CALIFORNIA ENVIRONMENTAL QUALITY ACT
FINDINGS OF FACT (PUBLIC RESOURCES CODE §21081, CEQA GUIDELINES §15091)
REGARDING THE FINAL ENVIRONMENTAL IMPACT REPORT
FOR THE J STREET DRAIN PROJECT
State Clearinghouse Number 2008041057

INTRODUCTION

The Final Environmental Impact Report (FEIR) prepared for the J Street Drain Project ("Project") analyzes the potential environmental effects associated with the increase in the flow capacity of the existing J Street Drain within the existing facility right-of-way to accommodate runoff from a 100-year storm event, and the reduction of potential flooding in residential, industrial, and commercial areas of the Cities of Oxnard and Port Hueneme.

These findings have been prepared to comply with requirements of the California Environmental Quality Act ("CEQA," Public Resources Code Section 21000 et seq.) and the *CEQA Guidelines* (Cal. Code Regs., Title 14, §15000 et seq.). Pursuant to CEQA Section 21081 and *CEQA Guidelines* Section 15091, no public agency shall approve or carry out a Project where an EIR has been certified, which identifies one or more significant impacts on the environment that would occur if the Project is approved or carried out, unless the public agency makes one or more findings for each of those significant impacts, accompanied by a brief explanation of the rationale of each finding. The possible findings, which must be supported by substantial evidence in the record, are:

1. Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the significant impact on the environment.
2. Changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
3. Specific economic, legal, social, technological or other considerations make infeasible the mitigation measures or Project alternatives identified in the EIR.

PROJECT DESCRIPTION

Project Location

The proposed project is located in the City of Oxnard, adjacent to the border of the City of Port Hueneme in the County of Ventura (Figure 2.0-1 of the FEIR). The County of Ventura is located in southern California and is bordered by the County of Santa Barbara to the north and the County of Los Angeles to the south and east. Regional access to the area is provided by the Ventura Freeway (US-101), which is the principal east-west route through the County of Ventura. The Santa Paula Freeway (SR-126) runs from US-101 in Ventura to Interstate 5 (I-5) in Santa Clarita, which is also an east-west route. These freeways are located north and northeast of the project site. Pacific Coast Highway, or State Route 1 (SR-1), is known locally as Oxnard Boulevard in the City of Oxnard, and extends in a northwesterly fashion from the County of Los Angeles. At Wooley Road, the direction of SR-1 changes from northwest to north and joins US-101 in Oxnard approximately five miles inland from the coast.

The J Street Drain is an existing stormwater drain that extends approximately 2.2 miles from north of Redwood Street, southward into the Ormond Beach Lagoon. The existing J Street Drain is a trapezoidal concrete-lined channel for the entire length. From approximately Redwood Street downstream to Hueneme Road, the drain lies between the north- and southbound lanes of J Street. The downstream end of the concrete channel is approximately 50 feet south of the Hueneme Drain Pump Station.

Project Characteristics

The proposed project involves converting the existing trapezoidal concrete channel into an open rectangular channel with a bottom approximately four feet deeper than the existing channel bottom. The existing trapezoidal channel would be widened and deepened to increase the capacity; the channel walls would be vertical with the top being an open channel (Figure 3.0-4 of the FEIR). The existing box culverts under the street crossings and railroad crossing would be replaced by larger structures to improve flow conveyance. The existing concrete lining ends approximately 50 feet south of the Hueneme Drain Pump Station. Because the concrete lined portion of the channel invert would be lowered about four feet to create the required capacity, excavation would continue downstream towards the ocean. The finished invert would be daylighted via an earthen ramp to the lagoon at a 10:1 slope over a distance of up to 40 feet from the end of the existing concrete. A ten-foot-thick layer of four-ton rock riprap would be placed horizontally beneath the earthen ramp at the end of and at the same elevation as the concrete drain bottom to dissipate flow energy. It is anticipated that during the first few natural lagoon breaching events following Phase 1 construction, the movement of water (tidal and drain flow) and sediment would result in an equilibrium elevation within the channel transition area, between the end of the concrete channel and the Ormond Beach Lagoon annual breach location.

The project includes a Beach Elevation Management Plan (BEMP) for grooming the beach adjacent to the Lagoon when three threshold conditions are met. This action would ensure that the Ormond Beach Lagoon could naturally breach during rainfall events, permitting the J Street Drain to discharge storm runoff to the Pacific Ocean and protecting adjacent developed properties, including the Oxnard Waste Water Treatment Plant (OWWTP), from channel overflows. BEMP implementation would be overseen by a qualified biological monitor to avoid impacts to sensitive habitats, fish, and wildlife. The BEMP threshold conditions are:

1. The Ormond Beach Lagoon is fully enclosed by the Ormond Beach sand berm (i.e., the berm has not breached, and the lagoon is full), and
2. The Ormond Beach sand berm elevation adjacent to the lagoon is observed to be above 6.5 NGVD (8.9 feet NAVD) , and
3. A 72-hour prediction of a storm event of any magnitude affecting the watershed is received, which would likely cause the designed capacity of the J Street Drain to be exceeded if the lagoon water surface elevation cannot overtop the observed adjacent beach sand elevation.

PROJECT OBJECTIVES

The Ventura County Watershed Protection District's (District) primary project objectives include:

- Provide flood control protection by increasing the drain size to provide capacity for 100-year flood flow;
- Maintain the existing functional characteristics of the Ormond Beach Lagoon;
- Ensure project compatibility with future Ormond Beach Lagoon restoration plans;
- Minimize the disturbance to tidewater goby habitat downstream of the J Street Drain lined channel, as well as snowy plover and California least tern nesting areas on Ormond Beach;
- Minimize operation and maintenance requirements, especially during storms; and
- Minimize effects on water quality of the lagoon.

DISCRETIONARY APPROVALS

Agency	Discretionary Approval	Description
United States Army Corps of Engineers (USACE)	Section 404 Clean Water Act (CWA) Individual Permit and/or qualification under Nationwide Permit	Projects that include potential discharge of dredge or fill impacts to the "waters of the U.S." (including wetlands) are subject to Section 404 of the CWA, requiring a permit.
United States Fish & Wildlife Service (USFWS)	Section 7 Consultation	Required for any activity that may affect federally listed species. Section 7 consultation will address entire project and incidental take as part of the project.
California Department of Fish and Game (CDFG)	Section 1600-Series Streambed Alteration Agreement (SAA)	Required for any activity that will: • Substantially divert or obstruct the natural flow of any river, stream, or lake; • Substantially change or use any material for the bed, channel, or bank, of any river, stream or lake; or • Deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.
	Section 2081 Take Permit	CDFG will issue a Section 2081 permit for the incidental take of State listed threatened and endangered species only if specific criteria are met. These criteria are reiterated in Title 14 CCR, Sections 783.4(a) and (b).
California Coastal Commission (CCC)	Coastal Development Permit (CDP)	Development activities, which are broadly defined by the Coastal Act to include construction of buildings, divisions of land, and activities that change the intensity of use of land or public access to coastal waters, generally require a coastal permit from either the CCC or the local government.
Regional Water Quality Control Board (RWQCB)	Section 401 Water Quality Certification	Projects discharging fill and dredged materials to wetlands, riparian areas, and headwaters.
City of Port Hueneme	Coastal Development Permit	Development activities, which are broadly defined by the Coastal Act to include construction of buildings, divisions of land, and activities that change the intensity of use of land or public access to coastal waters, generally require a coastal permit from either the CCC or the local government.
	Road Encroachment Permits	Required for work within the City's right-of-way.
City of Oxnard	Coastal Development Permit	Development activities which include construction of buildings, divisions of land, and activities that change the intensity of use of land or public access to coastal waters, generally require a coastal permit from either the CCC or the local government.
	Road Encroachment Permit	Required for work within the City's right-of-way.

RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the record of the administrative proceedings for the project includes, but is not limited to, the following documents:

- The April 9, 2008, Notice of Preparation (NOP) and Initial Study issued by the District in conjunction with the project;
- The November 2009 Draft EIR and the subsequent September 2011 Recirculated Draft EIR, including appendices and technical studies included or referenced in the Draft EIR and Recirculated Draft EIR (SCH No. 2008041057);
- The January 2012 Final EIR;
- All comments submitted by agencies or members of the public during the minimum 45-day public comment periods on the DEIR and RDEIR, and the District's responses to the comments;
- All other comments and correspondence submitted to the District with respect to the project;
- The Mitigation Monitoring and Reporting Program ("MMRP") for the project;
- All findings and resolutions adopted by the District in connection with the project, and all documents cited or referred to therein;
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project and/or cited in the EIR;
- All documents and information submitted to the District by responsible, trustee, or other public agencies, or by individuals or organizations, in connection with the project, up through the date the Board of Supervisors approves the project;
- Matters of common knowledge to the District, including, but not limited to federal, state, and local laws and regulations;
- Any documents expressly cited in these findings; and
- Any other materials required to be in the record of administrative proceedings pursuant to Public Resources Code Section 21167.6, subdivision (e).

The custodian of the documents comprising the record of administrative proceedings is the District, whose office is located at 800 South Victoria Avenue Ventura, California 93009-1610. The District has considered and relied on all of the documents listed above in reaching its decision on the Project.

FINDINGS REQUIRED UNDER CEQA

CEQA Section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." Section 21002 goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects."

To the extent that these Findings of Fact conclude that various proposed mitigation measures outlined in the FEIR are feasible and have not been modified, superseded, or withdrawn, the District hereby binds itself to implement these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that have come into effect with the District's Board of Supervisors formal approval of the Project.

The mitigation measures and/or the design features and construction measures are referenced in the MMRP adopted concurrently with these findings, and will be implemented through the final design, construction and post construction periods.

MITIGATION MONITORING AND REPORTING PROGRAM

An MMRP has been prepared for the Project and has been adopted concurrently with these Findings as required by CEQA Section 21081.6(a)(1). The District will use the MMRP to ensure compliance with Project mitigation measures.

SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The *CEQA Guidelines* define a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of the physical conditions within an area affected by the project, including land, air, water, flora, fauna, ambient noise, and objects of historic or aesthetic significance" (Section 15382). The FEIR identified several significant environmental effects resulting from implementation of the project. However, these significant effects can be fully mitigated through the adoption of feasible mitigation measures. Additionally, the FEIR determined that the project would not result in unavoidable significant impacts. The environmental effects of the project are described below along with the District's findings with respect to each of the significant environmental effects of the project.

A. VISUAL RESOURCES

Adverse Effects on Scenic Vistas or Degradation of Existing Visual Character

1. **Construction Impact:** The proposed project would include the removal of existing fencing and oleander bushes (a visual buffer for the fence and the drain itself) between Hueneme Road and Redwood Street during construction. The fencing would be replaced; however, the oleander bushes would not be replaced by the District. This replacement is pending an agreement with the City of Oxnard. As a result, this would result in significant construction and operational impacts to the existing visual character or quality of the site and its surroundings. Additionally, vertical shoring would occur near the Surfside III property, resulting in the removal of large shrubs and overhanging tree limbs within the District right-of-way. However, vegetation on Surfside III property would remain in place except for plants whose root systems would be compromised during the process. Trees and shrubs along the east boundary of the J Street Drain property would remain in place, as construction would affect an existing maintenance road that is devoid of vegetation. Removal of trees and shrubs would expose views of the OWWTP and the J Street Drain to residents along the east side of Buildings 15, 16, and 17 and people visiting the adjacent park (see Figure 4.1-2 in the EIR). The J Street Drain would become more visible to residents in Buildings 6 and 7, however this would not create a substantial change as the drain is currently visible due to sparser vegetation along the eastern property boundary in these areas. Mitigation measure VIS-3 requires temporary visual screening to shield Surfside III residents from views of the construction site and would reduce construction phase impacts below a level of significance. Mitigation measure VIS-4 would require installation of a permanent 10- to 12-foot-tall fence with vinyl screening along the OWWTP and District property boundary to shield Surfside III residents from views of the OWWTP. Mitigation measure NOISE-2 requires a temporary noise control barrier be installed and maintained between the temporary work area and adjacent land uses during all phases of project construction. This noise control barrier will also provide visual screening during construction. With these mitigation measures, this impact would be less than significant (EIR page 4.1-16).

Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the project which will avoid or substantially lessen the significant environmental effects to Visual Resources identified in the EIR.

Mitigation Measure

VIS-3 During construction, temporary privacy screening would be placed along the northeast boundary of the Surfside III property to shield residents from views of the construction site and of the OWWTP.

VIS-4 Prior to construction a 10- to 12-foot-tall fence with green vinyl screening will be installed along the portion of the District and Oxnard Wastewater Treatment Plant property line that is not currently fenced.

NOISE-2 A temporary noise control barrier shall be installed and maintained between the temporary work area and Buildings 6 and 7 in the Surfside III community during periods when heavy equipment is operating within 500 feet of these residences or when heavy-duty trucks are regularly using the access road adjacent to the drain. Additionally, temporary noise control barriers shall be installed and maintained in residential and commercial areas along Phases 2 - 4 to the extent that they do not affect traffic sight lines (e.g., noise barriers would not be installed at intersections). The noise barrier shall be composed of noise control blankets 10 feet tall with a sound transmission class of at least STC-25. In addition to placement of noise control blankets along the construction area adjacent to the Shoreline Care Facility, located at 5225 South J Street, and if needed, Our Saviour's Evangelical Lutheran Church at 905 Redwood Street, to further reduce noise levels below 68 dB(A) L_{eq}, additional noise control barriers shall be installed. To ensure sufficient noise barriers are deployed, construction noise levels shall be monitored ten feet from the exterior of the nursing home and church at the start of work activities within 500 feet of these two locations. Barriers would be installed to reduce noise levels generated by the loudest equipment when construction activities are closest to the nursing home and church. Monitoring would occur at the nursing home during construction Phases 2 and 3 and at the church during construction Phase 4. Construction noise levels would be monitored weekly thereafter to ensure proper function of the barriers throughout work and that the desired noise attenuation at these locations is achieved.

This noise control barrier will also provide visual screening for all residents along the work area, including the Surfside III property, to shield residents from views of the J Street Drain during construction. If the Surfside III Condominium Owners' Association does not grant a temporary work area to enable installation of temporary noise barriers at Buildings 6 and 7, the District will provide funds for the Association to arrange the barrier installation on their property. Sound barriers would not be installed where encircling block walls already exist (e.g., newer condo/townhome complex west of J St Drain in Phase 1).

Facts in Support of Finding: Mitigation measure VIS-3 requires temporary visual screening and would reduce construction phase impacts below a level of significance. Mitigation measure VIS-4 requires installation of a permanent 10-to 12-foot-tall fence with vinyl screening along the OWWTP and District property boundary prior to construction to shield Surfside III residents from views of the OWWTP. Mitigation measure NOISE-2 requires installation of a temporary noise control barrier along all project phases, providing visual screening during construction. With these mitigation measures, this impact would be less than significant.

2. **Operations Impact.** The proposed project would include the removal of existing fencing and oleander bushes between Hueneme Road and Redwood Street during construction. The fencing would be replaced; however, the oleander bushes would not be replaced by the District. Any replacement of oleander bushes along J Street Drain would be the responsibility of the City of Oxnard. This replacement is pending an agreement with the City. The existing oleander bushes provide screening of the chain linked fence along the drain for the residences on both sides of J Street. Additionally, for the pedestrians, cyclists and motorists along this portion of J Street, the oleander bushes provide a visual buffer for the fence and the drain itself. Without replanting the bushes, existing visual character and quality along the drain would be degraded. Loss of vegetation along the Surfside III property during construction would also cause continued visual impacts during operations. Therefore, implementation of the J Street Drain project would result in degradation of the existing visual character and quality at the project area. This impact is significant. Implementation of mitigation measures VIS-1 through VIS-4 would reduce the impact to a less than significant level (EIR page 4.1-16).

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the project which will avoid or substantially lessen the significant environmental effects to Visual Resources identified in the EIR.

   Mitigation Measures

   VIS-1 The District shall provide landscaping to replace the oleander bushes removed along J Street Drain between Hueneme Road and Redwood Street by agreement with the City of Oxnard. Landscaping shall be replaced incrementally, within six months of completion of each project phase.

   VIS-2 Any tree or large shrub removed from the Surfside III property during construction would be replaced at a 1:1 ratio.

   VIS-4 Prior to construction a 10- to 12-foot-tall fence with green vinyl screening will be installed along the portion of the District and Oxnard Wastewater Treatment Plant property line that is not currently fenced.

   Facts in Support of Finding: Mitigation measure VIS-1 requires replacement of the removed oleander bushes with suitable replacement landscaping. As this landscaping matures, it will replace the existing visual buffer that the oleander bushes provide and would reduce the operational impact to below a level of significance. Mitigation measure VIS-2 requires the replacement of the removed trees and large shrubs within the Surfside III property at 1:1 ratio and would reduce the operational impact to below a level of significance as the landscaping matures. Mitigation measure VIS-4 requires permanent visual screening and would further reduce impacts below a level of significance.

Consistency with Ventura County General Plan Goals, Policies and Programs

1. **Construction Impact:** Construction of the project would be inconsistent with the scenic resources' goals, polices and programs in the Ventura County General Plan. However, construction impacts would be temporary and mitigation measure NOISE-2 requires a temporary noise control barrier to be installed and maintained between the temporary work areas during construction of all project phases. This noise control barrier will also provide visual screening for all residents along the work area, including the Surfside III property, to shield residents from views of the J Street Drain during construction. Mitigation measure VIS-3 requires temporary visual screening to shield Surfside III residents from views of the construction site and would reduce construction phase impacts below a level of significance. In addition, mitigation measure VIS-4 would require installation of a permanent 10- to 12-foot-tall fence with vinyl screening along the OWWTP and District property boundary to shield Surfside III residents from views of

the OWWTP. With these mitigation measures, this impact would be less than significant (EIR page 4.1-17).

Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the project which will avoid or substantially lessen the significant environmental effects to Visual Resources identified in the EIR.

Mitigation Measures

VIS-3 During construction, temporary privacy screening would be placed along the northeast boundary of the Surfside III property to shield residents from views of the construction site and of the OWWTP.

VIS-4 Prior to construction a 10- to 12-foot-tall fence with green vinyl screening will be installed along the portion of the District and Oxnard Wastewater Treatment Plant property line that is not currently fenced.

NOISE-2 A temporary noise control barrier shall be installed and maintained between the temporary work area and Buildings 6 and 7 in the Surfside III community during periods when heavy equipment is operating within 500 feet of these residences or when heavy-duty trucks are regularly using the access road adjacent to the drain. Additionally, temporary noise control barriers shall be installed and maintained in residential and commercial areas along Phases 2 - 4 to the extent that they do not affect traffic sight lines (e.g., noise barriers would not be installed at intersections). The noise barrier shall be composed of noise control blankets 10 feet tall with a sound transmission class of at least STC-25. In addition to placement of noise control blankets along the construction area adjacent to the Shoreline Care Facility, located at 5225 South J Street, and if needed, Our Saviour's Evangelical Lutheran Church at 905 Redwood Street, to further reduce noise levels below 68 dB(A) L_{eq}, additional noise control barriers shall be installed. To ensure sufficient noise barriers are deployed, construction noise levels shall be monitored ten feet from the exterior of the nursing home and church at the start of work activities within 500 feet of these two locations. Barriers would be installed to reduce noise levels generated by the loudest equipment when construction activities are closest to the nursing home and church. Monitoring would occur at the nursing home during construction Phases 2 and 3 and at the church during construction Phase 4. Construction noise levels would be monitored weekly thereafter to ensure proper function of the barriers throughout work and that the desired noise attenuation at these locations is achieved.

This noise control barrier will also provide visual screening for all residents along the work area, including the Surfside III property, to shield residents from views of the J Street Drain during construction. If the Surfside III Condominium Owners' Association does not grant a temporary work area to enable installation of temporary noise barriers at Buildings 6 and 7, the District will provide funds for the Association to arrange the barrier installation on their property. Sound barriers would not be installed where encircling block walls already exist (e.g., newer condo/townhome complex west of J St Drain in Phase 1).

Facts in Support of Finding: Mitigation measure VIS-4 requires installation of a permanent 10- to 12-foot-tall fence with vinyl screening prior to construction along the OWWTP and District property boundary to shield Surfside III residents from views of the OWWTP. Mitigation measure VIS-3 requires temporary visual screening to shield Surfside III residents from views of the construction site and would reduce construction phase impacts below a level of significance. Mitigation measure NOISE-2 requires the installation of a temporary noise barrier between the

work area and residential areas during all phases of construction. This noise barrier also serves as a temporary visual barrier. Impacts are less than significant with implementation of these mitigation measures.

2. **Operations Impact:** The proposed project would include the removal of existing fencing and oleander bushes between Hueneme Road and Redwood Street during construction. The fencing would be replaced; however, the oleander bushes would not be replaced by the District. Any replacement of oleander bushes along J Street Drain would be the responsibility of the City of Oxnard. This replacement is pending an agreement with the City. The existing oleander bushes provide screening of the chain linked fence along the drain for the residences on both sides of J Street. Additionally, for the pedestrians, cyclists and motorists along this portion of J Street, the oleander bushes provide a visual buffer for the fence and the drain itself. Without replanting the bushes, existing visual character and quality along the drain would be degraded. Loss of vegetation along the Surfside III property during construction would also cause continued visual impacts during operations. Therefore, implementation of the J Street Drain project would result in degradation of the existing visual character and quality at the project area. The project would be inconsistent with the scenic resources' goals, polices and programs in the Ventura County General Plan; therefore; this impact is significant (EIR page 4.1-17). Implementation of mitigation measures VIS-1, VIS-2 and VIS-4 would reduce the impact to a less than significant level.

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the project which will avoid or substantially lessen the significant environmental effects to Visual Resources identified in the EIR.

   Mitigation Measures

   VIS-1 The District shall provide landscaping to replace the oleander bushes removed along J Street Drain between Hueneme Road and Redwood Street by agreement with the City of Oxnard. Landscaping shall be replaced incrementally, within six months of completion of each project phase.

   VIS-2 Any tree or large shrub removed from the Surfside III property during construction would be replaced at a 1:1 ratio.

   VIS-4 Prior to construction a 10- to 12-foot-tall fence with green vinyl screening will be installed along the portion of the District and Oxnard Wastewater Treatment Plant property line that is not currently fenced.

   Facts in Support of Finding: Mitigation measure VIS-1 requires replacement of the removed oleander bushes with suitable replacement landscaping. As this landscaping matures, it will replace the existing visual buffer that the oleander bushes provide and would reduce the operational impact to below a level of significance. Mitigation measure VIS-2 requires the replacement of the removed trees and large shrubs within the Surfside III property at 1:1 ratio and would reduce the operational impact to below a level of significance as the vegetation matures. Mitigation measure VIS-4 requires permanent visual screening and would further reduce impacts below a level of significance.

B. BIOLOGICAL RESOURCES

Sensitive Vegetation Communities/Habitats

1. **Construction Impact:** The majority of the proposed J Street Drain project consists of urban developed land (UD). Within the northern survey area, the J Street Drain is a concrete lined channel with surrounding residential and commercial development. Project construction within the northern survey area would occur entirely within the concrete-lined channel, which is

developed (Figure 4.2-8). Therefore, no impacts to sensitive vegetation communities within the northern survey area would occur during construction. One sensitive vegetation community, open water (OW), would be temporarily, directly impacted by project construction (1.80 acres). Additionally, Eucalyptus Woodland (EW) habitat would be impacted, however, impacts to EW are not considered significant since the habitat is nonnative and is not considered sensitive, threatened, or endangered by the CDFG or the USFWS. Further, indirect impacts (disturbance associated with significant noise levels and increased intrusion of workers/equipment) to OW, coastal brackish marsh (CBM), southern foredune (SFD), and southern coastal salt marsh (SCSM) would occur and this is considered a significant impact requiring mitigation (EIR page 4.2-32).

Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the project which will avoid or substantially lessen the significant environmental effects to Biological Resources identified in the EIR.

Mitigation Measure

BIO-1 During construction, the sensitive vegetation communities adjacent to the project alignment shall be flagged as Environmentally Sensitive Areas (ESA) and construction fencing shall be installed to avoid indirect impacts to these areas. Staging areas shall be identified during construction for lay down areas, equipment storage, etc., to avoid indirect impacts to the ESA. Biological monitoring shall occur during construction activities to prevent indirect impacts. Temporarily disturbed OW habitat, which falls under CDFG, USACE, and RWQCB jurisdiction, would be restored at a 1:1 ratio upon completion of construction. OW habitat restoration shall include replacement on the lagoon bottom of the top 12 inches of original soil to ensure suitable conditions for tidewater gobies and benthic fauna.

Facts in Support of Finding: Mitigation measure BIO-1 would ensure that construction fencing is installed and sensitive vegetation communities are flagged to avoid direct and indirect impacts. By delineating sensitive areas, construction activities would be located and staged to avoid potential impacts. In addition, BIO-1 would require restoration of temporary direct impacts to OW habitat.

Sensitive Wildlife Species

1. **Construction Impacts:** Project construction would directly and indirectly impact sensitive zoological species, including the California least tern, western snowy plover, and Tidewater Goby. Construction effects on the California Least tern and tidewater goby would consist of direct impacts to these species' foraging habitat when the J Street Drain and a 0.31-acre portion of the Ormond Beach Lagoon are dewatered, and as a result of potential siltation of the adjacent lagoon. Construction activities may temporarily indirectly impact western snowy plovers that nest near the work area on Ormond Beach. Finally, potential direct impacts to tidewater goby and its burrows and eggs would result from construction at the southern end of the J Street Drain and its transition to the Lagoon, where this fish occurs. These impacts are considered significant and require mitigation (EIR pages 4.2-39 through 4.2-41).

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the project which will avoid or substantially lessen the significant environmental effects to Biological Resources identified in the EIR.

Mitigation Measures

BIO-2 To prevent a decrease in the foraging success of California least terns, temporary construction fencing ("snow fencing") shall be installed surrounding the project site to delineate the construction footprint.

BIO-3 To prevent a decrease in the nesting and foraging success of the California least tern and western snowy plover, phase 1 construction activities adjacent to California least tern and western snowy plover habitat shall occur outside of the breeding season (March to September) to the extent feasible. If construction activities must occur during the breeding season, phase 1 project initiation through coffer dam installation shall be completed before May 1 to avoid direct impacts to foraging terns. In addition, a preemptive nesting bird survey shall be conducted by a qualified biologist to determine if any nesting terns or plovers are located near proposed activities. If nesting birds are found, all construction activities shall be prohibited within a 300-foot buffer area surrounding the nest location during the breeding season until the young have fledged. The qualified biologist shall ensure that the buffer area is appropriately defined with flagging and/or other means of suitable identification. The District shall consult with USFWS and CDFG in the event that nesting California least terns or western snowy plover are observed within 500 feet of the project area. If no nesting birds are found, construction activities could be conducted during the breeding season without restriction.

BIO-4 To prevent a decrease in the foraging success of California least terns and tidewater goby, silt fencing shall be installed prior to project construction between the project area and waters of Ormond Lagoon. For project activities within waters of Ormond Lagoon, dual silt fencing shall be installed around each work area to prevent/decrease the clouding of water within the lagoon as a result of potential runoff.

BIO-5 To avoid impacts to tidewater goby eggs, Phase 1 project initiation through coffer dam installation shall be completed before May 1, as the peak breeding season for this species extends from late spring through early summer, and again in late summer through early fall. Prior to the installation of the temporary cofferdam, a Section 10 (a)(1) (a) permitted tidewater goby biologist shall capture and relocate gobies to appropriate habitat located outside of the project area. The temporary cofferdam shall remain in place throughout construction activities south of Hueneme Road to prevent tidewater goby from entering the construction area from the lagoon. The biologist shall also be present during and after dewatering to ensure all gobies and other native fish are relocated to the lagoon prior to construction. A suitable number of biologists working under the supervision of the permitted biologist shall be present during and immediately after the dewatering phase to ensure that all gobies are detected. In addition, the surface water pumps installed for the dewatering of the work area shall be screened (less than five mm mesh size). A permitted tidewater goby biologist shall also be required to relocate any tidewater goby that may enter the work area from upstream.

BIO-6 Although night construction is not anticipated, in the event that it becomes necessary, all lighting will be shielded to prevent illumination of the beach.

Facts in Support of Finding: Implementation of mitigation measure BIO-2 would delineate adjacent California least tern foraging habitat to ensure it is not impacted by construction activities. Additionally, by implementing mitigation measure BIO-3, California least terns and western snowy plovers that may be foraging or nesting on or near the project site during the breeding season would be avoided during construction and maintenance activities. This would

prevent any decline in foraging or nesting success for these species. Further, implementation of BIO-4 would result in the installation of silt fencing to prevent sediment and silt from degrading California least tern and tidewater goby habitat and impairing foraging success. To further avoid impacts to tidewater goby, implementation of BIO-5 would install a temporary cofferdam and relocate any gobies that may be within the construction area. By constructing a coffer dam and relocating individuals, the tidewater goby population would be maintained to the greatest extent feasible. Although night construction is not anticipated, in the event that it becomes necessary, mitigation measure BIO-6 would ensure that all lighting will be shielded to prevent illumination of the beach.

Nesting Migratory Birds or Raptors

1. **Construction Impacts:** Implementation of the project would result in significant construction related indirect impacts to migratory birds, including raptors, through the loss of nesting and foraging eucalyptus woodland habitat. These impacts are considered significant and, therefore, mitigation is required (EIR page 4.2-41).

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the project which will avoid or substantially lessen the significant environmental effects to Visual Resources identified in the EIR.

   Mitigation Measures

   BIO-7 In order to avoid conflicts with the federal MBTA, if construction is proposed during the migratory bird nesting season, a preconstruction survey shall be conducted by a qualified biologist for the eucalyptus woodland located within the project footprint. The breeding season is defined as February 15 to September 15. If nesting birds/raptors are found, all construction activities shall be prohibited within a 300-foot impact avoidance buffer area surrounding the nest location during the breeding season. In consultation with CDFG and/or USFWS, the buffer area may be reduced in the case of bird species/individuals accustomed to urban disturbance. The qualified biologist shall ensure that the avoidance buffer area is appropriately defined with flagging and/or other means of suitable identification. If no nesting birds/raptors are found, construction could be conducted during the breeding season. Trees may be removed outside of the breeding season without restriction.

   VIS-2 Any tree or large shrub removed from the Surfside III property during construction would be replaced at a 1:1 ratio.

   Facts in Support of Finding: Impacts to raptor and migratory bird nesting habitat would be avoided by implementing mitigation measure BIO-7 and conducting preconstruction surveys within EW habitat. By determining the presence/absence of migratory birds prior to construction activities, active nests can be avoided during construction and the nesting success of migratory birds would not be impacted. VIS-2 also ensures replacement of nesting trees removed during construction.

Jurisdictional Waters and Wetlands

1. **Construction Impacts:** Reconstruction of the existing concrete channel would impact 7.90 acres of federal and state jurisdictional areas; however, because the channel is concrete-lined under existing conditions, impacts within the existing channel are considered less than significant. Additionally, construction activities would temporarily impact the natural substrate of the lagoon (0.29 acre) through the installation of a cofferdam within the lagoon and the subsequent pumping/draining of ground and lagoon water from the construction/work area. Impacts to the natural substrate of the lagoon are considered significant and require mitigation. Maintenance

activities would occur as they do under existing conditions and would not result in new impacts. Impacts to federal wetlands and/or waters of the U.S. would require consultation with USACE to obtain a Section 404 Permit and associated Section 401 Water Quality Certification via the RWQCB. Impacts to state jurisdictional areas would also trigger the need for a 1600-series SAA with CDFG and Clean Water Certification pursuant to the Porter-Cologne Act or CWA. Similarly, any impacts to CCC jurisdictional areas would require a Coastal Zone Development Permit from the CCC under the Local Coastal Program (EIR 4.2-47).

Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the project which will avoid or substantially lessen the significant environmental effects to Biological Resources identified in the EIR.

Mitigation Measures

BIO-1 During construction, the sensitive vegetation communities adjacent to the project alignment shall be flagged as Environmentally Sensitive Areas (ESA) and construction fencing shall be installed to avoid indirect impacts to these areas. Staging areas shall be identified during construction for lay down areas, equipment storage, etc., to avoid indirect impacts to the ESA. Biological monitoring shall occur during construction activities to prevent indirect impacts. Temporarily disturbed OW habitat, which falls under CDFG, USACE, and RWQCB jurisdiction, would be restored at a 1:1 ratio upon completion of construction. OW habitat restoration shall include replacement on the lagoon bottom of the top 12 inches of original soil to ensure suitable conditions for tidewater gobies and benthic fauna.

BIO-4 To prevent a decrease in the foraging success of California least terns and tidewater goby, silt fencing shall be installed prior to project construction between the project area and waters of Ormond Lagoon. For project activities within waters of Ormond Lagoon, dual silt fencing shall be installed around each work area to prevent/decrease the clouding of water within the lagoon as a result of potential runoff.

WQ-1 Construction Site Planning Best Management Practices (BMPs), including but not limited to:

- The amount of cuts and fills shall be minimized; and
- Temporary and permanent roads and driveways shall be aligned along slope contours. Grading operations shall be phased to reduce the extent of disturbed areas and length of exposure.

WQ -2 BMPs to Minimize Soil Movement including but not limited to:

- Soil stockpiles shall be contained;
- Stabilized access roads and entrances shall be constructed in the initial phase of construction;
- Tire wash stations, gravel beds, and/or rumble plates shall be installed at site entrance and exit points to prevent sediment from being tracked onto adjacent roadways;
- Sediments and construction materials shall be dry-swept from finished streets the same day they are deposited; and
- Site runoff control structures, such as earth berms, drainage swales, and ditches that convey surface runoff during construction into temporary or

permanent sediment detention basins shall be installed and made operational in the initial phase of construction, as necessary.

WQ -3 BMPs to capture sediment including but not limited to:

- Storm drain inlets shall be protected from sediment-laden runoff with inlet protection devices such as gravel bag barriers, filter fabric fences, block and gravel filters, excavated inlet sediment traps, sand bag barriers, and/or other devices; and
- Sediment shall be removed from dewatering discharge with portable settling and filtration methods, such as Baker tanks or other devices.

