



Planning Division

PLANNING COMMISSION STAFF REPORT

TO: Planning Commission

FROM: Ashley Golden, Principal Planner

DATE: December 1, 2011

SUBJECT: Planning and Zoning Permit No. 09-700-2, City of Oxnard Santa Clara River Trail Master Plan.

1) Recommendation: That the Planning Commission adopt a resolution recommending that the City Council:

- a) Adopt the City of Oxnard Santa Clara River Trail Master Plan
- b) Approve MND 11-03.

2) Project Description and Applicant: This is a segment of a regional Class I multi-use trail system along the southern bank of the Santa Clara River (SCR). The component in the City of Oxnard extends from Victoria Avenue to Central Avenue. The Master Plan also includes a Class I connection on the east side of Victoria Avenue from the SCR to Gonzales Road. The proposed trail is 4.87 miles long and divided into four (4) segments:

- **Segment 1:** The western segment of the project site extends approximately 1.5 miles east from N. Victoria Avenue to approximately 2,000 feet west of Highway 101 at a flood control access gate off of N. Ventura Road.
- **Segment 2:** The middle segment extends from the flood control access gate at the junction of Southbank Road with N. Ventura Road to the east side of Highway 101.
- **Segment 3:** The eastern segment extends east of Highway 101 for almost 2 miles to Central Avenue.
- **Segment 4:** The southern segment parallels N. Victoria Avenue from the levee to W. Gonzales Road

Filed by City of Oxnard, Planning Division, 214 South C Street, Oxnard, CA 93030.

3) Existing & Surrounding Land Uses: The project site is located both within and outside the city boundaries. Those portions within the City are zoned Community Reserve or Residential (R-1, R-3, R-3-PD) with General Plan Designations of Park, Residential Low or

Residential Medium. Those portions of this trail located within the County of Ventura are zoned open space with a general plan designation of open space. The project boundaries are surrounded by a range of land uses. For the segments along the Santa Clara River, to the north are undeveloped lands and riparian habitats within the River's broad channel; to the south a mix of residential and commercial uses as well as the River Ridge Golf Course (RRGC). Segment 4 along Victoria Avenue is adjacent to the RRGC and pockets of residential use, while Victoria Avenue and undeveloped agricultural land lies beyond, to the west.

- 4) Background Information:** In 1991, the Ventura County Watershed Protection District (VCWPD) and the California State Coastal Conservancy (SCC) initiated a management plan for the Santa Clara River and its resources (Santa Clara River Enhancement & Management Plan). In excess of \$1 million in funding and in-kind services was spent developing the Santa Clara River Enhancement & Management Plan (SCREMP). One of the recommendations of the SCREMP was for the enhancement of recreational, education, and public access opportunities. Furthermore the SCREMP specifically encouraged the City of Oxnard to develop Joint Agreements with VCWPD to allow joint use of flood control maintenance roads with hiking and biking opportunities on existing flood control levees (*Riverwide Program 3 of the SCREMP*).

In 2000, the SCC proposed the establishment of the Santa Clara River Parkway. There are three goals of the Santa Clara River Parkway Project:

1. to create and maintain habitat for endangered and threatened species,
2. to provide enhanced flood protection for adjacent private land and public facilities, and
3. to facilitate public access and environmental education, including the creation of a continuous public trail system along the length of the Parkway.

The 2020 General Plan (Page VI-17 & Figure VI-4) and 2002 Bicycle and Pedestrian Facilities Master Plan (BPFMP) identified the Santa Clara River Trail (SCRT). The proposed 2011 City of Oxnard Bicycle and Pedestrian Facilities Master Plan also identifies a trail in this location.

- 5) Environmental Determination:** The proposed development is subject to review in accordance with the State California Environmental Quality Act (CEQA). An initial study was prepared to analyze potentially significant adverse environmental effects of the proposed project. Six areas of concern were identified as potentially being affected:

- Aesthetics
- Air Quality
- Biological Resources
- Hydrology/Water Quality
- Public Services
- Transportation/Traffic

Standard mitigation measures apply to all the areas identified as potentially affected. However, special mitigation measures and discussion focused on the potential impacts on biological resources. This dense growth of native riparian trees, shrubs, and associated vegetation provide

habitat for a variety of birds and small animals. The southern riparian scrub and open channel habitats adjacent to the project site are known to support the southern California steelhead trout (*Oncorhynchus mykiss*), a federally endangered species. In addition, the Federal and California endangered least Bell's vireo (*Vireo bellii pusillus*), and California endangered western yellow-billed cuckoo (*Coccyzus americanus accidentalis*) have been recorded in the project vicinity near the US Hwy 101 bridge (California Department of Fish and Game 2009). Further, special status species such as the silvery legless lizard (*Anniella pulchra* Gray), Townsend's big-eared bat (*Corynorhinus townsendii*), and coast horned lizard (*Phrynosoma coronatum*) are also known to occur in the vicinity. Additional species of concern that could occur due to the presence of potentially suitable habitat and range include the southwestern willow flycatcher (*Empidonax traillii extimus*), arroyo toad (*Bufo californicus*), and California red-legged frog (*Rana aurora draytonii*). However, these species have not been recorded in the project vicinity. The density of plant growth in combination with the linear reach of the River make the riverbed an important wildlife corridor for larger species as well, including coyotes and deer. Biological mitigation measures including surveys and construction outside of nesting times are included to protect the Least Bell's Vireo, southeastern willow flycatcher, western yellow-billed cuckoo, and Burrowing owl. In addition the project must replant native riparian habitat to compensate for any losses of wetlands (if any) and sensitive riparian habitat (e.g., southern riparian or mulefat scrub) and the City shall enhance, restore, or preserve certain areas of similar habitat within the Santa Clara River to ensure that no net loss of these communities occurs.

The draft environmental document consisting of the initial study and recommended mitigation measures (MND 11-03) were made available for the requisite public review and comment period, from September 26, 2011 through October 25, 2011.

Comments on the draft environmental document were submitted by Air Pollution Control District, County of Ventura Public Works Transportation Department, Ventura County Watershed Protection District (VCWPD), Department of Fish and Game (CDFG), and the Ventura Regional Sanitation District (VRSD). These comment letters are included with the environmental document.

Based on the comments received additional mitigation was added to measures D-1 & D-3, clarification of no impact to potential water run off in section I (Hydrology and Water), and additional discussion in section O (Transportation/Traffic) to clarify the traffic distribution resulting from the trail. Because the changes resulted in equal or more effective mitigation measures, project revisions did not create new avoidable effects, and information was added to merely clarify the project, re-circulation of the MND was not necessary (State CEQA Guidelines Sections 15703(a-c)). As such, no significant adverse affects are expected to result from the proposed development as mitigated, and staff recommends that Planning Commission recommends City Council adoption of MND 11-03 (see Attachment A).

6) 2030 General Plan Consistency:

POLICY	DISCUSSION
<i>ICS-8.1 Improved Bicycle and Pedestrian Safety.</i> Promote safety by minimizing conflicts between automobiles, bicycles, and	The SCRT is completely separate from automobiles.

POLICY	DISCUSSION
pedestrians with special attention to lighting resources on commercial corridors.	
<p><i>ICS-8.2 Bicycle Route Plan.</i> Plan a citywide system of safe, efficient, and attractive bicycle routes for commuter, school, and recreational use. Maintain a bicycle route map in the office of the City Traffic Engineer that is widely available for public use.</p>	<p>The SCRT provides safer system completely separate from cars, provides a connection to many schools, and is an attractive unique recreational and educational amenity.</p>
<p><i>ICS-8.3 Completing Bicycle and Sidewalk Network.</i> Prioritize plans for bicycle and pedestrian facilities that provide continuity, and close gaps in the city's existing bike path and sidewalk network.</p>	<p>The SCRT would connect neighborhoods at the far north west end of the city to various north-south connections in the City (Oxnard Blvd, Ventura Road, Victoria Ave), and will lay the groundwork for countywide trail system to connect from the Pacific Ocean to Los Angeles County.</p>
<p><i>ICS-8.6 Americans with Disability Act (ADA) Handicap Requirements.</i> Require installation of ADA compliant handicapped ramp curb-cuts and other ADA access with all new roadway construction and significant reconstruction of existing roadways, parking lots, plazas and pedestrian area, and parks.</p>	<p>The SCRT will be fully ADA compliant.</p>
<p><i>ICS-8.14 Connecting Facilities</i> Create a physical link for pedestrian and bicycle traffic between parks and recreation facilities as specified in the Bike and Pedestrian Master Plan.</p>	<p>The SCRT will connect to existing and proposed facilities on Victoria Avenue, Gonzales Road, Ventura Road, and throughout the RiverPark area.</p>
<p><i>ICS 13.5 FEMA-Certified Levees.</i> Work expeditiously with County, State, and Federal agencies and the private sector to achieve full certification of Santa Clara River Levees that impact Oxnard and the Planning Area</p>	<p>The master plan was in collaboration with the VCWPD and will not preclude the necessary levee improvements. In some ways the Master Plan may facilitate additional funding sources.</p>
<p><i>ICS 23.5 Resident Access to Scenic Areas and Ormond Beach.</i> Work with appropriate organizations and agencies to provide Oxnard</p>	<p>The master plan includes interpretive signage to enrich the trail user experience, focusing attention on the unique attributes of the local community, and providing</p>

POLICY	DISCUSSION
residents with access and possibly interpretive and/or visitor centers to natural/scenic areas such as the Santa Clara River Greenbelt, Ormond Beach, and Oxnard Dunes consistent with resource protection objectives.	educational opportunities.
<i>ER3.1 Preservation of Riparian Habitat</i> Require the preservation and enhancement of the riparian habitat along the Santa Clara River, Edison Canal, the McGrath Lake vicinity, and within the Ormond Beach wetlands.	Mitigation measures require preservation of the habitat.
<i>CD 7.3 Urban Village Trail and Open Space Connections.</i> Include trails (pedestrian and bicycle) and open space areas, where feasible within urban village areas. These facilities shall create a network that links urban villages and other neighborhoods to each other.	The SCR connects to the North Oxnard Transit Enhancement District (NOTED) identified in the 2030 General Plan via connections to existing and proposed bicycle facilities in the Village and RiverPark communities.

7) Master Plan:

a) General Discussion: The Master Plan evaluates a 4.87 mile Class I multi-use trail along the southern bank of the Santa Clara River (SCR) and a connection from the SCR at Victoria Ave to Gonzales Road. The flood control levee built along the SCR provides a unique opportunity to connect the communities, recreational areas, and commercial uses in North Oxnard via a bicycle and pedestrian path. A trail along the levee also provides public access to one of the region’s most eminent environmental resources without causing undue disturbance to the natural habitat found in the riverbed. The plan objective is to develop a prototypical trail for county-wide implementation (Harbor Blvd to Highway 101 and a connection from the Santa Clara Valley Heritage Trail between Santa Paula and Santa Clarita). To implement this objective the following goals were established:

- Provide a safe, scenic & inclusive experience
- Create a low maintenance trail that provides maintenance and emergency vehicle access
- Connect to trails, schools, parks, & key destinations
- Provide education opportunities for trail users
- Respect the functional role of the river, the ecosystems, and adjacent property owners.

The Master Plan includes a review of existing settings and conditions, an analysis of gaps and geographic impediments, public outreach, the entitlement process, design guidelines, benefit cost analysis, a phasing plan, and funding sources.

b) Trail Design: In most locations the trail will be on top of stream bank protection (SBP) or a levee. Guidelines have been established for the typical trail cross section, surfacing options,

access controls (bollards & fencing), trail amenities and signs. The recommended width for the SCRT is a 12' paved trail with 2' graded earth shoulders. An 8' vertical clearance free from vegetation is required by the VCWPD along areas of levee and flood protection. The master plan analyzed a variety of pavement options and determined that concrete was the best option. Other trail amenities are proposed such as lighting, benches, trash receptacles, drinking fountains, bicycle parking, and signs. Gateways with entry features are proposed at 3 location, and 9 trail access or wayfinding signage locations are proposed.

c) Opportunities and Constraints: Each segment is characterized by different land uses, levee/SBP conditions, circulation patterns and aesthetics. Below is a discussion of each segments opportunities and constraints.

▪ **Segment 1 Opportunities and Constraints:**

1. The (SBP) is wide in this area providing ample width for the trail
2. Mature trees will provide shade along this segment
3. The trail would connect to existing Class II bike lanes at both Victoria Avenue and Ventura Road
4. Methane gas extraction wells (related to the previous landfill use of the RRG) limit width of trail and may require extra protection
5. The trail is secluded in some area requiring safety considerations
6. Trail construction is outside the city limits and will require VCWPD and VRSD approval

▪ **Segment 2 Opportunities and Constraints**

1. Connections to existing Class I and Class II facilities to downtown, residential neighborhoods, and shopping areas
2. Final design is contingent on VCWPD pending levee improvements
3. The railroad piers create a narrow point for the trail
4. Highway 101 under crossing doesn't allow for trail users to stay on top of the levee
5. Areas of potential biological impacts

▪ **Segment 3 Opportunities and Constraints**

1. The SBP is wide in this area providing ample width for the trail
2. Great views to the mountains and river
3. Connections to existing and proposed bicycle facilities, residential neighborhoods, schools, parks and shopping
4. Trail construction will need to follow necessary levee improvements
5. Not many trees to provide shade along this segment

▪ **Segment 4 Opportunities and Constraints**

1. The City of Oxnard owns the property, but it is outside the city limit.
2. Removal of trees may be required

d) Cost & Phasing: The construction costs for the Santa Clara River Trail will depend on a number of factors, most specifically, the final alignment and design of the trail segments. Preliminary estimates for construction are based on unit costs and estimates needed for grading and paving a 12-foot-wide concrete trail and the recommended trail amenities. The total estimated cost for the preferred alignment of the Santa Clara River Trail is just over \$7.1 million in 2011 dollars. The total estimated annual maintenance for

the Santa Clara River Trail is approximately \$36,500, based on the estimated length of just under 5 miles.

The \$7.1 million project is divided into four phases to be built over ten years. The phasing ensures a logical sequence of implementation. Furthermore, grant amounts have typically been in the \$1 million to \$3 million range and often require minimum local matches. Therefore, breaking the project into 4 smaller projects with costs between \$875,000 and \$2.6 million allows the City to actively pursue grant opportunities. At this time there is no money budget for the construction of the project.

- 8) Community Input:** A 17 person SCRT Stakeholder Committee and a 12 person SCRT Technical Advisory Committee provided input and guidance to the City of Oxnard and consultants during the master planning process. In addition a public workshop was held on June 14, 2010 and a Transportation Policy Committee meeting was held on October 27, 2011 to gather input on the Master Plan. Appendix B of the Master Plan includes the meeting notes.

The Master Plan and MND 11-03 were made available for public review September 26, 2011 through October 25, 2011. During that time the City received comments on the MND as noted in section 5 of this report. Changes to the Master Plan to merely clarify the project did not include a trail through the RRGCC, that Victoria Ave is not within the City limits, and members of the TAC, Stakeholders, and Partners, including technical and grammatical edits were also made throughout the document.

9) Appeal Procedure: The Planning Commission's action is a recommendation and the matter will be considered by the City Council at a later date.

Attachments:

- A. Mitigated Negative Declaration #11-03, with Comments
- B. City of Oxnard Santa Clara River Trail Master Plan (Available online, planning.cityofoxnard.org)
- C. Resolution

Prepared by: _____ AG
Approved by: _____ SM

ATTACHMENT A



PLANNING DIVISION
214 SOUTH C STREET
OXNARD, CALIFORNIA 93030

MITIGATED NEGATIVE DECLARATION NO. 11-03

On the basis of an initial study, and in accordance with Section 15070 of the California Code of Regulations, the Planning Division has determined that there is no substantial evidence that the proposed project may have a significant effect on the environment:

Community Plan No. 09-700-2, City of Oxnard Santa Clara River Trail Master Plan (Master Plan) is a Class I multi-use trail along the southern bank of the Santa Clara River (SCR) between Victoria Avenue and Central Avenue and on the east side of Victoria Avenue between Gonzales Road and the SCR. Filed by City of Oxnard, Planning Division, 214 S. C Street, Oxnard, CA 93030.

Attached is a copy of the initial study documenting the reasons to support the finding of no significant effect on the environment. Mitigation measures are included in the initial study to reduce the identified potential effects to a less than significant level:

- Aesthetics
- Air Quality
- Biological Resources
- Hydrology/Water Quality
- Public Services
- Transportation/Traffic

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
Aesthetics	Potentially Significant	A-1 Future design and construction of the SCRT along Segments 2 and 4 shall be designed to avoid or minimize removal of or damage to trees to the extent feasible	Less Than Significant Impact	Building and Engineering Division staff and Public Works Division
Air Quality (Short-term)	Temporary Minor Impact	<p>C-1 The developer shall prepare and submit an Air Emissions Mitigation Plan for Dust Control. This Plan shall be included as part of the construction contract and submitted to the City of Oxnard for review and approval prior to the issuance of grading permits. This plan shall include the following elements:</p> <ul style="list-style-type: none"> a. Fugitive dust throughout the construction site shall be controlled by the use of a watering truck or equivalent means, generally at least three times a day (except during and immediately after rainfall). Water shall be applied to all unpaved roads, unpaved parking areas or staging areas, and active portions of the construction site. Environmentally safe dust control agents may be used in lieu of watering. b. Revegetate or apply APCD-approved chemical soil stabilizers to all inactive portions of the construction site that are inactive for four or more days. c. Suspend or curtail all excavation, earth moving, and grading operations during episodes of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties) to prevent fugitive dust from being a nuisance or hazard. d. Material transported in trucks off site shall comply with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2), and (e)(4) as amended. Material transported on site shall be sufficiently watered or secured to prevent fugitive dust. e. Inform all employees involved in grading operations on the project to wear face masks during dry periods to reduce inhalation of dust. f. Signs shall be posted on-site requiring traffic speeds to not exceed 15 miles per hour. g. Sweep streets at the end of the day if visible soil material is carried over to 	Less Than Significant Impact	Building and Engineering Division staff and Public Works Division

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
		<p>adjacent streets and roads.</p> <p>h. At all times during construction activities, Developer shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust.</p> <p>C-2: Maintain equipment engines in good condition and in proper tune as per manufacturer's specifications. Minimize idling time. Prohibit the use of on-site electric generators, and connect to utility lines adjacent to the project site.</p> <p>C-3: If feasible, use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), or electric.</p> <p>C-4: During construction, contractors shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall penetrate sufficiently to minimize fugitive dust during grading activities.</p> <p>C-5: Post signs along the project perimeter identifying the name, telephone number, and emergency contact information for the contractor(s) responsible for the site, construction activities, and rectifying any nuisance conditions.</p> <p>C-6: Prior to grading permit approval, the City shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements.</p>		
Biological Resources	Potentially Significant	<p>D-1 Protection of Least Bell's Vireo- Pre-construction survey: Within 12 months prior to construction a protocol level survey for least Bell's vireo shall occur. Construction Timing: In order to ensure no potential "take" or impacts to nesting vireos, it is recommended that trail construction throughout Segments 1-3 take place between 15 September and 15 March, avoiding the nesting season. If this is not feasible, a qualified biologist shall monitor vegetation removal activities and construction buffers shall be established around occupied nests. The biologist shall monitor the construction limits on a weekly basis to ensure that no construction work occurs outside of the established limits. Buffer size shall be established so that no construction occurs within 300 feet of the nest until the young have fledged, or as permitted by the USFWS and CDFG.</p>	Less Than Significant Impact	Building Division staff and Public Works Division staff

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
		<p>D-2: To compensate for permanent losses of wetlands and southern riparian scrub the City shall enhance, restore, or preserve areas of similar habitat within the Santa Clara River watershed to ensure no net loss of these communities occurs.</p> <p>D-3: Pre-construction surveys: Within 12 months prior to construction a protocol level survey for least Bell's vireo shall occur. Focused surveys for southwestern willow flycatcher and western yellow-billed cuckoo shall also occur during this time. In addition, immediately prior to or within 7 days before clearing, grubbing, and vegetation removal, and construction activities, the City shall retain a qualified biologist who has knowledge of least Bell's vireo (LBV) behavior and field experience applying proper LBV survey methodology to perform surveys to determine the presence or absence of this species in suitable habitat within 500 feet of the project area. In addition, if clearing/grubbing, vegetation removal or construction activities are initiated prior to, and extend into, the breeding season, but they cease for a period longer than three weeks and the contractor restarts work within the breeding season, then an updated pre-construction vireo survey shall be completed prior to disturbance of suitable habitat. Every 10 days during construction in the LBV breeding season, the qualified biologist shall conduct surveys in suitable habitat within 500 feet of the project area. If no active nests are identified before or during construction, then no further avoidance mitigation is required.</p> <p>D-4: Protection of MBTA Species: In order to avoid potentially impacting bird species protected by the MBTA nesting along the project route, project construction activities should occur outside of the nesting season, which varies according to species and geographic location, but is generally considered to be between February 15 and August 31. If the nesting season cannot be avoided, a minimum of one nesting bird survey (more if deemed necessary) should be conducted on-site by a qualified biologist immediately prior to the start of construction of a given reach of the trail. If active bird nests are present, the project would need to avoid impacting the nesting species, nests, and eggs.</p> <p>D-5: Burrowing Owl Surveys: A survey consistent with the protocol of the California Burrowing Owl Consortium shall be conducted prior to project implementation for Segment 3. If burrowing owls are encountered within the</p>		

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
		<p>project development area, project construction along this segment would be delayed until outside of the nesting and/ or migratory seasons and recommended measures from the burrowing owl survey incorporated into project design to reduce or avoid impacts.</p> <p>D-6: Replanting of Native Riparian Habitat: To compensate for permanent losses of wetlands (if any) and sensitive riparian habitat (e.g., southern riparian or mulefat scrub) the City shall, enhance, restore, or preserve areas of similar habitat within the Santa Clara River to ensure that no net loss of these communities occurs. To implement this measure, the City shall prepare a sensitive habitat revegetation and mitigation monitoring plan. This plan shall be based upon habitat mapping of affected areas and an accompanying wetland delineation study to finalize amounts and exact acreages of habitat impacted, required habitat replacement and to clarify project state and federal permitting. This will be provided to the CDFG and/or Corps prior to habitat modification. Pursuant to Section 1602 of the Fish and Game Code, the City shall consult with CDFG for determination if a Lake and Streambed Alteration (LSA) Agreement is required. The revegetation plan shall include the following:</p> <ol style="list-style-type: none"> a. The details and procedures required to prepare the restoration site for planting (i.e., grading, soil preparations, soil stocking, etc.). b. The methods and procedures for the installation of the plant materials. c. Guidelines for the maintenance of the mitigation site during the establishment phase of the plantings. The maintenance program shall contain guidelines for the control of non-native plant species and the replacement of plant species that have failed to recolonize. d. The revegetation plan shall provide for monitoring to evaluate the growth of the developing habitat and/or vegetation. Specific goals for the restored habitat shall be defined by quantitative and qualitative characteristics of similar habitats and plants (e.g., density, cover, species composition, structural development). e. Contingency plans and appropriate remedial measures shall also be outlined in the revegetation plan should the plantings fail to meet designated success criteria and planting goals. 		

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
		<p>D-7: Protection and Replanting of Eucalyptus Windrow as Feasible: The City should avoid removal of mature healthy eucalyptus trees within the windrow on Segment 4 along Victoria Avenue as much as possible. In order to maintain the existing windrow, where possible, replanting of eucalyptus or trees of similar height and size at maturity should occur.</p> <p>D-8: Predator Management: During project activities, all trash that may attract predators would be properly contained, removed from the work site and disposed of regularly. Following construction, all trash and construction debris would be removed from work areas.</p> <p>D-9: Vehicle Maintenance: All fueling and maintenance of vehicles and equipment, and staging areas would be at sites at least 65 feet from any riparian habitat and the stream bed.</p> <p>D-10: Fuel and Oil Spill Control: Construction management plans should be developed to ensure a prompt and effective response to any accidental spill. All construction workers would receive instruction regarding the importance of preventing spills and measures to be employed if spills do occur.</p> <p>D-11: Equipment Maintenance: Equipment operated adjacent to drainages would be maintained to prevent leaks of materials into the riparian area.</p> <p>D-12: Fuel and Oil Leak Prevention: Stationary equipment located adjacent to drainages would be positioned over drip pans, if applicable, and would be inspected to ensure materials are not released into the riparian area.</p> <p>D-13: Avoidance of Riparian Habitats: Riparian habitat would be avoided to the maximum extent feasible. The number of access routes, number and size of staging areas, and the total area of the activity would be limited to the minimum necessary to achieve the project goal. Routes and boundaries would be clearly demarcated, and these areas would be outside of riparian and wetland areas.</p> <p>D-14: Erosion Control: To control erosion during and after project implementation, best management practices would be implemented, as identified by the appropriate Regional Water Quality Control Board. Measures would include</p>		

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
		<p>use of hay bales, straw wattles, organic mesh erosion control blankets, or other erosion control measures to prevent erosion and sedimentation into riparian zones, stream channels, or related wetlands. Sufficient erosion control material would be present on the site at all times to implement erosion control measures if rain is predicted within 24 hours.</p> <p>D-15: Construction During Rainfall: Heavy construction activities (e.g., clearing, grubbing, grading) will be limited to when no measurable rain is forecasted within 72 hours.</p> <p>D-16: Non-Native Species: A qualified biologist would be retained to remove, from within the project boundaries, any individuals of highly invasive exotic species to the maximum extent possible and ensure that activities are in compliance with the California Fish and Game Code.</p> <p>D-17: General Recommendations for Trail Design and Usage</p> <ol style="list-style-type: none"> a. Signage would be installed along the trail to discourage trail users from entering the riparian area and sensitive species habitat. Appropriate fencing or other control mechanisms as determined appropriate would be installed where needed to prevent off-road vehicles from accessing the riverbed via the proposed trail. b. Signs would be posted noting the City's leash laws and the sensitivity of riparian areas. c. Waste receptacles for trail users would be predator-resistant. d. The trail would be designed to minimize runoff from directly draining into the riverbed by utilizing runoff control techniques such as bioswales, filter strips, gravel trenches, etc. e. The trail would be constructed of pervious surfaces as feasible. f. Small machinery would be used whenever possible to reduce disturbance to natural resources 		
Hydrology and Water Quality	Less than Significant	I-1: The following best management practices (BMPs) shall be incorporated into the stormwater pollution prevention plan (SWPPP) prepared for the project to minimize potential water quality and hazardous materials impacts during project construction.	Less Than Significant Impact	Building Division staff and Public Works Division

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
		<ul style="list-style-type: none"> a. All ground disturbances shall be limited to the dry season or periods when rainfall is not predicted, to minimize erosion and sediment transport to surface waters. b. Disturbed areas where work has been completed shall be stabilized or revegetated prior to the start of the rainy season. c. Impacts to vegetation within and adjacent to the project site shall be minimized. The work area shall be flagged to identify its limits prior to clearing, grubbing, or grading. Vegetation shall not be removed or intentionally damaged beyond these limits. d. To reduce additional sediment in surface waters, any sediment present in groundwater shall be allowed to settle before discharging groundwater to surface waters. e. Construction materials and soil piles shall be placed in designated areas where they would not enter stream flow due to spillage or erosion. f. Waste and debris generated during construction shall be stored in designated waste collection areas and containers away from watercourses. g. All fueling of heavy equipment shall occur in a designated area outside of the Santa Clara River. The designated area shall be contained by a protective berm to prevent releases of fuel into the river. A spill clean up kit containing a minimum of a drain pan or drop cloth and absorbent materials to clean up spills shall be kept on-site for the duration of construction. h. Vehicles and equipment shall be maintained properly to prevent leakage of hydrocarbons and coolant, and shall be examined for leaks on a daily basis. All maintenance shall occur in a designated offsite area. The designated area shall include a drain pan or drop cloth and absorbent materials to prevent and clean up spills. i. Any accidental spill of hydrocarbons or coolant that may occur on the construction site shall be cleaned immediately. Absorbent materials shall be maintained on the construction site for this purpose, and shall be properly disposed of after use. The Los Angeles Regional Board shall be notified immediately in the event of an accidental spill to ensure proper clean up and disposal of waste. 		<p>staff</p>

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
		I-2: Project design should include filter strips, use of gravel trenches, porous paving or other techniques to minimize runoff from the proposed SCRT and maximize infiltration. I-3: Long-term maintenance practices should minimize or avoid use of herbicides or pesticides in areas adjacent to the River. I-4: If future construction of Segment 2 occurs on the river bench along the north edge of Ventura Road, project design shall include the use bank stabilization or protection techniques. Use of gabions or other natural methods that allow incorporation of vegetation should be investigated rather than rip rap or other ‘hard bank’ protection techniques. However, any such bank protection would be subject to review and approval by the VCWPD.		
Public Services	Less than Significant	M-1: The City should consider adding Segment 1 and possibly 3 of the proposed SCRT to routes periodically patrolled by the Police Department’s bicycle unit.	Less Than Significant Impact	Police
Transportation and Traffic	Less than Significant	O-1: The City should coordinate with the VCWPD to ensure that all City emergency service providers (and maintenance personnel) have keys or access codes to all gateways along the proposed trail system.	Less Than Significant Impact	Police, Fire, Public Works and General Services

- Attachments: A. Vicinity Map
 B. Initial Study/MND 11-03, Appendix A - C



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**INITIAL STUDY
MITIGATED NEGATIVE DECLARATION [ISNDMND #11-03]**

Santa Clara River Trail Master Plan/City of Oxnard

Oxnard, CA
November 16, 2011

Introduction

This *Initial Study* has been prepared in accordance with relevant provisions of the *California Environmental Quality Act (CEQA) of 1970*, as amended, and the *CEQA Guidelines* as revised. *Section 15063(c)* of the *CEQA Guidelines* indicates that the purposes of an Initial Study are to:

1. Provide the Lead Agency (i.e., the City of Oxnard) with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR) or Negative Declaration;
2. Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration;
3. Assist the preparation of an EIR, if one is required, by:
 - Focusing the EIR on the effects determined to be significant;
 - Identifying the effects determined not to be significant;
 - Explaining the reasons why potentially significant effects would not be significant; and
 - Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environmental effects.
4. Facilitate environmental assessment early in the design of a project;
5. Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment;
6. Eliminate unnecessary EIRs; and
7. Determine whether a previously prepared EIR could be used with the project.

The City of Oxnard *Threshold Guidelines - Initial Study Assessment* (February 1995) was used along with other pertinent information for preparing the *Initial Study* for this project.

The purpose of the *Threshold Guidelines* is to inform the public, project applicants, consultants and City staff of the threshold criteria and standard methodology used in determining whether or not a project (individually or cumulatively) could have a significant effect on the environment. Furthermore, the *Threshold Guidelines* provide instructions for completing the *Initial Study* and determining the type of environmental document required for individual projects.

