documentas con sus declaraciones de impuestos, cartas financieras certificadas, u otra evidencia razonable de las ganancias netas aceptables por Caltrans.

**Nota:** *La computación de las organizaciones no-lucrativas difiere en que los pagos son computados en la base del promedio anual grueso de las ganancias menos los gastos administrativos por el período de los dos años especificados arriba.*

### **Antes de que se Mueva:**

- A. Complete una forma de “Aplicación para Determinación de sus Derechos” que la puede obtener de su Agente de Reubicación, y devuélvala con la mayor prontitud posible.
- B. Incluya una declaración escrita de las razones por las cuales su negocio no puede ser reubicado sin una pérdida substancial en la ganancias netas.
- C. Provea una copia certificada de su declaración de impuestos de los dos años inmediatamente precedentes al año en el que se va a mover. (Si usted se mueve en cualquier momento en el año 2001, sin importar de cuando comenzaron las negociaciones o cuando el Estado tomó título de su propiedad, los años serán el de 1999 y el 2000.
- D. Usted deberá ser notificado de la cantidad a la que tiene derecho después que la aplicación es recibida y aprobada.
- E. Usted no puede recibir un pago hasta que se haya movido de la propiedad, Y que haya entregado un reclamo de pago dentro de los 18 meses de la fecha de mudanza.

## Asistencia de Asesoría de Reubicación

A cualquier negocio, operación agrícola, u organización no-lucrativa, desplazado por Caltrans debe de ofrecerle los servicios de asistencia de reubicación con el propósito de localizar una propiedad de reemplazamiento. Los servicios de reubicación deben de ser proveídos por un empleado de Caltrans. Es la meta y el deseo de nosotros de servirle y asistirle en cualquier manera posible para ayudarle a reubicarse exitosamente.

Un Agente de Reubicación de Caltrans se comunicará con usted personalmente. Los servicios de reubicación y los pagos deberán ser explicados a usted de acuerdo con su elegibilidad. Durante la entrevista inicial con usted, sus necesidades y deseos deberán determinarse así como su necesidad de asistencia.

Usted puede esperar recibir los siguientes servicios, consejos, y asistencia de su Agente de Reubicación quien le:

- Determinará sus necesidades y preferencias.
- Explicará los beneficios de reubicación y su elegibilidad.
- Proveerá información en las propiedades de reemplazo para su consideración.
- Proveerá información en aconsejarle como puede obtener ayuda para minimizar la adversidad en ajustarse a su nuevo local.
- Asistirá en completar los documentos de préstamos, aplicaciones de rentas o Formas de Reclamos de Reubicación.

Y puede proveerle información en:

- Depósitos de seguridad.
- Taza de intereses y términos.
- Pagos típicos de enganches.
- Permisos, honorarios, y ordenanzas locales.
- Requirimientos de préstamos SBA
- Impuestos de bienes raíces.
- Literatura de educación al consumidor.

Si usted desea, su Agente de Reubicación le dará una lista actual de otras propiedades de reemplazamiento que estén disponibles. Se le proveerá transportación para inspeccionar la propiedad disponible, especialmente si usted es anciano o discapacitado. Aunque usted puede usar los servicios de un vendedor de bienes raíces, Caltrans no lo puede referir a un agente específico.

Su Agente de Reubicación está familiarizado con los servicios proveído por otros en su comunidad y le proveerá información de otros programas federales, estatales y locales que ofrecen asistencia a las personas desplazadas. Si usted tiene necesidades especiales, su Agente de Reubicación hará un esfuerzo para asegurar los servicios del personal entrenado de estas agencias que tienen la experiencia para ayudarle.

Si el proyecto de carreteras requiere que un número considerable de personas sean reubicadas, Caltrans establecerá Oficinas temporales de Reubicación en o cerca del proyecto. Las oficinas de proyectos de reubicación serán abiertas durante las horas convenientes y hasta horas de la noche si es necesario.

Además de estos servicios, Caltrans será requerido a coordinar las actividades de reubicación con otras agencias causantes de desplazamiento para asegurar que todas las personas desplazadas reciban beneficios de reubicación iguales y consistentes.

Recuerde – Su Agente de Reubicación está ahí para ofrecer consejos y asistencia. No tenga dudas en preguntar. Y esté seguro que usted entiende completamente todos los derechos y beneficios disponibles.

## SUS DERECHOS COMO UNA PERSONA DESPLAZADA

Es importante que recuerde que los beneficios de reubicación no tendrán un efecto adverso en su:

- Elegibilidad para Seguro Social
- Elegibilidad para Asistencia Social
- Declaración de Impuestos.

Además, el **Título VIII del Acta de Derechos Civiles de 1968**, y las actas anteriores y sus enmiendas hacen ilegal las prácticas en la venta y renta de las unidades residenciales que estén basadas en la raza, color, religión, sexo, u origen nacional.

**Los Procedimientos No-Discriminatorios** de Caltrans aseguran que todos los servicios y/o beneficios sean administrados al público en general sin diferencia de raza, color, origen nacional, o sexo en cumplimiento con el Título VI del Acta de Derechos Civiles de 1964. (42 USC 2000 (d.) et seq.).

Y usted siempre tiene el **Derecho de Apelar** una decisión de Caltrans en relación a sus beneficios de reubicación y elegibilidad.

Su Derecho de Apelación es garantizado en la "Ley Uniforme" que establece que una persona puede apelar con el responsable de la agencia si esta persona cree que la agencia ha fallado en determinar apropiadamente la elegibilidad de la persona o la cantidad de un pago autorizado por la Ley.

Si usted indica su disatisfacción, ya sea verbalmente o por escrito, Caltrans puede asistirle en entregar su caso y explicar los procedimientos a seguir. A usted le darán la oportunidad de ser oído pronta y totalmente. Usted tiene el derecho de ser representado por un consejero legal u otro representante en conexión con la apelación (pero solamente a su propio costo.)

Caltrans puede considerar todas las justificaciones pertinentes y materiales entregadas por usted y cualquier otra información disponible que sea necesaria para asegurar una revisión justa. Caltrans le proveerá con una determinación de la apelación por escrito con una explicación de la base de la decisión. Si usted todavía no está satisfecho con la asistencia prestada, Caltrans le aconsejará que usted puede buscar una revisión judicial.

**Noticiero de la Ley para Americanos con Incapacidades Físicas (ADA):**

**Para personas con incapacidades físicas, este documento es disponible en formatos alternativos. Para Información llame al número (916) 654-5413 Voz, CRS: 1-800-735-2929, o escriba a Derecho de Vía, MS 37, 1120 N Street, Sacramento, CA 95814.**

**NOTAS:**



## Appendix D List of Technical Reports

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- **Relocation Impact Statement (September 2009)**
- **Traffic Study Report (June 2010)**
- **Archaeological Survey Report (February 2009)**
- **Archaeological Extended Phase I Report (June 2010)**
- **Supplemental Historic Property Survey Report (January 2011)**
- **Historic Property Survey Report (December 1998)**
- **Location Hydraulic Study (August/September 2010)**
- **Storm Water Data Report (April 2011)**
- **Preliminary Hazardous Waste Assessment (December 2008)**
- **Environmental Site Assessment (August 2009)**
- **Preliminary Geotechnical Design Report (March 2009)**
- **Air Quality Report (June 2010)**
- **Traffic Noise Study Report (January 2010)**
- **Natural Environment Study (March 2012)**