WQ -4 Good housekeeping BMPs, including but not limited to the following requirements:

- All storm drains, drainage patterns, and creeks located near the construction site prior to construction shall be identified to ensure that all subcontractors know their location to prevent pollutants from entering them;
- Washing of concrete trucks, paint, equipment, or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site; wash water shall not be discharged to the storm drains, street, drainage ditches, creeks, or wetlands; areas designated for washing functions shall be at least 100 feet from any storm drain, waterbody or sensitive biological resources to the extent feasible; the location(s) of the washout area(s) shall be clearly noted at the construction site with signs; the applicant shall designate a washout area; the wash-out areas shall be shown on the construction and/or grading and building plans and shall be in place and maintained throughout construction;
- All leaks, spills, and drips shall be immediately cleaned up and disposed of properly;
- Vehicles and heavy equipment that are leaking fuel, oil, hydraulic fluid or other pollutants shall be immediately contained and either repaired immediately or removed from the site;
- One or more emergency spill containment kits shall be placed onsite in easily visible locations. Personnel will be trained in proper use and disposal methods;
- Vehicles and heavy equipment shall be refueled and serviced in one designated site located at least 100 feet from the drain to the extent feasible;
- Temporary storage of construction equipment shall be limited to an area approved by the City of Oxnard, and shall be located at least 100 feet from any water bodies to the extent feasible;
- Dry clean-up methods shall be used whenever possible;
- Exposed stockpiles of soil and other erosive materials shall be covered or contained during the rainy season;
- Trash cans shall be placed liberally around the site and properly maintained;
- All subcontractors and laborers shall be educated about proper site maintenance and stormwater pollution control measures through periodic “tailgate” meetings;

- Roadwork or pavement construction, concrete, asphalt, and seal coat shall be applied during dry weather only; and
- Storm drains and manholes within the construction area shall be covered when paving or applying seal coat, slurry, fog seal, etc.

Facts in Support of Finding: Impacts to the natural substrate within federal and state jurisdictional areas would be reduced through implementation of mitigation measure BIO-1. Mitigation measure BIO-1 requires restoration of OW habitat upon completion of construction. Mitigation measure WQ-1 requires development and implementation of construction site planning BMPs. Mitigation measure WQ-2 requires implementation of BMPs to minimize soil movement. Mitigation measure WQ-3 requires BMPs to capture sediment during construction. Mitigation measure WQ-4 requires good housekeeping BMPs during construction and operations. Mitigation measure BIO-4 requires installation of silt fencing to prevent sediment and silt from degrading California least tern and tidewater goby habitat and impairing foraging success. BIO-4 in combination with WQ-1 through WQ-4 would also prevent indirect impacts to wetlands downstream of the project site by preventing degradation of their water quality.

Coastal Habitat

1. **Construction Impacts:** Construction of the proposed project would result in temporary impacts to federal waters of the U.S. and state jurisdictional areas within the Coastal Zone. However, neither reconstruction of the existing concrete-lined channel nor the creation of a temporary transition ramp and replacement of 0.05 acres of rock riprap would permanently reduce the extent of existing coastal riparian habitat. Indirect impacts to adjacent coastal habitats may occur during construction through degradation of water quality (e.g., erosion leading to increased turbidity).This impact is considered significant and mitigation is required (EIR page 4.2-51).

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the project which will avoid or substantially lessen the significant environmental effects to Biological Resources identified in the EIR.

   Mitigation Measures

   BIO-1 During construction, the sensitive vegetation communities adjacent to the project alignment shall be flagged as Environmentally Sensitive Areas (ESA) and construction fencing shall be installed to avoid indirect impacts to these areas. Staging areas shall be identified during construction for lay down areas, equipment storage, etc., to avoid indirect impacts to the ESA. Biological monitoring shall occur during construction activities to prevent indirect impacts. Temporarily disturbed OW habitat, which falls under CDFG, USACE, and RWQCB jurisdiction, would be restored at a 1:1 ratio upon completion of construction. OW habitat restoration shall include replacement on the lagoon bottom of the top 12 inches of original soil to ensure suitable conditions for tidewater gobies and benthic fauna.

   BIO-4 To prevent a decrease in the foraging success of California least terns and tidewater goby, silt fencing shall be installed prior to project construction between the project area and waters of Ormond Lagoon. For project activities within waters of Ormond Lagoon, dual silt fencing shall be installed around each work area to prevent/decrease the clouding of water within the lagoon as a result of potential runoff.

   WQ-1 Construction Site Planning BMPs, including but not limited to:

   - The amount of cuts and fills shall be minimized; and

- Temporary and permanent roads and driveways shall be aligned along slope contours. Grading operations shall be phased to reduce the extent of disturbed areas and length of exposure.

WQ -2 BMPs to Minimize Soil Movement including but not limited to:

- Soil stockpiles shall be contained;
- Stabilized access roads and entrances shall be constructed in the initial phase of construction;
- Tire wash stations, gravel beds, and/or rumble plates shall be installed at site entrance and exit points to prevent sediment from being tracked onto adjacent roadways;
- Sediments and construction materials shall be dry-swept from finished streets the same day they are deposited; and
- Site runoff control structures, such as earth berms, drainage swales, and ditches that convey surface runoff during construction into temporary or permanent sediment detention basins shall be installed and made operational in the initial phase of construction, as necessary.

WQ -3 BMPs to capture sediment including but not limited to:

- Storm drain inlets shall be protected from sediment-laden runoff with inlet protection devices such as gravel bag barriers, filter fabric fences, block and gravel filters, excavated inlet sediment traps, sand bag barriers, and/or other devices; and
- Sediment shall be removed from dewatering discharge with portable settling and filtration methods, such as Baker tanks or other devices.

WQ -4 Good housekeeping BMPs, including but not limited to the following requirements:

- All storm drains, drainage patterns, and creeks located near the construction site prior to construction shall be identified to ensure that all subcontractors know their location to prevent pollutants from entering them;
- Washing of concrete trucks, paint, equipment, or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site; wash water shall not be discharged to the storm drains, street, drainage ditches, creeks, or wetlands; areas designated for washing functions shall be at least 100 feet from any storm drain, waterbody or sensitive biological resources to the extent feasible; the location(s) of the washout area(s) shall be clearly noted at the construction site with signs; the applicant shall designate a washout area; the wash-out areas shall be shown on the construction and/or grading and building plans and shall be in place and maintained throughout construction;
- All leaks, spills, and drips shall be immediately cleaned up and disposed of properly;
- Vehicles and heavy equipment that are leaking fuel, oil, hydraulic fluid or other pollutants shall be immediately contained and either repaired immediately or removed from the site;

- One or more emergency spill containment kits shall be placed onsite in easily visible locations. Personnel will be trained in proper use and disposal methods;
- Vehicles and heavy equipment shall be refueled and serviced in one designated site located at least 100 feet from the drain to the extent feasible;
- Temporary storage of construction equipment shall be limited to an area approved by the City of Oxnard, and shall be located at least 100 feet from any water bodies to the extent feasible;
- Dry clean-up methods shall be used whenever possible;
- Exposed stockpiles of soil and other erosive materials shall be covered or contained during the rainy season;
- Trash cans shall be placed liberally around the site and properly maintained;
- All subcontractors and laborers shall be educated about proper site maintenance and stormwater pollution control measures through periodic "tailgate" meetings;
- Roadwork or pavement construction, concrete, asphalt, and seal coat shall be applied during dry weather only; and
- Storm drains and manholes within the construction area shall be covered when paving or applying seal coat, slurry, fog seal, etc.

Facts in Support of Finding: Impacts to the natural substrate within coastal riparian habitat would be reduced through implementation of mitigation measure BIO-1. Mitigation measure BIO-1 requires restoration of OW habitat upon completion of construction. Mitigation measure WQ-1 requires development and implementation of construction site planning BMPs. Mitigation measure WQ-2 requires implementation of BMPs to minimize soil movement. Mitigation measure WQ-3 requires BMPs to capture sediment during construction. Mitigation measure WQ-4 requires good housekeeping BMPs during construction and operations. Mitigation measure BIO-4 requires installation of silt fencing to prevent sediment and silt from degrading California least tern and tidewater goby habitat and impairing foraging success. BIO-4 in combination with WQ-1 through WQ-4 would also prevent indirect impacts to coastal wetlands downstream of the project site by preventing degradation of their water quality.

Migration Corridor by Fish or Wildlife

1. **Construction Impacts:** No regional biological corridors or linkages were identified within the project alignment. Therefore, no identified corridors or linkages would be impacted by construction of the proposed project. However, the Ormond Beach Lagoon and adjacent dune/beach area may be a staging area for migratory birds. Additionally, the Lagoon could provide a potential local corridor for tidewater goby. Therefore, construction of the proposed project would potentially impact the movement of these species. Impacts are considered significant and mitigation is required (EIR page 4.2-51).

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the project which will avoid or substantially lessen the significant environmental effects to Biological Resources identified in the EIR.

   Mitigation Measures

   BIO-1 During construction, the sensitive vegetation communities adjacent to the project alignment shall be flagged as Environmentally Sensitive Areas (ESA) and

construction fencing shall be installed to avoid indirect impacts to these areas. Staging areas shall be identified during construction for lay down areas, equipment storage, etc., to avoid indirect impacts to the ESA. Biological monitoring shall occur during construction activities to prevent indirect impacts. Temporarily disturbed OW habitat, which falls under CDFG, USACE, and RWQCB jurisdiction, would be restored at a 1:1 ratio upon completion of construction. OW habitat restoration shall include replacement on the lagoon bottom of the top 12 inches of original soil to ensure suitable conditions for tidewater gobies and benthic fauna.

BIO-5 To avoid impacts to tidewater goby eggs, Phase 1 project initiation through coffer dam installation shall be completed before May 1, as the peak breeding season for this species extends from late spring through early summer, and again in late summer through early fall. Prior to the installation of the temporary cofferdam, a Section 10 (a)(1) (a) permitted tidewater goby biologist shall capture and relocate gobies to appropriate habitat located outside of the project area. The temporary cofferdam shall remain in place throughout construction activities south of Hueneme Road to prevent tidewater goby from entering the construction area from the lagoon. The biologist shall also be present during and after dewatering to ensure all gobies and other native fish are relocated to the lagoon prior to construction. A suitable number of biologists working under the supervision of the permitted biologist shall be present during and immediately after the dewatering phase to ensure that all gobies are detected. In addition, the surface water pumps installed for the dewatering of the work area shall be screened (less than five mm mesh size). A permitted tidewater goby biologist shall also be required to relocate any tidewater goby that may enter the work area from upstream.

Facts in Support of Finding: Mitigation measure BIO-1 requires protection of adjacent sensitive habitats and restoration of on site OW habitat upon completion of construction to reduce below a significant level any potential impacts to areas that may be used by migratory birds for staging. To avoid impacts to the local tidewater goby corridor, implementation of BIO-5 would install a temporary cofferdam and relocate any gobies that may be within the construction area. By constructing a coffer dam and relocating individuals, impacts to the tidewater goby local corridor would be less than significant.

C. WATER RESOURCES AND HYDRAULIC HAZARDS

Groundwater Quality

1. **Construction Impacts:** The construction of the proposed drain would require the installation of dewatering wells, dewatering, and discharge of groundwater back into surface water. This dewatering is necessary to create a relatively dry work area for excavation and construction activities. The pumped groundwater would be tested for contaminants and, if determined to be acceptable, would be discharged into the Perkins Drain, away from the work area. If the pumped groundwater is determined to be contaminated, the water will be collected and either treated or disposed of according to waste discharge requirements of Order No. R4-2008-0032, General NPDES and Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties (adopted by the State Board on June 5, 2008). According to the *Hydrogeology Study Summary* for J Street Drain (2011), groundwater pumping could cause the Halaco groundwater plume to move approximately 50 feet toward the project area during construction. This impact would be significant and mitigation is required (EIR page 4.3-22).

Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the project which will avoid or substantially lessen the significant environmental effects to Water Resources identified in the EIR.

Mitigation Measure

HAZ-1 Prior to dewatering activities between the Ventura County Railroad and the south project terminus, the District shall install or use existing monitoring wells in order to verify the direction of groundwater movement at the time of dewatering. If it is determined that there is a potential for groundwater migration at the site, the District shall install and operate five injection wells. Injection of water into the shallow aquifer at the beach parking area between the J Street Drain and the Halaco Site would minimize the migration of groundwater from beneath the Halaco Site.