Determining the significance of environmental impacts is a critical and often controversial aspect of the environmental review process. It is critical because a determination of significance may require that the

project be substantially altered, or that mitigation measures be readily employed to avoid the impact or reduce it below the level of significance. If the impact cannot be reduced or avoided, an Environmental Impact Report (EIR) must be prepared. An EIR is a detailed statement that describes and analyzes the significant environmental impacts of a proposed project, discusses ways to reduce or avoid them, and suggests alternatives to the project, as proposed. The preparation of an EIR can be a costly and time-consuming process.

Determining the significance of impacts is often controversial because the decision requires staff to use their judgment regarding a subject that is not clearly defined by the law. The State CEQA *Guidelines* define the term “significant impact on the environment” as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project. However, there is no iron-clad definition of what constitutes a substantial change because the significance of an activity may vary according to location.

To help clarify and standardize decision-making in the environmental review process, Oxnard has developed thresholds of environmental significance. Thresholds are measures of environmental change that are quantitative for subjects like noise, air quality, and traffic; and qualitative for subjects like aesthetics, land use compatibility, and biology. These thresholds are used in the absence of other empirical data to define the significance of impacts. For some projects, however, special studies and/or the professional judgment of City staff may enter into the decision-making process. Therefore, Oxnard’s thresholds are intended to serve as guidelines, and to augment existing CEQA provisions governing the definition of significance.

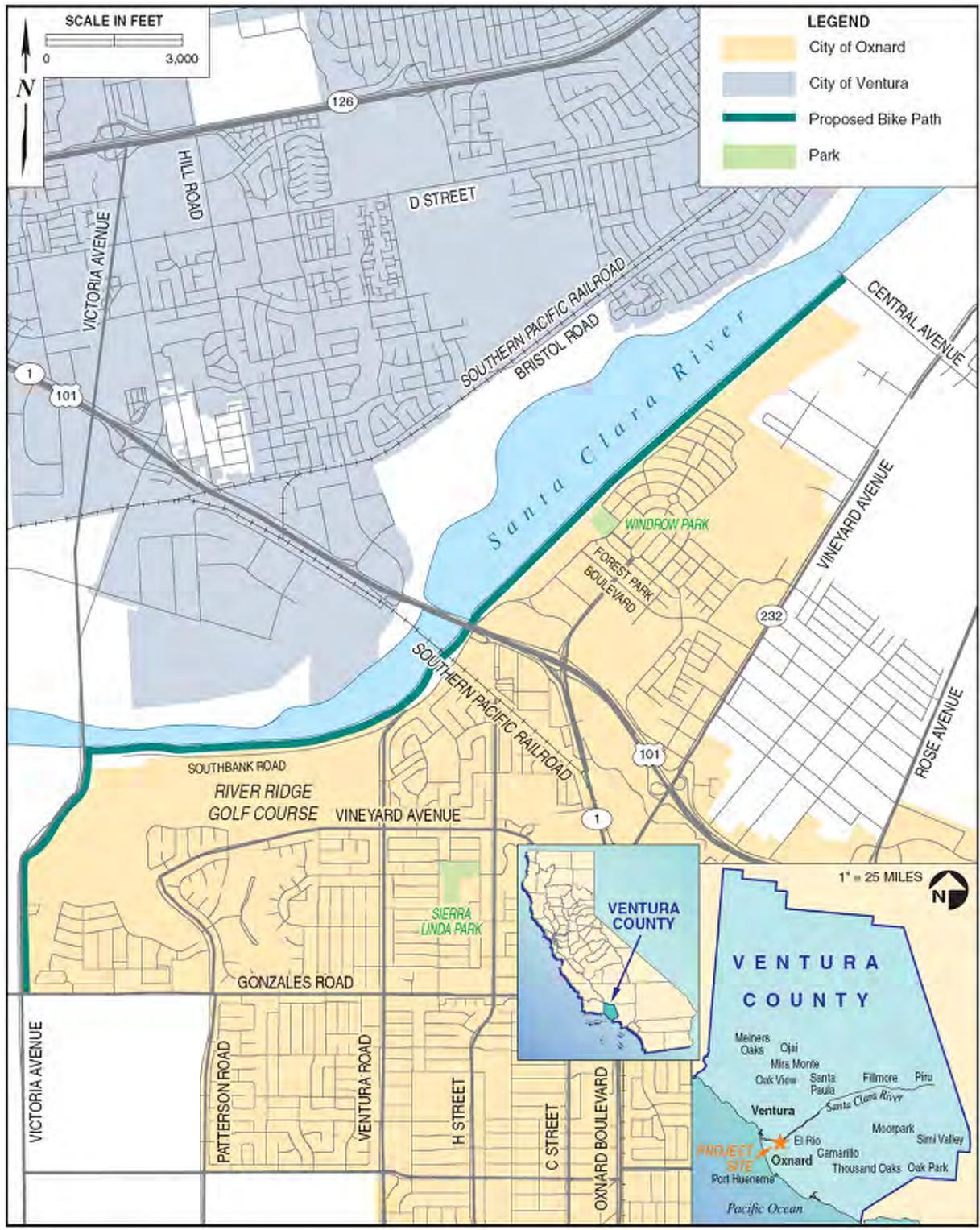
The City’s environmental thresholds will be periodically updated as new information becomes available, or as standards regarding acceptable levels of environmental change are reevaluated. For example, the air quality thresholds adopted by Oxnard were established through State and Federal legislation. These standards, and the methodology used to compute them, may change over time. When this occurs, the City will evaluate the data and, if necessary, modify the thresholds to reflect improved awareness.

When other agencies have jurisdiction over a given site, the project proponent will have to meet the design, mitigation, and monitoring requirements imposed by those agencies, as well as any additional requirements established by the City of Oxnard.

CITY OF OXNARD

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

1. Project Title: Oxnard Santa Clara River Trail Master Plan
2. Lead Agency Name and Address: City of Oxnard, Planning Division, 214 South C Street, Oxnard, CA 93030
3. Contact Person and Phone Number: Ashley Golden, Principal Planner, (805) 385-7882
4. Project Location: The project site extends for 4.87 miles, mostly within the City of Oxnard. The general project boundaries would begin at the intersection of West Gonzales Road and Victoria Avenue, extend north 1 mile to the south bank of the Santa Clara River, then east for 3.87 miles along the south bank of the Santa Clara River on the northern boundary of the City of Oxnard. The proposed project site includes both incorporated and unincorporated reaches (Figure 1). The trail is designed to provide for potential links to future trails along the remainder of the Santa Clara River.
5. Applicant Name and Address: City of Oxnard, Planning Division, 214 South C Street, Oxnard, CA 93030
6. General Plan Designation: City of Oxnard: Park, Residential Low and Residential Medium; Ventura County- Open Space
7. Zoning: City of Oxnard- Community Reserve; Residential (R-1, R-3, R-3-PD); Ventura County- Open Space
8. Description of Project: The proposed Oxnard Santa Clara River Trail (SCRT) consists of construction of 4.87 miles of a Class I paved multiple-use bike and walking trail within the City of Oxnard in Ventura County (Figure 1). The proposed trail would generally run along the south side of the Santa Clara River between Victoria Avenue and Central Avenue with a southward spur along the east side of Victoria Avenue to Gonzales Road. Trail segments would vary from 8 to 12 feet in width, generally bounded by 2-foot wide gravel shoulders along most segments. Most of the trail would be constructed on existing flood control access roads (graveled or paved) located on top of existing flood control levees or “rip-rap” bank protection structures along the south bank of the Santa Clara River (Segments 1, 2 and 3). However, one segment along the north side of Ventura Road (Segment 2) may extend onto a low bench above the Santa Clara River that currently consists of generally level sandy alluvial soils vegetated with a mix of annual grassland, native riparian trees and shrubs, and eucalyptus trees. Segment 4 is a trail spur that would extend for approximately one mile south from the riverside trail along the east side of Victoria Avenue adjacent to the River Ridge Golf Course to Gonzales Road. Additional improvements associated with the SCRT project would include:
 - segments of 6’ high chain link fencing (including wildlife passage points);
 - police call boxes;
 - trail entry gateway features such as signs with trail regulations or interpretative information regarding the Santa Clara River, benches, trail maps, etc;
 - a parking area for up to 10 cars at the bend in Ventura Road west of segment 2 that is unfunded but considered part of the project description.

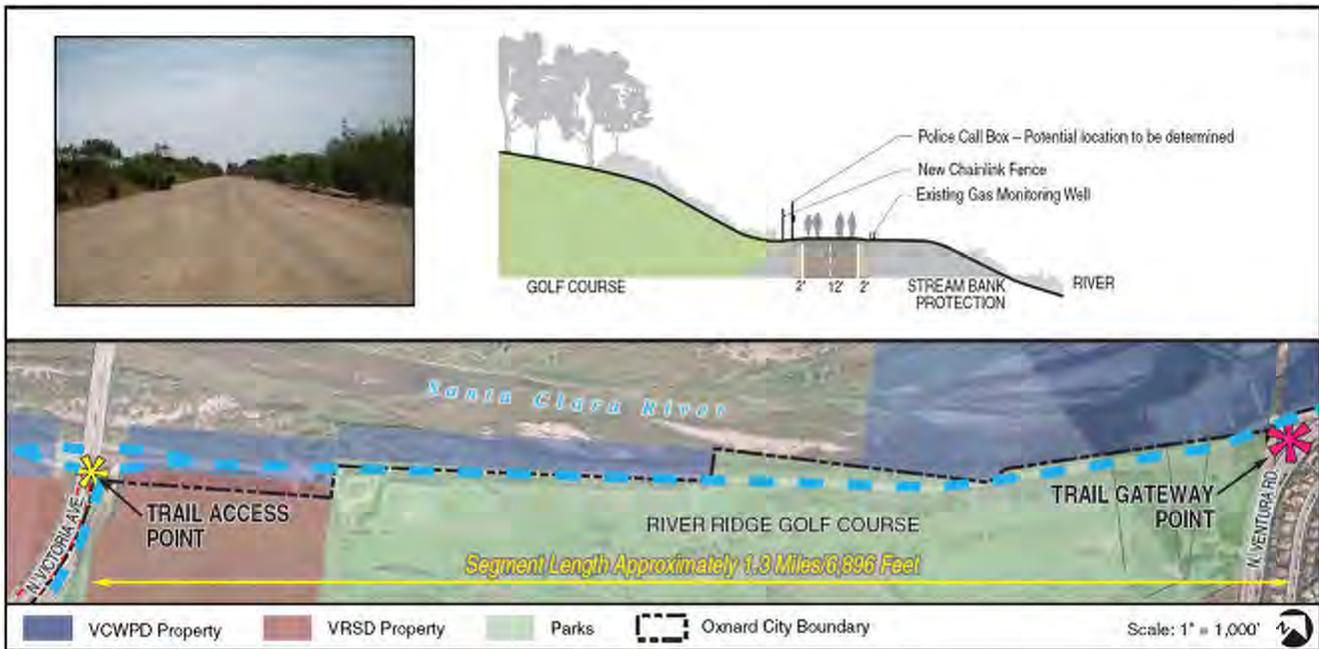


Regional Setting and Vicinity Map – Proposed Bike Path Project

FIGURE 1

The four individual segments of the proposed SCRT and the ancillary improvements associated with each segment are described in more detailed below. The proposed trail would be located on land owned or managed by several organizations, including the City of Oxnard, Ventura County Watershed Protection District (VCWPD), Ventura Regional Sanitation District and the River Ridge Golf Course. The proposed trail would be constructed and maintained by the City of Oxnard. Maintenance would include periodic sweeping of the trail, servicing of trash receptacles, and vegetation and pest management. Vegetation management would avoid the use of chemical sprays and include bi-annual shoulder plant trimming and hand labor, as necessary. The SCRT would link with a number of existing and planned bike facilities within and near the City of Oxnard and has the potential to provide for regional connectivity along the Santa Clara River both to the east and the west if conceptual plans for a regional riverside trail system come to fruition. However, the timing of and sources of funding for completion of such future trail improvement(s) is speculative and would be subject to future environmental review(s) if and when such projects are proposed.

Segment 1 – River Ridge Golf Course Segment: This segment would extend for approximately 1.3 miles from Victoria Avenue east to Ventura Road (Figure 2). The west end of this segment would connect to the trail spur that extends south to Gonzales Road; however, access to the west along the River to the existing flood control access road would be prohibited by a locked gate until such time as a trail extension to Harbor Blvd. is planned, funded and constructed. The proposed SCRT would be constructed along the south bank of the Santa Clara River on an existing 20 to 40-foot wide flood control access road located 10 to 20 feet above the river bed on an existing “rip-rap” streambank protection structure. The project would include repaving a 12-foot wide segment of the south side of this existing road adjacent to the River Ridge Golf Course (i.e., away from the river bank) and graveling 2-foot-wide shoulders on either side of the path, as needed. The trail would be paved to withstand semi-truck vehicle weight. A limited amount of vegetation located outside of the river channel, including native plants such as mule fat and immature willows, would be trimmed or removed along some portions of this segment to provide for an adequate shoulder along the south edge of the golf course. A 6-foot high chainlink fence with wildlife passage points to permit wildlife movement between the River and Golf Course would be installed between the new trail and the Golf Course. The chainlink fence would include gates to permit access by the Ventura Regional Sanitation District to various environmental control systems. Additional improvements could include installation of one police call box at a mid-point location, a trail access point and wayfinding signage on the west end of this segment, and a more formal trail gateway entrance, a pullout with 10 visitor parallel parking spaces off of Ventura Road, and signage at this segment’s east end at the existing VCWPD flood control access road which terminates at a locked gate off Ventura Road. Signage may include trail information as well as interpretative signs describing important biological resources and wildlife species to be found within the Santa Clara River. In addition, signage warning of the potential for large vehicles to be present on the trail would be posted. Vehicular access to the trail would continue to be controlled by a gate.



Santa Clara River Trail – River Ridge Golf Course Segment

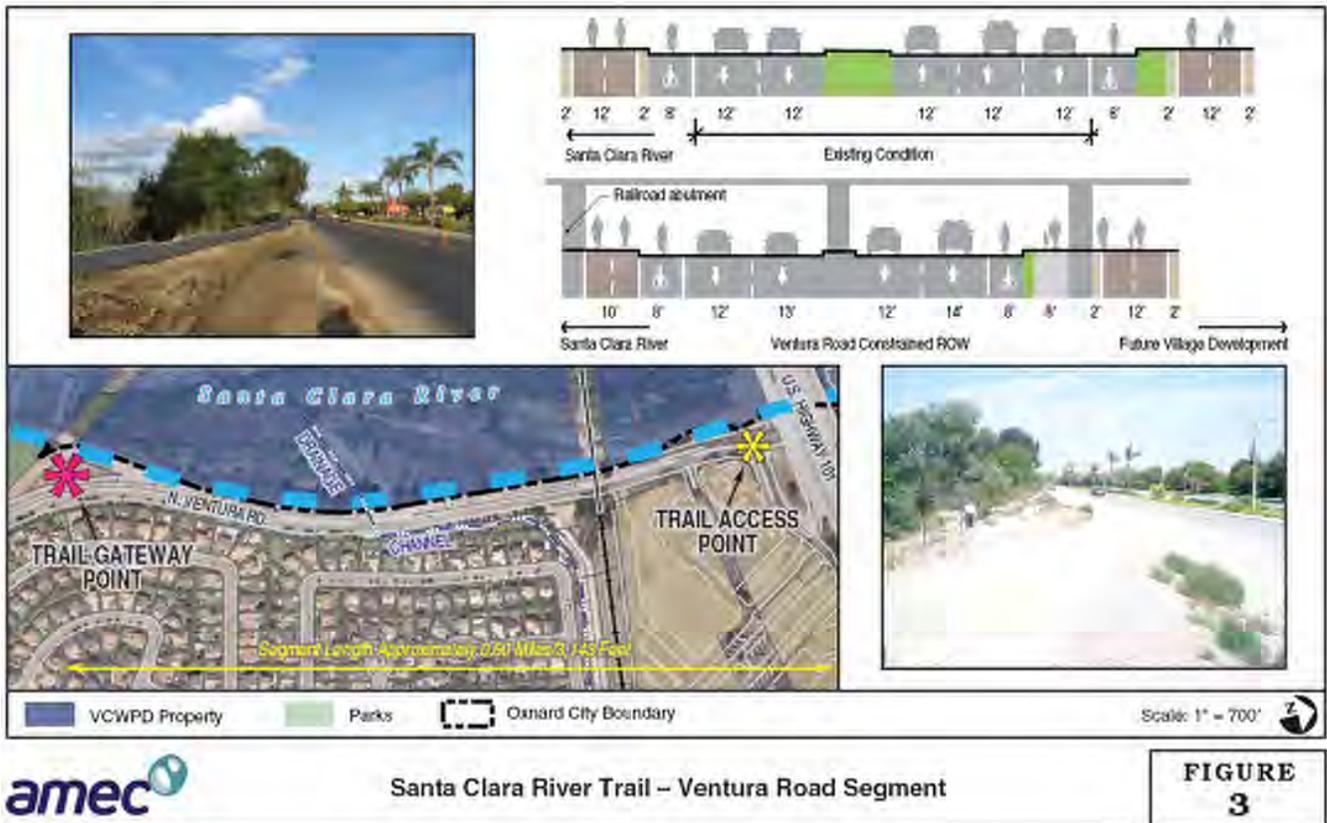
FIGURE 2

Segment 2 - Ventura Road Segment: This segment would extend for approximately 0.6 miles east from an existing locked flood control road access gate near the eastern end of the River Ridge Golf Course to the existing flood control levee just northeast of US Hwy 101 (Figure 3). Design of this trail segment is still conceptual as it is closely linked to pending flood control improvements along this segment of the River that are still under review. These proposed improvements include a range of options intended to address the gap in flood protection structures along this segment of the River, and could include constructing a flood wall on the southeast side of Ventura Road, building a levee or other types of flood protection improvements along the current edge of the River northwest of Ventura Road or other measures. As the SCRT design will need to be consistent with any eventual flood control improvements along this segment, the following description represents the best available information at this time.

This segment of the proposed SCRT would be constructed along the northwest edge of Ventura Road immediately adjacent to the road primarily along a low bench above the Santa Clara River. The construction corridor would overlap with the existing road, but may extend 20 or more feet northwest of the road into undeveloped land on a low bench along the River. The trail would generally consist of a new 12-foot wide paved surface with 2-foot wide gravel shoulders on either side, although it would narrow at the UPRR undercrossing (refer to Figure 3). The trail is proposed to pass under both the UPRR and US Hwy 101, in close proximity to the existing abutments that support the river bridges for these facilities. The trail would narrow in this area due to more constrained right-of-way (ROW) under the UPRR and US Hwy 101 (refer to Figure 3). The trail would be located southeast of the UPRR bridge abutment (i.e., roadside). The precise design of the trail under US Hwy 101 has not been determined, but it would be located between the existing abutments and Ventura Road. Approximately 4,000 to 6,000 cubic yards of fill would be imported to raise lower lying portions of this segment of the trail approximately 2 to 5 feet (depending on location) to the level of Ventura Road. The riverside bank of this fill would be protected by “rip-rap” rock or other bank protection to avoid or minimize erosion

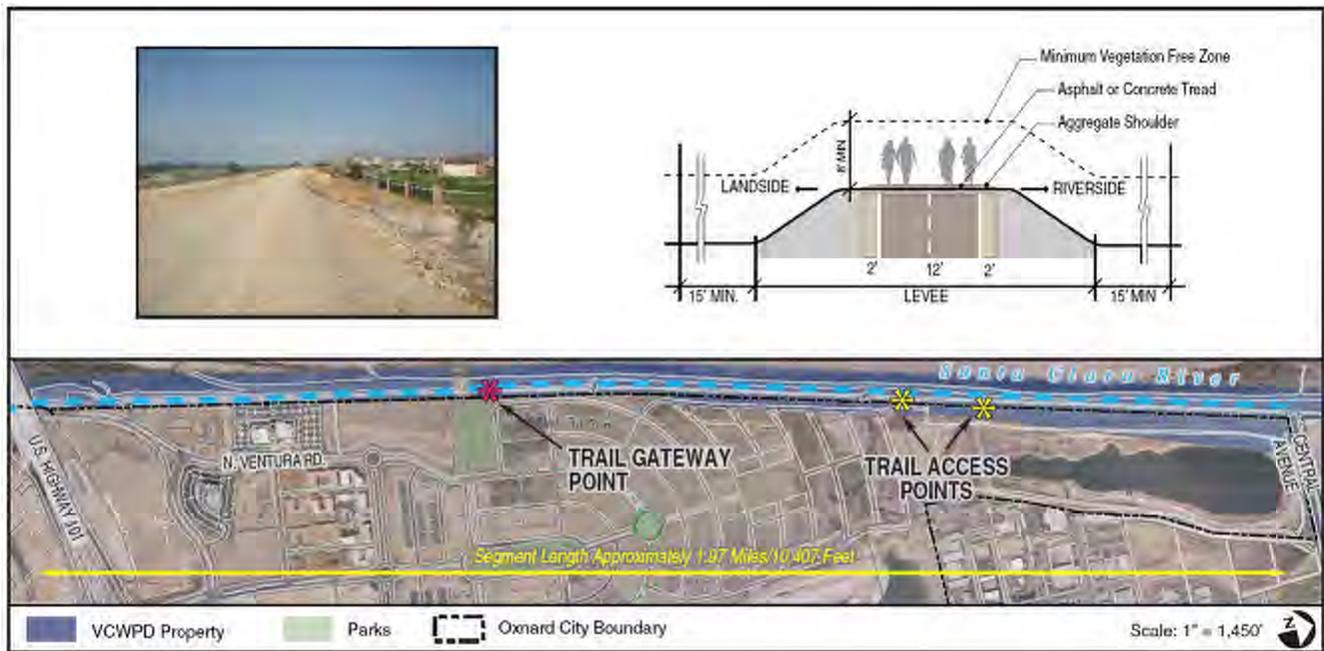
and damage to the trail associated with periodic flooding. Existing culverts that currently drain to the River under Ventura Road would be extended across this segment to accommodate runoff from a larger seasonal paved drainage channel located north of Ventura Road as well as drains associated with other more minor drainages. Trail construction would require clearing of existing vegetation within this corridor, including native species such as several existing mature willow trees, a bay tree, and shrubs such as mule fat, California sage, black sage and poison oak. In addition, construction of this segment may require trimming and/ or removal of some or all of the approximately 15 mature blue gum eucalyptus trees and associated multiple saplings and suckers located southwest of the UPRR; however, the trail would be designed to protect the red iron bark eucalyptus street trees located between the UPRR and US Hwy 101. Revegetation of disturbed areas with appropriate native species (e.g., willows, cottonwoods, mule fat) and any associated offsetting mitigation planting would be completed as part of construction of this segment.

A primary gateway to the SCRT Trail would be located at this segment’s west end and would include 10 visitor parking spaces located in a turnout off of Ventura Road, with access limited to right turn in and out for westbound travelers. Additional gateway improvements would include an entry arch, interpretive signage, benches and landscaping.



Segment 3 – US Hwy 101 to Central Avenue River Levee Segment: This segment would extend for approximately 1.97 miles from US Hwy 101 east to its eastern terminus at Central Avenue (Figure 4). This segment would connect with existing and proposed Class II on-road bike lanes within the Riverpark Specific Plan area and potentially to proposed Class II on-road bike lanes along Central

Avenue and a proposed Class I off-road system around two large water filled gravel pits south of the SCRT. However, access to the east along the River on the existing flood control access road would be prohibited by a locked gate until an eastward trail extension is planned, funded and constructed. The proposed SCRT would be constructed along the south bank of the Santa Clara River on an existing flood control access road of approximately 20 to 40 feet in width located 10 to 15 feet above the river on an existing “rip-rap” flood protection levee. The project would include paving a 12-foot wide segment of this existing road and graveling 2-foot wide shoulders on either side of the path, as needed. Improvements could include installation of three trail access points and wayfinding signage along this segment, and two more formal trail gateway entrances and signage at Windrow Park, and at this segment’s east end at Central Avenue. Gateway signs may provide information on the trail system and the sensitive nature of Santa Clara River habitats and associated rare species. Installation of proposed gateway improvements near Windrow Park would be located on an eroding bank adjacent to the levee; improvements to this area would include regrading to stabilize this slope.



Santa Clara River Trail – U.S. Highway 101 to Central Avenue River Levee Segment

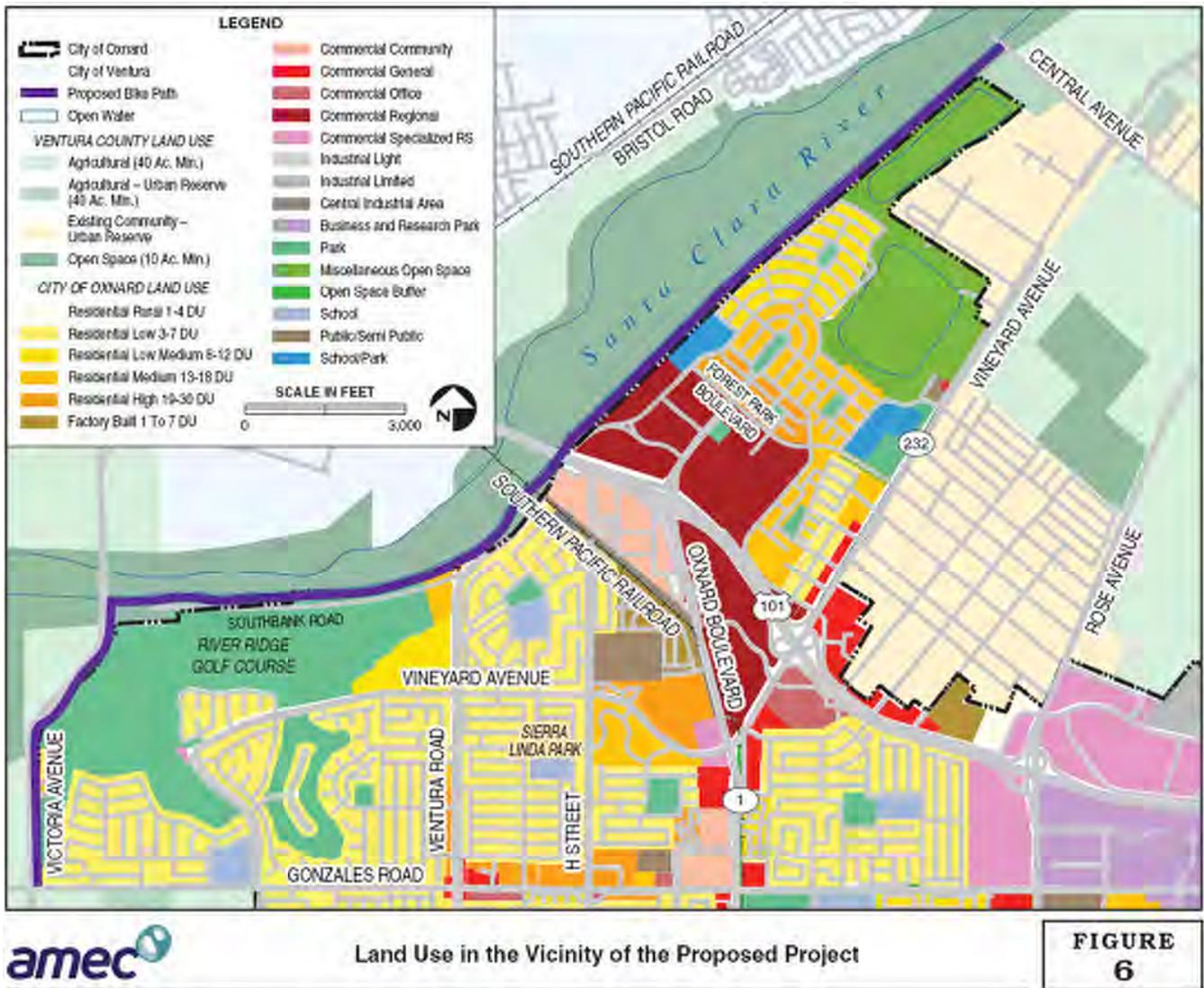
FIGURE 4

Segment 4 – Victoria Avenue to West Gonzales Road Segment: This segment would extend southward for approximately 1 mile along the east side of Victoria Avenue from the Santa Clara River to West Gonzales Road where the trail spur would be accessible from existing bike routes (Figure 5). The proposed SCRT would be constructed generally between Victoria Avenue and the River Ridge Golf Course. Construction along this segment would entail paving a 12-foot wide segment and installing 2-foot wide gravel shoulders on either side of the path. The northern half of this segment would be constructed following an existing 10-foot wide graveled access road located between an unpaved roadside drainage channel along Victoria Avenue and the Golf Course, with limited leveling and grading required. Connection to the riverside trail would require constructing an approximately 150-foot segment from the end of the existing graveled access road through an area of annual grassland to the existing flood control access road. The southern segment would be constructed between the existing eucalyptus windrow and an unpaved roadside drainage channel. Clearing of smaller saplings

and suckers and trimming of overhanging larger branches would be required, along with the potential for removal of a number of specimen eucalyptus trees in the row of trees closest to the proposed trail. Additional improvements would also include installation of a trail access point and wayfinding signage on the northern ends of this segment and a more formal trail entrance and signage at this segment’s southern end at Gonzales Road.



9. Surrounding Land Uses and Setting: The project site is surrounded by a range of land uses. For the segments along the Santa Clara River, to the north are undeveloped lands and riparian habitats within the River’s broad channel; to the south a mix of residential and commercial uses as well as the River Ridge Golf Course. For Segment 4 along Victoria Avenue, to the east lies the River Ridge Golf Course and pockets of residential use, while Victoria Avenue and undeveloped agricultural land lies to the west. Refer to Figure 6 for land use and zoning in the project vicinity.
10. Other Agencies Approvals: Potential project permit requirements would vary depending upon the nature of final construction along Segment 2. If final project design continues to require import of fill and removal of native riparian vegetation along Segment 2, then a variety of state and federal permits could be also required as described below.



- a. **Local Permits:** Ventura County Watershed Protection District: Encroachment Permit, Watercourse Permit; Ventura Regional Sanitation District: Encroachment Permit; Ventura County Planning Division: Land Use Permit; Ventura County Public Works Agency: Grading Permit and Building Permit
- b. **Potential State Permits:** California Department of Fish and Game: Streambed Alteration Agreement and Section 2801 Incidental Take Permit, informal consultation under California Endangered Species Act; Regional Water Quality Control Board, General Permit and Stormwater Pollution Prevention Plan (SWPPP); Caltrans: Encroachment Permit
- c. **Potential Federal Permits:** US Army Corps of Engineers: Section 404 of the Clean Water Act, Nationwide Permit; US Fish and Wildlife Service and National Marine Fisheries Service: informal consultation under the Endangered Species Act

Refer to Appendix A for an analysis of potential permitting requirements.

- 11. **CEQA Thresholds:** This Mitigated Negative Declaration (MND) uses the Oxnard 1995 CEQA Thresholds Guidelines unless otherwise noted. Selected thresholds were updated for traffic level

of service and water supply consistent with the Oxnard 2030 General Plan Program EIR and greenhouse gas (GHG) emissions consistent with SB97 Amendments to the CEQA Guidelines for GHG emissions, effective March 18, 2010.

12. This MND incorporates by reference the three Environmental Impact Reports (EIRs) listed below. Where an impact topic was found to be significant in these previously certified EIRs from which this MND tiers, the MND impact is marked as “Less than Significant with Mitigation.”

City of Oxnard 2030 General Plan Program Environmental Impact Report (PEIR) Includes five re-circulated sections, responses to comments, and Final PEIR. Although the 2030 General Plan has not yet been approved, the PEIR was certified by the Oxnard City Council on February 2, 2010 and is incorporated for its extensive background information and discussion of citywide impacts associated with buildout of the 2030 General Plan. The PEIR addresses Greenhouse Gas emissions, climate change, sustainable development, and long-term water supply. All documents are available at: <http://www.ci.oxnard.ca.us> [[City of Oxnard 2030 General Plan Program](#)] and at the Oxnard Main Library, 241 South A Street, Oxnard, CA 93030. The PEIR found that all environmental impacts associated with the buildout of the 2030 General Plan would not be significant after mitigation except for eight (8) impacts as follows for which overriding considerations have been made:

1 Circulation, Traffic, and Transportation

As shown below, after implementation of the 2030 General Plan Traffic Mitigation Plan and related policies and programs, five intersections will operate below LOS C due to the unacceptable displacement of residences and businesses.

- C Street /Wooley Road (PM LOS D)
- Oxnard Blvd/ Saviers Rd & Wooley Rd (AM LOS D and PM LOS E)
- Rose Avenue/Gonzales Road (AM LOS D)
- Oxnard Boulevard/Gonzales Road (PM LOS D)
- Vineyard Avenue/Oxnard Boulevard (PM LOS D)

The Final PEIR finds that Traffic (Impact 4.2-1) is a “*significant and unavoidable impact*” for which overriding considerations are made.

2 Agricultural and Soil Resources

The Final PEIR finds that the Conversion of Important Farmland to non-Agricultural Uses (Impact 5.5-1) is a “*significant and unavoidable impact*” for which overriding considerations are made.

3 - 5 Air Quality and Climate Change

The Final PEIR finds that the Regional Air-Quality Non-Attainment (Impact 5.7-2) , Exposure of Sensitive Receptors of Substantial Pollutant Concentrations (Impact 5.7-4), and Potential Conflict with Implementation of State Goals for Reducing Greenhouse Gases (Impact 5.7-6) are “*significant and unavoidable impacts*” for which overriding considerations are made.

6 - 8 Noise

The Final PEIR finds that the Exposure of a Variety of Noise-Sensitive Land Uses to Traffic Noise (Impact 6.4-2), Exposure of Noise-Sensitive Land Uses to Railroad Noise (Impact 6.4-3),

and Exposure of Noise-Sensitive Land Uses to Excessive Groundborne Vibration or Noise (Impact 6.4-6) are “*significant and unavoidable impacts*” for which overriding considerations are made.

Groundwater Recovery Enhancement and Treatment (GREAT) Program EIR

(SCH 2003011045), responses to comments, and certified Final PEIR available for review at the City of Oxnard Planning Division’s Internet site at: <http://www.ci.oxnard.ca.us> [[Development Services/Planning/2030 General Plan EIR](#)] and at the Oxnard Main Library, 241 South A Street, Oxnard, CA 93030.

City of Oxnard **2020 General Plan Environmental Impact Report** with revisions and Addendum, certified by the Oxnard City Council on October 7, 1990. The 2020 General Plan found two significant unavoidable adverse impacts (pg. 9-1): 1) the conversion of 3,531 acres of prime agricultural land to urbanized use, and 2) regional air quality impacts (specifically ozone). These same two unavoidable impacts remained significant and unavoidable in the **2030 General Plan Program EIR**.



Segment 1- Would be located on an existing flood control access road. Photo from Victoria Avenue looking east.



Segment 2 - Looking south toward Segment 2 potential corridor where intermittent drainage cross route. Ventura Road is in background. Both native riparian and non-native tree species (eucalyptus) are present



Segment 3 - Would be constructed on a road on top of an existing flood control levee. Photo looking east across Central Avenue.



Segment 4 - Would extend from Gonzales Road to the Santa Clara River and be located between the roadside drainage ditch and eucalyptus windrow. Photo looking east along Gonzales Road.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” or as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that although the project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Print Name

Title

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” cited in support of conclusions reached in other sections may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used—Identify and state where they are available for review.
 - b. Impacts Adequately Addressed—Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures—For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. The explanation of each issue should identify: a) The significance criteria or threshold, if any, used to evaluate each question; and b) The mitigation measure identified, if any, to reduce the impact to less than significance.

A. AESTHETICS

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista? (2020 General Plan, VIII - Open Space/ Conservation Element, XII - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (2020 General Plan, VIII - Open Space/ Conservation Element; XII - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Substantially degrade the existing visual character or quality of the site and its surroundings? (2020 General Plan, VIII - Open Space/Conservation Element, XII - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Create a source of substantial light or glare, which would adversely affect day or nighttime views in the area? (2020 General Plan, VIII - Open Space/Conservation Element, XII - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

1) The majority of the proposed project (3.87 miles) would traverse the southern edge of the Santa Clara River (River) along the northern boundary of the City of Oxnard, with the remaining 1 mile running along the west end of the City adjacent to River Ridge Golf Course and Victoria Avenue. The open and undeveloped natural character of the River provides significant visual relief from surrounding urban uses, and large groves of native trees are also present along the River. Views from proposed trail segments 1 and 3 along the River are available from an elevated flood control access road, with the open bed of the River allowing views to the north of undeveloped natural habitats, agricultural land, and residential and commercial uses in the City of Ventura. To the south, existing views include the River Ridge Golf Course and newly developing River Park community, including large commercial structures, medium-density residential neighborhoods, and older industrial facilities associated with gravel/sand mining at the project’s eastern end. The project would be constructed on generally level terrain, mostly along existing access roads, and would not be highly visible from any known scenic vistas. Although the proposed gateway and 10-space roadside parking area along Ventura Road would be visible from Ventura Road, this road is not designated as a scenic corridor and existing views would not be substantially impaired. Therefore, no impacts to scenic vistas area anticipated.

2-3) Scenic resources along and adjacent to the project route include the River and associated trees, habitats, and open lands along the river channel as well as a windrow of specimen 50-75 foot tall blue gum eucalyptus trees along the south end of proposed Segment 4 off of Victoria Avenue. The large stands of native trees and shrubs along the River have been noted to enhance the natural aesthetic qualities of this open space and make the River a recognized regional scenic asset (City of Oxnard 2006). The proposed project would not impact views from designated State scenic highways (US Hwy 101 is not designated as scenic in this reach), rock outcroppings or historic buildings. However, construction of proposed Segment 2 along Ventura Road could impact up to 2.2

acres of undeveloped area along a low bench above the Santa Clara River, which supports a mix of nonnative grassland, native riparian trees and shrubs (e.g., willows, elderberry, cottonwoods, and bay), and eucalyptus trees.

Removal of dozens of relatively small native trees and as many as 15 specimen eucalyptus trees along a narrow linear 20-foot wide corridor bordering Ventura Road, and a portion of one of the parallel eucalyptus windrows along Segment 4 off of South Victoria, would not significantly affect scenic resources for three reasons:

- Existing native trees to be impacted are relatively small, typically multi-trunk willows of 15-20 feet in height and are backed by extensive stands of willows and cottonwoods and do not constitute a dominant part of the view from existing public vantage points; thus, views from Ventura Road would remain largely unchanged.
- The City has a standard tree mitigation that recovers the value of removed mature trees in new landscaping and the City would require incorporation of existing mature healthy trees along Ventura Road to the extent feasible.
- The project would include mitigation planting for impacts to native habitats, including replanting of native trees along this reach of the River (refer to Biological Resources below).

In addition, construction of approximately the southern ½ mile of Segment 4 along Victoria Avenue would require substantial pruning of saplings and lower branches within the closer of the two windrows of eucalyptus trees and may also require removal of a number of mature trees within this windrow. Removal of a number of specimen eucalyptus trees from this windrow would not significantly affect scenic resources for three reasons:

- The City has agreed to strive to preserve existing trees along this segment of trail.
- Existing specimen eucalyptus trees that could be removed as part of the project are part of two parallel windrows. One entire row would remain intact along with many trees in the windrow closer to the bike path. Therefore, the overall visual character of this windrow from surrounding public viewing locations such as South Victoria Avenue, Gonzales Road and River Ridge Golf Course would remain substantially the same.
- The City has a standard tree mitigation that recovers the value of removed mature trees in new landscaping and the City would require incorporation of existing mature healthy trees along Victoria Avenue to the extent feasible.

The proposed Ventura Road gateway and parking area would be visible from a public road. This gateway and parking area would consist of 10 new parking spaces and an access driveway parallel to Ventura Road, backed by a line of new trees, benches and an entry arch to the SCRT. These facilities would replace existing graveled and unpaved areas consisting of bare dirt and no native grasses. No scenic views would be impaired and features such as the new trees, entry arch, interpretive signs and benches would enhance the aesthetics of this currently disturbed area.

4) The proposed project would not include any significant new lighting.

Cumulative Development:

Cumulative development impacts for north Oxnard are addressed in the Oxnard 2030 General Plan Final Program Environmental Impact Report (Final PEIR) incorporated by reference as stated on page 11. The 2030 General Plan anticipates eventual ongoing development in the City and the Final PEIR found that mitigated aesthetic impacts were below the threshold of significance. Therefore, no adverse unmitigated aesthetic cumulative impacts will occur as a result of cumulative projects.

Mitigation:

A-1: Future design and construction of the SCRT along Segments 2 and 4 shall be designed to avoid or minimize removal of or damage to trees to the extent feasible.

Monitoring: Building and Engineering Division staff and Public Works Division staff, in coordination with VCWPD, shall review grading and construction plans to ensure compliance. Building and Engineering Division and Public Works Division inspectors shall field monitor all applicable measures during grading activities and during construction.

Result After Mitigation: Less than significant.

B. AGRICULTURAL RESOURCES*

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
1. 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 nonagricultural use? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* 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 Department of Conservation as an optional model to use in assessing impacts on agricultural and farmland.

Discussion: The project site is located along a river bank that bisects the Oxnard Plain, a major agricultural production region known for its prime soils and favorable growing climate. Important agricultural uses exist along the River in the general project vicinity, with the area producing a significant portion of the state’s strawberry crop every year. Other major agricultural products in the region include sugar beets and lima beans. Within the City of Oxnard Planning Area, 22,782 acres of land are under agricultural production.

1-3) No existing agricultural operations are located within or immediately border the project area. The majority of the proposed project is located on existing flood control access roads generally constructed on raised artificial fill above existing area soils or along sandy river wash non-prime soils adjacent to the River where no agricultural activities occur. While portions of Segment 4 along South Victoria Avenue would overlie approximately 1 acre of prime agricultural soils, the northern portion of this segment follows an existing graveled access road on the River Ridge Golf Course and the southern segment lies between a large windrow and

a drainage channel. The nearest significant agricultural operations are located west of Victoria Avenue. Because of the existing road, drainage channel and windrow, residual prime soils along Segment 4 are not considered highly suitable for agricultural use and the loss of approximately 1 acre of prime soils, not currently in agricultural production, is considered insignificant. The parking lot would overlies an area not in agricultural production and non-prime river wash soils and would not contribute to loss of agricultural land.

Cumulative Development: Cumulative development impacts for impacts to agricultural land in Oxnard are addressed in the Oxnard 2030 General Plan Final PEIR which is incorporated by reference as stated on page 11. The 2030 General Plan anticipates ongoing conversions of agricultural land planned for eventual development and the Final PEIR found that conversion of farmland was a citywide adverse impacts for which a finding of overriding consideration was made.

Mitigation: None required.

Monitoring: None required.

Result After Mitigation: Less than significant.

C. AIR QUALITY

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan? (FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Expose sensitive receptors to substantial pollutant concentrations? (FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Create objectionable odors affecting a substantial number of people? (FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(1-5) The project would have two types of air quality impacts, construction and operations. Construction impacts are considered temporary and routinely mitigated by a series of migration measures, listed below, recommended by the Ventura County Air Pollution Control District (VCAPCD). With these mitigations, temporary construction air quality impacts are considered less than significant. Operational impacts are estimated to be limited as many users of the facility would bike or walk to access the proposed SCRT from nearby neighborhoods and thus would either not create new emissions or lead to a reduction in emission to the extent that such trips offset emission from existing trips. A limited number of future users are anticipated to drive to access this new facility, using the 10-space parking lot provided off of Ventura Road or existing on street parking in the Riverpark area. The SCRT is estimated to generate approximately 60 average daily trips with no more than 5 of these occurring during the peak hour. This potential long-term incremental increase in traffic is not anticipated to approach or exceed adopted Thresholds of Significance for Ventura County (Chuck Thomas, Ventura County Air Pollution Control District. Regional connectivity is not currently planned or proposed to extend the project east and west along the river, limiting this segment's attraction as a regional recreational resource. These factors would limit the proposed project's potential to result in any quantifiable long-term emissions until such a time as parking areas are proposed to improve regional access to the trail and regional connectivity is planned or proposed. Therefore, the project's potential contribution to long-term regional emissions is considered insignificant.

Cumulative Development: The project's contribution to cumulative impacts is anticipated to be insignificant as project emissions are not anticipated to approach or exceed adopted Thresholds of Significance for Ventura County (Chuck Thomas, Ventura County Air Pollution Control District).

Cumulative development impacts for the northeast area of Oxnard are addressed in the Oxnard 2030 General Plan Final PEIR and are hereby incorporated by reference as stated on page 11. The 2030 Final PEIR determined that air quality basin nonattainment was significant and unavoidable and an overriding considerations was made when the 2030 General Plan was adopted. This MND tiers off of the Final PEIR and the overriding considerations.

Mitigation: In order to ensure that short term construction emissions and dust generation remain less than significant, the City shall incorporate the following mitigation measures into the proposed project:

- C-1: The developer shall prepare and submit an Air Emissions Mitigation Plan for Dust Control. This Plan shall be included as part of the construction contract and submitted to the City of Oxnard for review and approval prior to the issuance of grading permits. This plan shall include the following elements:
- a. Fugitive dust throughout the construction site shall be controlled by the use of a watering truck or equivalent means, generally at least three times a day (except during and immediately after rainfall). Water shall be applied to all unpaved roads, unpaved parking areas or staging areas, and active portions of the construction site. Environmentally safe dust control agents may be used in lieu of watering.
 - b. Revegetate or apply APCD-approved chemical soil stabilizers to all inactive portions of the construction site that are inactive for four or more days.
 - c. Suspend or curtail all excavation, earth moving, and grading operations during episodes of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties) to prevent fugitive dust from being a nuisance or hazard.
 - d. Material transported in trucks off site shall comply with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2), and (e)(4) as amended. Material transported on site shall be sufficiently watered or secured to prevent fugitive dust.

- e. Inform all employees involved in grading operations on the project to wear face masks during dry periods to reduce inhalation of dust.
- f. Signs shall be posted on-site requiring traffic speeds to not exceed 15 miles per hour.
- g. Sweep streets at the end of the day if visible soil material is carried over to adjacent streets and roads.
- h. At all times during construction activities, Developer shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust.

- C-2: Maintain equipment engines in good condition and in proper tune as per manufacturer’s specifications. Minimize idling time. Prohibit the use of on-site electric generators, and connect to utility lines adjacent to the project site.
- C-3: If feasible, use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), or electric.
- C-4: During construction, contractors shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall penetrate sufficiently to minimize fugitive dust during grading activities.
- C-5: Post signs along the project perimeter identifying the name, telephone number, and emergency contact information for the contractor(s) responsible for the site, construction activities, and rectifying any nuisance conditions.
- C-6: Prior to grading permit approval, the City shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements.

Monitoring: Building and Engineering Division staff and Public Works Division staff shall review grading and construction plans to ensure compliance. Building and Engineering Division and Public Works Division inspectors shall field monitor all applicable measures during grading activities and during construction.

Result After Mitigation: Less than significant.

D. BIOLOGICAL RESOURCES

Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
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D. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. 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? <i>(2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. 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 U.S. Fish and Wildlife Service? <i>(2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. 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? <i>(2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. 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? <i>(2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? <i>(2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

D. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (2020 General Plan, VIII - Open Space/ Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: The majority of the project site (approximately 3.87 miles) borders the Santa Clara River. The River is a wide perennial drainage that supports important native plant communities and hosts a variety of wildlife, including some special status species. The City of Oxnard’s 2020 General Plan Open Space/ Conservation Element identifies riparian habitat throughout the reach of the River that borders the project site. However, this habitat varies significantly, with areas west of US Hwy 101 characterized by large stands of mature native trees and more perennial flows and areas to the east by more seasonal flows characterized by few mature trees and large areas of open sandy channel. During the summer months, flow is frequently limited to the low-flow channel; however winter rains can bring flash flows with high scour potential. These factors exert a strong influence on the types of plant communities found in the area. Plant communities in the vicinity of the project tend to be dominated by southern cottonwood/willow riparian forest, southern riparian scrub, and emergent wetlands west of US Hwy 101. To the east, open wash, coastal sage scrub, scattered southern cottonwood/willow riparian forest, and southern riparian scrub are the dominant plant communities.

The southern cottonwood/willow riparian forest that occurs adjacent to the eastern end of the project site is of high value for wildlife species, particularly nesting birds. This plant community is dominated by Fremont cottonwood (*Populus fremontii*), and arroyo willow (*Salix lasiolepis*). The most common plant community adjacent to the project site is southern riparian scrub, which is characterized by dense shrubs and willows within the riverbed. This community is often transitional between uplands and open wash and is dominated by Arroyo willow; however, significant amounts of sandbar willow (*Salix hidsiana*) and mulefat (*Baccharis glutinosa*) are also present.



The Santa Clara River and associated riparian and scrub vegetation provide valuable habitat to sensitive species including the least Bell’s vireo.

This dense growth of native riparian trees, shrubs, and associated vegetation provide habitat for a variety of birds and small animals. The southern riparian scrub and open channel habitats adjacent to the project site are known to support the southern California steelhead trout (*Oncorhynchus mykiss*), a federally endangered species. In addition, the Federal and California endangered least Bell’s vireo (*Vireo bellii pusillus*), and California endangered western yellow-billed cuckoo (*Coccyzus americanus accidentalis*) have been recorded in the project vicinity near the US Hwy 101 bridge (California Department of Fish and Game 2009). Further, special status species such as the silvery legless lizard (*Anniella pulchra* Gray), Townsend’s big-eared bat (*Corynorhinus townsendii*), and coast horned lizard (*Phrynosoma coronatum*) are also known to occur in the vicinity. Additional species of concern that could occur due to the presence of potentially suitable habitat and range include the southwestern willow flycatcher (*Empidonax traillii extimus*), arroyo toad (*Bufo californicus*), and

California red-legged frog (*Rana aurora draytonii*). However, these species have not been recorded in the project vicinity. The density of plant growth in combination with the linear reach of the River make the riverbed an important wildlife corridor for larger species as well, including coyotes and deer.

Although quality riparian habitat exists along significant portions of the riverbed, disturbance along the edges of the floodplain and upland areas can be substantial. Trails are found throughout the riverbed, which are apparently used by off-road vehicles as well as foot traffic. These trails appear to be mostly limited to the edges of the floodplain, as there is little evidence of such use within the riverbed adjacent to the project site. Further, exotic (i.e., invasive) vegetation has degraded native habitats in some areas, particularly giant reed (*Arundo donax*) and salt cedar (*Tamarix* spp.), although no exotic species dominate habitats in the immediate project vicinity (Caltrans 2001).

1 & 2) For the majority of its length, the proposed project would be constructed on existing roads. However, the proposed project could affect candidate, sensitive or special status species and riparian habitat through direct removal of habitat, construction related issues (e.g., erosion/ sedimentation) and to a lesser extent, through indirect impacts associated with increased visitation to the project area. The majority of the proposed project, approximately 3.27 miles, in Segments 1 (Victoria Avenue to Ventura Road) and 3 (US Hwy 101 to Central Avenue), would be constructed on existing flood control access roads and would result in minimal direct removal or disturbance of native habitats or construction related impacts. With the exception of the removal of moderate amounts (less than ¼ acre) of smaller willows, mulefat and coyote brush located on the Golf Course along the south edge of Segment 1 (Victoria Avenue to Ventura Road), no direct habitat disturbance or removal would occur as a result of construction along this 3.2 miles of the proposed project. The removal of less than ¼ acre of scattered riparian scrub vegetation along the south or Golf Course side (i.e., away from the River) of Segment 1 would not be considered significant as this habitat is located within developed Golf Course boundaries, is often intermixed with and surrounded by non-native vegetation and is not contiguous with primary riparian areas within the riverbed. However, this area does have limited connectivity with the river (across the flood control structure and access road) and receives some wildlife usage, therefore, it may have adverse but not significant effects on biological resources (refer to Mitigation D-6).

The proposed project's primary potential direct effect on riparian habitat and special status species could potentially occur along Segment 2 (Ventura Road to US Hwy 101) where the potential exists for approximately 0.6 miles of the project to be constructed along a low sandy alluvial bench above the Santa Clara River adjacent to the northern edge of Ventura Road. In this area, species from willow riparian habitats intermix with species found in non-native grassland and coastal sage scrub as well as non-native eucalyptus trees found along the roadside, while the area between the UPRR and US Hwy 101 transitions to mostly bare ground and sandy alluvial soils. Although this area continues to support a mix of native species, it has been subject to past disturbance include dumping, off-road vehicle use, homeless camps, grading along the road edge and leveling and clearing of dirt roads particularly between the UPRR and US Hwy 101. Depending upon the final configuration and design of pending flood protection improvements along this reach, construction of the proposed project along this segment could involve disturbance of a mix of habitat types along a corridor of as much as 0.6 miles in length and 20-30 feet in width, leading to removal or disturbance of up to 1.4 to 2.2 acres of existing habitats¹. Based on AMEC's preliminary field reconnaissance (which did not include formal vegetation mapping), and existing vegetation surveys along the River (Appendix B), these habitats consist of a mix of willow riparian forest, mulefat scrub, sage scrub, non-native annual grassland and eucalyptus windrow with a mixed native and non-native understory. Regardless of existing disturbance, removal of native willow riparian

¹ The proposed project would need to conform to any future flood control improvements. Potential future flood improvements such as bank protection along Ventura Road may obviate that need for any direct project construction on these existing habitats while other flood protection methods may still require such construction on existing habitats. To provide for a reasonable worst case assessment, this report assumes that such construction would affect these habitats.

forest, mulefat and sage scrub habitats that comprise a portion of the 1.4 to 2.2 acres of habitat that could be potentially affected or removed by the proposed project would create potentially significant effects on these biological resources (refer to Mitigation D-6).

Candidate, sensitive or special status species known to occur in the riverbed and project vicinity include yellow warbler, Cooper's hawk, yellow breasted chat, and least Bell's vireo, as well as fish and other aquatic species in the active channel of the river approximately 600 feet west of this project segment such as the southern steelhead and western pond turtle. The most important potential biological issue associated with this project is possible direct or indirect impacts to nesting least Bell's vireos, a federally endangered species. This species is known to occur along the river from the point where the proposed trail enters the levee road near Victoria Avenue upstream to the area approximately 0.3 mile upstream of the US Hwy 101 bridge (Appendix B).

Three potential breeding territories for least Bell's vireo have been recorded along Segments 1, 2 and 3, with one territory located just upstream from Victoria Avenue, a second downstream of US Hwy 101 along Segment 2 and one just upstream from US Hwy 101 along Segment 3 (Appendix B). It is likely that the cores of least Bell's vireo territories within this reach are within the riverbed, but suitable habitat also occurs in relatively small patches on the south or Golf Course side of the flood protection structure along Segment 2. Some vireos may utilize those areas as a portion of their territories in a given year. Based on past studies, observed vireo activity on the territory upstream of US Hwy 101 was confined entirely to the riverbed and vireo activity for the territory immediately downstream of the US Hwy 101 was located outside of areas proposed for construction of Segment 2 (Appendix B). However, within the territory upstream from Victoria Avenue, while the majority of vireo activity was confined to the riverbed, 28% of vireo activity was detected in the groves of trees surrounding the cogeneration facility on the Golf Course, south of Segment 1 of the proposed trail, indicating some degree of interconnectivity between this grove of trees and river riparian habitats. Therefore, construction activities along riverside segments of the proposed project may have potentially significant effects on biological resources. Potential impacts could include direct disturbance to and destruction of nests, eggs, and birds along Segment 2 as well as indirect effects along all riverside segments of the proposed trail that fall within existing or potential vireo territories such as loud construction noises (e.g., drilling, operation of heavy equipment, etc. in excess of 60 dB at the nest site) and increased site activities (e.g., moving vehicles, presence of construction personnel) in close proximity to active nests² as well as adverse, but not significant indirect effects on wildlife usage as discussed below. However, these potentially significant impacts could be avoided by inclusion of proposed mitigation measures (refer to Mitigation D-1),

Effects associated with increased cyclist and pedestrian usage along the proposed SCRT are considered adverse, but not significant because such activities would be well removed from core vireo habits within the riverbed and the groves south of the proposed trail are disconnected from primary habitat areas, and are already subject to a relatively high degree of disturbance due to operation of the cogeneration facility and golf course maintenance activities. In addition, this large grove would not be subject to the limited removal of scattered riparian vegetation proposed for other areas of the Golf Course south of the project. Further, based on the extensive experience of AMEC's biologists with these species, vireos and other wildlife species have been shown to be tolerant of limited human disturbance such as that anticipated to occur along the proposed trail as long as their core habitat areas such as the dense riparian woodlands in the riverbed remains undisturbed (Steve Myers, AMEC Senior Biologist).

3) Jurisdictional wetlands have the potential to occur within the project boundaries, particularly along Segment 2 (Ventura Road to US Hwy 101). Although this area is separate from the active river channel by 600 feet, no

² Direct impacts are likely to be confined to Segment 2 where the majority of the proposed project's potential impacts to native riparian trees and shrubs would occur. However, although vegetation within Segment 2 has the potential to support vireo activities, available past studies did not detect vireos within the potential disturbance footprint of Segment 2, which lies outside of mapped vireo territories.

large emergent wetland vegetation (e.g., cattails) exists and no open water was present within or adjacent to this area during winter field surveys, it is possible that federal and/or state permitting will be necessary in the segment of the proposed trail along the bench above the river bed adjacent to the north side of Ventura Road. This area is also crossed by at least one intermittent stream channel which drains areas to the south of the project site. Although moderately heavy rains had recently occurred, the sandy bed of this drainage was dry during this survey. Therefore, the project has at least a moderate potential to create significant impacts to jurisdictional wetlands (refer to Mitigation D-2 and D-6).

4) The project would result in removal of potential migratory bird habitat along the southern ½ mile of Segment 4 (West Gonzales Road to Santa Clara River) where the proposed trail would be located between a mature eucalyptus windrow and an unpaved roadside drainage channel which supports primarily emergent non-native species. In portions of this segment, less than 20 feet of level area exists between the trunks of the eucalyptus trees and the top of the bank of the drainage channel. Project construction in this area would entail removal of non-native grasses, trimming of multiple overhanging eucalyptus branches and removal of eucalyptus saplings. In areas where insufficient space exists for project construction, an unknown number of mature specimen eucalyptus trees could be removed. No monarch butterflies were observed during AMEC field work and the potential for these trees to support overwintering monarchs is extremely low due to the linear nature of the windrow, its location outside of a drainage canyon, and the lack of any sheltered central open area that typically accommodates such overwintering locations. However, although not generally biologically significant, eucalyptus trees can provide raptor nesting and roosting sites and provide nest locations and habitat for a wide range of native bird species such as Anna's hummingbirds. The loss or disturbance of an occupied raptor nest would be considered a potentially significant impact and removal of mature trees could adversely impact other native avian species as well as conflict with the federal Migratory Bird Treaty Act (MBTA) if removal occurred during the nesting season. In addition, project construction activities along Segments 1 and 2 also have the potential to impact nesting birds through removal of native and non-native trees and shrubs. While nesting, all native migratory species along with their nests and eggs are protected by the MBTA (refer to Mitigation D-4 and Mitigation D-7).

The reach of the trail route from US Hwy 101 to the eastern end of the project may contain habitat that is moderately suitable for the burrowing owl, particularly along Segment 3 (no burrowing owls have been recorded along the proposed SCRT). This California Species of Special Concern is experiencing population declines and is found infrequently in Ventura County. Construction, especially slope stabilization along Segment 3, could destroy burrows potentially used by these owls and increased public use could discourage potential owl use of remaining burrows. Listed fish species are present in the Santa Clara River adjacent to the proposed project; however, the proposed project is located wholly outside and removed from the active channel of the Santa Clara River. The active channel of the River is currently located over 600 feet from proposed Segment 2 which is located on a low bench above the river. Further, special status fish or aquatic species are not anticipated to utilize intermittent drainage channels which drain across Segment 2 as these channels are either concrete box culverts or underground drains. No fill would be deposited into the riverbed, with the potential for fill confined to an elevated bench above the River. Therefore no impacts would occur to the southern steelhead or other special status species such as the western pond turtle.

5 & 6) The project will not conflict with any local policies or ordinances that protect biological resources, or a habitat conservation plan Conservation Plan or natural community conservation plan, or other approved local, regional, or state habitat conservation plan. The Northeast Community Specific Plan EIR (1993) identified the loss of mature windrow trees as an adverse impact. The City has a standard tree mitigation that recovers the value of removed mature trees in new landscaping and the City would require incorporation of existing mature healthy trees along both Ventura Road and east of Victoria Avenue, to the maximum extent feasible. With these design mitigations already incorporated into the Project Description, as well as proposed mitigation for impacts to riparian habitats, there would be no conflict with the City's tree impact policy. The proposed Ventura Road

gateway and 10 parking spaces would be constructed on existing disturbed areas and would not impact existing significant habitats or species.

Cumulative Development: Cumulative development impacts for the northeast area of Oxnard are addressed in the Oxnard 2030 General Plan Final PEIR which is incorporated by reference as stated on page 11. Therefore, no additional adverse unmitigated biological resource cumulative impacts will occur as a result of cumulative projects.

Mitigation:

In order to address potential project impacts to sensitive habitats and species, the following measures shall be considered for inclusion as required or recommended mitigation measures in the project environmental document.