Facts in Support of Finding: Implementation of the HAZ-1 measure would prevent the migration of contaminated groundwater at the Halaco Site to the J Street Drain site as the District will monitor groundwater movement and if necessary, inject water into the shallow aquifer to prevent movement of Halaco contaminants toward the dewatering wells during construction. The impact is reduced to a less than significant level.

2. **Cumulative Impacts:** As analyzed in Section 4.3 of this EIR, cumulative impacts associated with dewatering would result in temporary impacts with regards to the potential migration of heavy metals within the ground water plume from the Halaco site. Therefore, implementation of the project would result in cumulative-level impacts requiring mitigation.

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the project which will avoid or substantially lessen the significant environmental effects to Water Resources identified in the EIR.

   Mitigation Measure

   HAZ-1 Prior to dewatering activities between the Ventura County Railroad and the south project terminus, the District shall install or use existing monitoring wells in order to verify the direction of groundwater movement at the time of dewatering. If it is determined that there is a potential for groundwater migration at the site, the District shall install and operate five injection wells. Injection of water into the shallow aquifer at the beach parking area between the J Street Drain and the Halaco Site would minimize the migration of groundwater from beneath the Halaco Site.

   Facts in Support of Finding: Implementation of the HAZ-1 measure would prevent the migration of contaminated groundwater at the Halaco Site to the J Street Drain site. The impact is reduced to a less than significant level.

Surface Water Quality

1. **Construction Impacts:** Chemicals such as gasoline, diesel fuel, lubricating oil, hydraulic oil, lubricating grease, automatic transmission fluid, paints, solvents, glues, and other substances could be utilized during construction and could degrade the water quality of the surface water runoff and add pollution into local waterways; however, the threat of the release of these materials is minimal. Dewatering may result in the discharge of potentially contaminated groundwater to surface water and may degrade the water quality of surrounding watercourses and waterbodies. However, pumped groundwater must be tested and if determined to be contaminated, the water must be collected and either treated or disposed of according to waste discharge requirements of Order No. R4-2008-0032, General NPDES and Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties (adopted by the

State Water Resources Control Board on June 5, 2008). The installation of dewatering wells may also result in erosion or sedimentation due to exposed soils and sediment removal and dewatering discharges may cause erosion at the discharge point. Construction of the proposed project could result in short-term erosion and sediment impacts to the watercourses and waterbodies within the project area and while the potential for erosion is limited, exposure of soil to wind and water during construction would still occur. The proposed project requires consultation with the USACE to obtain a Section 404 Permit and associated Section 401 Water Quality Certification via the RWQCB. A separate dewatering permit would be obtained from RWQCB under the General NPDES Permit discussed above. The proposed project would need to submit a Notice of Intent (NOI) and comply with the permit requirements including waste discharge requirements (WDR) and implement a monitoring and reporting program. Finally, the RWQCB issues the Construction General Stormwater Permit which addresses the potential pollutants discharged to stormwater by construction activities. To comply with the permit, an NOI must be submitted to the RWQCB and a Stormwater Pollution Prevention Plan must be prepared and kept on site. Impacts to water quality would be significant unless mitigated.

Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the project which will avoid or substantially lessen the significant environmental effects to Water Resources identified in the EIR.

Mitigation Measures

HAZ-1 Prior to dewatering activities between the Ventura County Railroad and the south project terminus, the District shall install or use existing monitoring wells in order to verify the direction of groundwater movement at the time of dewatering. If it is determined that there is a potential for groundwater migration at the site, the District shall install and operate five injection wells. Injection of water into the shallow aquifer at the beach parking area between the J Street Drain and the Halaco Site would minimize the migration of groundwater from beneath the Halaco Site.

WQ-1 Construction Site Planning BMPs, including but not limited to:

- The amount of cuts and fills shall be minimized; and
- Temporary and permanent roads and driveways shall be aligned along slope contours. Grading operations shall be phased to reduce the extent of disturbed areas and length of exposure.

WQ -2 BMPs to Minimize Soil Movement including but not limited to:

- Soil stockpiles shall be contained;
- Stabilized access roads and entrances shall be constructed in the initial phase of construction;
- Tire wash stations, gravel beds, and/or rumble plates shall be installed at site entrance and exit points to prevent sediment from being tracked onto adjacent roadways;
- Sediments and construction materials shall be dry-swept from finished streets the same day they are deposited; and
- Site runoff control structures, such as earth berms, drainage swales, and ditches that convey surface runoff during construction into temporary or permanent sediment detention basins shall be installed and made operational in the initial phase of construction, as necessary.

WQ -3 BMPs to capture sediment including but not limited to:

- Storm drain inlets shall be protected from sediment-laden runoff with inlet protection devices such as gravel bag barriers, filter fabric fences, block and gravel filters, excavated inlet sediment traps, sand bag barriers, and/or other devices; and
- Sediment shall be removed from dewatering discharge with portable settling and filtration methods, such as Baker tanks or other devices.

WQ -4 Good housekeeping BMPs, including but not limited to the following requirements:

- All storm drains, drainage patterns, and creeks located near the construction site prior to construction shall be identified to ensure that all subcontractors know their location to prevent pollutants from entering them;
- Washing of concrete trucks, paint, equipment, or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site; wash water shall not be discharged to the storm drains, street, drainage ditches, creeks, or wetlands; areas designated for washing functions shall be at least 100 feet from any storm drain, waterbody or sensitive biological resources to the extent feasible; the location(s) of the washout area(s) shall be clearly noted at the construction site with signs; the applicant shall designate a washout area; the wash-out areas shall be shown on the construction and/or grading and building plans and shall be in place and maintained throughout construction;
- All leaks, spills, and drips shall be immediately cleaned up and disposed of properly;
- Vehicles and heavy equipment that are leaking fuel, oil, hydraulic fluid or other pollutants shall be immediately contained and either repaired immediately or removed from the site;
- One or more emergency spill containment kits shall be placed onsite in easily visible locations. Personnel will be trained in proper use and disposal methods;
- Vehicles and heavy equipment shall be refueled and serviced in one designated site located at least 100 feet from the drain to the extent feasible;
- Temporary storage of construction equipment shall be limited to an area approved by the City of Oxnard, and shall be located at least 100 feet from any water bodies to the extent feasible;
- Dry clean-up methods shall be used whenever possible;
- Exposed stockpiles of soil and other erosive materials shall be covered or contained during the rainy season;
- Trash cans shall be placed liberally around the site and properly maintained;
- All subcontractors and laborers shall be educated about proper site maintenance and stormwater pollution control measures through periodic “tailgate” meetings;
- Roadwork or pavement construction, concrete, asphalt, and seal coat shall be applied during dry weather only; and

- Storm drains and manholes within the construction area shall be covered when paving or applying seal coat, slurry, fog seal, etc.

Facts in Support of Finding: Implementation of the HAZ-1 measure would prevent the migration of contaminated groundwater at the Halaco Site to the J Street Drain site and any discharge of associated pollutants to surface water during construction dewatering. Mitigation measure WQ-1 requires development and implementation of construction site planning BMPs to minimize runoff. Mitigation measure WQ-2 requires implementation of BMPs to minimize soil movement. Mitigation measure WQ-3 requires BMPs to capture sediment during construction. Mitigation measure WQ-4 requires good housekeeping BMPs during construction and operations. With implementation of mitigation measures WQ-1 through WQ-4, HAZ-1, and implementation of appropriate BMPs, water quality impacts would be reduced to below a level of significance.

Create/Contribute Runoff Water

1. **Construction Impacts:** During construction earth movement, use of heavy equipment, and placement of concrete within the work area all have the potential to generate polluted runoff. Therefore, this impact is considered significant and would require mitigation.

   Mitigation Measures

   HAZ-1 Prior to dewatering activities between the Ventura County Railroad and the south project terminus, the District shall install or use existing monitoring wells in order to verify the direction of groundwater movement at the time of dewatering. If it is determined that there is a potential for groundwater migration at the site, the District shall install and operate five injection wells. Injection of water into the shallow aquifer at the beach parking area between the J Street Drain and the Halaco Site would minimize the migration of groundwater from beneath the Halaco Site.

   WQ-1 Construction Site Planning BMPs, including but not limited to:

   - The amount of cuts and fills shall be minimized; and
   - Temporary and permanent roads and driveways shall be aligned along slope contours. Grading operations shall be phased to reduce the extent of disturbed areas and length of exposure.

   WQ -2 BMPs to Minimize Soil Movement including but not limited to:

   - Soil stockpiles shall be contained;
   - Stabilized access roads and entrances shall be constructed in the initial phase of construction;
   - Tire wash stations, gravel beds, and/or rumble plates shall be installed at site entrance and exit points to prevent sediment from being tracked onto adjacent roadways;
   - Sediments and construction materials shall be dry-swept from finished streets the same day they are deposited; and
   - Site runoff control structures, such as earth berms, drainage swales, and ditches that convey surface runoff during construction into temporary or permanent sediment detention basins shall be installed and made operational in the initial phase of construction, as necessary.

WQ -3 BMPs to capture sediment including but not limited to:

- Storm drain inlets shall be protected from sediment-laden runoff with inlet protection devices such as gravel bag barriers, filter fabric fences, block and gravel filters, excavated inlet sediment traps, sand bag barriers, and/or other devices; and
- Sediment shall be removed from dewatering discharge with portable settling and filtration methods, such as Baker tanks or other devices.

WQ -4 Good housekeeping BMPs, including but not limited to the following requirements:

- All storm drains, drainage patterns, and creeks located near the construction site prior to construction shall be identified to ensure that all subcontractors know their location to prevent pollutants from entering them;
- Washing of concrete trucks, paint, equipment, or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site; wash water shall not be discharged to the storm drains, street, drainage ditches, creeks, or wetlands; areas designated for washing functions shall be at least 100 feet from any storm drain, waterbody or sensitive biological resources to the extent feasible; the location(s) of the washout area(s) shall be clearly noted at the construction site with signs; the applicant shall designate a washout area; the wash-out areas shall be shown on the construction and/or grading and building plans and shall be in place and maintained throughout construction;
- All leaks, spills, and drips shall be immediately cleaned up and disposed of properly;
- Vehicles and heavy equipment that are leaking fuel, oil, hydraulic fluid or other pollutants shall be immediately contained and either repaired immediately or removed from the site;
- One or more emergency spill containment kits shall be placed onsite in easily visible locations. Personnel will be trained in proper use and disposal methods;
- Vehicles and heavy equipment shall be refueled and serviced in one designated site located at least 100 feet from the drain to the extent feasible;
- Temporary storage of construction equipment shall be limited to an area approved by the City of Oxnard, and shall be located at least 100 feet from any water bodies to the extent feasible;
- Dry clean-up methods shall be used whenever possible;
- Exposed stockpiles of soil and other erosive materials shall be covered or contained during the rainy season;
- Trash cans shall be placed liberally around the site and properly maintained;
- All subcontractors and laborers shall be educated about proper site maintenance and stormwater pollution control measures through periodic “tailgate” meetings;
- Roadwork or pavement construction, concrete, asphalt, and seal coat shall be applied during dry weather only; and

- Storm drains and manholes within the construction area shall be covered when paving or applying seal coat, slurry, fog seal, etc.

Facts in Support of Finding: Mitigation measure WQ-1 requires development and implementation of construction site planning BMPs to minimize runoff. Mitigation measure WQ-2 requires implementation of BMPs to minimize soil movement. Mitigation measure WQ-3 requires BMPs to capture sediment during construction. Mitigation measure WQ-4 requires good housekeeping BMPs during construction and operations. With implementation of mitigation measures WQ-1 through WQ-4, and implementation of appropriate BMPs, water quality impacts would be reduced to below a level of significance.