- D-1: Protection of Least Bell's Vireo- Pre-construction survey: Within 12 months prior to construction, a protocol level survey for least Bell's vireo shall occur. Construction Timing: In order to ensure no potential "take" or impacts to nesting vireos, it is recommended that trail construction throughout Segments 1-3 take place between 15 September and 15 March, avoiding the nesting season. If this is not feasible, a qualified biologist shall monitor vegetation removal activities and construction buffers shall be established around occupied nests. The biologist shall monitor the construction limits on a weekly basis to ensure that no construction work occurs outside of the established limits. Buffer size shall be established so that no construction occurs within 300 feet of the nest until the young have fledged, or as permitted by the USFWS and CDFG.
- D-2: To compensate for permanent losses of wetlands and southern riparian scrub the City shall enhance, restore, or preserve areas of similar habitat within the Santa Clara River watershed to ensure no net loss of these communities occurs.
- D-3: Pre-construction surveys: Within 12 months prior to construction a protocol level survey for least Bell's vireo shall occur. Focused surveys for southwestern willow flycatcher and western yellow-billed cuckoo shall also occur during this time. In addition, immediately prior to or within 7 days before clearing, grubbing, and vegetation removal, and construction activities, the City shall retain a qualified biologist who has knowledge of least Bell's vireo (LBV) behavior and field experience applying proper LBV survey methodology to perform surveys to determine the presence or absence of this species in suitable habitat within 500 feet of the project area. In addition, if clearing/grubbing, vegetation removal or construction activities are initiated prior to, and extend into, the breeding season, but they cease for a period longer than three weeks and the contractor restarts work within the breeding season, then an updated pre-construction vireo survey shall be completed prior to disturbance of suitable habitat. Every 10 days during construction in the LBV breeding season, the qualified biologist shall conduct surveys in suitable habitat within 500 feet of the project area. If no active nests are identified before or during construction, then no further avoidance mitigation is required.
- D-4: Protection of MBTA Species: In order to avoid potentially impacting bird species protected by the MBTA nesting along the project route, project construction activities should occur outside of the nesting season, which varies according to species and geographic location, but is generally considered to be between February 15 and August 31. If the nesting season cannot be avoided, a minimum of one nesting bird survey (more if deemed necessary) should be conducted on-site by a qualified biologist immediately prior to the start of construction of a given reach of the trail. If active bird nests are present, the project would need to avoid impacting the nesting species, nests, and eggs.
- D-5: Burrowing Owl Surveys: A survey consistent with the protocol of the California Burrowing Owl Consortium shall be conducted prior to project implementation for Segment 3. If burrowing owls are encountered within the project development area, project construction along this segment would be

delayed until outside of the nesting and/ or migratory seasons and recommended measures from the burrowing owl survey incorporated into project design to reduce or avoid impacts.

- D-6: Replanting of Native Riparian Habitat: To compensate for permanent losses of wetlands (if any) and sensitive riparian habitat (e.g., southern riparian or mulefat scrub) the City shall enhance, restore, or preserve areas of similar habitat within the Santa Clara River to ensure that no net loss of these communities occurs. To implement this measure, the City shall prepare a sensitive habitat revegetation and mitigation monitoring plan. This plan shall be based upon habitat mapping of affected areas and an accompanying wetland delineation study to finalize amounts and exact acreages of habitat impacted, required habitat replacement, and to clarify project state and federal permitting. This will be provided to the CDFG and/or Army Corps of Engineers prior to habitat modification. Pursuant to Section 1602 of the Fish and Game Code, the City shall consult with CDFG for determination if a Lake and Streambed Alteration (LSA) Agreement is required. The revegetation plan shall include the following:
- a. The details and procedures required to prepare the restoration site for planting (i.e., grading, soil preparations, soil stocking, etc.).
 - b. The methods and procedures for the installation of the plant materials.
 - c. Guidelines for the maintenance of the mitigation site during the establishment phase of the plantings. The maintenance program shall contain guidelines for the control of non-native plant species and the replacement of plant species that have failed to recolonize.
 - d. The revegetation plan shall provide for monitoring to evaluate the growth of the developing habitat and/or vegetation. Specific goals for the restored habitat shall be defined by quantitative and qualitative characteristics of similar habitats and plants (e.g., density, cover, species composition, structural development).
 - e. Contingency plans and appropriate remedial measures shall also be outlined in the revegetation plan should the plantings fail to meet designated success criteria and planting goals.
- D-7: Protection and Replanting of Eucalyptus Windrow as Feasible: The City should avoid removal of mature healthy eucalyptus trees within the windrow on Segment 4 along Victoria Avenue as much as possible. In order to maintain the existing windrow, where possible, replanting of eucalyptus or trees of similar height and size at maturity should occur.
- D-8: Predator Management: During project activities, all trash that may attract predators would be properly contained, removed from the work site and disposed of regularly. Following construction, all trash and construction debris would be removed from work areas.
- D-9: Vehicle Maintenance: All fueling and maintenance of vehicles and equipment, and staging areas would be at sites at least 65 feet from any riparian habitat and the stream bed.
- D-10: Fuel and Oil Spill Control: Construction management plans should be developed to ensure a prompt and effective response to any accidental spill. All construction workers would receive instruction regarding the importance of preventing spills and measures to be employed if spills do occur.
- D-11: Equipment Maintenance: Equipment operated adjacent to drainages would be maintained to prevent leaks of materials into the riparian area.
- D-12: Fuel and Oil Leak Prevention: Stationary equipment located adjacent to drainages would be positioned over drip pans, if applicable, and would be inspected to ensure materials are not released into the riparian area.
- D-13: Avoidance of Riparian Habitats: Riparian habitat would be avoided to the maximum extent feasible. The number of access routes, number and size of staging areas, and the total area of the activity would be limited to the minimum necessary to achieve the project goal. Routes and boundaries would be clearly demarcated, and these areas would be outside of riparian and wetland areas.

- D-14: Erosion Control: To control erosion during and after project implementation, best management practices would be implemented, as identified by the appropriate Regional Water Quality Control Board. Measures would include use of hay bales, straw wattles, organic mesh erosion control blankets, or other erosion control measures to prevent erosion and sedimentation into riparian zones, stream channels, or related wetlands. Sufficient erosion control material would be present on the site at all times to implement erosion control measures if rain is predicted within 24 hours.
- D-15: Construction During Rainfall: Heavy construction activities (e.g., clearing, grubbing, grading) will be limited to when no measurable rain is forecasted within 72 hours.
- D-16: Non-Native Species: A qualified biologist would be retained to remove, from within the project boundaries, any individuals of highly invasive exotic species to the maximum extent possible and ensure that activities are in compliance with the California Fish and Game Code.
- D-17: General Recommendations for Trail Design and Usage
 - a. Signage would be installed along the trail to discourage trail users from entering the riparian area and sensitive species habitat. Appropriate fencing or other control mechanisms as determined appropriate would be installed where needed to prevent off-road vehicles from accessing the riverbed via the proposed trail.
 - b. Signs would be posted noting the City’s leash laws and the sensitivity of riparian areas.
 - c. Waste receptacles for trail users would be predator-resistant.
 - d. The trail would be designed to minimize runoff from directly draining into the riverbed by utilizing runoff control techniques such as bioswales, filter strips, gravel trenches, etc.
 - e. The trail would be constructed of pervious surfaces as feasible.
 - f. Small machinery would be used whenever possible to reduce disturbance to natural resources.

Monitoring: Building Division staff and Public Works Division staff, in coordination with VCWPD, shall review grading and construction plans to ensure compliance. Building Division and Public Works Division inspectors shall field monitor all applicable measures during grading activities and during construction.

Result After Mitigation: Less than significant.

E. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
1. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

E. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.12 - Aesthetic Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Disturb any human remains, including those interred outside of formal cemeteries? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: 1-2) The majority of the proposed project would be constructed over previously disturbed areas, primarily on existing roads located on top of artificial fill. Further, previous CEQA documentation for the project site (2020 General Plan EIR, NECSP EIR, and 2030 General Plan Program EIR) did not identify any historical structures or archaeological resources. According to the 2020 General Plan EIR (page 4.11-3), historical structures in the City of Oxnard are generally located within the Cultural Heritage District and Heritage Square in the downtown area. No impact is expected to historical resources.

3) The majority of the proposed project would be constructed over previously disturbed areas, primarily on existing roads located on top of artificial fill. Further, regarding paleontological resources, the 2020 General Plan EIR (page 4.11-2) indicates that the Oxnard Plain Basin as a whole is comprised of recent alluvial deposits which due to their geologic youth do not contain fossils. Therefore, paleontological resources are not expected to occur on the project site. No impact is expected to paleontological resources, and no mitigation measures are necessary.

4) The majority of the proposed project would be constructed over previously disturbed areas, primarily on existing roads located on top of artificial fill. Further, regarding the possibility of human remains, standard condition of approval No. 144 requires developers to contract with a qualified archaeologist to conduct a Phase I cultural resources survey of a development site prior to issuance of any grading permits. Standard condition of approval No. 144 requires a Native American monitor to be present during all subsurface grading, trenching or construction activities. However, these conditions would only potentially apply to previously undisturbed areas along the south half of Segment 4 (Gonzales Road to the Santa Clara River) and Segment 2 (Ventura Road to US Hwy 101), as all other segments overlie disturbed areas constructed on artificial fill. Given this existing setting, the likelihood of finding cultural resources or human remains is low. With the standard conditions of approval, no mitigation measures are necessary.

Cumulative Development: Cumulative development impacts for the northeast area of Oxnard are addressed in the Oxnard 2030 General Plan Final PEIR which is incorporated by reference as stated on page 11. Therefore, no additional adverse unmitigated cultural resource cumulative impacts will occur as a result of cumulative projects

Mitigation: None required.

Monitoring: None required.

F. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
a. 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 known fault? Refer to Division of Mines and Geology Special Pub. 42. (2020 General Plan, IX-Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Strong seismic ground shaking? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Seismic-related ground failure, including liquefaction? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Landslides? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Result in substantial soil erosion, or the loss of topsoil? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. 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? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. 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? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: The proposed project is located near the center of the Oxnard Plain, a broad alluvial basin that is filled with sediments, sands, and gravels deposited by the Santa Clara River. These sand and gravel deposits are generally characterized as being rich in minerals but unsuitable for agriculture. These alluvial soils are prone to compaction and liquefaction, and the potential for liquefaction is increased by the high groundwater level found in the region. Compaction of alluvial soils caused by seismic events has the potential to affect the project area, with a potential settlement of 1-2 feet projected for the region (City of Oxnard 2004).

The project vicinity is located within a seismically active region subject to the effects of moderate to large earthquake events along major faults (City of Oxnard 2004). No active faults have been mapped across the study area. Several active and potentially active regional faults that may affect the area include the San Andreas Fault, the Simi-Santa Rosa fault system, the Oakridge fault system, the Santa Monica-Anacapa and Malibu fault zones and the Ventura-Pitas Point faults, all within 60 miles from the proposed project area. A complete description of area geologic resources can be found in the City of Oxnard 2004 General Plan Open Space/ Conservation Element.

1-4) The proposed project consists of a paved bike trail that may be exposed to damage from geologic processes; however, no habitable structures are involved and the potential for future bike path users to be exposed to geologic hazards is considered minimal. Further, previous CEQA documentation for the project site (2020 General Plan EIR, NECSP EIR, and 2030 General Plan Program EIR) include the project site as within an area that has a high potential for seismic ground shaking from fault systems located in the vicinity of the City although there are no known active faults within City limits. There is no potential for landslides on or near the project site due to the level topography. Impacts will be less than significant. Required building codes anticipate and compensate for seismic and related geologic conditions (e.g., liquefaction). When final project design is completed, any required engineering or soils studies will establish the appropriate type and level of construction for the type of subsurface soil conditions and ground water status to ensure that project design meets applicable codes and that the proposed project is designed to resist applicable geologic hazards. Therefore, there is no adverse impact related to geology and soils.

Cumulative Development: Cumulative development impacts for the northeast area of Oxnard are addressed in the Oxnard 2030 General Plan Final PEIR which is incorporated by reference as stated on page 11. Therefore, no additional adverse unmitigated geology and soils cumulative impacts will occur as a result of cumulative projects.

Mitigation Measure(s): None required

Monitoring: None required

G. GREENHOUSE GAS EMISSIONS

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

1 & 2) GHG emissions related to the proposed project would mostly occur during construction. , new vehicle trip generation for users of the proposed trails would be expected to be minimal and is estimated to consist of 60 average daily trips which would not exceed adopted Thresholds of Significance (Chuck Thomas, APCD). Most users of the trail would be expected to walk or bicycle to the trail from nearby neighborhoods. The project would be expected to result in a net benefit to GHG emission through improvement of the regional trail network and exposure of area residents to bicycling in a safe atmosphere. Therefore, GHG emissions from the proposed project would not have a significant effect on the environment.

The proposed project would be fully consistent with all plans, policies, and regulations relating to reduction of GHG emissions, including the 2006 CAT Report and California Air Resources Board Scoping Plan to reduce greenhouse gas emissions.

Cumulative Development: Cumulative development impacts for the northeast area of Oxnard are addressed in the Oxnard 2030 General Plan Final PEIR and are hereby incorporated by reference as stated on page 11. The 2030 Final PEIR did find determined that citywide GHG emissions were significant and unavoidable and an overriding consideration was made when the 2030 General Plan was adopted. This MND tiers off of the Final PEIR and the GHG overriding consideration.

Mitigation Measure(s): None required

Monitoring: None required

H. HAZARDS AND HAZARDOUS MATERIALS

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
1. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? (2020 General Plan, IX - Safety Element)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. 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? (2020 General Plan, IX - Safety Element)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (2020 General Plan, IX - Safety Element)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. 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? (2020 General Plan, IX - Safety Element)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

H. HAZARDS AND HAZARDOUS MATERIALS

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
5. 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? (2020 General Plan, IX - Safety Element)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. 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? (2020 General Plan, IX - Safety Element)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (2020 General Plan, IX - Safety Element; City of Oxnard Emergency Preparedness Plan and Response Manual)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. 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? (2020 General Plan, IX - Safety Element)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

1 & 2) The proposed project will not create any significant hazards to the public or the environment through the routine transport, use or disposal of hazardous materials as the project is recreational in nature. As part of ongoing maintenance activities, there will be limited onsite use of small domestic quantities of oil, gasoline, and other typical park maintenance chemicals that would be associated with the project. The use of such small quantities of household materials would not result in any health hazards. The proposed project will not create any significant hazards through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Ventura Road, Victoria Avenue, the UPRR, and US Hwy 101 are all major transportation facilities that accommodate the hauling of hazardous materials. Hazardous materials are routinely transported on US Hwy 101 and the railroad, presenting the possibility of an accident in the vicinity of the project area. Of the trucks that enter Ventura County on US Hwy 101, the California Highway Patrol estimates that 52 percent carry hazardous materials and an additional 22 percent carry hazardous wastes (City of Oxnard 2004). Although the probability of a railroad hazardous materials incident is lower, the severity is potentially greater because of the greater potential quantities involved as well as the potential for chemicals and explosive substances to be mixed together. In the event of an accident, future users of the SCRT may be exposed to hazardous materials in a manner similar to residents in the City also proximate to these transportation facilities. The Fire Department has emergency response units trained in hazardous materials accidents. Because of existing preparations for response to hazardous spills and due to the low- to moderate-use recreational nature of the proposed project, the risk of exposure is considered below the level of significance.

3) The project will not emit or contain any known hazardous materials during or after construction. It is anticipated that the use of small quantities of oil, gasoline, and park maintenance chemicals would be of very

small quantities and subject to standard City use and safety requirement and would therefore not result in a potentially significant health hazards. There will be no significant impacts.

4) The project site is not on the list of hazardous materials and cleanup sites compiled pursuant to Government Code Section 65962.5. The River Ridge Golf Course was constructed on top of the former Santa Clara landfill. The landfill was lined and accepted only Class III (non-hazardous) waste during its operation, and was closed according to closure requirements of the Ventura County Environmental Health Division and California Regional Water Quality Control Board (City of Oxnard 2008). A search of Ventura County files and the GeoTracker database identified four Leaking Underground Storage Tank (LUST) cleanup sites and ‘other’ cleanup sites near the project area (SWRCB 2009). None exist within the project area; therefore, no impacts would occur.

5-8) The project is not located in the vicinity or sphere of influence of a public or private airstrip. There will be no impact. The project will not interfere with an adopted emergency response plan or emergency evacuation plan. The project is located within an urban area and surrounded by urban development. No wildlands aside from relatively low fire hazard riparian vegetation in the Santa Clara River exist in the vicinity of the project site, and the development of the site will not result in any hazards related to wildland fires. Therefore, there will be no impacts.

Cumulative Development: Cumulative development impacts for the northeast area of Oxnard are addressed in the Oxnard 2030 General Plan Final PEIR which is incorporated by reference as stated on page 11. The 2030 General Plan anticipates eventual development of the project site and within the Oxnard City Urban Restriction Boundary (CURB) and the Final PEIR found that mitigated hazards and hazardous materials impacts were below the threshold of significance. Therefore, no additional adverse unmitigated hazards and hazardous materials cumulative impacts will occur as a result of cumulative projects.

Mitigation Measure(s): None required.

Monitoring: None required.

I. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
1. Violate any water quality standards or waste discharge requirements? (2020 General Plan, VIB - Public Facilities Element, VIII - Open Space/ Conservation Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
2. 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 preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (2020 General Plan, VIB - Public Facilities Element, VIII - Open Space/ Conservation Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. 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? (2020 General Plan, VIB - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Otherwise substantially degrade water quality? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. 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? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
8. 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? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Inundation by seiche, tsunami, or mudflow? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: The Santa Clara River is the predominant surface water hydrologic feature in the region, with a watershed drainage area of 1,630 square miles. The water flow in the project area is extremely variable and reaches its high flow period during the local wet season which occurs December through April. Natural flow in the river is affected by groundwater withdrawals, diversions, municipal uses, and groundwater recharge. Flow is also regulated by operational conditions at upstream reservoirs, including Lake Piru, Pyramid Lake, and Castaic Reservoir.

1, 3-5) Beneficial uses designated for this reach of the Santa Clara River include municipal and domestic supply (potential), industrial service supply, industrial process supply, agricultural supply, groundwater recharge, freshwater replenishment, water contact recreation, non-contact water recreation, warm freshwater habitat, cold freshwater habitat, wildlife habitat, rare, threatened or endangered species habitat, migration of aquatic organisms, and wetland habitat. The first reach of the Santa Clara River (from the estuary to the US Hwy 101 Bridge) is listed as impaired under the Clean Water Act Section 303(d) for toxicity.



The Santa Clara River channel is a wide, sandy wash through much of the year; however wet season flows can flood the channel.

Water quality issues associated with the proposed use would primarily be those from short-term construction-related impacts associated with grading and development and associated potential for sedimentation and, to a lesser extent, long-term landscape maintenance. Surface water is not expected to be present during construction, as construction would occur primarily outside of the rainy season. If surface water is present, it would be diverted away from the work area limits. The primary source of potential water quality impacts would be the clearing and grubbing of up to 2.2 acres of vegetation and placement of as much as 6,000 cubic yards of fill associated with construction of proposed Segment 2 on a low bench above the Santa Clara River. Runoff of storm water from the construction area may transport sediment and other pollutants to the river. This sediment would result in a short-term increase in turbidity that would likely exceed water quality objectives. In addition, heavy equipment used within the project site may develop leaks and discharge small amounts of lubricants, hydraulic fluid, or fuel. Discharge into surface waters may reduce water quality resulting in toxic effects to fish and amphibians. Heavy equipment is expected to be fueled from a fuel truck and not from an on-site storage tank. However, fueling spillage could occur and result in discharge to the Santa Clara River.

In addition, the project may involve extension of one or more existing culverts along Segment 2 (Ventura Road to US Hwy 101) for intermittent drainages that extend north from the City and drain into the Santa Clara River. While these drainages are currently natural channels to the north (or river side) of Ventura Road, these channels drain streams that have either been undergrounded or channelized as surface concrete culverts and watersheds that are wholly urban. As such, the extension of these culverts northward by 20-30 feet would not substantially impact water quality or drainage patterns as long as the mitigation measures listed below are adhered to.

The trail would result in an increase in impermeable surfaces; however, this increase would be minor in relation to vicinity development and a drainage plan would be developed prior to construction to ensure that the project would not result in pooling or runoff that would exceed the capacity of stormwater drainage systems. In addition, trash cans would be provided along the trail and regular sweeping of the trail would occur; therefore impacts of pollution resulting from use of the trail are anticipated to be minor and no significant impact to water quality would occur.

2) The project site is located within the Oxnard Plain Pressure Groundwater Basin (OPPGB), which is managed by the Fox Canyon Groundwater Management Agency (FCGMA), an independent special district. According to the FCGMA's Groundwater Management Plan, this basin is not in an overdraft condition. Project construction and operation would be dependent upon receipt of water from the City of Oxnard. The City's current water supply consists of imported surface water from the Calleguas Municipal Water District (CMWD), local groundwater from the United Water Conservation District (UWCD), and local groundwater from City wells.

Construction water demand would be short-term and of limited quantity, primarily for use in dust control. Given the project's limited grading and the paved or gravel nature of much of the project reach, water use for dust control and fill compaction is expected to be concentrated along Segment 2. Based on these limited water demands, project construction watering is expected to utilize approximately 4,000-6,000 gallons daily via a maximum of 2 water trucks during a 2-3 month grading and clearing period, resulting in a construction water demand of up to 360,000 gallons. Further, only limited demand for water is anticipated for project maintenance associated with less than ½ acre of permanent landscaping and a shorter term need to irrigate any required riparian revegetation efforts. Therefore, since the groundwater basin is not in an overdraft condition and the City has adequate surface water supplies there would be an adequate supply of water available, the project would not significantly impact ground or surface water quantity.

6-9) The Federal Emergency Management Agency (FEMA) identifies portions of the City of Oxnard to the south of the project site as being subject to a 1% annual chance flood event (formerly referred to as 100-year flood event) associated with the River. Flooding associated with the River has historically posed a hazard to communities along its banks, including the City of Oxnard and the project vicinity. While the project includes no habitable structures that would be subject to flooding, potential erosion or contribution to flooding may be of concern, particularly along Segment 2 (Ventura Road to US Hwy 101).

The VCWPD has been pursuing construction of flood protection improvements along the Santa Clara River north of Oxnard, including installation of weirs to help protect flood protection structures along Segment 1 (Victoria Avenue to Ventura Road) and vegetation management along the toe of the south bank of the River. In addition, the VCWPD is currently considering options for further flood protection improvements along proposed Segment 2 (Ventura Road to US Hwy 101), which may include construction of measures such as a levee, bank improvements or a flood wall; final design for these improvements has not been completed. As noted above, with the exception of Segments 2 and 4, the vast majority of the project (approximately 3.3 miles) would be located on elevated flood protection structures and levees generally protected from most flood flows (City of Oxnard 2008). Although construction of Segment 2 would potentially involve the placement of up to 6,000 cubic yards of fill along a 0.6 mile-long 20-30 foot wide corridor adjacent to Ventura Avenue on a bench above the Santa Clara River, a 100-year flood would already escape the river's banks in this reach. The project is not

anticipated to substantially change the flow rate of the river and would be anticipated to raise flood elevations by substantially less than 1 foot. However, Segment 2 could be exposed to potentially significant erosion impacts from high flows, unless the new bank is stabilized through incorporation of bank stabilization techniques in the proposed project (refer to mitigation measure I-4 below).

Cumulative Development: Cumulative development impacts for the northeast area of Oxnard are addressed in the Oxnard 2030 General Plan Final PEIR which is incorporated by reference as stated on page 11. Therefore, no additional adverse unmitigated hydrology and water quality resource cumulative impacts will occur as a result of cumulative projects.

Mitigation: The project would require coverage under the General Permit for Stormwater Discharges Associated with Construction Activity (Water Quality Order 99-08-DWQ). As required by the conditions of the General Permit, a Stormwater Quality Pollution Prevention Plan (SWPPP) would be prepared, which would include Best Management Practices (BMPs) and a monitoring program to be implemented. The intent of the SWPPP would be to prevent construction pollutants from contacting stormwater and prevent products of erosion from moving off-site into receiving waters. Implementation of mitigation measure I-1 below would reduce potentially significant surface water quality and hazardous materials impacts to a less than significant level.

I-1: The following best management practices (BMPs) shall be incorporated into the stormwater pollution prevention plan (SWPPP) prepared for the project to minimize potential water quality and hazardous materials impacts during project construction.

- a. All ground disturbances shall be limited to the dry season or periods when rainfall is not predicted, to minimize erosion and sediment transport to surface waters.
- b. Disturbed areas where work has been completed shall be stabilized or revegetated prior to the start of the rainy season.
- c. Impacts to vegetation within and adjacent to the project site shall be minimized. The work area shall be flagged to identify its limits prior to clearing, grubbing, or grading. Vegetation shall not be removed or intentionally damaged beyond these limits.
- d. To reduce additional sediment in surface waters, any sediment present in groundwater shall be allowed to settle before discharging groundwater to surface waters.
- e. Construction materials and soil piles shall be placed in designated areas where they would not enter stream flow due to spillage or erosion.
- f. Waste and debris generated during construction shall be stored in designated waste collection areas and containers away from watercourses.
- g. All fueling of heavy equipment shall occur in a designated area outside of the Santa Clara River. The designated area shall be contained by a protective berm to prevent releases of fuel into the river. A spill clean up kit containing a minimum of a drain pan or drop cloth and absorbent materials to clean up spills shall be kept on-site for the duration of construction.
- h. Vehicles and equipment shall be maintained properly to prevent leakage of hydrocarbons and coolant, and shall be examined for leaks on a daily basis. All maintenance shall occur in a designated offsite area. The designated area shall include a drain pan or drop cloth and absorbent materials to prevent and clean up spills.

Any accidental spill of hydrocarbons or coolant that may occur on the construction site shall be cleaned immediately. Absorbent materials shall be maintained on the construction site for this purpose, and shall be properly disposed of after use. The Los Angeles Regional Board shall be notified immediately in the event of an accidental spill to ensure proper clean up and disposal of waste.

I-2: Project design should include filter strips, use of gravel trenches, porous paving or other techniques to minimize runoff from the proposed SCRT and maximize infiltration.

- I-3: Long-term maintenance practices should minimize or avoid use of herbicides or pesticides in areas adjacent to the River.
- I-4: If future construction of Segment 2 occurs on the river bench along the north edge of Ventura Road, project design shall include the use bank stabilization or protection techniques. Use of gabions or other natural methods that allow incorporation of vegetation should be investigated rather than rip rap or other ‘hard bank’ protection techniques. However, any such bank protection would be subject to review and approval by the VCWPD.

Monitoring: Building and Engineering Division staff and Public Works Division staff, in coordination with VCWPD, shall review grading and construction plans to ensure compliance. Building and Engineering Division and Public Works Division inspectors shall field monitor all applicable measures during grading activities and during construction.

Result After Mitigation: Less than significant.

I. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
1. Physically divide an established community? <i>(2020 General Plan, V - Land Use Element; FEIR 88-3, 4.1 - Land Use)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. 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? <i>(2020 General Plan; City adopted Specific Plans; Local Coastal Program; and Zoning Ordinance; FEIR 88-3, 4.1 - Land Use)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Conflict with any applicable habitat conservation plan or natural community conservation plan? <i>(2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.1 - Land Use)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: 1-3) The proposed project overlaps lands under the jurisdiction of the County of Ventura and the City of Oxnard and is located entirely outside of the Coastal Zone. Much of the project would be located on lands owned or managed by the Ventura County Watershed Protection District (VCWPD), which operates and maintains the flood protection structures and maintenance road along the levee. The VCWPD also implements the Flood Plain Management Ordinance 3841 on behalf of the County of Ventura to ensure compliance with the National Flood Insurance Program. This includes permit review for structures built in the floodplain and evaluation of site plans for developments that include identified floodplains. Additional agencies that may have interest in and permitting authority over this site include the U.S. Army Corps of Engineers, Regional Water

Quality Protection Board, U.S. Fish and Wildlife Service, Caltrans, and the California Department of Fish and Game. Refer to Appendix A for an analysis of potential permitting requirements.

In the City of Oxnard adjacent land uses to the project include recreation; low density, low-medium density, and high density residential; regional commercial, and a school (City of Oxnard 2009). The City’s 2020 and Draft 2030 General Plans recognize the importance of bicycle and pedestrian facilities and identifies the need for their additional development throughout the City of Oxnard and the surrounding communities within Ventura County. In response, the City developed a Bicycle and Pedestrian Facilities Master Plan in 2002, and is currently updating this plan, which conceptualized and outlined the implementation of a system of paths throughout the City and surrounding communities.

The proposed project would enhance access and mobility in the community and would not physically divide a community. The project would be consistent with the adopted Santa Clara River Enhancement and Management Plan as well as the City’s 2020 General Plan. Development of the project site will ensure enhanced recreational opportunities for City residents. Incorporation of mitigation measures for biological resources and water quality are anticipated to address direct and indirect impacts to these resources and no habitat conservation plan or natural community conservation plan exist for the project site. Therefore, no impacts to land use and planning are expected.

Cumulative Development: Cumulative development impacts for the northeast area of Oxnard are addressed in the Oxnard 2030 General Plan Final PEIR which is incorporated by reference as stated on page 11. The 2030 General Plan anticipates eventual development of the project within the City and the Final PEIR found that land use and planning impacts were below the threshold of significance. Therefore, no additional adverse unmitigated land use and planning impacts will occur as a result of cumulative projects.

Mitigation Measure(s): None required.

Monitoring: None required.

J. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
1. 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? (2020 General Plan, V - Land Use Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. 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? (2020 General Plan, V - Land Use Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

1 & 2) According to the Open Space/Conservation Element of the 2020 General Plan (Figure VIII-7), the project will not result in the loss of availability of mineral resources, since the project site is not located near an

area of importance for mineral deposits. The project does not fall within any of the areas listed as having significant mineral deposits. Therefore, no impacts to natural and mineral resources are expected.

Cumulative Development: Cumulative development impacts for north Oxnard are addressed in the Oxnard 2030 General Plan Final PEIR which is incorporated by reference as stated on page 11. The 2030 General Plan generally anticipates eventual development of the project and the Final PEIR found that mitigated mineral resource impacts were below the threshold of significance. Therefore, no additional adverse unmitigated mineral resource cumulative impacts will occur as a result of cumulative projects.

Mitigation Measure(s): None required.

Monitoring: None required.

K. NOISE

Would the project result in:	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
1. 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? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

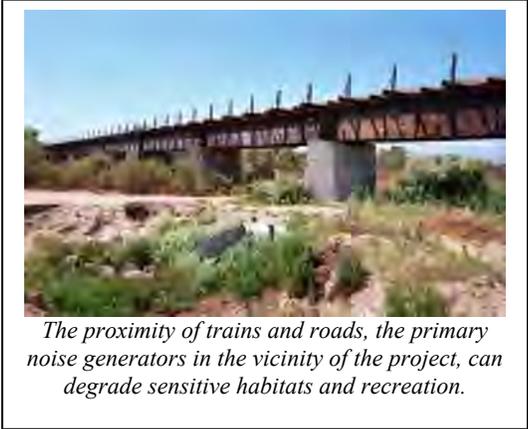
K. NOISE

Would the project result in:	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
5. 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? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: Dominant noise sources on and near the proposed project site are primarily vehicular traffic traveling along the local roadway system, US Hwy 101, and the railroad. The primary land uses in the project’s vicinity include a large open space, agricultural, recreational (golf), and residential uses, which generally generate low levels of noise.

Sensitive noise receptors within the project include common and rare wildlife, such as certain threatened and endangered species (see Section D *Biological Resources*). This is especially true during avian breeding seasons which typically fall between March and September. Recreational users including walkers, bikers, and bird watchers, as well as residents adjacent to the project area, are also considered sensitive receptors for potential noise impacts.

1) Operational & Traffic Noise - The City has established noise guidelines in the Noise Element of the City's 2020 General Plan provide guidance on siting of uses within high noise areas. Future users of the SCRT could be affected by noise generated by traffic on US Hwy 101, Ventura Road, and Victoria Avenue as well as from the UPRR. However, future users’ potential exposure to elevated noise levels within high noise corridors would be very short-term (e.g., 5 to 15 minutes). Because of the short-term exposure of recreational users to high noise levels, impacts will be less than significant, and mitigation is not required.



Construction Noise – Construction of the project could generate noise impacts to adjacent residential uses. The City limits the hours of construction activities to Monday through Saturday from 7:00 a.m. to 6:00 p.m., and the City’s noise ordinance regulates the volume and intensity of noise. Based on typical construction operations, it is expected that during the clearing and grading activities the equipment will include a scraper, dozer, blade, loader, and water truck. The average noise level is not anticipated to exceed 65 dB CNEL in outdoor areas near residential land uses. Because of the short-term duration of grading and construction activities, plus the City’s existing noise ordinance, the potential noise impacts to adjacent residences are less than significant. No significant impact or mitigation is required. Potential impacts of construction noise on sensitive biological

resources are address through construction timing mitigation measures in Section D above (*Biological Resources*).

2) The project route passes under US Hwy 101 and the UPRR and future trail users could be exposed to very short-term groundborne vibration. However, due to the very short-term nature of this exposure, no significant impact is anticipated or mitigation is required.

3 & 4) The 2030 General Plan PEIR included a noise analysis based on buildout of the project area and did not find significant levels of ambient noise. No significant impact or mitigation is required.

5 & 6) The project site is not located in the vicinity or influence area of any private airstrip. There will be no impact.

Cumulative Development: Cumulative development impacts for north Oxnard are addressed in the Oxnard 2030 General Plan Final PEIR which is incorporated by reference as stated on page 11. The 2030 General Plan anticipates eventual development of the proposed project and the Final PEIR found that mitigated noise impacts of development were below the threshold of significance. The 2030 Final PEIR determined that citywide noise and groundborne vibrations caused by railroads were significant and unavoidable and overriding considerations were made when the 2030 General Plan was adopted. This MND tiers off of the Final PEIR and the noise and groundborne vibrations overriding considerations. Therefore, no adverse unmitigated noise impacts will occur as a result of cumulative projects.

Mitigation Measure(s): None required.

Monitoring: None required.

L. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through an extension of roads or other infra-structure)? (2020 General Plan, IV - Growth Management Element, V - Land Use Element, Revised 2000-2005 Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (2020 General Plan, IV - Growth Management Element, V - Land Use Element, Revised 2000-2005 Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

L. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (2020 General Plan, IV - Growth Management Element, V - Land Use Element, Revised 2000-2005 Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

1-3) The proposed project would consist of construction and operation of a recreational trail primarily on land occupied by flood control access or other roads or undeveloped areas. As such, the project is not anticipated to induce population growth or displace existing housing or substantial numbers of people.

Cumulative Development: Cumulative development impacts for the northeast area of Oxnard are addressed in the Oxnard 2030 General Plan Final PEIR which is incorporated by reference as stated on page 11. Therefore, no additional adverse unmitigated population and housing cumulative impacts will occur as a result of cumulative projects.

Mitigation: None required.

Monitoring: None required.

M. PUBLIC SERVICES*

Would the project result in substantial adverse physical impacts to the following:	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
1. Fire protection? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Police protection? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Schools? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Parks? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Other public facilities? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* Include potential effects 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.

Discussion: 1-5) Due to the nature of the proposed project as a moderate use recreational facility, few public services would be required throughout the life of the project. The City of Oxnard would provide basic services,

such as fire and police protection, as well as trail maintenance. Fire protection and emergency medical services would be provided by the Oxnard Fire Department. Increased use of the proposed SCRT may lead to a slight increase in request for emergency fire services (e.g., limited numbers of bike accidents); however, the areas along the trail are generally low fire hazard in nature and no substantial increase in fire protection services are anticipated.

The Oxnard Police Department provides police protection in the project area. The nearest station is located at 365 East Esplanade Drive. However, police response would typically be pulled from the patrol staff and they could be coming from anywhere in north Oxnard. Bike patrols may be initiated from the district office and it is reasonable to assume that as the trail gets more use, police patrols along the path would likely increase. Public trails in more remote areas can create at least perceived safety concerns due to injecting public use into isolated areas where users may be exposed to crime. Segment 1 of the proposed trail is generally not visible from public streets or other use areas; however, this segment receives a moderate degree of daily use from golf course maintenance personnel. Although the general project vicinity is presently included in routine police patrol routes; areas well off the main street system, particularly Segment 1 and to a lesser extent Segment 3, are not highly visible from the existing road system and do not likely receive regular patrols from City police bicycle units. Because these area’s lack visibility from public streets and currently receive moderate use from transient homeless populations living in informal camps within the Santa Clara River, project design includes a police call box along Segment 1. Inclusion of a police call box combined with project gateway signage regarding trail usage guidelines and the regular presence of golf course maintenance personnel would address potential public safety concerns. In addition, it is recommended that at least Segment 1 of the SCRT receive periodic patrols from the City’s police bicycle unit.

The proposed project provides no new housing and is not anticipated to result in any increase in demands for schools or other public services. The project would represent a beneficial recreational impact by providing the City with a very high quality off road trails system, although the City General Services Department would experience some increase in demand for maintenance. Although the proposed project would incrementally increase demand for public services, the proposed trail is not expect to represent a significant increase in demand for such service.

Cumulative Development: Cumulative development impacts for the northeast area of Oxnard are addressed in the Oxnard 2030 General Plan Final PEIR which is incorporated by reference as stated on page 11. Therefore, no additional adverse unmitigated public services cumulative impacts will occur as a result of cumulative projects.

Mitigation: The following measure is recommended, but not required.

M-1: The City should consider adding Segment 1 and possibly 3 of the proposed SCRT to routes periodically patrolled by the Police Department’s bicycle unit.

Monitoring: The City Police Department should monitor incidents along the SCRT to help determine the needed frequency of patrols.

Result After Mitigation: Less than significant.

N. RECREATION

Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
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N. RECREATION

	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
1. 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? <i>(2020 General Plan, XIII - Parks and Recreation Element; FEIR 88-3, 4.12 - Aesthetic Resources, 4.13 - Parks and Recreation Services)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. 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? <i>(2020 General Plan, XIII - Parks and Recreation Element; FEIR 88-3, 4.12 - Aesthetic Resources, 4.13 - Parks and Recreation Services)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The proposed project site currently provides undeveloped recreational opportunities for walking, biking, and nature viewing. The project location is maintained as a flood control maintenance road; however, due to infrequent traffic, it has become a popular route for limited passive uses. The site’s proximity to residential areas and the scenic views it provides make it an accessible and aesthetically pleasing area for urban recreation. According to the City of Oxnard’s draft 2030 General Plan , there are approximately 881.7 acres of parks and special purpose facilities maintained by the City of Oxnard. The proposed project is located near a variety of recreational facilities including the River Ridge Golf Course (over 450 acres), Southbank Park, and Sierra Linda Park. However, these areas provide urban park recreational opportunities and are not integrated into the natural and scenic qualities of the region.

Most of the current recreational users of the project site are likely to be residents of nearby neighborhoods, given the site’s proximity to large residential areas and the limited trail head parking. Overall benefits to recreation are anticipated to be beneficial.

Cumulative Development: Cumulative development impacts for the northeast area of Oxnard are addressed in the Oxnard 2030 General Plan Final PEIR which is incorporated by reference as stated on page 11. Therefore, no additional adverse unmitigated recreation cumulative impacts will occur as a result of cumulative projects.

Mitigation: None required.

Monitoring: None required.

O. TRANSPORTATION/TRAFFIC

	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
Would the project:				

O. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
1. Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways? (2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 – Transportation/Circulation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/ Circulation)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Result in inadequate emergency access? (2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Result in inadequate parking capacity? (Zone Ordinance - Parking Regulations and Parking Lot Design Standards)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Bicycle Facilities Master Plan)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

1-3) The proposed project would consist of a Class I off-road bikeway system. The proposed project is not anticipated to generate substantial increases in traffic or changes in existing traffic patterns. Because limited parking areas are proposed, the trail system is anticipated to serve primarily local users and residents who would ride from their homes. However, trail gateway locations off Ventura Road and in the River Park area may experience a slight increase in traffic as families well removed from the proposed trails seek to park along streets near these gateways to access the proposed trail.

Trip Generation: The proposed project would include two locations with publically accessible parking. These would include 10 spaces along the bend in Ventura Road immediately at the boundary between segments 1 and 2 (Figures 2 and 3) and a number of on street parking spaces in the Riverpark Specific Plan area such as those near Windrow Park.



The project area's western edge ends at Victoria Avenue, a highly traveled and high-speed roadway that currently has minimal bicycle facilities.

The majority of users of the proposed Oxnard Santa Clara River Trail are anticipated to ride directly to the path from nearby neighborhoods and businesses. However, the proposed Ventura Road parking lot and on street parking available in the Riverpark area have the potential to attract residents from areas of the City or other communities more removed from the proposed SCRT, particularly if or when the Oxnard segment of the SCRT is linked to a more regional trail system. Therefore, the proposed project may generate additional trips for area residents who elect to drive to the trail gateways to access this facility.

In order to determine potential for increased trip generation associated with the proposed project, three sources were reviewed; the City of San Diego Municipal Code, Land Development Code Trip Generation Manuel (May 2003) and the Tahoe Regional Planning Agency (TRPA) Trip table and the Institute of Transportation Engineers Trip Generation Manuel (7th Edition)³. None of these sources include studies of trip generation associated with new bike paths and associated small parking lots and on street parking. The land use most closely matching a bike path appears to be regional parks, with includes facilities with hiking trails. However, trip generation rates for city and state parks were also reviewed and these varying rates for these types of parks are set forth in Table 1.

Table 1: Potential Trip Generation Rates*

Information Source	Recreation Use Type	Trip Generation Rate
ITE/ TRPA	City Park	1.59 weekday trips/ acre**
ITE	Regional Park	0.20 weekday PM peak hr/ acre
ITE	Regional Park	6.59 Sunday trips/ acre**
San Diego Manual	Undeveloped Park	5 weekday trips/ acre (8% in PM peak hr.)
TRPA	County Park	2.29 weekday trips/ acre
TRPA	State Park	0.65 weekday trips/ acre

*Rates in this table were selected base on the low intensity use of the project. It should be noted that heavily developed park (e.g., ball fields) and beach parks have substantial higher trip generation rates that do not appear applicable to a bike path.

**Data was unavailable from ITE for weekday peak hour trips for city or regional parks; Sunday average daily trips were higher than Saturday.

Peak traffic generation period for park facilities tends to be on weekend days, with relatively low weekday peak

³ TRPA's Trip Table is based upon ITE, but identifies slightly different trip generation rates.

hour trip generation, the time when congestion on the surrounding street system is typically the highest. Based on Table 1, the San Diego Manual’s “Undeveloped Park” rate may be most applicable to the project and would yield a conservative reasonable worst case for project traffic generation. Based upon a rate of 5 average weekday trips per acre with 8% in the PM peak hour, the proposed project’s 12 acres of area within the SCRT trail easement could create 60 new average daily trips with 5 trips in the PM peak hour.

This project-generated traffic would be diffused throughout the northern end of the City of Oxnard and distributed between the proposed gateway parking off Ventura Road and on street parking in RiverPark. Additionally, riders wishing to ride the entire length of the path may park on-street (no formal parking lots are proposed) at other trail access points in the vicinity of West Gonzales Road or Central Avenue. As a result, no one intersection or roadway would experience a noticeable increase in traffic and the project would have an insignificant impact to traffic congestion.

The proposed gateway location off of Ventura Road is located off of a high speed roadway, on a curve where posted speeds are 45 mph . Cyclists and pedestrians may attempt to cross Ventura Road or park in the proposed parking area along the road shoulder to access the trail system. However, vehicular access to this area would be only via right turn in and out, which would avoid safety hazards of vehicles turning across this roadway. Pedestrian and bicycle access is anticipated to be safe in this area as this gateway would be linked to the City’s on-road Class II bike trail system and a signalized crossing is located at Wagon Wheel Road with a new crosswalk to be installed at this location as part of the proposed project. Emergency access is available along the entire trail length via a series of existing flood control gates. It is recommended that the City coordinate with the VCWPD to ensure that emergency service providers have keys to these facilities.

The proposed project would be consistent with City and regional plans calling for expansion of alternative transportation facilities.

Cumulative Development: Cumulative development impacts for the northeast area of Oxnard are addressed in the Oxnard 2030 General Plan Final PEIR which is incorporated by reference as stated on page 11. The 2030 Final PEIR determined that traffic levels of service at five intersections were significant and unavoidable and overriding considerations were made when the 2030 General Plan was adopted. This MND tiers off of the Final PEIR and traffic overriding considerations.

Mitigation: None required; however, it is recommended that:

- O-1: The City should coordinate with the VCWPD to ensure that all City emergency service providers (and maintenance personnel) have keys or access codes to all gateways along the proposed trail system.

Monitoring: Staff of the City Police, Fire, Public Works and General Services Departments should coordinate with the VCWPD to obtain keys and access codes to gates along the proposed SCRT and periodically review access procedures and issues to ensure compliance.

Result After Mitigation: Less than significant.

P. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
Would the project:				

P. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. 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? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. 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? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. 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? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Comply with federal, state, and local statutes and regulations related to solid waste? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- 1, 2 & 5) The proposed project contains no restrooms and is not anticipated to create demand for sewer services.
- 3) The proposed project would include limited drainage improvements involving the extension of existing culverts. No significant effects are anticipated (Please refer to Sections D and I for further discussion).
- 4) Proposed long-term water use associated with limited landscaping and a drinking fountain is projected to be less than ½ acre foot per year as required to serve any limited trail gateway or access point landscaping. Such water demand would not exceed established thresholds and is well within the capacity of local purveyors to provide.
- 6) The proposed project is not anticipated to generate large volumes of solid waste either during construction or operation. Primary construction waste would primarily include any vegetation removed along Segment 2; such vegetation would be ground and composted. Operation of the proposed project would add incrementally to the waste stream as several trash and recycling cans would be placed at key gateway or trail access locations; however, given the low to moderate projected recreational use of this trail the amount of waste generated is anticipated to be insignificant.
- 7) The proposed project would generate extremely limited amounts of solid waste and would be in compliance with local, state and federal regulations regarding this matter.

Cumulative Development: Cumulative development impacts for the northeast area of Oxnard are addressed in the Oxnard 2030 General Plan Final PEIR which is incorporated by reference as stated on page 11. Therefore, no additional adverse unmitigated utilities and service systems cumulative impacts will occur as a result of cumulative projects.

Mitigation: None required.

Monitoring: None required.

Q. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
1. 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, reduce the number or restrict the range of rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less than Significant With Mitigation	Less than Significant Impact	No Impact
2. Does the project have impacts that are individually limited, but cumulatively considerable (<i>“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</i>)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. 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 type="checkbox"/>	<input checked="" type="checkbox"/>

No new significant adverse effects are expected to result from the proposed project after mitigation. Mitigation measures are either incorporated into the project or are made a part of the Mitigated Negative Declaration.

SUMMARY OF MITIGATION MEASURES INCORPORATED INTO THE PROJECT

- A-1: Future design and construction of the SCRT along Segments 2 and 4 shall be designed to avoid or minimize removal of or damage to trees to the extent feasible.
- C-1: The developer shall prepare and submit an Air Emissions Mitigation Plan for Dust Control. This Plan shall be included as part of the construction contract and submitted to the City of Oxnard for review and approval prior to the issuance of grading permits. This plan shall include the following elements:
- a. Fugitive dust throughout the construction site shall be controlled by the use of a watering truck or equivalent means, generally at least three times a day (except during and immediately after rainfall). Water shall be applied to all unpaved roads, unpaved parking areas or staging areas, and active portions of the construction site. Environmentally-safe dust control agents may be used in lieu of watering.
 - b. Revegetate or apply APCD-approved chemical soil stabilizers to all inactive portions of the construction site that are inactive for four or more days.
 - c. Suspend or curtail all excavation, earth moving, and grading operations during episodes of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties) to prevent fugitive dust from being a nuisance or hazard.
 - d. Material transported in trucks off site shall comply with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2), and (e)(4) as amended. Material transported on site shall be sufficiently watered or secured to prevent fugitive dust.
 - e. Inform all employees involved in grading operations on the project to wear face masks during dry periods to reduce inhalation of dust.
 - f. Signs shall be posted on-site requiring traffic speeds to not exceed 15 miles per hour.
 - g. Sweep streets at the end of the day if visible soil material is carried over to adjacent streets and roads.
 - h. At all times during construction activities, Developer shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust.
- C-2: Maintain equipment engines in good condition and in proper tune as per manufacturer's specifications. Minimize idling time. Prohibit the use of on-site electric generators, and connect to utility lines adjacent to the project site.
- C-3: If feasible, use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), or electric.
- C-4: During construction, contractors shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall penetrate sufficiently to minimize fugitive dust during grading activities.
- C-5: Post signs along the project perimeter identifying the name, telephone number, and emergency contact information for the contractor(s) responsible for the site, construction activities, and rectifying any nuisance conditions.
- C-6: Prior to grading permit approval, the City shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements.
- D-1: Protection of Least Bell's Vireo- Pre-construction survey: Within 12 months prior to construction a protocol level survey for least Bell's vireo shall occur. Construction Timing: In order to ensure no potential "take" or impacts to nesting vireos, it is recommended that trail construction throughout

Segments 1-3 take place between 15 September and 15 March, avoiding the nesting season. If this is not feasible, a qualified biologist shall monitor vegetation removal activities and construction buffers shall be established around occupied nests. The biologist shall monitor the construction limits on a weekly basis to ensure that no construction work occurs outside of the established limits. Buffer size shall be established so that no construction occurs within 300 feet of the nest until the young have fledged, or as permitted by the USFWS and CDFG.

- D-2: To compensate for permanent losses of wetlands and southern riparian scrub the District shall enhance, restore, or preserve areas of similar habitat within the Santa Clara River watershed to ensure no net loss of these communities occurs.
- D-3: Pre-construction surveys: Within 12 months prior to construction a protocol level survey for least Bell's vireo shall occur. Focused surveys for southwestern willow flycatcher and western yellow-billed cuckoo shall also occur during this time. In addition, immediately prior to or within 7 days before clearing, grubbing, and vegetation removal, and construction activities, the City shall retain a qualified biologist who has knowledge of least Bell's vireo (LBV) behavior and field experience applying proper LBV survey methodology to perform surveys to determine the presence or absence of this species in suitable habitat within 500 feet of the project area. In addition, if clearing/grubbing, vegetation removal or construction activities are initiated prior to, and extend into, the breeding season, but they cease for a period longer than three weeks and the contractor restarts work within the breeding season, then an updated pre-construction vireo survey shall be completed prior to disturbance of suitable habitat. Every 10 days during construction in the LBV breeding season, the qualified biologist shall conduct surveys in suitable habitat within 500 feet of the project area. If no active nests are identified before or during construction, then no further avoidance mitigation is required.
- D-4: Protection of MBTA Species: In order to avoid potentially impacting bird species protected by the MBTA nesting along the project route, project construction activities should occur outside of the nesting season, which varies according to species and geographic location, but is generally considered to be between February 15 and August 31. If the nesting season cannot be avoided, a minimum of one nesting bird survey (more if deemed necessary) should be conducted onsite by a qualified biologist immediately prior to the start of construction of a given reach of the trail. If active bird nests are present, the project would need to avoid impacting the nesting species, nests, and eggs.
- D-5: Burrowing Owl Surveys: A survey consistent with the protocol of the California Burrowing Owl Consortium shall be conducted prior to project implementation for Segment 3. If burrowing owls are encountered within the project development area, project construction along this segment would be delayed until outside of the nesting and/ or migratory seasons and recommended measures from the burrowing owl survey incorporated into project design to reduce or avoid impacts.
- D-6: Replanting of Native Riparian Habitat: To compensate for permanent losses of wetlands (if any) and sensitive riparian habitat (e.g., southern riparian or mulefat scrub) the City shall, enhance, restore, or preserve areas of similar habitat within the Santa Clara River to ensure that no net loss of these communities occurs. To implement this measure, the City shall prepare a sensitive habitat revegetation and mitigation monitoring plan. This plan shall be based upon habitat mapping of affected areas and an accompanying wetland delineation study to finalize amounts and exact acreages of habitat impacted, required habitat replacement and to clarify project state and federal permitting. This will be provided to the CDFG and/or Corps prior to habitat modification. Pursuant to Section 1602 of the Fish and Game Code, the City shall consult with CDFG for determination if a Lake and Streambed Alteration (LSA) Agreement is required. The revegetation plan shall include the following:
 - a. The details and procedures required to prepare the restoration site for planting (i.e., grading, soil preparations, soil stocking, etc.).
 - b. The methods and procedures for the installation of the plant materials.

- c. Guidelines for the maintenance of the mitigation site during the establishment phase of the plantings. The maintenance program shall contain guidelines for the control of nonnative plant species and the replacement of plant species that have failed to recolonize.
 - d. The revegetation plan shall provide for monitoring to evaluate the growth of the developing habitat and/or vegetation. Specific goals for the restored habitat shall be defined by quantitative and qualitative characteristics of similar habitats and plants (e.g., density, cover, species composition, structural development).
 - e. Contingency plans and appropriate remedial measures shall also be outlined in the revegetation plan should the plantings fail to meet designated success criteria and planting goals.
- D-7: Protection and Replanting of Eucalyptus Windrow as Feasible: The City should avoid removal of mature healthy eucalyptus trees within the windrow on Segment 4 as much as possible. In order to maintain the existing windrow, where possible, replanting of eucalyptus or trees of similar height and size e should occur.
- D-8: Predator Management: During project activities, all trash that may attract predators would be properly contained, removed from the work site and disposed of regularly. Following construction, all trash and construction debris would be removed from work areas.
- D-9: Vehicle Maintenance: All fueling and maintenance of vehicles and equipment, and staging areas would be at sites at least 65 feet from any riparian habitat and the stream bed.
- D-10: Fuel and Oil Spill Control: Construction management plans should be developed to ensure a prompt and effective response to any accidental spill. All construction workers would receive instruction regarding the importance of preventing spills and measures to be employed if spills do occur.
- D-11: Equipment Maintenance: Equipment operated adjacent to drainages would be maintained to prevent leaks of materials into the riparian area.
- D-12: Fuel and Oil Leak Prevention: Stationary equipment located adjacent to drainages would be positioned over drip pans, if applicable, and would be inspected to ensure materials are not released into the riparian area.
- D-13: Avoidance of Riparian Habitats: Riparian habitat would be avoided to the maximum extent feasible. The number of access routes, number and size of staging areas, and the total area of the activity would be limited to the minimum necessary to achieve the project goal. Routes and boundaries would be clearly demarcated, and these areas would be outside of riparian and wetland areas.
- D-14: Erosion Control: To control erosion during and after project implementation, best management practices would be implemented, as identified by the appropriate Regional Water Quality Control Board. Measures would include use of hay bales, straw wattles, organic mesh erosion control blankets, or other erosion control measures to prevent erosion and sedimentation into riparian zones, stream channels, or related wetlands. Sufficient erosion control material would be present on the site at all times to implement erosion control measures if rain is predicted within 24 hours.
- D-15: Construction During Rainfall: Heavy construction activities (e.g., clearing, grubbing, grading) will be limited to when no measurable rain is forecasted within 72 hours.
- D-16: Non-Native Species: A qualified biologist would be retained to remove, from within the project boundaries any individuals of highly invasive exotic species to the maximum extent possible and ensure that activities are in compliance with the California Fish and Game Code.
- D-17: General Recommendations for Trail Design and Usage
- a. Signage would be installed along the trail to discourage trail users from entering the riparian area and sensitive species habitat. Appropriate fencing or other control mechanisms as determined

appropriate would be installed where needed to prevent off-road vehicles from accessing the riverbed via the proposed trail.

- b. Signs would be posted not the City's leash laws and the sensitivity of riparian areas.
- c. Waste receptacles for trail users would be predator-resistant.
- d. The trail would be designed to minimize runoff from directly draining into the creek by utilization of runoff control techniques such as bioswales, filter strips, gravel trenches, etc.
- e. The trail would be constructed of pervious surfaces as feasible.
- f. Small machinery would be used whenever possible to reduce disturbance

I-1: The following best management practices (BMPs) shall be incorporated into the stormwater pollution prevention plan (SWPPP) prepared for the project to minimize potential water quality and hazardous materials impacts during project construction.

- a. All ground disturbances shall be limited to the dry season or periods when rainfall is not predicted, to minimize erosion and sediment transport to surface waters.
- b. Disturbed areas where work has been completed shall be stabilized or revegetated prior to the start of the rainy season.
- c. Impacts to vegetation within and adjacent to the project site shall be minimized. The work area shall be flagged to identify its limits prior to clearing, grubbing, or grading. Vegetation shall not be removed or intentionally damaged beyond these limits.
- d. To reduce additional sediment in surface waters, any sediment present in groundwater shall be allowed to settle before discharging groundwater to surface waters.
- e. Construction materials and soil piles shall be placed in designated areas where they would not enter stream flow due to spillage or erosion.
- f. Waste and debris generated during construction shall be stored in designated waste collection areas and containers away from watercourses.
- g. All fueling of heavy equipment shall occur in a designated area outside of the Santa Clara River. The designated area shall be contained by a protective berm to prevent releases of fuel into the river. A spill clean up kit containing a minimum of a drain pan or drop cloth and absorbent materials to clean up spills shall be kept on-site for the duration of construction.
- h. Vehicles and equipment shall be maintained properly to prevent leakage of hydrocarbons and coolant, and shall be examined for leaks on a daily basis. All maintenance shall occur in a designated offsite area. The designated area shall include a drain pan or drop cloth and absorbent materials to prevent and clean up spills.
- i. Any accidental spill of hydrocarbons or coolant that may occur on the construction site shall be cleaned immediately. Absorbent materials shall be maintained on the construction site for this purpose, and shall be properly disposed of after use. The Los Angeles Regional Board shall be notified immediately in the event of an accidental spill to ensure proper clean up and disposal of waste.

I-2: Project design should include filter strips, use of gravel trenches, porous paving or other techniques to minimize runoff from the proposed SCRT and maximize infiltration.

I-3: Long-term maintenance practices should minimize or avoid use of herbicides or pesticides in areas adjacent to the River.

I-4: If future construction of Segment 2 occurs on the river bench along the north edge of Ventura Road, project design shall include the use bank stabilization or protection techniques. Use of gabions or other natural methods that allow incorporation of vegetation should be investigated rather than rip rap or other "hard bank" protection techniques. However, any such bank protection would be subject to review and approval by the VCWPD.

M-1: The City should consider adding Segment 1 and possible 3 of the proposed SCRT to routes periodically patrolled by the Police Department's bicycle unit.

- O-1: O-1: The City should coordinate with the VCWPD to ensure that all City emergency service providers (and maintenance personnel) have keys or access codes to all gateways along the proposed trail system.

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30. City of Oxnard, *FEIR 96-2 for the Northwest Specific Plan.*
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APPENDIX A

Potentially Required Permits

Potentially Required Permits

Santa Clara River Trail IS/MND

	Agency	Contact	Permit	Process/Timeline/Fee
Federal	U.S. Army Corps of Engineers	Ventura Field Office (805) 585-2140 District Office (213) 452-3333	404 Permit: Nationwide Permit	Application submittal prior to construction after completion of RWQCB 401 Certification. Receipt of a RWQCB 401 Certification (see below) is required before NWP/IP issuance for most projects. Allow 3 to 4 months to process. No fee for most projects.
	U.S. Fish and Wildlife Service	Jenny Marek (805) 644-1766 ext. 325 Jenny_Marek@fws.gov 2493 Portola Road, Suite B Ventura CA 93003 www.fws.gov/ventura/	Unknown, likely informal consultation. Due to known presence of T+E species, consultation with USFWS or NMFS should occur as soon as possible to ensure avoidance of Section 7 Consultation	Consultation should occur as early as possible to identify potential impacts to species and allow for project modifications as necessary. CEQA analysis should be submitted for review and confirmation of less than significant impacts to T+E species. If a Section 7 Consultation were to be required, it must be processed in a maximum of 135 days. Section 7 and 10 processes are very complex and involve multiple steps and costs.
	National Marine Fisheries Service	Southwest Regional Office (562) 980-4020 http://swr.nmfs.noaa.gov/	Similar to above, however consultation only pertains to steelhead trout. Construction should occur outside of Dec. 1 and June 15 to limit potential impacts and permitting requirements.	See above.
State	California Department of Fish and Game	Helen Birss (Jeff and Rick) South Coast Region 5 (805) 569-6863 805.448.3432 4949 Viewridge Avenue San Diego CA 92123 www.dfg.ca.gov/hcpb/ceqacesa/cesa/cesa.shtml	Section 1602 Lake and Streambed Alteration Agreement	CEQA compliance is required before a permit will be issued. A biological review, including estimates of impacts to CDFG waters of the state, may be required, along with completion of the CDFG application forms and supporting documentation. SAAs typically take 3 to 4 months to process if CEQA compliance is complete. Upon receipt of your draft SAA, you have 30 days to review it and notify CDFG if you disagree with any measures. An application fee is typically required.

			Section 2801 Incidental Take Permit	Consultation and initiation of permit is required if biological survey finds presence of CSC species. If a CDFG Streambed Alteration Agreement is required for a project, then CSC species protection is often handled as part of that process. Permitting can take 6 to 8 months.
	Los Angeles Regional Water Quality Control Board	320 W. Fourth Street, Suite 200 Los Angeles, CA 90013 <i>Phone:(213) 576-6600</i> WDR Issues- Enrique Casas; 213 629-2299	RWQCB 401 Certification	A biological review, including estimates of impacts to waters of the U.S., adjacent wetlands and receiving waters, may be required to complete the permit application. Permit process typically takes 3 to 4 months. An application fee is typically required. In addition, Waste Discharge Requirements (WDR) also apply.
	State Water Resources Control Board	State Water Resources Control Board P.O. Box 100 Sacramento, CA 95812-0100 (916) 341-5536 www.swrcb.ca.gov/stormwtr/construction.html	Construction General Permit and Stormwater Pollution Prevention Plan (SWPPP)	Prepare SWPPP and NOI 1 month before construction. Submit NOI and required documentation 2 weeks before construction to receive a Waste Discharger Identification (WDID) number. The permit is considered valid upon receipt of complete NOI. No fee.
	Caltrans (District 7)	100 S. Main Street, Los Angeles, CA 90012 (213)897-3656	Encroachment Permit	Caltrans reviews all requests from utility companies, developers, volunteers, nonprofit organizations, etc., desiring to conduct various activities within the right of way.
	California Department of Resource Recovery and Recycling	Scott walker- 916 341-6319	Landfill issues	May review portions of bike path overlying landfills
Local	VC Watershed Protection District	800 South Victoria Avenue, Ventura, CA 93009-1610. (805) 662-6882	Encroachment Permit	Prior to construction, contact the VCWPD to initiate permit process. Permitting typically takes about 1 month. Trust Deposit of \$2,000.00 towards Plan Review, Investigation, and Inspection fee is required. Final fees are for actual costs. After completion of plan checking, construction, or inspection, a refund will be processed or additional fees required.
			Watercourse Permit	Prior to construction, contact the VCWPD to initiate permit process. Permitting typically takes about 1 month.