E. TRANSPORTATION AND CIRCULATION

Roadway Segments Reduce Level of Service to an Unacceptable Level or add Peak Hour Trips where Level of Service is Currently Less than Acceptable

1. **Construction Impact:** The intermittent road closures and haul truck trips during construction may disrupt traffic flow and cause delays, increasing traffic congestion and potentially reducing the level of service (LOS) to an unacceptable level as defined in Tables 4.5-1 and 4.5-2 of the EIR. Additionally, one or more of these trips would likely occur during peak hours, potentially affecting roadway segments along haul routes in the project vicinity that are currently operating at less than acceptable LOS. This would cause a significant impact for this issue area and mitigation is required (EIR pages 4.5-16 and 4.5-17).

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the Project which will avoid or substantially lessen the significant environmental effects to Transportation and Circulation identified in the EIR.

   Mitigation Measures

   TR-1 The District shall prepare a construction worksite traffic control plan and submit it to the County, cities, Gold Coast Transit, Oxnard School District, Oxnard Union High School District, and Hueneme School District for review and approval prior to soliciting bids for the construction contract. This plan shall include such elements as the location of any lane closures, restricted hours during which lane closures would not be allowed, local traffic detours, protective devices and traffic controls (such as barricades, cones, flagmen, lights, warning beacons, temporary traffic signals, warning signs), access to abutting properties, provisions for pedestrians and bicycles, and provisions to maintain emergency access through construction work areas. The contractor shall comply with this plan.

   TR-2 The Contractor shall coordinate with emergency service providers (police, fire, ambulance and paramedic services) to provide advance notice of any lane closures, construction hours and changes to local access and to identify alternative routes where appropriate.

   Facts in Support of Finding: Mitigation measure TR-1requires the District to prepare a traffic control plan for construction activities. The plan shall include such elements as the location of any lane closures, restricted hours during which lane closures would not be allowed, local traffic detours, protective devices and traffic controls, access to abutting properties, provisions for pedestrians and bicycles, and provisions to maintain emergency access through construction work areas. TR-2 requires the construction contractor to coordinate with emergency service providers on lane closures, construction hours and changes to access and alternative routes. Implementation of these mitigation measures will reduce traffic congestion impacts to roadway segments to a less than significant level.

2. **Cumulative Impact:** Traffic impacts from the construction phase of the proposed project would be relatively short-term and intermittent involving road/lane closures and detours which would temporarily impact motorists (delay and inconvenience), businesses (other uses) along the corridor, and impacts on emergency response operations. J Street, Pleasant Valley Road, and Hueneme Road would remain open during all construction phases with intermittent lane closures. While project construction impacts would be temporary, traffic impacts have the potential to temporarily contribute to the exceedance of the level of service standard established by the City of Oxnard at the project intersections. This represents a significant cumulative traffic impact during construction. (EIR page 4.5-20)

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the Project which will avoid or substantially lessen the significant environmental effects to Transportation and Circulation identified in the EIR.

   Mitigation Measures

   TR-1 The District shall prepare a construction worksite traffic control plan and submit it to the County, cities, Gold Coast Transit, Oxnard School District, Oxnard Union High School District, and Hueneme School District for review and approval prior to soliciting bids for the construction contract. This plan shall include such elements as the location of any lane closures, restricted hours during which lane closures would not be allowed, local traffic detours, protective devices and traffic controls (such as barricades, cones, flagmen, lights, warning beacons, temporary traffic signals, warning signs), access to abutting properties, provisions for pedestrians and bicycles, and provisions to maintain emergency access through construction work areas. The contractor shall comply with this plan.

   TR-2 The Contractor shall coordinate with emergency service providers (police, fire, ambulance and paramedic services) to provide advance notice of any lane closures, construction hours and changes to local access and to identify alternative routes where appropriate.

Facts in Support of Finding: Mitigation measure TR-1requires the District to prepare a traffic control plan for construction activities. The plan shall include such elements as the location of any lane closures, restricted hours during which lane closures would not be allowed, local traffic detours, protective devices and traffic controls, access to abutting properties, provisions for pedestrians and bicycles, and provisions to maintain emergency access through construction work areas. TR-2 requires the construction contractor to coordinate with emergency service providers on lane closures, construction hours and changes to access and alternative routes. Implementation of these mitigation measures will reduce traffic congestion impacts to roadway segments to a less than significant level.

Change in Intersections Volume to Capacity (V/C) Ratio or Add Peak Hour Trips

1. **Construction Impact:** The intersections between J Street and major traffic corridors within the project area were not identified as having deficient LOS. Additionally, J Street is not part of the Regional Road Network (Ventura County General Plan Public Facilities and Services Appendix, Last Amended November 15, 2005, Figure 4.2.1). However, the proposed construction would involve excavation and backfill of soils as well as demolition and recycling of existing concrete. Haul trucks will be used to transport excess soil and concrete to designated local landfills and recycling locations, respectively. During the building of the drain, supplies and construction equipment would also be transported to the work area and construction staging area. It is anticipated that no more than three haul trucks would be on site for loading at one time and approximately 30 to 45 trips per day or five to six trips per hour are expected to occur. Typically, five to six haul trips would not be considered a significant number of trips; however, one or more

of these trips would likely occur during peak hour and may change the existing V/C ratio of intersections within the regional road network, such as those along Hueneme, Pleasant Valley, or Rice Roads. The haul truck trips may result in delays and congestion at the project intersections. The haul truck trips during construction may disrupt traffic flow and cause delays, increasing traffic congestion. A potentially significant impact is identified for this issue and mitigation is required (EIR page 4.5-17).

Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the Project which will avoid or substantially lessen the significant environmental effects to Transportation and Circulation identified in the EIR.

Mitigation Measures

TR-1 The District shall prepare a construction worksite traffic control plan and submit it to the County, cities, Gold Coast Transit, Oxnard School District, Oxnard Union High School District, and Hueneme School District for review and approval prior to soliciting bids for the construction contract. This plan shall include such elements as the location of any lane closures, restricted hours during which lane closures would not be allowed, local traffic detours, protective devices and traffic controls (such as barricades, cones, flagmen, lights, warning beacons, temporary traffic signals, warning signs), access to abutting properties, provisions for pedestrians and bicycles, and provisions to maintain emergency access through construction work areas. The contractor shall comply with this plan.

TR-2 The Contractor shall coordinate with emergency service providers (police, fire, ambulance and paramedic services) to provide advance notice of any lane closures, construction hours and changes to local access and to identify alternative routes where appropriate.

Facts in Support of Finding: Mitigation measure TR-1requires the District to prepare a traffic control plan for construction activities. The plan shall include such elements as the location of any lane closures, restricted hours during which lane closures would not be allowed, local traffic detours, protective devices and traffic controls, access to abutting properties, provisions for pedestrians and bicycles, and provisions to maintain emergency access through construction work areas. TR-2 requires the construction contractor to coordinate with emergency service providers on lane closures, construction hours and changes to access and alternative routes. Implementation of these mitigation measures will reduce traffic congestion impacts at intersections to a less than significant level.

2. **Cumulative Impacts:** While the construction impacts would be short-term and temporary, they have the potential to temporarily add peak hour trips to intersections within the regional road network (e.g., along Hueneme, Pleasant Valley, or Rice Roads) currently operating or projected to operate at an unacceptable LOS. The haul truck trips may result in delays and congestion at the project intersections. The haul truck trips during construction may disrupt traffic flow and cause delays, increasing traffic congestion. A potentially significant impact is identified for this issue and mitigation is required (EIR page 4.5-20).

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the Project which will avoid or substantially lessen the significant environmental effects to Transportation and Circulation identified in the EIR.

   Mitigation Measures

   TR-1 The District shall prepare a construction worksite traffic control plan and submit it to the County, cities, Gold Coast Transit, Oxnard School District, Oxnard Union High

School District, and Hueneme School District for review and approval prior to soliciting bids for the construction contract. This plan shall include such elements as the location of any lane closures, restricted hours during which lane closures would not be allowed, local traffic detours, protective devices and traffic controls (such as barricades, cones, flagmen, lights, warning beacons, temporary traffic signals, warning signs), access to abutting properties, provisions for pedestrians and bicycles, and provisions to maintain emergency access through construction work areas. The contractor shall comply with this plan.

TR-2 The Contractor shall coordinate with emergency service providers (police, fire, ambulance and paramedic services) to provide advance notice of any lane closures, construction hours and changes to local access and to identify alternative routes where appropriate.

Facts in Support of Finding: Mitigation measure TR-1requires the District to prepare a traffic control plan for construction activities. The plan shall include such elements as the location of any lane closures, restricted hours during which lane closures would not be allowed, local traffic detours, protective devices and traffic controls, access to abutting properties, provisions for pedestrians and bicycles, and provisions to maintain emergency access through construction work areas. TR-2 requires the construction contractor to coordinate with emergency service providers on lane closures, construction hours and changes to access and alternative routes. Implementation of these mitigation measures will reduce traffic congestion impacts at intersections to a less than significant level.

Pedestrian/Bicycle Facilities

1. **Construction Impact:** The construction phase of the proposed project would involve road closures and detours along the drain corridor. Both Pleasant Valley and Hueneme Roads would remain open during all construction phases with intermittent lane closures. According to the City of Oxnard Bicycle Facilities Master Plan, bike lanes are designated on J Street between Wooley and Hueneme Roads. Along J Street, bike lanes are designated along both sides of the roadway. During the construction phase of the drain, construction activities would potentially interfere with designated bike lanes as bike lanes would be closed on J Street, although general vehicular access along J Street would be maintained. Cyclists along J Street would experience detours that may not be designated bike lanes. Additionally, pedestrians may also experience detours when sidewalks may not be available. This represents a significant impact and mitigation is required (EIR page 4.5-18).

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the Project which will avoid or substantially lessen the significant environmental effects to Transportation and Circulation identified in the EIR.

   Mitigation Measure

   TR-1 The District shall prepare a construction worksite traffic control plan and submit it to the County, cities, Gold Coast Transit, Oxnard School District, Oxnard Union High School District, and Hueneme School District for review and approval prior to soliciting bids for the construction contract. This plan shall include such elements as the location of any lane closures, restricted hours during which lane closures would not be allowed, local traffic detours, protective devices and traffic controls (such as barricades, cones, flagmen, lights, warning beacons, temporary traffic signals, warning signs), access to abutting properties, provisions for pedestrians and bicycles, and provisions to maintain emergency access through construction work areas. The contractor shall comply with this plan.

Facts in Support of Finding: Mitigation measure TR-1 requires the District to prepare a traffic control plan for construction activities. The plan shall include such elements as the location of any lane closures, restricted hours during which lane closures would not be allowed, local traffic detours, protective devices and traffic controls, access to abutting properties, provisions for pedestrians and bicycles, and provisions to maintain emergency access through construction work areas. Implementation of this mitigation measure will reduce impacts to pedestrian and bicycle facilities to a less than significant level.

Off-Street Parking

1. **Construction Impact:** During Phase 1 of construction, approximately 30 off-street parking spaces would fall within the temporary work area due to construction between Buildings six and seven of the Surfside III property involving the trenching technique. As a result, these spaces would be unavailable to Surfside III residents during this phase of project construction. This is considered a significant impact and mitigation is required.

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the Project which will avoid or substantially lessen the significant environmental effects to Transportation and Circulation identified in the EIR.

   Mitigation Measure

   TR-3 To preserve parking for residents during phase 1 construction, the District shall employ vertical shoring techniques along the Surfside III property where open trenching would result in the temporary removal of off-street parking spaces.

   Facts in Support of Finding: Mitigation measure TR-3 requires vertical shoring techniques along the Surfside III property in order to preserve off-street parking for residents during phase 1 construction. Implementation of this mitigation measure will reduce impacts to a less than significant level.