	Ventura County Planning Division	(805) 654-2488 www.ventura.org/planning/permits/permits.htm Oxnard: Planning & Environmental Services (805) 385-7858	Potential Land Use Permit required.	Many of the projects within streams and wetlands do not require a VCPD Land Use Permit. Contact the VCPD to determine if your project requires a permit. Permitting can take 6 to 8 months for small projects with limited environmental effects
			Protected Tree Permit	Contact the VCPD to initiate the permit process. Trimming or removal of protected trees can require not only a permit but also tree replacement or other mitigation. Completion of a tree survey by a qualified arborist or biologist is also typically required. Ministerial permits may be issued in 1 day. Discretionary permits take a minimum of 3 months.
	Ventura County Public Works Agency	Unincorporated VC County (805) 654-2030 Oxnard: Public Works Department (805) 385-7821	VCPWA Grading Permit (Discretionary)	Submit application prior to construction. The VCPWA would utilize the grading permit process to review the proposed grading and drainage plan. Discretionary permits require CEQA compliance, which can take 6 to 8 months or longer. About 1 month for ministerial permits.
			VCPWA Building Permit	Submit application prior to construction. VCPWA would utilize the building permit process to review the landscaping, habitat restoration and irrigation plans.
	Ventura County Resource Management Agency, Environmental Health Division	Richard Hauge (805) 654-3524	Landfill Issues	May review portions of bike path overlying landfills
	Ventura Regional Sanitation District	1001 Partridge Drive, Suite 150, Ventura, CA 93003-0704 Chi Hermann (805) 658-4614	Amendment to the Closure/Post-closure Plan for Santa Clara Landfill	Contact the VRSD to initiate the amendment process. Process may require 6 or more months and require coordination with California Department of Resource Recycling and Recovery, Ventura County and the RWQCB.

Permit Triggers/ Extra Info

USACE

A **USACE 404 Permit** is triggered by moving (discharging) or placing materials—such as dirt, rock, geotextiles, concrete or culverts—into or within USACE jurisdictional areas (areas within the “ordinary

high water mark” and adjacent wetlands). This type of activity is also referred to as a “discharge of dredged or fill material.” A **Nationwide Permit** (NWP) standard categories are numbered, and include projects such as road crossings, bank stabilization, repairs to existing structures, flood control maintenance and wetland restoration for wildlife habitat. There are approximately 40 types of NWPs. NWPs generally authorize up to 0.5 acre of permanent impacts within USACE jurisdiction. If the impact exceeds 0.5 acre of USACE jurisdiction, an Individual Permit (IP) is required.

www.spl.usace.army.mil/regulatory/lad.htm

The USACE “Application for Department of the Army Permit” is used and can be found at www.spl.usace.army.mil/regulatory/eng4345.pdf

USFWS

The presence of federally protected plant or animal species most likely will already have been revealed in a biological survey as part of CEQA compliance. When species are found, coordinate with USFWS or NMFS as soon as possible to redesign your project to minimize impacts on the species and avoid Section 7 Consultation.

NMFS

The main triggers for a NMFS formal Section 7 Consultation for a project where steelhead trout are present include:

- Working in or near a stream channel between Dec. 1 and June 15
- Diverting water in a stream channel
- Catching and relocating steelhead
- Grouting rip-rap

CDFG

Streambed Alteration Agreement: If your project includes alteration of the bed, banks or channel of a stream, or the adjacent riparian vegetation, then you may need a Streambed Alteration Agreement from the California Department of Fish and Game (CDFG). The California Fish and Game Code, Sections 1600-1616, regulates activities that would alter the flow, bed, banks, channel or associated riparian areas of a river, stream or lake—all considered “waters of the state.” The law requires any person, state or local governmental agency or public utility to notify CDFG before beginning an activity that will substantially modify a river, stream or lake.

Two forms are required in the SAA application packet:

- “Notification of Lake or Streambed Alteration” form (FG 2023)
- “Project Questionnaire” form (FG 2024)

These forms are available at www.dfg.ca.gov/1600/notification_pkg.html

Section 2081 Incidental Take Permit. The California Department of Fish and Game (CDFG) will require a Section 2081 Incidental Take Permit if a project has the potential to negatively affect state-protected plant or animal species or their habitats, either directly or indirectly. Protected species include those “listed” by the state as endangered or threatened. Besides listed species, there are other categories of species protection, including “fully protected” and California Species of Special Concern (CSC). Adverse impacts to species that have the “fully protected” designation are prohibited.

RWQCB

A **RWQCB 401 Certification** is triggered whenever a USACE 404 Permit is required, or whenever an activity could cause a discharge of dredged or fill material into waters of the U.S. or wetlands. In California, the state and regional water boards are responsible for certification of activities subject to USACE Section 404 Permits. The RWQCB "Section 401 Water Quality Certification Application Form" is used and is located with directions at

www.waterboards.ca.gov/losangeles/html/meetings/401wqc.html.

The RWQCB Solid Waste Division also manages Waste Discharge Requirements for these landfills.

SWRCB

Construction General Permit: The State Water Resources Control Board (SWRCB) administers a statewide general permit, called a Construction General Permit, to cover a variety of construction activities that could result in wastewater discharges. Development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) is required as part of the permit.

If your project disturbs more than an acre of land, you may need a Construction General Permit (sometimes called a Section 402 Permit) and associated SWPPP from the SWRCB.

VCWPD

Ventura County Watershed Protection District Encroachment Permit. While some activities require an "encroachment" permit due to work being done within the District's real estate holdings, other allowed activities call for a "watercourse" permit where development or activity will affect the floodplain adjacent to a jurisdictional channel.

Permit required if any of the following apply:

- Impair, divert, impede, or alter the characteristics of the flow of water running in a watercourse;
- Deposit any material of any kind in a watercourse so as to obstruct it, or to impair, divert, impede, or alter the characteristics of flow of water therein;
- Alter the surface of land by construction, excavation, embankment, or otherwise, so as to alter the capacity of a watercourse or the characteristics of the flow of water therein;
- Construct, alter, or remove any flood control, storm water drainage, or water conservation facility, structure or channel of or in a watercourse;
- Construct or place any structure in, upon, or across a watercourse;
- Plant any vegetation (other than grasses or annual crops) within a watercourse or plant any vegetation on the banks thereof which impairs, impedes, diverts, or alters the characteristics of flow of water in such a watercourse;
- Commit any act on or in any easement dedicated, granted, or reserved for flood control, storm water drainage, or water conservation purposes that will impair the use of such easement for such purposes; or
- Interfere with, impair with the use of, or cause damage to any flood control, storm water drainage, or water conservation facility, structure or right of way in a watercourse.

Permit info:

http://portal.countyofventura.org/portal/page/portal/PUBLIC_WORKS/Watershed_Protection_District/About_Us/VCWPD_Divisions/Planning_and_Regulatory/Permits

VCPD

The Ventura County Planning Division (VCPD) issues Land Use Permits when a project involves a regulated land use in unincorporated Ventura County. If a Land Use Permit is required, then the VCPD will usually be the lead agency under CEQA.

A VCPD **Protected Tree Permit** is triggered when a project involves pruning, trimming, removal or disturbance:

- Within the drip line (canopy perimeter) of protected trees
- That exceeds the allowed minimums of trunk or branch circumference as well as other measures

Protected Trees

- Heritage Tree All species
- Alder (*Alnus*) All species
- Ash (*Fraxinus*) All species
- Bay (*Umbellularia californica*) This species only
- Cottonwood (*Populus*) All species
- Elderberry (*Sambucus*) All species
- Big Cone Douglas Fir (*Pseudotsuga macrocarpa*) This species only
- White Fir (*Abies concolor*) This species only
- Juniper (*Juniperus californica*) This species only
- Maple (*Acer macrophyllum*) This species only
- Oak (*Quercus*) All species
- Pine (*Pinus*) All species
- Sycamore (*Platanus*) All species
- Walnut (*Juglans*) All species
- Historical Tree Any species

VCPWA

Ventura County Public Works Agency **Grading Permit**: If your project involves moving earth around—especially in or near a stream or wetland—you will need to get a VCPWA Grading Permit. The Public Works Agency would utilize a grading permit process to review the proposed grading and drainage plan, including review and recommendation of specific runoff control measures and Best Management Practices. Always discuss your project with VCPWA staff to confirm Grading Permit requirements.

Common triggers include:

- Excavation greater than 2 feet in depth
- Excavations that cut a slope greater than 5 feet in height and steeper than 1.5 feet horizontal to 1 foot vertical (1.5:1 or 67 percent)
- Fill that is greater than 1 foot in depth and is on slopes that are greater than 5:1, or 20 percent
- Fill that is greater than 3 feet in depth and exceeds 50 cubic yards/lot

Ventura County Public Works Agency **Building Permit:** The Public Works Agency would utilize a building permit process to review the landscaping, habitat restoration and irrigation plans.

VRSD

Ventura Regional Sanitation District and the City of Oxnard manage post closure operations for the Coastal Landfill (owed by VRSD) and the Santa Clara Landfill (owned by the City of Oxnard). Segment 1 of the proposed bike path along the levy road north of the River Bend Golf Course overlies the Santa Clara Landfill and appears to be within the Landfill property boundary line. An amendment to the existing Closure/Post-Closure Plan for Santa Clara landfill would be required for development overlying the historic landfill. The City may undertake these amendments on its own or retain the VRSD to provide this service. The California Department of Resource Recycling and Recovery and the Ventura County Resource Management Agency, Environmental Health Division, acting as the Local Enforcement Agency along with the Los Angeles Regional Water Quality Control Board (see above) have jurisdiction over this landfill as well and coordination with these agencies may be required.

APPENDIX B

Santa Clara River Trail Biological Resources Assessment

Santa Clara River Trail
Biological Resources Assessment
City of Oxnard
Ventura County, California

Submitted to:
The City of Oxnard

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Report Date: 31 August 2011



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Santa Clara River Trail Biological Resources Assessment

City of Oxnard Ventura County, California

1.0 INTRODUCTION

This report presents the results of a biological resources assessment conducted by AMEC Earth and Environmental, Inc. (AMEC) for the proposed Santa Clara River Trail (SCRT) Project (Project) located in the City of Oxnard, Ventura County, California. The SCRT would consist of construction of approximately 4.87 miles of a Class I paved multiple-use bike and walking trail (Map 1). Trail segments would vary from 8 to 12 feet in width, bounded by 2-foot wide gravel shoulders along most segments. Most of the trail would be constructed on existing flood control access roads (graveled or paved) located on top of flood control levees or "rip-rap" bank protection structures. However, one segment along the north side of Ventura Road would extend onto a low bench above the river that currently consists of generally level sandy alluvial soils vegetated with a mix of annual grassland, native riparian trees and shrubs, and *Eucalyptus* trees. Another segment would extend for approximately one mile south to Gonzales Road from the riverside trail along the east side of Victoria Avenue adjacent to the River Ridge Golf Course. Additional improvements associated with the SCRT project would include:

- segments of 6' high chain link fencing;
- police call box;
- trail entry gateway features; and
- way-finding signs located along the trail and on existing or proposed bike trails outside of the primary project footprint (as currently proposed under the City of Oxnard *draft* Bicycle Master Plan).

This document is a review and assessment of the biological resources that have been reported from, or have the potential to occur on, or in the vicinity of the project site. It discusses the conservation status of sensitive species, suitable habitat for these species, and the potential for each to occur on or near the project site. Potential impacts to sensitive biological resources are discussed in the context of their "significance" under the California Environmental Quality Act (CEQA), the National Environmental Policy Act (NEPA), as well as state and federal Endangered Species Acts. Information provided in this assessment will assist the involved regulatory agencies with their review of the proposed projects.

This biological resources assessment consists of a review of pertinent literature, consultation with biologists having experience on or in close proximity to the site, and a general site survey to perform a general inventory of flora and fauna and determine habitat suitability for sensitive species.

2.0 REGULATORY FRAMEWORK

2.1 Federal

Endangered Species Act (ESA) – The U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service are the designated federal agencies accountable for administering the ESA. ESA defines species as “endangered” or “threatened” and provides regulatory protection at the federal level.

- Section 9 of the ESA prohibits the “take” of listed (i.e., endangered or threatened) species. The ESA definition of take is “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct.” Recognizing that take cannot always be avoided, Section 10(a) includes provisions for take that is incidental to, but not the purpose of, otherwise lawful activities. Specifically, Section 10(a)(1)(A) permits (authorized take permits) are issued for scientific purposes. Section 10(a)(1)(B) permits (incidental take permits) are issued for the incidental take of listed species that does not jeopardize the species.
- Section 7 (a)(2) requires federal agencies to evaluate the proposed project with respect to listed or proposed listed, species and their respective critical habitat (if applicable). Federal agencies must employ programs for the conservation of listed species and are prohibited from authorizing, funding, or carrying out any action that would jeopardize a listed species or destroy or modify its “critical habitat.”

As defined by the ESA, “individuals, organizations, states, local governments, and other non-federal entities are affected by the designation of critical habitat only if their actions occur on federal lands, require a federal permit, license, or other authorization, or involve federal funding.

Migratory Bird Treaty Act (MBTA) – Treaties signed by the U.S., Great Britain, Mexico, Japan, and the republics of the former Soviet Union make it unlawful to pursue, capture, kill, and/or possess, or attempt to engage in any such conduct to any migratory bird, nest, egg or parts thereof listed in this document. As with the ESA, the MBTA also allows the Secretary of the Interior to grant permits for the incidental take of these protected migratory bird species.

National Environmental Policy Act (NEPA) – Portions of the proposed project could fall under the jurisdiction of a federal agency (i.e., U.S. Army Corps of Engineers). NEPA establishes certain criteria that must be adhered to for any project that is “financed, assisted, conducted or approved by a federal agency. The federal lead agency is required to “determine whether the proposed action will significantly affect the quality of the human environment.”

Section 404 of the Clean Water Act – This section of the Clean Water Act, administered by the U.S. Army Corps of Engineers (USACE), regulates the discharge of dredged and fill material into “waters of the United States.” The USACE has created a series of nationwide permits that authorize certain activities within waters of the U.S. provided that the proposed activity does not exceed the impact threshold for each of the permits, takes steps to avoid impacts to wetlands where practicable, minimize potential impacts to wetlands, and provide compensation for any remaining, unavoidable impacts through activities to restore or create wetlands. For projects that exceed the threshold for nationwide permits, individual permits under Section 404 can be issued.

2.2 State of California

California Endangered Species Act (CESA) – This legislation is similar to the federal ESA, however it is administered by the California Department of Fish and Game (CDFG). The CDFG is authorized to enter into “memoranda of understanding” with individuals, public agencies, and other institutions to import, export, take, or possess state-listed species for scientific, educational, or management purposes. The CESA prohibits the take of state-listed species except as otherwise provided in state law. Unlike the federal ESA, the CESA applies the take prohibitions to species currently petitioned for state-listing status (candidate species). State lead agencies are required to consult with the CDFG to ensure that actions are not likely to jeopardize the continued existence of any state-listed species or result in the destruction or degradation of occupied habitat.

California Environmental Quality Act (CEQA) – The basic goal of the CEQA is to retain a high-quality environment now and in the future. The specific goals are for California's public agencies to:

- Identify the significant environmental effects of their actions; and, either
- Avoid those significant environmental effects, where feasible; or
- Mitigate those significant environmental effects, where feasible.

The CEQA applies to "projects" proposed to be undertaken or requiring approval by State and/or local governmental agencies. Projects are activities which have the potential to have a physical impact on the environment and may include the enactment of zoning ordinances, the issuance of conditional use permits and the approval of tentative subdivision maps. Where a project requires approvals from more than one public agency, the CEQA requires one of these public agencies to serve as the "lead agency."

A "lead agency" must complete the environmental review process required by the CEQA. The most basic steps of the environmental review process are:

- Determine if the activity is a "project" subject to the CEQA;
- Determine if the "project" is exempt from the CEQA;
- Perform an Initial Study to identify the environmental impacts of the project and determine whether the identified impacts are "significant". Based on its findings of "significance", the lead agency prepares one of the following environmental review documents:
 - Negative Declaration if it finds no "significant" impacts;
 - Mitigated Negative Declaration if it finds "significant" impacts but revises the project to avoid or mitigate those significant impacts;
 - Environmental Impact Report (EIR) if it finds "significant" impacts.

While there is no ironclad definition of "significance", Article 5 of the State CEQA Guidelines provides criteria to lead agencies in determining whether a project may have significant effects and with reference to biological resources Section 15065 of the State CEQA guidelines states, in part:

a) A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur:

(1) The project has the potential to substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare or threatened species;....

In addition, Section 15380: Endangered, Rare, or Threatened Species. Further defines such species for the purposes of environmental review as:

(a) "Species" as used in this section means a species or subspecies of animal or plant or a variety of plant.

(b) A species of animal or plant is:

(1) "Endangered" when its survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, disease, or other factors; or

(2) "Rare" when either:

(A) Although not presently threatened with extinction, the species is existing in such small numbers throughout all or a significant portion of its range that it may become endangered if its environment worsens; or

(B) The species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range and may be considered "threatened" as that term is used in the Federal Endangered Species Act.

(c) A species of animal or plant shall be presumed to be endangered, rare or threatened, as it is listed in:

(1) Sections 670.2 or 670.5, Title 14, California Code of Regulations; or

(2) Title 50, Code of Federal Regulations Sections 17.11 or 17.12 pursuant to the Federal Endangered Species Act as rare, threatened, or endangered.

(d) A species not included in any listing identified in subdivision (c) shall nevertheless be considered to be endangered, rare or threatened, if the species can be shown to meet the criteria in subdivision (b).

(e) This definition shall not include any species of the Class Insecta which is a pest whose protection under the provisions of CEQA would present an overwhelming and overriding risk to man as determined by:

(1) The Director of Food and Agriculture with regard to economic pests; or

(2) The Director of Health Services with regard to health risks.

The Native Plant Protection Act (NPPA) – The NPPA includes measures to preserve, protect, and enhance rare and endangered native plant species. Definitions for “rare and endangered” are different from those contained in the CESA. However, the list of species afforded protection in accordance with the NPPA includes those listed as rare and endangered under the CESA. The NPPA provides limitations on take as follows: “no person will import into this state, or take, possess, or sell within this state” any rare or endangered native plants, except in accordance with the provisions outlined in the act. If a landowner is notified by the CDFG, pursuant to section 1903.5 that a rare or endangered plant species is growing on their property, the landowner shall notify the CDFG at least 10 days prior to the changing of land uses to allow the CDFG to salvage the plants.

Natural Community Conservation Planning (NCCP) Program – The NCCP, which is managed by the CDFG, is intended to conserve multiple species and their associated habitats, while also providing for compatible use of private lands. Through local planning, the NCCP planning process is designed to provide protection for wildlife and natural habitats before the environment becomes so fragmented or degraded by development and other factors that species listing are required under the CESA. Instead of conserving small, often isolated “islands” of habitat for just one listed species, agencies, local jurisdictions, and/or other interested parties have an opportunity through the NCCP to work cooperatively to develop plans that consider broad areas of land for conservation that would provide habitat for many species. Partners enroll in the programs and, by mutual consent, areas considered to have high conservation priorities or values are set aside and protected from development. Partners may also agree to study, monitor, and develop management plans for these high value “reserve” areas. The NCCP provides an avenue for fostering economic growth by allowing approved development in areas with lower conservation value.

Sections 1600-1603 of the State Fish and Game Code – The California Fish and Game Code, pursuant to Sections 1600 through 1603, regulates all diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake that supports fish or wildlife resources. Under state code, a stream is defined as a body of water that flows at least periodically, or intermittently, through a bed or channel with hydrogeomorphology distinct top-of-embankment to top-of-embankment limits, that may or may not support fish or other aquatic biota. Included in this definition are watercourses with surface or subsurface flows that support, or have supported in the past, riparian vegetation. Specifically, Section 1601 governs public projects, while Section 1603 governs private discretionary actions. The CDFG requires that public and private interests apply for a “Streambed Alteration Agreement” for any project that may impact a streambed or wetland. The CDFG has maintained a “no net loss” policy regarding impacts to streams and waterways and requires replacement of lost habitats of at least a 1:1 ratio.

Section 2081 of the State Fish and Game Code – Under Section 2081 of the California Fish and Game Code, the CDFG authorizes individuals or public agencies to import, export, take, or possess state endangered, threatened, or candidate species in California through permits or memoranda of understanding. These acts, which are otherwise prohibited, may be authorized through permits or “memoranda of understanding” if (1) the take is incidental to otherwise lawful activities, (2) impacts of the take are minimized and fully mitigated, (3) the permit is consistent with regulations adopted in accordance with any recovery plan for the species in question, and

(4) the applicant ensures suitable funding to implement the measures required by the CDFG. The CDFG shall make this determination based on the best scientific information available and shall include consideration of the species' capability to survive and reproduce.

Section 3505.5 of the State Fish and Game Code makes it unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any bird of prey.

3.0 METHODS

3.1 Literature Review

A literature review was conducted to identify sensitive biological resources known from the vicinity of the project site. This included consultation with the CDFG California Natural Diversity Data Base (CNDDDB) computerized data base, a review of the California Native Plant Society's (CNPS) *Rare and Endangered Vascular Plants of California*, and pertinent documents from the AMEC library and project files (e.g., other biological surveys from the general vicinity). Scientific nomenclature for this report is from the following standard reference sources: plant communities, Holland (1986); flora, Hickman (1993) and Munz (1974); reptiles, Stebbins (2003); birds, American Ornithologists Union (1998 + supplements); and mammals, Laudenslayer and Grenfell (1991).

3.2 Field Surveys

3.2.1 Biological Resources Survey and Habitat Assessment

The field survey was conducted on 17 February 2011 by AMEC biologist Stephen J. Myers. All flora and fauna detected (e.g., through direct observation, vocalizations, presence of scat, tracks, and/or bones) along the project route during these surveys were recorded in field notes and are included in Appendix 1. The survey was conducted between 0945 and 1600, under partly cloudy skies, light breezes, and mild temperatures (58° - 68° F). Plant species of uncertain identity were collected and identified by UCR herbarium collection curator Andrew C. Sanders. Representative site photographs were taken and are included in Appendix 2.

4.0 RESULTS

4.1 Literature Review

The literature review of the CNDDDB, CNPS Inventory, and other biological reports identified 35 special status plants and animals from the vicinity of the project site. These include seven plants, three invertebrates, four fish, five reptiles, eleven birds, and five mammals. See Tables 1 through 6 for a complete list of these sensitive biological resources and their occurrence potential.

4.2 Vegetation and Flora

For purposes of trail planning, the proposed trail has been divided into 4 segments, with Segments 1-3 extending approximately 3.87 miles along the south bank of the Santa Clara River and Segment 4 for approximately 1 mile along the east side of Victoria Avenue.

Victoria Avenue East to Central Avenue (Project Segments 1-3): The proposed project would extend approximately 3.8 miles along the Santa Clara River from Victoria Avenue east under the Union Pacific Railway east to the project's terminus at Central Avenue. Vegetation in the river bed is generally willow and cottonwood forest and woodland, dominated by four species of willows (Arroyo Willow [*Salix lasiolepis*], Red Willow [*S. laevigata*], Goodding's Black

Willow [*S. gooddingii*], and Narrowleaf Willow [*S. exigua*], and Black Cottonwood [*Populus balsamifera* ssp. *trichocarpa*].

Downstream of U.S. Highway 101 and extending west to Victoria Avenue, vegetation tends to be well developed and consist of dense stands of native riparian trees, with dense willow and cottonwood forest present in close proximity to the toe of the existing flood protection structure, particularly closer to Victoria Avenue. However, during the field survey for this report, areas of this willow riparian forest immediately adjacent to the flood control bank protection east of Victoria Avenue and west of Ventura Road were being removed for installation of additional weirs for enhanced flood protection. Based on review of existing reports and environmental documents (Ventura County Watershed Protection District, 6/22/09), AMEC understands that revegetation will occur in areas of the riverbed more removed from the existing bank protection structure. Within the area located on a bench above the river immediately adjacent to the 0.6 miles of the project along Ventura Road, species from these willow riparian habitats intermix with species found in non-native grassland and coastal sage scrub as well as non native eucalyptus trees found along the roadside and the area between the UPRR and US Hwy 101 transition to mostly bare ground and sandy alluvial soils. While this area continues to support a mix of native species, it has been subject to past disturbance include dumping, off-road vehicle use, homeless camps, grading along the road edge and leveling and clearing of dirt roads particularly between the UPRR and US Hwy 101.

Upstream from US Hwy 101 the river bed becomes much more open, and Mulefat (*Baccharis salicifolia*) becomes dominant. Willow and Mulefat habitats east of 101 are generally separated from the levee by a bench of 50-100 feet in width which is currently dominated by open sandy alluvial habitat.

Throughout much of the river bed there are intermittent stands of introduced, invasive Giant Reed (*Arundo donax*). There are also stands of Coyote Brush (*Baccharis pilularis*) scattered along the route in this area. A recent study by Padre Associates, Inc. (2009) mapped this riverbed adjacent to the project site as a mixture of "Willow Riparian Forest," "Coyote Brush Scrub," "Cottonwood-Willow Riparian Forest," and "Mulefat Scrub." AMEC concurs with these designations.

On the southern side of the flood protection structure west of US Hwy 101 are intermittent areas of introduced trees and shrubs, including Lollypop Tree (*Myoporum laetum*), Blue Gum (*Eucalyptus globulus*), and Tree Tobacco (*Nicotiana glauca*), along with scattered, small thickets of Narrowleaf Willow, Mulefat, and Laurel Sumac (*Malosma laurina*). Many weedy species are scattered along the levee, including Cheeseweed (*Malva parviflora*), Fennel (*Foeniculum vulgare*), Common Sow Thistle (*Sonchus olearaceus*), Russian Thistle (*Salsola tragus*), Red-stem Filaree (*Erodium cicutarium*), Red Brome (*Bromus madritensis* ssp. *rubens*), Bermuda Grass (*Cynodon dactylon*), Field Mustard (*Brassica rapa*), and Short-pod Mustard (*Hirschfeldia incana*).

East of US Hwy 101, habitats south of the levee consist of often disturbed bare slopes bordered by recently developed urban areas, areas under development and previously graded as well as a large gravel pit that extends along the southern site boundary for approximately 2,000 feet to this segment's terminus at Central Avenue. During the time of this survey, this gravel pit was

filled with water and constituted a pond of approximately 10 acres in size acres with a water surface more than 30 feet below the elevation of the existing levee. Limited emergent marsh vegetation (e.g., cattails) occurs around the steep artificial banks of this pond.



Figure 1. View of the levee road, looking east from near Victoria Avenue.



Figure 2. Willow-cottonwood habitat between Victoria Avenue and Ventura Road.



Figure 3. View of the levee road upstream of US Hwy 101, showing the openness and scrubby vegetation of the river bed and the generally open sandy character of areas immediately adjacent to the levee.

Sixty-two plant species were identified on the project site during the survey. This number does not reflect the total number of plant species likely to occur on the site, as some annual species were likely undetectable due to the seasonal (winter) timing of the survey. A comprehensive inventory of all species present would require an intensive effort conducted over several seasons. Appendix 1 includes the scientific and common names for plant species identified during the survey.

West Gonzales Road North to the Santa Clara River (Project Segment 4): Along Victoria Avenue, the proposed trail route proceeds north from Gonzales Road, and follows a road shoulder that is essentially devoid of native vegetation. The route in this area is bordered by a golf course and residential development on the east, and agricultural fields on the west, across Victoria Avenue. Along the eastern side of Victoria Avenue, a tall *Eucalyptus* windrow borders this segment on the east from Gonzales Road north approximately 0.3 mile, with an unpaved roadside drainage channel of 3-4 feet deep and approximately 10 feet wide located west of this segment. Vegetation in this drainage generally consists of low, weedy species. Water was present in this drainage during the survey



Figure 4. *Eucalyptus* windrow along Victoria Avenue (view to north); roadside drainage channel visible in foreground.

4.3 Wetlands and Jurisdictional Drainages

Jurisdictional delineations or other wetlands surveys were not included in the scope of this biological resources assessment. It is possible that federal and/or state permitting will be necessary in the segment of the proposed trail that occurs on the bench above the river bed along the north side of Ventura Road. This area is also crossed by at least one intermittent stream channel which drains areas to the south of the project site. Although moderately heavy rains had recently occurred, the sandy bed of this drainage was dry during this survey.

4.4 Wildlife

Fifty-one vertebrate animals were detected on the site during the assessment. These included 49 bird species, one reptile species, and one mammal species. It should be noted that one-time site visits of this nature are limited by the seasonality, survey timing and duration, and by the nocturnal and fossorial habits of many animals. Therefore, the list of vertebrate species listed in Appendix 1 does not reflect the total number of species that potentially occupy the site.

Bird species detected during the survey included a mix of resident and wintering species common to coastal southern California at this time of year. Among the bird species detected along the project route were Anna's hummingbird (*Calypte anna*), Allen's Hummingbird (*Selasphorus sasin*), Mourning Dove (*Zenaida macroura*), Black Phoebe (*Sayornis nigricans*), White-crowned Sparrow (*Zonotrichia leucophrys*), Song Sparrow (*Melospiza melodia*), Orange-crowned Warbler (*Oreothylpis celata*), and Yellow-rumped Warbler (*Dendroica coronata*).

The one reptile and one mammal species detected during the survey were the Side-blotched Lizard (*Uta stansburiana*) and Desert Cottontail (*Sylvilagus audubonii*), respectively. Both of these are common residents of coastal southern California. Other reptiles expected to occur include Southern Alligator Lizard (*Elgaria multicarinata*), Western Fence Lizard (*Sceloporus occidentalis*), California Kingsnake (*Lampropeltis getula*), and Gopher Snake (*Pituophis catenifer*). Additional mammals that likely occur include Coyote (*Canis latrans*), Striped Skunk (*Mephitis mephitis*), and various rodents. No rare, threatened, or endangered wildlife species were observed during this survey.

A complete list of the flora and fauna observed during the field visit is included as Appendix 1.

4.5 Special Status Biological Resources

Plant or animal taxa may be designated as having "special status" by the various regulatory agencies (i.e., USFWS & CDFG) and/or other conservation organizations (i.e., CNPS, Audubon Society, Bird Conservation Committee, Western Bat Working Group) due to declining populations, vulnerability to habitat change or loss, or because of restricted/limited distributions. Some species have been listed as "threatened" or "endangered" by the USFWS and/or the CDFG, and are thus protected by the federal and state Endangered Species Acts respectively. Plants designated as having special status are afforded protection under the California Native Plant Protection Act. Other species have been designated as having special status by the USFWS, the CDFG, or by private conservation organizations, including the CNPS, but have not been formally listed as Threatened or Endangered. Under the provision of CEQA Section 15380 described above, such species can still be considered significant.

The literature review indicated that as many as 35 special status biological resources are known from the vicinity of the project route (See Tables 1-6 below).

4.5.1 Special Status Plant Species

No special status plant species are likely to occur along the project route. See Table 1 below for a summary of the sensitive plant species reported from the vicinity of the project site.

Table 1. Special Status Plant Species.

Species	Protective Status [F=Federal; C=California]	Habitat	Flowering Period	Occurrence Probability
<i>Aphanisma blitoides</i> Aphanisma	F: None C: None CNPS: List 1B.2 State rank: S3 Global rank: G3G4	Coastal Bluff Scrub	April - May	Absent (No suitable habitat)
<i>Astragalus pycnostachyus</i> var. <i>lanosissimus</i> Ventura Marsh Milk-Vetch	F: Endangered C: Endangered CNPS: List 1B.1 State rank: S1 Global rank: G2T1	Coastal Salt Marsh	June - October	Absent (No suitable habitat)

Species	Protective Status [F=Federal; C=California]	Habitat	Flowering Period	Occurrence Probability
<i>Calochortus weedii</i> var. <i>vestus</i> Late-flowered Mariposa-Lily	F: None C: None CNPS: List 1B.2 State rank: S2.2 Global rank: G3G4T2	Chaparral, cismontane woodland above 900 feet elevation	June – August	Absent (Site is below elevational range of taxa)
<i>Chaenactis glabriuscula</i> var. <i>orcuttiana</i> Orcutt's Pincushion	F: None C: None CNPS: List 1B.1 State rank: S1 Global rank: G5T1	Coastal Bluff Scrub, Coastal Dunes	January-August	Absent (No suitable habitat)
<i>Cordylanthus maritimus</i> ssp. <i>maritimus</i> Salt Marsh Bird's Beak	F: Endangered C: Endangered CNPS: List 1B.1 State rank: S2.1 Global rank: G4T3	Coastal Salt Marsh, Playas, valley and foothill grassland, vernal pools	May - October	Absent (No suitable habitat)
<i>Lasthenia glabrata</i> ssp. <i>coulteri</i> Coulter's Goldfields	F: None C: None CNPS: List 4.2 State rank: S3.2 Global rank: G3	Chaparral, coastal scrub, cismontane woodland; 164-2953'	February - June	Absent (No suitable habitat)
<i>Navarretia ojaiensis</i> Ojai Navarretia	F: None C: None CNPS: List 1B.1 State rank: S1 Global rank: G1	Chaparral, coastal sage scrub, valley & foothill grasslands above 900 feet elevation	May - July	Absent (Site is below elevational range of taxa)
<i>Juglans californica</i> Southern California Black Walnut	F: None C: None CNPS: List 4.2 State rank: S3.2 Global rank: G3	Riparian woodlands and forests	February-April	Moderate (Know to occur in riverbed adjacent to proposed project)

4.5.2 Special Status Invertebrates

Table 2 lists the three special status invertebrate species, the Monarch (*Danaus plexippus*), Globose Dune Beetle (*Coelus globosus*), and Sandy Beach Tiger Beetle (*Cicindela hirticollis gravid*), that are known to occur in the vicinity of the project site.

Table 2. Special Status Invertebrates.

Species	Protective Status [F=Federal; C=California]	Habitat	Occurrence Probability
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<p><i>Danaus plexippus</i> Monarch Butterfly</p>	<p>F: None C: None Global:G5 State S3</p>	<p>Winter roost sites in groves of trees (<i>Eucalyptus</i>, Monterey Pine, Cypress)</p>	<p>Low (Windrow of <i>Eucalyptus</i> trees occur along Victoria Avenue from Gonzales Road north approx. 0.5 mile; additional <i>Eucalyptus</i> trees occur intermittently along north edge of the golf course. Due to the absence of sheltered roosting locations, the windrow and individual trees provide low quality Monarch roosting habitat. No roosting Monarchs were observed during the survey, which was performed during the winter)</p>
<p><i>Coelus globosus</i> Globose Dune Beetle</p>	<p>F: None C: None Global:G1 State S1</p>	<p>Coastal dunes</p>	<p>Absent (No suitable habitat)</p>
<p><i>Cicindela hirticollis gravid</i> Sandy Beach Tiger Beetle</p>	<p>F: None C: None Global:G5T2 State S1</p>	<p>Clean, dry light-colored sand in the upper tidal zone</p>	<p>Absent (No suitable habitat)</p>

4.5.3 Special Status Fish Species

Table 3 lists the four special status fish species that are known to occur in the vicinity of the project site.

Table 3. Special Status Fish Species.

Species	Protective Status [F=Federal; C=California]	Habitat	Occurrence Probability
<p><i>Catostomus santaanae</i> Santa Ana Sucker</p>	<p>F: Threatened C: None Global:G1 State S1</p>	<p>Streams with sand-rubble-boulder bottoms, cool, clear water and algae</p>	<p>Occurs (Known to occur in Santa Clara River adjacent to project route; would not be directly affected by the trail project)</p>
<p><i>Eucyclogobius newberryi</i> Tidewater Goby</p>	<p>F: Endangered C: None Global:G3 State S2S3</p>	<p>Shallow lagoons and lower stream reaches</p>	<p>Occurs (Known to occur in Santa Clara River adjacent to project route; would not be directly affected by the trail project)</p>

<i>Gasterosteus aculeatus williamsoni</i> Unarmored Threespine Stickleback	F: Endangered C: Endangered Global:G5T1 State S1	Cool, clear water with abundant vegetation	Absent (Outside of the known range of the taxa)
<i>Oncorhynchus mykiss irideus</i> Southern Steelhead (Southern California Distinct Population Segment)	F: Endangered C: None Global:G5T2Q State: S2	Coastal rivers and streams	Occurs (Known to occur in Santa Clara River adjacent to project route' would not be directly affected by the trail project)

4.5.4 Special Status Reptile Species

No special status reptiles were observed during the site visit. Five sensitive reptile species are known to occur in the vicinity. See Table 4 for more information regarding these species.

Table 4. Special Status Reptile Species

Species	Protective Status (F=Federal, C=California)	Habitat	Occurrence Probability
Silvery Legless Lizard <i>Anniella pulchra pulchra</i>	F: None C: Special Concern	Sandy or loose loamy soils with sparse vegetation	High (based on occurrences in CNDDDB)
Coastal Whiptail <i>Aspidoscelis tigris stejnegeri</i>	F: None C: None	Deserts and semi-arid areas with sparse vegetation and open areas; woodlands and riparian habitats	Moderate (McGrath Beach, 2 miles to the southwest (CDFG 2009))
Western Pond Turtle <i>Emys marmorata</i>	F: None C: Special Concern	An aquatic turtle of ponds, marshes, rivers, and streams	Moderate Known to occur downstream of Victoria Avenue (VCWPD, 9/2009)
Coast Horned Lizard <i>(Phrynosoma blainvillii)</i>	F: None C: Special Concern	Many scrub and woodland habitats, grasslands; loose soils	High (based on occurrences in CNDDDB)
Two-striped Garter Snake <i>Thamnophis hammondi</i>	F: None C: Special Concern	A highly aquatic snake of rivers and streams	Moderate Known to occur in Santa Clara River upstream from project (VCWPD, 9/2009)

4.5.5 Special Status Bird Species

Eleven sensitive bird species have been reported from the vicinity of the site. See Table 5 for more information regarding these special status bird species.

Table 5. Special Status Bird Species

Species	Protective Designation (F=Federal, C=California)	Habitat	Occurrence Probability
Cooper's Hawk (<i>Accipiter cooperii</i>)	F: None C: Special Concern "Taxa to Watch"	Riparian woodlands and forest	Occurs (observed during field survey; also several records during nesting season)
Tricolored Blackbird (<i>Agelaius tricolor</i>)	F: None C: Special Concern (nesting colony)	Breeds near fresh water, in emergent wetland with tall, dense cattails or tules, also in thickets of shrubs or tall herbs. Feeds in grassland and cropland habitats.	Nesting: Low (habitat marginal) Foraging: Low habitat marginal)
Burrowing Owl (<i>Athene cunicularia</i>)	F: None C: Special Concern (burrow sites)	Nests in burrows, drainpipes, and piles of debris in grasslands, scrub habitats, and agricultural areas	Nesting: Moderate (the most suitable nesting habitat is in open portions of the river bed and agricultural or disturbed areas upstream from US Hwy 101)
Western Snowy Plover <i>Charadrius alexandrinus nivosus</i>	F: Threatened C: Special Concern	Nests on sandy beaches and salt pond levees	Nesting: Absent (nearest suitable nesting habitat is at the mouth of the Santa Clara River)
Western Yellow-billed Cuckoo (<i>Coccyzus americanus occidentalis</i>)	F: Candidate for listing C: Endangered	Riparian woodlands and forests	Nesting: Low (habitat very marginal; known to nest along this portion of the river in the 1920s and 1940s, but not in recent times)
Yellow Warbler (<i>Dendroica petechia</i>)	F: None C: Special Concern	Riparian woodlands and forests	Occurs (known to breed along this portion of the river)
Yellow-breasted Chat (<i>Icteria virens</i>)	F: None C: Special Concern	Riparian woodlands and forests	Occurs (known to breed along this portion of the river)
Belding's Savannah Sparrow (<i>Passerculus sandwichensis beldingi</i>)	F: None C: Endangered	Coastal salt marshes	Absent (no suitable habitat)
Bank Swallow (<i>Riparia riparia</i>)	F: None C: Threatened	Colonial nesters in steep river banks	Low
California Least Tern (<i>Sternula antillarum browni</i>)	F: Endangered C: Endangered	Colonial breeders on bare or sparsely vegetated beaches, alkali flats, landfills, or paved areas	Absent (nearest suitable nesting habitat is at the mouth of the Santa Clara River)

Least Bell's Vireo (<i>Vireo bellii pusillus</i>)	F: Endangered C: Endangered	Riparian scrub, woodland and forest	Occurs (known recent territories along the river from the vicinity of Victoria Avenue to vicinity of US Hwy 101)
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4.5.6 Special Status Mammals

No special status mammal species were observed during the site assessment. Five special status mammals have been reported from the project area. Table 6 provides additional details pertaining to the status of these special status mammals.

Table 6. Special Status Mammals

Species	Protective Designation F=Federal, C= California	Habitat	Occurrence Probability
Pallid Bat (<i>Antrozous pallidus</i>)	F: None C: Special Concern	Uses multiple habitats, frequently roosts in buildings	Roosting: Absent (no suitable habitat) Foraging: Moderate
Dulzura Pocket Mouse (<i>Chaetodipus californicus femoralis</i>)	F: None C: Special Concern	Coastal sage scrub, chaparral, grasslands	Absent (no suitable habitat)
Mexican Long-tongued Bat (<i>Choeronycteris mexicana</i>)	F: None C: Special Concern	Roosts in relatively well-lit caves, and in buildings	Low (on the periphery of the species' range)
Western Mastiff Bat (<i>Eumops perotis californicus</i>)	F: Special Concern C: Special Concern	Uses multiple habitats, roosts in crevices on cliff faces of granite, sandstone, or basalt, sometimes in buildings	Roosting: Absent (no suitable habitat) Foraging: Moderate
American Badger (<i>Taxidea taxus</i>)	F: None C: Special Concern	Rodent prey base, friable soils for digging burrows and foraging for prey	Low (Much more likely in nearby foothills and canyons)

KEY TO TABLES

F: Federal (Endangered, Threatened, Candidate)
 C: California (Endangered, Threatened, Special Concern)
 CEQA: mandatory consideration for CEQA
 CEQA?: CNPS recommends consideration for CEQA

California Native Plant Society (CNPS) designations:

List 1B: Plants rare and endangered in California and throughout their range.
List 2: Plants rare, threatened or endangered in California but more common elsewhere.
List 3: Plants for which more information is needed.
List 4: Plants of limited distribution; a "watch list."

CNPS Threat Code:

- .1 - Seriously endangered in California (over 80% of occurrences threatened / high degree and immediacy of threat)
- .2 - Fairly endangered in California (20-80% occurrences threatened)
- .3 - Not very endangered in California (<20% of occurrences threatened or no current threats known)

Note that all List 1A (presumed extinct in California) and some List 3 (need more information- a review list) plants lacking any threat information receive no threat code extension. Also, these Threat Code guidelines represent a starting point in the assessment of threat level. Other factors, such as habitat vulnerability and specificity, distribution, and condition of occurrences, are also considered in setting the Threat Code.

Global Rank

The global rank (G-rank) is a reflection of the overall condition of an element throughout its global range.

G1 = Less than 6 viable element occurrences (EOs) OR less than 1,000 individuals OR less than 2,000 acres

G2 = 6-20 EOs OR 1,000-3,000 individuals OR 2,000-10,000 acres

G3 = 21-80 EOs OR 3,000-10,000 individuals OR 10,000-50,000 acres

G4 = Apparently secure; this rank is clearly lower than **G3** but factors exist to cause some concern; e.g. there is some threat, or somewhat narrow habitat

G4 = Population or stand demonstrably secure to ineradicable due to being commonly found in the world

Subspecies receive a T-rank attached to the G-rank. With the subspecies, the G-rank reflects the condition of the entire species, whereas the T-rank reflects the global situation of just the subspecies or variety (For example: *Chorizanthe robusta* var. *hartwegii*. This plant is ranked G2TI. The G-rank refers to the whole species range i.e., *Chorizanthe robusta*. The T-rank refers only to the global condition of var. *hartwegii*.)

State Rank

The state rank (S-rank) is a reflection of the overall condition of an element throughout its California range. The number after the decimal point represents a threat designation attached to the S-rank.

S1 = Less than 6 Element Occurrences (EOs) OR less than 1,000 individuals OR less than 2,000 acres

S1.1 = very threatened

S1.2 = threatened

S1.3 = no current threats known

S2 = 6-20 EOs OR 1,000-3,000 individuals OR 2,000-10,000 acres

S2.1 = very threatened

S2.2 = threatened

S2.3 = no current threats known

S3 = 21-80 EOs OR 3,000-10,000 individuals OR 10,000-50,000 acres

S3.1 = very threatened

S3.2 = threatened

S3.3 = no current threats known

S4 = Apparently secure within California; this rank is clearly lower than **S3** but factors exist to cause some concern; e.g. there is some threat, or somewhat narrow habitat. NO THREAT RANK.

S5 = Demonstrably secure to ineradicable in California. NO THREAT RANK

Definitions of occurrence probability:

Occurs: Observed on the site by AMEC biologists, or recorded on-site by other qualified biologists.

High: Observed in similar habitat in region by qualified biologists, or habitat on the site is a type often utilized by the species and the site is within the known range of the species.

Moderate: Reported sightings in surrounding region, or site is within the known range of the species and habitat on the site is a type occasionally used by the species.

Low: Site is within the known range of the species but habitat on the site is rarely occupied by the species.

Absent: A focused study failed to detect the species, or, no suitable habitat is present.

Unknown: Distribution and habitat use has not been clearly determined.

5.0 DISCUSSION

The proposed project could affect biological resources through direct removal of habitat, construction related issues (e.g., erosion/ sedimentation) and to a lesser extent, through indirect impacts associated with increased visitation to the project area. The majority of the proposed project, approximately 3.2 miles, in Segments 1 (Victoria Avenue to Ventura road) and 3 (US Hwy 101 to Central Avenue), would be constructed on existing flood control access roads and would result in minimal direct removal or disturbance of native habitats or construction related impacts. With the exception of the removal of moderate amounts (less than ¼ acre) of smaller willows, mulefat and coyote brush located on the Golf Course along the south edge of Segment 1 (Victoria to Ventura Road), no direct habitat disturbance or removal would occur as a result of construction along this 3.2 miles of the proposed project. The removal of less than ¼ acre of scattered riparian scrub vegetation along the south or Golf Course side of Segment 1 would not be considered significant as this habitat is located within developed Golf Course boundaries, is often intermixed with and surrounded by non-native vegetation and is not contiguous with primary riparian areas within the riverbed. However, this area does have limited connectivity with the river (across the flood control structure and access road) and receives some wildlife usage; therefore, removal of this vegetation may have adverse but not significant effects on biological resources (refer to Recommendation 5: **Replanting of Native Riparian Habitat**).

A second area where the project would result in removal of habitat would be along the southern ½ mile of Segment 4 (West Gonzales Road to Santa Clara River) where the proposed trail would be located between a mature eucalyptus windrow and an unpaved roadside drainage channel which supports primarily emergent non native species. In portions of this segment, less than 20 feet of level area exists between the trunks of the eucalyptus trees and the top of the bank of the drainage channel. Project construction in this area would entail removal of non-native grasses, trimming of multiple overhanging eucalyptus branches and removal of eucalyptus saplings. In areas where insufficient space exists for project construction, an unknown number of mature specimen eucalyptus trees could be removed. No monarch butterflies were observed during AMEC field work and the potential for these trees to support overwintering monarchs is extremely low due to the linear nature of the windrow, its location outside of a drainage canyon and the lack of any sheltered central open area that typically accommodates such overwintering locations. However, although not generally biologically significant, eucalyptus trees can provide raptor nesting and roosting sites and provide nest locations and habitat for a wide range of native bird species such as Anna's hummingbirds. The loss or disturbance of occupied raptor nests would be considered a potentially significant impact and removal of mature trees could adversely impact other native avian species as well as conflict with the MBTA if removal occurred during the nesting season (refer to Recommendation 3: **Protection of MBTA Species**; Recommendation 6: **Protection and Replanting of Eucalyptus Windrow**).

The proposed project's primary potential direct effects on habitat could occur along Segment 2 (Ventura Road to US Hwy 101), where the potential exists for approximately 0.6 miles of the project to be constructed along a low sandy alluvial bench above the Santa Clara River adjacent to the northern edge of Ventura Road. Depending upon the final configuration and design of pending flood protection improvements along this reach, construction of the proposed project along this segment could involve disturbance of a mix of habitat types along a corridor of as much as 0.6 miles in length and 20-30 feet in width, leading to removal or disturbance of up to

1.4 to 2.2 acres of existing habitats¹. Based on AMEC's preliminary field reconnaissance (which did not include formal vegetation mapping, and existing vegetation surveys along the River (Padre Associates 2009), these habitats consist of a mix of willow riparian forest, mulefat scrub, sage scrub, non native annual grassland and eucalyptus windrow with a mixed native and non-native understory.

The habitats immediately adjacent to Ventura Road have been subject to past disturbance such as retaining wall construction, dumping of rubble and other debris, and construction of sand berms. These habitats have the highest occurrence of non native species such as eucalyptus trees, more than two dozen of which occur as roadside or street trees along this segment. In addition, a network of trails exists in this area and the area as well as several graded dirt roads in the area between the UPRR and US Hwy 101. Regardless of existing disturbance, removal of native willow riparian forest, mulefat and sage scrub habitats that comprise a portion of the 1.4 to 2.2 acres of habitat that could be potentially affected or removed by the proposed project would create potentially significant effects on these biological resources (refer to Recommendation 5: **Replanting of Native Riparian Habitat**).

Sensitive species known to occur in the riverbed and project vicinity include Yellow Warbler, Cooper's Hawk, Yellow-breasted Chat, and Least Bell's Vireo, as well as fish and other aquatic species in the active channel of the river west of the project site, such as the Southern Steelhead and Western Pond Turtle. The most important potential biological issue associated with this project is possible direct or indirect impacts to nesting Least Bell's Vireos, a federally endangered species. This species is known to occur along the river from the point where the proposed trail enters the levee road near Victoria Avenue upstream to the area approximately 0.3 mile upstream of the US Hwy 101 bridge (Padre Associates 2009).

Three Least Bell's Vireo breeding territories have been recorded along Segments 1, 2, and 3, with one territory located upstream from Victoria Avenue, a second downstream of US Hwy 101 along Segment 2 and one just upstream from US Hwy 101 (Padre Associates 2009). It is likely that the cores of Least Bell's Vireo territories within this reach are within the river bed, but suitable habitat also occurs in relatively small patches on the south side of the flood protection structure along Segment 2. Some vireos may utilize those areas as a portion of their territories in a given year. Based on past studies, observed vireo activity on the territory east of US Hwy 101 was confined entirely to the riverbed and vireo activity for the territory downstream of the Highway was located outside of areas proposed for construction of Segment 2 (Padre Associates 2009). However, within the territory upstream from Victoria Avenue, while the majority of vireo activity was confined to the riverbed, 28% of vireo activity was detected in the groves of trees surrounding the cogeneration facility on the Golf Course, south of the proposed trail, indicating some degree of interconnectivity between this large grove of trees and river riparian habitats. Therefore, construction activities along riverside segments of the proposed project may have potentially significant effects on biological resources. Impacts include direct disturbance to and destruction of nests, eggs, and birds along Segment 2 as well as indirect effects along all riverside segments of the proposed trail that fall within existing or potential vireo territories such as loud construction noises (e.g., drilling, operation of heavy equipment, etc. in

¹ AMEC understands that the proposed project would need to conform to any future flood control improvements. Potential future flood improvements such as bank protection along Ventura Road may obviate that need for any direct project construction on these existing habitats while other flood protection methods may still require such construction on existing habitats. This report assumes that such construction would affect these habitats.

excess of 60 dB at the nest site) and increased site activities (e.g., moving vehicles, presence of construction personnel) in close proximity to active nests² (refer to Recommendation 1: **Protection of Least Bell's Vireo-Construction Timing**), as well as adverse, but not significant indirect effects on wildlife usage as discussed below.

Effects associated with increased cyclist and pedestrian usage are considered adverse, but not significant because such activities would be well removed from core vireo habits within the riverbed and the groves south of the proposed trail are disconnected from primary habitat areas, are already subject to a relatively high degree of disturbance due to operation of the cogeneration facility and golf course maintenance activities. In addition, this large grove would not be subject to the limited removal of scattered riparian vegetation proposed for other areas of the golf course south of the project. Further, AMEC biologists have observed that vireos are tolerant of limited human disturbance such as that anticipated to occur along the proposed trail as long as their core habitat areas such as the dense riparian woodlands in the riverbed remains undisturbed³.

In addition, project construction activities along Segments 1 and 2 and the southern 0.5 miles of Segment 4 (West Gonzales Road to the Santa Clara River) have the potential to impact nesting birds through removal of native and non-native trees and shrubs. While nesting, all native migratory species along with their nests and eggs are protected by the federal MBTA (refer to Recommendation 2: **Protection of MBTA Species**).

The reach of the trail route from US Hwy 101 to the eastern end of the project may contain habitat that is moderately suitable for the Burrowing Owl. This California Species of Special Concern is experiencing population declines and is found infrequently in Ventura County. Even though listed fish species are present in the adjacent Santa Clara River, the proposed project is located wholly outside and removed from the active channel of the Santa Clara River. The active channel of the River is currently located over 600 feet from proposed Segment 2 which is located on a low bench above the river. Further, special status fish or aquatic species are not anticipated to utilize intermittent drainage channels which drain across Segment 2, as these channels are either concrete box culverts and/or underground drains. No fill would be deposited into the riverbed, with the potential for fill confined to an elevated bench above the River. Therefore no impacts would occur to the Southern Steelhead or other special status species, such as the Western Pond Turtle.

² Direct impacts are likely to be confined to Segment 2 where the majority of the proposed project's potential impacts to native riparian trees and shrubs would occur. However, although vegetation within Segment 2 has the potential to support vireo activities, available past studies did not detect vireos within the potential disturbance footprint of Segment 2, which lies outside of mapped vireo territories.

³ Stephen Myers, AMEC Wildlife Biologist and Ornithologist, holds a federal Endangered Species Permit for surveying Least Bell's Vireo and has been involved in ornithological research for more than 30 years.

6.0 RECOMMENDATIONS

In order to address potential project impacts to sensitive habitats and species, AMEC recommends that the follow measures be considered for inclusion as required or recommended mitigation measures in the project environmental document.

1. **Timing Construction to Protect Least Bell's Vireo:** In order to ensure no impacts to nesting vireos, it is recommended that trail construction throughout segments 1-3 take place between 15 September and 15 March, avoiding the nesting season. If this is not feasible, a qualified biologist shall monitor vegetation removal activities and construction buffers shall be established around occupied nests. The biologist shall monitor the construction limits on a weekly basis to ensure that no construction work occurs outside of the established limits. Buffer size shall be established so that no construction occurs within 300 feet of the nest until the young have fledged, or as permitted by the USFWS and CDFG.
2. **Offsite Habitat Enhancement:** To compensate for permanent losses of wetlands and southern riparian scrub the City shall enhance, restore, or preserve areas of similar habitat within the Santa Clara River watershed to ensure no net loss of these communities occurs.
3. **Pre-construction Surveys:** Immediately prior to or within 7 days before clearing, grubbing, and vegetation removal, and construction activities, the City shall retain a qualified biologist who has knowledge of Least Bell's Vireo behavior and field experience applying proper LBV survey methodology to perform surveys to determine the presence or absence of this species in suitable habitat within 500 feet of the project area. In addition, if clearing/grubbing, vegetation removal, or construction activities are initiated prior to, and extend into, the breeding season, but they cease for a period longer than three weeks and the contractor restarts work within the breeding season, then an updated pre-construction vireo survey shall be completed prior to disturbance of suitable habitat. Every 10 days during construction in the LBV breeding season, the qualified biologist shall conduct surveys in suitable habitat within 500 feet of the project area. If no active nests are identified before or during construction, then no further avoidance mitigation is required.
4. **Protection of MBTA Species:** In order to avoid potentially impacting bird species protected by the MBTA, project construction activities should occur outside of the nesting season, which varies according to species and geographic location, but is generally considered to be between February 15 and August 31. If the nesting season cannot be avoided, a minimum of one nesting bird survey (more if deemed necessary) should be conducted onsite by a qualified biologist immediately prior to the start of construction of a given reach of the trail. If active bird nests are present, the project would need to avoid impacting the nesting species, nests, and eggs.
5. **Burrowing Owl Surveys:** A survey consistent with the protocol of the California Burrowing Owl Consortium be conducted prior to project implementation for Segment 3.
6. **Replanting of Native Riparian Habitat:** To compensate for permanent losses of wetlands (if any) and sensitive riparian habitat (e.g., southern riparian or mulefat scrub) the City shall enhance, restore, or preserve areas of similar habitat within the Santa Clara River to ensure that no net loss of these communities occurs. To implement this measure, the City shall prepare a sensitive habitat revegetation and mitigation monitoring plan. This will be provided to the CDFG and/or Army Corps of Engineers prior to habitat modification. The revegetation plan shall include the following:

- a. The details and procedures required to prepare the restoration site for planting (i.e., grading, soil preparations, soil stocking, etc.).
 - b. The methods and procedures for the installation of the plant materials.
 - c. Guidelines for the maintenance of the mitigation site during the establishment phase of the plantings. The maintenance program shall contain guidelines for the control of non-native plant species and the replacement of plant species that have failed to recolonize.
 - d. The revegetation plan shall provide for monitoring to evaluate the growth of the developing habitat and/or vegetation. Specific goals for the restored habitat shall be defined by quantitative and qualitative characteristics of similar habitats and plants (e.g., density, cover, species composition, structural development).
 - e. Contingency plans and appropriate remedial measures shall also be outlined in the revegetation plan should the plantings fail to meet designated success criteria and planting goals.
7. **Protection and Replanting of Eucalyptus Windrow as Feasible:** The City should avoid removal of mature healthy eucalyptus trees within the windrow on Segment 4 as much as possible. In order to maintain the existing windrow, where possible, replanting of eucalyptus trees should occur.
 8. **Predator Management:** During project activities, all trash that may attract predators would be properly contained, removed from the work site and disposed of regularly. Following construction, all trash and construction debris would be removed from work areas.
 9. **Vehicle Maintenance:** All fueling and maintenance of vehicles and equipment, and staging areas would be at sites at least 65 feet from any riparian habitat and the stream bed.
 10. **Fuel and Oil Spill Control:** Construction management plans should be developed to ensure a prompt and effective response to any accidental spill. All construction workers would receive instruction regarding the importance of preventing spills and measures to be employed if spills do occur.
 11. **Equipment Maintenance:** Equipment operated adjacent to drainages would be maintained to prevent leaks of materials into the riparian area.
 12. **Fuel and Oil Leak Prevention:** Stationary equipment located adjacent to drainages would be positioned over drip pans, if applicable, and would be inspected to ensure materials are not released into the riparian area.
 13. **Avoidance of Riparian Habitats:** Riparian habitat would be avoided to the maximum extent feasible. The number of access routes, number and size of staging areas, and the total area of the activity would be limited to the minimum necessary to achieve the project goal. Routes and boundaries would be clearly demarcated, and these areas would be outside of riparian and wetland areas.
 14. **Erosion Control:** To control erosion during and after project implementation, best management practices would be implemented, as identified by the appropriate Regional Water Quality Control Board. Measures would include use of hay bales, straw wattles, organic mesh erosion control blankets, or other erosion control measures to prevent erosion and sedimentation into riparian zones, stream channels, or related wetlands. Sufficient erosion control material would be present on the site at all times to implement erosion control measures if rain is predicted within 24 hours.

15. **Construction During Rainfall:** Heavy construction activities (e.g., clearing, grubbing, grading) will be limited to when no measurable rain is forecasted within 72 hours.

16. **Non-Native Species:** A qualified biologist would be retained to remove, from within the project boundaries any individuals of highly invasive exotic species to the maximum extent possible and ensure that activities are in compliance with the California Fish and Game Code.

17. **Recommendations for Trail Design and Usage**
 - a. Signage would be installed along the trail to discourage trail users from entering the riparian area and sensitive species habitat. Appropriate fencing or other control mechanisms as determined appropriate would be installed where needed to prevent off-road vehicles from accessing the riverbed via the proposed trail.
 - b. Signs would be posted noting the City's leash laws and the sensitivity of riparian areas.
 - c. Waste receptacles for trail users would be predator-resistant.
 - d. The trail would be designed to minimize runoff from directly draining into the riverbed by utilization of runoff control techniques such as bioswales, filter strips, gravel trenches, etc.
 - e. The trail would be constructed of pervious surfaces as feasible.
 - f. Small machinery would be used whenever possible to reduce disturbance to natural resources.

7.0 LITERATURE CITED AND REFERENCES

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APPENDIX 1

Santa Clara River Trail

PLANT AND VERTEBRATE SPECIES LIST

**Santa Clara River Trail
Vascular Plants List**

Some specimens were identified or confirmed by Andrew C. Sanders (U.C. Riverside Herbarium). Unless noted otherwise, nomenclature and systematics follows Hickman (ed.) 1993 and/or Calflora (2011). Where other names are also in use, they are noted in parentheses.