F. NOISE AND VIBRATION

Generate Noises near Noise Sensitive Uses

Construction Impact: Noise levels generated from the proposed off-road equipment that is expected to be used during construction will likely exceed 55 dB(A) (south of Hueneme Road) and 68 dB(A) (north of Hueneme Road) Leq daytime County standards for hospitals, nursing homes, schools, churches, and libraries. There are a nursing home and a church within 500 feet of the proposed project. Therefore, a potentially significant impact is identified and mitigation is required. The proposed project construction would not involve evening or nighttime construction activity. Ventura County standards for residential areas apply to evening and night, but because construction is not proposed for these time periods, the standards would not be exceeded. Construction of the proposed project would result in a significant noise impact for the nursing home and church, but not for other land uses. However, construction noise mitigation measures will be implemented adjacent to all land uses during each phase of the proposed project to comply with the County threshold and City ordinances (EIR page 4.6-15).

Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the Project which will avoid or substantially lessen the significant environmental effects with regards to Noise identified in the EIR.

Mitigation Measures

NOISE-1 Equipment Noise Reduction

1. Minimize the use of impact devices, such as jackhammers, pavement breakers, and hoe rams. Where possible, use concrete crushers or pavement

saws rather than hoe rams for tasks such as concrete or asphalt demolition and removal.

2. Pneumatic impact tools and equipment used at the construction site shall have intake and exhaust mufflers recommended by the manufacturers thereof, to meet relevant noise limitations.
3. Provide impact noise reducing equipment; i.e., jackhammers and pavement breaker(s), with noise attenuating shields, shrouds or portable barriers or enclosures, to reduce operating noise.
4. Provide upgraded mufflers, acoustical lining or acoustical paneling for other noisy equipment, including internal combustion engines.
5. Avoid blasting and impact-type pile driving.
6. Use alternative procedures of construction and select a combination of techniques that generate the least overall noise and vibration. Such alternative procedures could include the following:
    a. Use electric welders powered by remote generators.
    b. Mix concrete at non-sensitive off-site locations, instead of on-site.
    c. Erect prefabricated structures instead of constructing buildings on-site.
7. Use construction equipment manufactured or modified to reduce noise and vibration emissions, such as:
    a. Electric instead of diesel-powered equipment.
    b. Hydraulic tools instead of pneumatic tools.
    c. Electric saws instead of air- or gasoline-driven saws.
8. Turn off idling equipment when not in use for periods longer than 30 minutes.

NOISE-2 A temporary noise control barrier shall be installed and maintained between the temporary work area and Buildings 6 and 7 in the Surfside III community during periods when heavy equipment is operating within 500 feet of these residences or when heavy-duty trucks are regularly using the access road adjacent to the drain. Additionally, temporary noise control barriers shall be installed and maintained in residential and commercial areas along Phases 2-4 to the extent that they do not affect traffic sight lines (e.g., noise barriers would not be installed at intersections). The noise barrier shall be composed of noise control blankets 10 feet tall with a sound transmission class of at least STC-25. In addition to placement of noise control blankets along the construction area adjacent to the Shoreline Care Facility, located at 5225 South J Street, and if needed, Our Saviour's Evangelical Lutheran Church at 905 Redwood Street, to further reduce noise levels below 68 dB(A) L_{eq}, additional noise control barriers shall be installed. To ensure sufficient noise barriers are deployed, construction noise levels shall be monitored ten feet from the exterior of the nursing home and church at the start of work activities within 500 feet of these two locations. Barriers would be installed to reduce noise levels generated by the loudest equipment when construction activities are closest to the nursing home and church. Monitoring would occur at the nursing home during construction Phases 2 and 3 and at the church during construction Phase 4. Construction noise levels would be monitored weekly thereafter to ensure proper function of the barriers throughout work and that the desired noise attenuation at these locations is achieved.

This noise control barrier will also provide visual screening for all residents along the work area, including the Surfside III property, to shield residents from views of the J Street Drain during construction. If the Surfside III Condominium Owners' Association does not grant a temporary work area to enable installation of temporary noise barriers at Buildings 6 and 7, the District will provide funds for the Association to arrange the barrier installation on their property. Sound barriers would not be installed where encircling block walls already exist (e.g., newer condo/townhome complex west of J St Drain in Phase 1).

Facts in Support of Finding: Mitigation measure NOISE-1 requires equipment noise reduction techniques to be implemented during construction. Mitigation measure NOISE-2 will require the installation of a temporary noise control barrier along all phases of project construction. Implementation of the identified mitigation measures will reduce noise impacts to the nursing home and church to a less than significant level. Although not required, construction noise mitigation measures will also be implemented along non-sensitive land uses to further reduce noise levels.

Ground-Borne Vibration or Ground-Borne Noise Levels

1. **Construction Impact:** The proposed project has the potential to expose people to or generate excessive groundborne vibration or groundborne noise levels because pile driving and vertical shoring is required for construction of Phase 1. Off-road equipment expected to be used during construction includes: wheel loaders, track dozers, scrapers, excavator with hydraulic hammer, pile driver, motor grader, concrete pump, concrete trucks, dump trucks, and other miscellaneous small equipment. As analyzed in Section 4.6 of the EIR, any project that either individually or when combined with other recently approved, pending, and probable future projects, including construction activities involving blasting, pile-driving, vibratory compaction, demolition, and drilling or excavation which exceed the threshold criteria provided in Section 12.2 of the FTA *Transit Noise and Vibration Impact Assessment* (2006), is considered to have a potentially significant impact (EIR page 4.6-16).

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the Project which will avoid or substantially lessen the significant environmental effects with regards to Noise identified in the EIR.

   Mitigation Measure

   NOISE-3 Prior to construction, the District shall request property owner permission to video record the condition of structures adjacent to the J Street Drain in the presence of the property owner. The recording shall be performed and stored by an independent third-party, with a copy given to the property owner. If vibration-induced damages occur as a result of construction, property owners would be invited to submit claims documenting such damages within one year following construction completion. The third-party would again enter the property to video record its post-construction condition, again providing a copy to the property owner. Both recordings would be compared, and the District would provide compensation to repair new damages observed in the post-construction recordings. Once both parties have agreed to the compensation, both pre- and post-construction video recordings stored by the third-party would be given to the property owner.

   GEO-3 a) A Licensed Surveyor shall plan and install a survey monument monitoring system on buildings within 25 feet of proposed vertical shoring to collect monthly baseline data for six months before construction. The monuments shall remain in place and be monitored monthly for one year after construction completion to track any latent changes. During construction, the Licensed

Surveyor shall conduct surveys corresponding to major phases of work such as shoring installation, excavation, and backfill.

b) Before Phase 1 construction may begin, the District shall require the Contractor to prepare a Work Plan, which would take into account all available geotechnical information for the areas where vertical shoring and sheet piles are to be installed. The Plan would specify the contractor's approach to installing vertical shoring and sheet piles in a manner that would avoid and minimize associated potential vibration damage to adjacent structures.

c) The Work Plan shall require the Contractor to take daily measurements of the survey monuments on adjacent structures described in (a) above to track potential changes during construction.

d) Should the surveys or measurements described in (a) and (c) above indicate subsidence or other damage due to construction activities, the Contractor shall modify the Work Plan to address the causes. Property owners within 25 feet of the proposed shoring shall be promptly notified of observed damage, and any Work Plan revisions shall be available to property owners upon request. For multi-unit structures, the District shall identify a single designated representative with whom to communicate.

e) The District shall provide a construction contact telephone number to adjacent residents before work commences so that they may report possible observations of damage immediately to the District.

Facts in Support of Finding: Mitigation measure NOISE-3 requires pre- and post-construction video documentation of the Surfside III property adjacent to the project area in order to document potential damage (if any) caused by construction activities. Mitigation measure GEO-3 would require the contractor to select construction methods that avoid and minimize vibration impacts, and to provide a construction contact telephone number for reporting possible vibration issues. Mitigation measures NOISE-3 and GEO-3 would reduce impacts resulting from vibration to a level less than significant. Vibration impacts after mitigation are less than significant.

Expose People to or Generate Noise Levels Exceeding Standards in an Applicable Plan, Noise Ordinance, or Applicable Standards of Other Agencies

1. **Construction Impact:** The City of Oxnard Noise Ordinance exempts from the provisions of Article XI – Sound Regulation "sound sources associated with or created by construction, repair, remodeling or grading of any real property…provided the activities occur between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, including Saturday." Project construction would occur between the hours of 7:00 a.m. and 6:00 p.m.; therefore, the project would not exceed the standards of the City of Oxnard ordinance. Although the City of Port Hueneme's Noise Ordinance does not exempt construction activity, its recognition that daytime construction noise should be regulated differently from non-daytime construction noise is consistent with County Construction Noise Threshold Criteria and the City of Oxnard's Noise Ordinance. Construction noise levels will be substantially similar for those portions of the project located in Port Hueneme and Oxnard. Land uses adjacent to the project are also substantially similar for all phases of the project. There is no basis for making a distinction between those phases of the project to be constructed in the City of Oxnard, and those portions of the project to be constructed in or adjacent to the City of Port Hueneme. The County Construction Noise Threshold Criteria and Control Plan takes into account the many factors that contribute to the potential impacts due to construction noise, including the location of sensitive receptors, the type or phase of construction, the combination of equipment used, the site layout, and the construction methods employed.

Given the disparity between City ordinances, the District applies County thresholds for determining noise significance in a uniform manner to all project phases.

The mixed use nature of the area (i.e., residential, commercial and industrial) results in varying noise thresholds within a small area. The County's thresholds of significance for noise provide additional guidance for evaluating noise impacts within a mixed land use area. As shown on Table 4.6-12, noise levels generated from the proposed off-road equipment that is expected to be used during construction will likely exceed 55dB(A) L_{eq} (south of Hueneme Road) and 68 dB(A) L_{eq} (north of Hueneme Road) daytime County standards for hospitals, nursing homes, schools, churches, and libraries. A nursing home and a church are located north of Hueneme Road. Standards for residential areas apply to evening and night, but because construction is not proposed for these time periods, the standards would not be exceeded. Construction of the proposed project would result in a significant noise impact for the nursing home and church. Construction noise mitigation measures will be implemented during each phase of the proposed project to reduce noise and address the County threshold and City ordinances (EIR pages 4.6-16 and 4.6-17).

Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the Project which will avoid or substantially lessen the significant environmental effects with regards to Noise identified in the EIR.

Mitigation Measures

NOISE-1 Equipment Noise Reduction

1. Minimize the use of impact devices, such as jackhammers, pavement breakers, and hoe rams. Where possible, use concrete crushers or pavement saws rather than hoe rams for tasks such as concrete or asphalt demolition and removal.
2. Pneumatic impact tools and equipment used at the construction site shall have intake and exhaust mufflers recommended by the manufacturers thereof, to meet relevant noise limitations.
3. Provide impact noise reducing equipment; i.e., jackhammers and pavement breaker(s), with noise attenuating shields, shrouds or portable barriers or enclosures, to reduce operating noise.
4. Provide upgraded mufflers, acoustical lining or acoustical paneling for other noisy equipment, including internal combustion engines.
5. Avoid blasting and impact-type pile driving.
6. Use alternative procedures of construction and select a combination of techniques that generate the least overall noise and vibration. Such alternative procedures could include the following:
    a. Use electric welders powered by remote generators.
    b. Mix concrete at non-sensitive off-site locations, instead of on-site.
    c. Erect prefabricated structures instead of constructing buildings on-site.
7. Use construction equipment manufactured or modified to reduce noise and vibration emissions, such as:
    a. Electric instead of diesel-powered equipment.
    b. Hydraulic tools instead of pneumatic tools.
    c. Electric saws instead of air- or gasoline-driven saws.