ANGIOSPERMAE
DICOTYLEDONES

Anacardiaceae

Malosma laurina

Toxicodendron diversilobum

Apiaceae

**Conium maculatum*

**Foeniculum vulgare*

Asteraceae

Ambrosia psilostachya

Artemisia californica

Baccharis pilularis

**Carduus* sp.

**Conyza bonariensis*

Conyza Canadensis

**Conyza floribunda*

Gnaphalium californicum

Heterotheca grandiflora

Isocoma menziesii

Lessingia filaginifolia

**Picris echioides*

**Senecio vulgaris*

**Silybum marianum*

**Sonchus asper*

**Sonchus oleraceus*

Brassicaceae

**Brassica rapa*

**Hirschfeldia incana*

**Raphanus sativus*

**Sisymbrium irio*

Chenopodiaceae

Atriplex lentiformis

Chenopodium murale

**Salsola tragus*

DICOT FLOWERING PLANTS

Sumac Family

Laurel Sumac

Poison Oak

Carrot Family

Poison Hemlock

Fennel

Sunflower Family

Western Ragweed

California Sagebrush

Coyote Brush

Plumeless Thistle

South American Horseweed

Canada Horseweed

Tropical Horseweed

California Cudweed

Telegraph Weed

Menzie's Goldenbush

Common Sandaster

Bristly Ox-Tongue

Common Grousel

Milk Thistle

Prickly Sow Thistle

Common Sow Thistle

Mustard Family

Field Mustard

Shortpod Mustard

Radish

London Rocket

Goosefoot Family

Big Saltbush

Nettleleaf Goosefoot

Russian thistle

Euphorbiaceae

- **Euphorbia peplus*
- **Ricinus communis*

Fabaceae

- **Acacia longifolia*
- Lotus scoparius*
- **Medicago polymorpha*
- **Melilotus indica*

Geraniaceae

- **Erodium cicutarium*

Hydrophyllaceae

- Phacelia ramosissima*

Malvaceae

- **Malva parviflora*

Myoporaceae

- **Myoporum laetum*

Myrtaceae

- **Eucalyptus globulus*
- **Eucalyptus sideroxylon*

Oxalidaceae

- **Oxalis pes-caprae*

Plantaginaceae

- **Plantago lanceolata*

Plumbaginaceae

- **Limonium perezii*
- **Limonium sinuatum*

Ranunculaceae

- Clematis ligustisifolia*

Spurge Family

- Petty Spurge
- Castor Bean

Pea Family

- Sydney Golden Wattle
- Deerweed
- Bur Clover
- Sourclover

Geranium Family

- Red-stem Filaree

Waterleaf Family

- Branching Phacelia

Mallow Family

- Cheeseweed

Myoporum Family

- Lollypop Tree

Myrtle Family

- Blue Gum
- Red Iron Bark

Oxalis Family

- Bermuda Buttercup

Plantain Family

- English Plantain

Leadwort Family

- Perez's Sea Lavender
- Wavyleaf Sea Lavender

Buttercup Family

- Virgin's Bower

Salicaceae

Populus balsamifera ssp. *trichocarpa*
Salix exigua
Salix gooddingii
Salix laevigata
Salix lasiolepis

Solanaceae

**Nicotiana glauca*
Solanum douglasii

Willow Family

Black Cottonwood
Narrow-leaved Willow
Goodding's Black Willow
Red Willow
Arroyo Willow

Nightshade Family

Tree Tobacco
Douglas's Nightshade

MONOCOTYLEDONEAE

Poaceae

**Arundo donax*
**Avena barbata*
**Bromus diandrus*
**Bromus madritensis* ssp. *rubens*
**Cynodon dactylon*
**Hordeum murinum*
**Pennisetum setaceum*
**Piptatherum miliaceum*
**Schismus barbatus*
**Vulpia myuros*

Typhaceae

Typha sp.

MONOCOT FLOWERING PLANTS

Grass Family

Giant Reed
Slender Wild Oat
Ripgut Grass
Red Brome
Bermuda grass
Foxtail Barley
Fountaingrass
Smilo Grass
Mediterranean Grass
Rattail Fescue

Cattail Family

Cattail

**Santa Clara River Trail
Vertebrate Species List**

REPTILES

Horned Lizards and allies

Side-blotched Lizard

BIRDS

Ducks, Geese, and Swans

Canada Goose

Gadwall

Mallard

Northern Shoveler

Bufflehead

Ruddy Duck

Hérons, Egrets, and Bitterns

Great Blue Heron

Great Egret

New World Vultures

Turkey Vulture

Hawks, Eagles, and allies

Sharp-shinned Hawk

Cooper's Hawk

Red-shouldered Hawk

Red-tailed Hawk

Rails, Gallinules, and Coots

American Coot

Plovers

Killdeer

Gulls and Terns

Ring-billed Gull

Western Gull

Pigeons and Doves

Mourning Dove

Hummingbirds

Anna's Hummingbird

Allen's Hummingbird

REPTILIA

Phrynosomatidae

Uta stansburiana

AVES

Anatidae

Branta canadensis

Anas strepera

Anas platyrhynchos

Anas clypeata

Bucephala albeola

Oxyura jamaicensis

Ardeidae

Ardea herodias

Ardea alba

Cathartidae

Cathartes aura

Accipitridae

Accipiter striatus

Accipiter cooperii

Buteo lineatus

Buteo jamaicensis

Rallidae

Fulica americana

Charadriidae

Charadrius vociferus

Laridae

Larus delawarensis

Larus occidentalis

Columbidae

Zenaida macroura

Trochilidae

Calypte anna

Selasphorus sasin

Picidae

Nuttall's Woodpecker

Tyrant flycatchers

Black Phoebe
Say's Phoebe

Jays, Magpies and Crows

American crow
Common Raven

Larks

Horned Lark

Hirundinidae

Tree Swallow
Violet-green Swallow

Long-tailed Tits and Bushtits

Bushtit

Troglodytidae

Bewick's Wren
House Wren

Gnatcatchers

Blue-gray Gnatcatcher

Kinglets

Ruby-crowned Kinglet

Sylviid Warblers

Wrentit

Mockingbirds, Thrashers, and Allies

Northern Mockingbird
California Thrasher

Starlings and Allies

*European Starling

Wood-Warblers

Orange-crowned Warbler
Yellow-rumped Warbler
Common Yellowthroat

Emberizines

Spotted Towhee
California Towhee

Woodpeckers and Allies

Picoides nuttallii

Tyrannidae

Sayornis nigricans
Sayornis saya

Corvidae

Corvus brachyrhynchos
Corvus corax

Alaudidae

Eremophila alpestris

Swallows

Tachycineta bicolor
Tachycineta thalassina

Aegithalidae

Psaltriparus minimus

Wrens

Thryomanes bewickii
Troglodytes aedon

Poliptilidae

Poliptila caerulea

Regulidae

Regulus calendula

Sylviidae

Chamaea fasciata

Mimidae

Mimus polyglottos
Toxostoma redivivum

Sturnidae

Sturnus vulgaris

Parulidae

Oreothlypis celata
Dendroica coronata

Emberizidae

Pipilo maculatus
Melospiza crissalis

Savannah Sparrow
Song Sparrow
White-crowned Sparrow

Passerculus sandwichensis
Melospiza melodia
Zonotrichia leucophrys

Finches

Lesser Goldfinch
American Goldfinch
House Finch

Fringillidae

Spinus psaltria
Spinus tristis
Carpodacus mexicanus

Old World Sparrows

*House Sparrow

Passeridae

Passer domesticus

MAMMALS

Rabbits and Hares

Desert (Audubon's) Cottontail

MAMMALIA

Leporidae

Sylvilagus audubonii

SYMBOLS AND ABBREVIATIONS:

- * = Non-native species
- sp. = Plant identified only to genus
- ssp. = Subspecies

APPENDIX C

Public Comment Letters

Appendix C includes response letters received during the public review period for the Initial Study. Where a comment resulted in a change to the text, a call-out box on the letter has been added with a reference to corresponding page(s) where changes to the IS occurred.



State of California - The Natural Resources Agency
DEPARTMENT OF FISH AND GAME
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.dfg.ca.gov

EDMUND G. BROWN, JR., Governor
CHARLTON H. BONHAM, Director



October 24, 2011

Ms. Ashley Golden
Principle Planner
City of Oxnard, Planning Division
214 South C Street
Oxnard, California 93030
Fax No.: (805) 385-7417
Ashley.Golden@ci.oxnard.ca.us

Subject: Initial Study and Mitigated Negative Declaration for the Santa Clara River Trail Master Plan within the City of Oxnard, Ventura County

Dear Ms. Golden:

The Department of Fish and Game (Department) has reviewed the Initial Study and Mitigated Negative Declaration (IS/MND) prepared by the City of Oxnard (City) for the Santa Clara River Trail Master Plan Project (Project). The proposed Project as outlined in the IS/MND is located within the City of Oxnard, and extends for 4.87 miles. The general project boundaries begin at the intersection of West Gonzales Road and Victoria Avenue and extends north 1 mile to the south bank of the Santa Clara River, then east for 3.87 miles along the south bank of the Santa Clara River (SCR) on the northern boundary of the City.

As outlined in the IS/MND, in 1991 the Ventura County Watershed Protection District and the California State Coastal Conservancy (CSCC) initiated a management plan for the SCR and its many resources. More than \$1 million in funding and in-kind services were spent developing the SRC Enhancement and Management Plan. In 2000, the CSCC proposed the establishment of the SCR Parkway. One of the major goals of this parkway project is to facilitate public access and environmental education, including the creation of the continuous public trail system along the length of the parkway.

The Department is California's Trustee Agency for fish and wildlife resources, holding these resources in trust for the People of the State pursuant to various provisions of the California Fish and Game Code (Fish & G. Code, §§ 711.7, subd. (a), 1802.). The Department submits these comments in that capacity under the California Environmental Quality Act (CEQA) (See generally Pub. Resources Code, §§ 21070; 21080.4.). Given its related permitting authority under the California Endangered Species Act (CESA) and Fish and Game Code section 1600 et seq., the Department also submits these comments likely as a Responsible Agency for the project under CEQA (Id., § 21069.).

The California Wildlife Action Plan, a recent Department guidance document, identified the following stressors affecting wildlife and habitats within the project area: 1) growth and development; 2) water management conflicts and degradation of aquatic ecosystems; 3) invasive species; 4) altered fire regimes; and 5) recreational pressures. The

Refer to pages
28, 29, 56



separate lead agency CEQA document. Also, if an ITP is necessary, the following information is requested:

- a) Biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA Permit.
 - b) A Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.
2. The Department concurs with mitigation measures D-6 through D-17 with the following clarification recommended to be added to D-6. Due to the proximity of the proposed project to the SCR within segment 2, a notification of lake and streambed alteration will need to be submitted to the Department (<http://dfg.ca.gov/habcon/1600/>).

Refer to pages
29, 56

The Department also has regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) or a river or stream or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to Section 1602 of the Fish and Game Code. Based on this notification and other information, the Department then determines whether a Lake and Streambed Alteration (LSA) Agreement is required. The Department's issuance of an LSA is a project subject to CEQA.

Thank you for this opportunity to provide comments. Please contact Mr. Daniel Blankenship, Staff Environmental Scientist at (661) 259-3750 if you should have any questions and for further coordination on the proposed project.

Sincerely,



Edmund Pert
Regional Manager
South Coast Region

Attachment

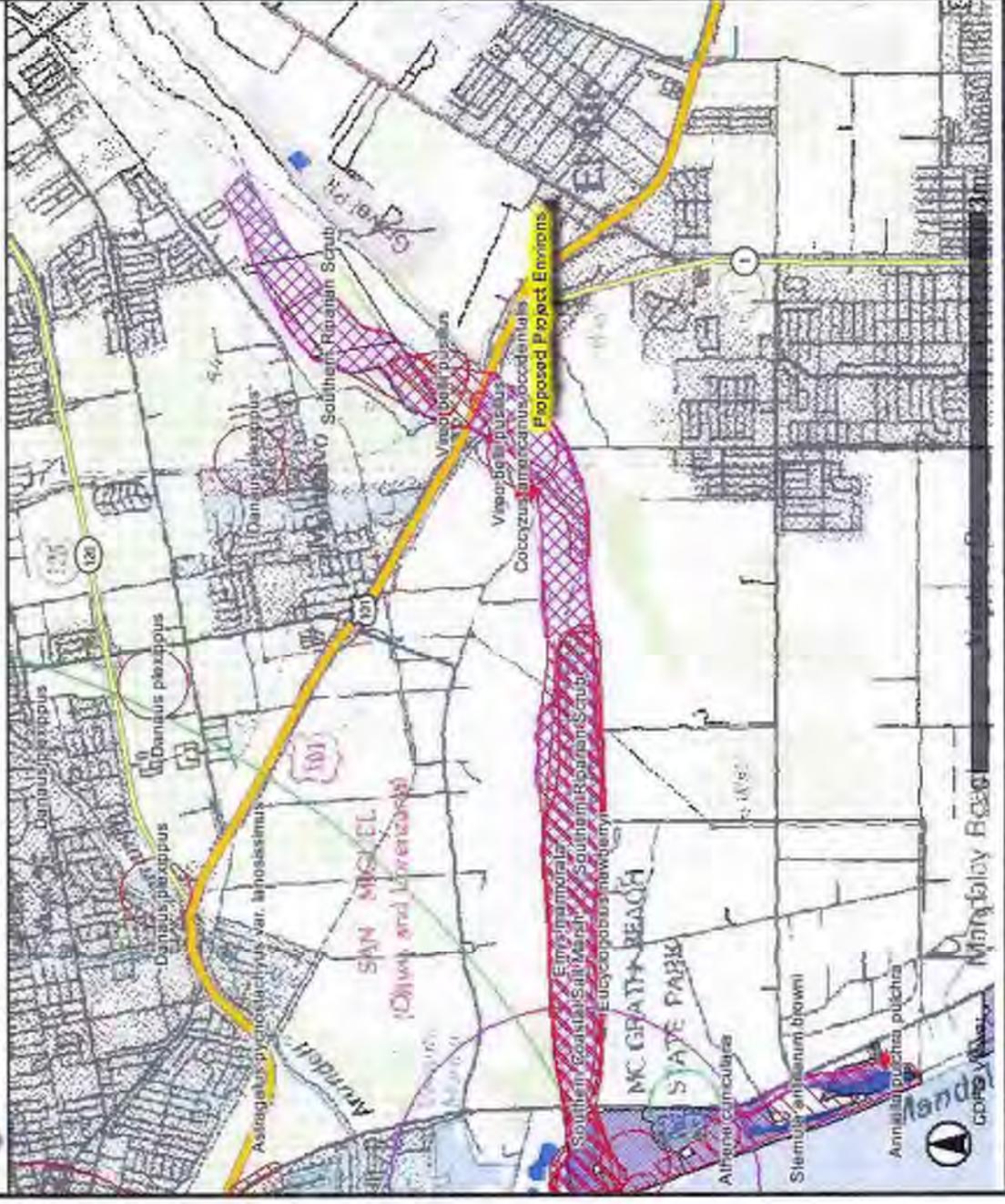
cc: Department of Fish and Game
Leslie MacNair, Los Alamitos
Betty Courtney, Santa Clarita
Jeff Humble, Ventura

US Fish and Wildlife Service
Colleen Mehlberg, Ventura

Santa Clara River and Highway 101 Environs CNDDB Observations

Info: Site available at <http://imaps.dfg.ca.gov>

Author: Dan Blankenship
Date: 10/18/2011 9:51 AM



Map Legend

- California Natural Diversity Database (gov ed) [ds45]
- Plant (00m)
 - Plant (specific)
 - Plant (non-specific)
 - Plant (circular)
 - Animal (00m)
 - Animal (specific)
 - Animal (non-specific)
 - Animal (circular)
 - Terr. Comm. (00m)
 - Terr. Comm. (specific)
 - Terr. Comm. (non-specific)
 - Terr. Comm. (circular)
 - Aqu. Comm. (00m)
 - Aqu. Comm. (specific)
 - Aqu. Comm. (non-specific)
 - Aqu. Comm. (circular)
 - Cities
 - Highways
 - Interstate
 - US Highway
 - State Highway
 - California Lakes
 - Public, Conservation and Trust (PCTL) Lands
 - LOCAL
 - STATE
 - FEDERAL
 - NGO/Other
 - Western States

October 25, 2011

City of Oxnard
Planning Division
Attn.: Ashley Golden
214 South C Street
Oxnard, CA 93036

E-mail: Ashley.Golden@ci.oxnard.ca.us

Subject: Comments on the NOI to Adopt MND 11-03 for the City of Oxnard Santa Clara River Trail Master Plan

Dear Ms. Golden:

Thank you for the opportunity to review and comment on the subject document. Attached are the comments that we have received resulting from intra-county review of the subject document. Additional comments may have been sent directly to you by other County agencies.

Your proposed responses to these comments should be sent directly to the commenter, with a copy to Laura Hocking, Ventura County Planning Division, L#1740, 800 S. Victoria Avenue, Ventura, CA 93009.

If you have any questions regarding any of the comments, please contact the appropriate respondent. Overall questions may be directed to Laura Hocking at (805) 654-2443.

Sincerely,



Tricia Maier, Manager
Planning Programs Section

Attachment

County RMA Reference Number 11-028



VENTURA REGIONAL SANITATION DISTRICT

1001 PARTRIDGE DRIVE, SUITE 150 • VENTURA, CA 93003-0704



October 21, 2011

Ashley Golden
City of Oxnard
214 South C. Street
Oxnard, CA 93030

COMMENTS ON THE DRAFT MITIGATED NEGATIVE DECLARATON AND DRAFT SANTA CLARA RIVER TRAIL MASTER PLAN

The City of Oxnard (City) is pursuing development of a bicycle and pedestrian trail along the southern bank of the Santa Clara River. The City circulated the Draft Mitigated Negative Declaration (MND) and Santa Clara River Trail Master Plan (MP), both dated September 2011 for public review and comments. Since a portion of the proposed trail (Segment 1) appears to fall within the landfill property boundaries for both the Coastal and Santa Clara Landfills, the Ventura Regional Sanitation District (District) provides this comment letter on the draft MND and MP.

The District maintains environmental control systems for both the Coastal and Santa Clara Landfill sites. Upon review of the MND and MP, it appears that Segments 1 and 5 of the proposed trail falls within the landfill boundaries. However, the District understands that Segment 5 is no longer an option for the proposed trail. Therefore, the District's comments will concern primarily Segment 1 of the trail which runs the entire length of the northern side of the Coastal and Santa Clara landfills.

The environmental control systems for the two landfill sites include gas control and monitoring, groundwater monitoring, stormwater sampling, flare station and condensate collection tanks. District staff utilizes Segment 1 of the levy road on a daily basis (7:00 am to 4:30 pm) to perform monitoring, sampling, well balancing and maintenance of the various systems. In addition, landfill gas condensate is collected from the condensate holding tanks (behind the new Riverridge Golf Course Operation and Maintenance Center) by a semi truck on a semi-annual basis. The semi truck accesses the holding tanks along the levy road between Ventura Road and Victoria Avenue. District staff also utilizes outside contractors for assistance on various landfill systems (i.e., flare station testing and sampling). In light of this, please note the following comments:

- 1) The proposed surfacing option for Segment 1 will need to withstand the vehicle weight from semi trucks as well as the daily use of District vehicles.
- 2) Signs should be posted warning pedestrians/bicyclists of the use of the road by semi-trucks as well as District vehicles.
- 3) Any use of bollards along Segment 1 of the proposed trail must not impinge access by District vehicles or semi trucks.
- 4) Under the cost estimate for Segment 1, it appears that a six foot high chain link fence is proposed between the trail and the golf courses along the entire stretch of the Santa Clara and

Refer to page 5

City of Oxnard
October 21, 2011

Coastal landfill. Gates and fences will need to be provided in key areas along the fence line for District staff to access the various environmental control systems along the route.

5) The project proposes to protect the gas monitoring wells and probes with an enclosure. Please note that there may be other items along the proposed trail that will also require protection from the public (i.e., sumps). The District will need to approve any enclosures proposed.

6) Since Segment 5 is no longer an option, the District requests that the City consider removing that option from the MND and MP, or at the very least, note more clearly that that segment is no longer an option in all the areas of the documents where the text and figures discuss Segment 5.

Segment 5 discussion has been removed

ed in the MND and MP, approval of the proposed trail will be required from the landfill regulating agencies for the segments that fall within the landfill property boundaries. These agencies include the California Department of Resources Recycling and Recovery (CalRecycle), Ventura County Environmental Health Division (EHD as the local enforcement agency) and the Los Angeles Regional Water Quality Control Board (RWQCB). Additionally, the approval process may require revisions to the individual landfill's Final Postclosure Maintenance Plans.

As noted in previous correspondence to the City regarding the proposed project, the District's primary concern will most likely be security measures for the environmental control systems. Landfill gas is an explosive gas that is required to be controlled through an approved gas collection and control system as mandated in Title 27 of the California Code of Regulations. Landfill gas from both the Santa Clara and Coastal Landfill sites is controlled through an approved system that includes an above ground piping system, multiple well heads and a flare station. This system will require security from public access, tampering and vandalism. Strong collaboration will be needed between City and District staff to insure that the proposed trail is safe for public use and is successful for all parties involved.

If you have any questions or require further information, please call me at 805-658-4674.

SALLY COLEMAN – DIRECTOR OF OPERATIONS

- c: Scott Walker, CalRecycle
- Richard Hauge, County of Ventura Environmental Health Division
- Enrique Casas, Los Angeles Regional Water Quality Control Board



PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic, Advance Planning & Permits Division

MEMORANDUM

DATE: October 12, 2011

TO: RMA – Planning Division
Attention: Laura Hocking

FROM: Behnam Emami, Engineering Manager II *Ben*

SUBJECT: **REVIEW OF DOCUMENT 11-028** Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration and Initial Study (MND/IS)
City of Oxnard Santa Clara River Trail Master Plan – MND #11-03
Plan for Class I multi-use trail along the southern bank of the Santa Clara River (SCR).
Lead Agency: **City of Oxnard**

Pursuant to your request, the Public Works Agency - Transportation Department has reviewed the draft MND for Community Plan No. 09-700-2 City of Oxnard Santa Clara River Trail Master Plan – ND #11-03 (Plan).

This “project” is a master plan for a future Class I bicycle path and multi-use trail on the southern flood control levee of the SCR adjacent to the City limits. The 4.87-mile long and 8 to 12 foot wide trail would begin at the intersection of West Gonzales Road and Victoria Avenue, extend north one (1.00) mile to the south bank of the SCR, then east for 3.87 miles along the south bank of the SCR (northerly City limit). The trail boundary includes both incorporated and unincorporated reaches owned or managed by several organizations, including the City of Oxnard, Ventura County Watershed Protection District (VCWPD), Ventura Regional Sanitation District and the River Ridge Golf Course. The trail would be constructed and maintained by the City of Oxnard and could potentially link to future trails along the remainder of the SCR and the regional bicycle network.

The “project” has been in the making for two decades. In 1991, the Ventura County Watershed Protection District (VCWPD) and the California State Coastal Conservancy (CSCC) began efforts to develop a management plan for the SCR and its many resources. More than \$1 million was spent developing the Santa Clara River Enhancement and Management Plan (SCREMP). In 2000, the CSCC proposed the establishment of the Santa Clara River Parkway (SCRCP) with the goals of facilitating public access to the SCR, environmental education about the river, and the creation of a continuous public trail system along the length of the Parkway. In April 2009, the City hired a consultant to prepare the Plan.

We offer the following comments:

1. We generally concur with the comments in the MND/IS for those areas under the purview of the Transportation Department.
2. The Transportation Department supports trail projects in the County that fill in gaps in the regional bicycle network.
3. According to the IS on Page 29 dated August 31, 2011, the proposed project is not anticipated to generate substantial increases in traffic or changes in existing traffic patterns. Based on the San Diego Association of Governments Vehicular Traffic Generation Rates for the San Diego Region (SANDAG) for an "Undeveloped Park", the project is anticipated to generate 60 average daily trips (ADT, 5 ADT/acre x 12 acres) and 5 evening peak-hour trips.
4. The Transportation Department wants to be notified in the planning and design of regionally significant pedestrian and bicycle facilities. Please send us future pedestrian and bicycle plans or designs for the construction of new facilities for our review and comment.

Our review is limited to the impacts this project may have on the County's Regional Road Network. Please call me at 654-2087 if you have questions.

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VENTURA COUNTY WATERSHED PROTECTION DISTRICT
PLANNING AND REGULATORY DIVISION
800 South Victoria Avenue, Ventura, California 93009
Tom Wolfington, Permit Manager – (805) 654-2061

M E M O R A N D U M

DATE: October 24, 2011
TO: Laura Hocking, RMA/Planning Technician
FROM: Tom Wolfington, P.E. – Permit Manager *JW*
SUBJECT: RMA 11-028 –Notice of Intent to adopt Mitigated Negative Declaration
City of Oxnard Santa Clara River Trail Master Plan
Santa Clara River, Zone 2

Pursuant to your request, this office has reviewed the subject Notice of Intent to adopt a Mitigated Negative Declaration and the Initial Study.

PROJECT DESCRIPTION

Community Plan No. 09-700-2, City of Oxnard Santa Clara River Trail Master Plan (Master Plan) is a Class I multi-use trail along the southern bank of the Santa Clara River (SCR) between Victoria Avenue and Central Avenue and on the east side of Victoria Avenue between Gonzales Road and the SCR. Filed by City of Oxnard, Planning Division, 214 S. C Street, Oxnard, CA 93030.

WATERSHED PROTECTION DISTRICT PROJECT COMMENTS:

The City of Oxnard provided a letter to the District dated December 3, 2010 that outlined the scope and nature of the proposed Santa Clara River Trail Plan for a bicycle and pedestrian trail, and requested consideration for joint-use of the District's rights-of-way and service roads adjacent to the levees along the south bank of the Santa Clara River (SCR-1 and SCR-3) and as well as consideration for joint-use in the future flood protection or levee system in the "gap" area along Ventura Blvd. The District responded in a letter dated January 6, 2011, providing observations and suggestions in 9 paragraphs covering various aspects of the proposal. Reference is made to this earlier exchange of correspondence for the City's consideration in the preparation and adoption of the subject MND.

A few points are offered with respect to the subject Mitigated Negative Declaration (City of Oxnard No. 11-03).

1. Review the comments made in the January 6, 2011 District letter referenced above.
2. The reach of the Santa Clara River Levee from the 101 Freeway past the Central Avenue terminus of the proposed trail is subject to regulation by the U.S. Army Corps of Engineers. Any proposed modifications to this levee reach would need

to conform to Corps requirements, including the vegetation-free zone, to achieve and maintain certification by federal agencies.

3. The use of a paved surface for the multi-use trail such as suggested in Figure 4 on page 70 of the September 14, 2011 Draft Santa Clara River Master Plan would call into question the determination of “No Impact” for question I-4 in the Mitigated Negative Declaration, that is, for “Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?”. The additional runoff produced by the introduction of paving should be addressed. In addition, the potential for additional pollution generated from use of the paved trail should be considered.
4. The Master Plan will need to comply with the Policy for Joint Use of District Rights-of-Way for Recreational Purposes adopted by the Board of Supervisors on August 10, 2010. This includes criteria and condition 11 that could affect, among other areas, trails through RiverPark, stated as follows: “Public agencies with sufficient land are strongly encouraged to set aside buffers along streams, separate from District property, to allow development of regional parkways with permanent structures and landscaping if required. This minimizes the potential for loss of costly recreational amenities as a result of emergency flood response and future flood control improvement needs.”
5. It is noted the “gap” levee project has not yet been fully defined, so the planning for a trail is still considered very preliminary.
6. To the extent that bicycle and pedestrian trails and associated facilities, especially Class I installations, affect District jurisdictional red line channels, such construction shall be subject to requirements to obtain a District Encroachment or Watercourse Permit. The District should continue to be listed as one of the permitting agencies in the appropriate sections of all environmental documents. In the case of trails along the Santa Clara River, an agreement for use in addition to permit requirements would be appropriate.

Refer to page 37,
39

END OF TEXT

VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT
Memorandum

TO: Laura Hocking/Dawnyelle Addison, Planning DATE: October 19, 2011

FROM: Alicia Stratton

SUBJECT: Request for Review of Mitigated Negative Declaration for the Santa Clara River Trail Master Plan, City of Oxnard (Reference No. 11-028)

Air Pollution Control District staff has reviewed the subject mitigated negative declaration (MND), which is a proposal for a Class I multi-use trail along the southern bank of the Santa Clara River between Victoria Avenue and Central Avenue and on the east side of Victoria Avenue between Gonzales Road and the Santa Clara River. The project consists of approximately 4.87 miles of bike trail and walking trail and would mostly be constructed on existing flood control access roads located on top of existing flood control levees or rip-rap bank protection structures along the south bank of the Ventura River.

Section C of the MND addresses air quality issues. We concur with the findings of this discussion that significant air quality impacts would not result from the project. Operational impacts from the project would be below the thresholds of significance for air quality impacts. Temporary air quality impacts would result from construction operations, however these impacts are temporary in nature and would be reduced through the mitigation measures described in Section C-1, *Mitigation*. No further air quality mitigation is needed.

If you have any questions, please call me at (805) 645-1426.

ATTACHMENT B

Available online,
planning.cityofoxnard.org

ATTACHMENT C

RESOLUTION NO. 2011-[09-700-2]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT CITY COUNCIL APPROVE THE CITY OF OXNARD SANTA CLARA RIVER TRAIL MASTER PLAN. FILED BY CITY OF OXNARD PLANNING DIVISION, 214 SOUTH C STREET, OXNARD, CA 93030.

WHEREAS, the Bicycle Facilities Master Plan adopted in 2002 (and pending 2011/2012 Bicycle and Pedestrian Facilities Master Plan) and the 2020 and 2030 General Plans identify the Santa Clara River Trail (SCRT) to improve bicycling, walking, and recreational opportunities within the City; and

WHEREAS, the SCRT provides a facility for pedestrians and bicyclists to enjoy the benefits of walking and bicycling both to work and school and as a healthy and safe form of recreation for individuals and families; and

WHEREAS, the Planning Commission of the City of Oxnard hosted a public workshop on the new Santa Clara River Trail Master Plan on June 10, 2010; and

WHEREAS, the Planning Commission of the City of Oxnard has considered the Santa Clara River Trail Master Plan; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Division Manager provided public notice of the intent of the City to adopt a mitigated negative declaration (MND 11-03) for this project, and the Planning Commission has considered the proposed mitigated negative declaration before making its recommendation herein; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the following circumstances exist:

- A. That the proposed Master Plan is in conformance with the *2030 General Plan* and other adopted standards of the City of Oxnard.
- B. That the proposed Master Plan will not adversely affect or be materially detrimental to the public health, safety or general welfare.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council the adoption of MND 11-03 and the approval of the Santa Clara River Trail Master Plan.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 1st day of December, 2011, by the following vote:

AYES: Commissioners:

NOES:

ABSENT: Commissioners:

Patrick Mullin, Chairperson

ATTEST: _____
Susan L. Martin, Secretary