8. Turn off idling equipment when not in use for periods longer than 30 minutes.

NOISE-2 A temporary noise control barrier shall be installed and maintained between the temporary work area and Buildings 6 and 7 in the Surfside III community during periods when heavy equipment is operating within 500 feet of these residences or when heavy-duty trucks are regularly using the access road adjacent to the drain. Additionally, temporary noise control barriers shall be installed and maintained in residential and commercial areas along Phases 2-4 to the extent that they do not affect traffic sight lines (e.g., noise barriers would not be installed at intersections). The noise barrier shall be composed of noise control blankets 10 feet tall with a sound transmission class of at least STC-25. In addition to placement of noise control blankets along the construction area adjacent to the Shoreline Care Facility, located at 5225 South J Street, and if needed, Our Saviour's Evangelical Lutheran Church at 905 Redwood Street, to further reduce noise levels below 68 dB(A) L_{eq}, additional noise control barriers shall be installed. To ensure sufficient noise barriers are deployed, construction noise levels shall be monitored ten feet from the exterior of the nursing home and church at the start of work activities within 500 feet of these two locations. Barriers would be installed to reduce noise levels generated by the loudest equipment when construction activities are closest to the nursing home and church. Monitoring would occur at the nursing home during construction Phases 2 and 3 and at the church during construction Phase 4. Construction noise levels would be monitored weekly thereafter to ensure proper function of the barriers throughout work and that the desired noise attenuation at these locations is achieved.

This noise control barrier will also provide visual screening for all residents along the work area, including the Surfside III property, to shield residents from views of the J Street Drain during construction. If the Surfside III Condominium Owners' Association does not grant a temporary work area to enable installation of temporary noise barriers at Buildings 6 and 7, the District will provide funds for the Association to arrange the barrier installation on their property. Sound barriers would not be installed where encircling block walls already exist (e.g., newer condo/townhome complex west of J St Drain in Phase 1).

Facts in Support of Finding: Mitigation measure NOISE-1 requires equipment noise reduction techniques to be implemented during construction. Mitigation measure NOISE-2 will require the installation of a temporary noise control barrier along all phases of project construction. Implementation of the identified mitigation measures will reduce noise impacts to the nursing home and church to a less than significant level. Although not required, construction noise mitigation measures will also be implemented along non-sensitive land uses to further reduce noise levels.

Cause a Substantial Temporary or Periodic Increase in Ambient Noise Levels in the Project Vicinity Above Levels Existing without the Project

1. **Construction Impact:** The J Street Drain Project is proposed to be constructed in four phases with the first phase scheduled to begin in spring 2013 and lasting for ten months. Temporary noise generated by construction equipment, including trucks, graders, bulldozers, concrete mixers, and portable generators have the potential to reach high levels as evident from Table 4.6-12. As previously stated, the District applies County thresholds for determining noise significance in a uniform manner to all project phases.

   Noise levels generated from the proposed off-road equipment that is expected to be used during construction will likely exceed 55 dB(A) L_{eq} (south of Hueneme Road) and 68 dB(A) L_{eq} (north

of Hueneme Road) daytime County standards for hospitals, nursing homes, schools, churches, and libraries. A nursing home and a church are located north of Hueneme Road. Standards for residential areas apply to evening and night, but because construction is not proposed for these time periods, the standards would not be exceeded. Construction of the proposed project would result in a significant noise impact for the nursing home and church. Construction noise mitigation measures will be implemented during each phase of the proposed project to reduce noise and address the County threshold and City ordinances (EIR pages 4.6-19).

Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the Project which will avoid or substantially lessen the significant environmental effects with regards to Noise identified in the EIR.

Mitigation Measures

NOISE-1 Equipment Noise Reduction

1. Minimize the use of impact devices, such as jackhammers, pavement breakers, and hoe rams. Where possible, use concrete crushers or pavement saws rather than hoe rams for tasks such as concrete or asphalt demolition and removal.
2. Pneumatic impact tools and equipment used at the construction site shall have intake and exhaust mufflers recommended by the manufacturers thereof, to meet relevant noise limitations.
3. Provide impact noise reducing equipment; i.e., jackhammers and pavement breaker(s), with noise attenuating shields, shrouds or portable barriers or enclosures, to reduce operating noise.
4. Provide upgraded mufflers, acoustical lining or acoustical paneling for other noisy equipment, including internal combustion engines.
5. Avoid blasting and impact-type pile driving.
6. Use alternative procedures of construction and select a combination of techniques that generate the least overall noise and vibration. Such alternative procedures could include the following:
    a. Use electric welders powered by remote generators.
    b. Mix concrete at non-sensitive off-site locations, instead of on-site.
    c. Erect prefabricated structures instead of constructing buildings on-site.
7. Use construction equipment manufactured or modified to reduce noise and vibration emissions, such as:
    a. Electric instead of diesel-powered equipment.
    b. Hydraulic tools instead of pneumatic tools.
    c. Electric saws instead of air- or gasoline-driven saws.
8. Turn off idling equipment when not in use for periods longer than 30 minutes.

NOISE-2 A temporary noise control barrier shall be installed and maintained between the temporary work area and Buildings 6 and 7 in the Surfside III community during periods when heavy equipment is operating within 500 feet of these residences or when heavy-duty trucks are regularly using the access road adjacent to the drain. Additionally, temporary noise control barriers shall be installed and maintained in

residential and commercial areas along Phases 2-4 to the extent that they do not affect traffic sight lines (e.g., noise barriers would not be installed at intersections). The noise barrier shall be composed of noise control blankets 10 feet tall with a sound transmission class of at least STC-25. In addition to placement of noise control blankets along the construction area adjacent to the Shoreline Care Facility, located at 5225 South J Street, and if needed, Our Saviour's Evangelical Lutheran Church at 905 Redwood Street, to further reduce noise levels below 68 dB(A) L_{eq}, additional noise control barriers shall be installed. To ensure sufficient noise barriers are deployed, construction noise levels shall be monitored ten feet from the exterior of the nursing home and church at the start of work activities within 500 feet of these two locations. Barriers would be installed to reduce noise levels generated by the loudest equipment when construction activities are closest to the nursing home and church. Monitoring would occur at the nursing home during construction Phases 2 and 3 and at the church during construction Phase 4. Construction noise levels would be monitored weekly thereafter to ensure proper function of the barriers throughout work and that the desired noise attenuation at these locations is achieved.

This noise control barrier will also provide visual screening for all residents along the work area, including the Surfside III property, to shield residents from views of the J Street Drain during construction. If the Surfside III Condominium Owners' Association does not grant a temporary work area to enable installation of temporary noise barriers at Buildings 6 and 7, the District will provide funds for the Association to arrange the barrier installation on their property. Sound barriers would not be installed where encircling block walls already exist (e.g., newer condo/townhome complex west of J St Drain in Phase 1).

Facts in Support of Finding: Mitigation measure NOISE-1 requires equipment noise reduction techniques to be implemented during construction. Mitigation measure NOISE-2 will require the installation of a temporary noise control barrier along all phases of project construction. Implementation of the identified mitigation measures will reduce noise impacts to the nursing home and church to a less than significant level. Although not required, construction noise mitigation measures will also be implemented along non-sensitive land uses to further reduce noise levels.

G. GEOLOGIC AND SEISMIC HAZARDS

Seismic Related Ground Failure and Expansive Soils Hazards

1. **Construction Impact:** According to the Ventura County *Initial Study Assessment Guidelines*, the determination of a significant soils expansion effect shall be based on an inquiry of whether a proposed project will expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving soil expansion if it is located within a soils expansive hazard zone or where soils with an expansion index greater than 20 are present. Soils with moderate shrink-swell (expansive) potential have been identified in the project area by United States Department of Agriculture (USDA) Soil Maps for Ventura County. Soils with expansion potential contain clay minerals. Native soils observed in the borings and encountered in the cone penetrometer tests (CPTs) at the ground surface or below the artificial fill consisted of predominately coarse-grained alluvial deposits with interbedded fine-grained deposits of variable thickness and consistency. The coarse-grained deposits consisted of loose to medium dense sands, silty sands and clayey sands. The fine- grained material consisted of soft to stiff silts and clays. According to the *Geotechnical Study J Street Drainage Improvements* (2009), expansive clays were observed in three locations along the J Street Drain alignment: one along J Street between Yucca Street and Bard Road, one near the intersection of J Street and Clara Street, and a third at the

proposed beach outlet. These clays exhibited relatively high plasticity indices (above 27) which can be used as an indicator of expansive soils. Therefore, a potentially significant impact is identified and mitigation is required (EIR page 4.7-23).

Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the Project which will avoid or substantially lessen the significant environmental effects to Geologic and Seismic Hazards identified in the EIR.

Mitigation Measures

GEO-2 Seismic Related Ground Failure and Expansive Soils

The proposed project shall comply with all pertinent recommendations set forth in the Preliminary Geologic Geotechnical Investigation (Appendix F) to reduce the risk of hazards associated with seismic-related ground failure and expansive soils along the J Street Drain. These recommendations address the following:

- Site preparation
- Excavation – stabilization measures, dewatering procedure, and shoring
- Fill Material and General Fill Placement
- Channel Foundation Design

GEO-3

a) A Licensed Surveyor shall plan and install a survey monument monitoring system on buildings within 25 feet of proposed vertical shoring to collect monthly baseline data for six months before construction. The monuments shall remain in place and be monitored monthly for one year after construction completion to track any latent changes. During construction, the Licensed Surveyor shall conduct surveys corresponding to major phases of work such as shoring installation, excavation, and backfill.

b) Before Phase 1 construction may begin, the District shall require the Contractor to prepare a Work Plan, which would take into account all available geotechnical information for the areas where vertical shoring and sheet piles are to be installed. The Plan would specify the contractor's approach to installing vertical shoring and sheet piles in a manner that would avoid and minimize associated potential vibration damage to adjacent structures.

c) The Work Plan shall require the Contractor to take daily measurements of the survey monuments on adjacent structures described in (a) above to track potential changes during construction.

d) Should the surveys or measurements described in (a) and (c) above indicate subsidence or other damage due to construction activities, the Contractor shall modify the Work Plan to address the causes. Property owners within 25 feet of the proposed shoring shall be promptly notified of observed damage, and any Work Plan revisions shall be available to property owners upon request. For multi-unit structures, the District shall identify a single designated representative with whom to communicate.

e) The District shall provide a construction contact telephone number to adjacent residents before work commences so that they may report possible observations of damage immediately to the District.

Facts in Support of Finding: Mitigation measure GEO-2 requires implementation of recommendations provided in the geotechnical report prepared for the proposed project. Mitigation measure GEO-3 requires the preparation of a construction work plan that includes a

monitoring system on buildings within 25 feet of proposed vertical shoring to collect monthly baseline data for six months before construction. Property owners within 25 feet of the proposed shoring shall be promptly notified of observed damage, and any Work Plan revisions shall be available to property owners upon request. For multi-unit structures, the District shall identify a single designated representative with whom to communicate. Implementation of these mitigation measures will reduce impacts to a less than significant level.

Substantial Soil Erosion or the Loss of Topsoil

1. **Construction Impact:** Construction of the proposed project would require excavation of the existing drain which would result in disturbance of soils and subsequent exposure to wind and water erosion. Earth-disturbing activities associated with construction would be temporary and would not result in a permanent or significant alteration of significant natural topographic features that could exacerbate erosion. Although the potential for erosion would be limited, exposure of soil to wind and water during construction would still occur. However, during construction, erosion potential would be minimized by following the recommendations regarding erosion potential outlined in the *Geotechnical Study J Street Drainage Improvements* (2009). However, these recommendations would not fully avoid potential impacts associated with erosion. Therefore, impacts associated with short-term exposure of graded soils and sedimentation are considered significant and require mitigation (EIR page 4.7-25).

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the Project which will avoid or substantially lessen the significant environmental effects to Geologic and Seismic Hazards identified in the EIR.

   Mitigation Measure

   As discussed in Section 4.3, Water Resources and Hydraulic Hazards, prior to the start of construction, a construction Stormwater Pollution Prevention Plan (SWPPP) will be prepared that describes the site, erosion and sediment controls, runoff water quality monitoring, means of waste disposal, control of post-construction sediment and erosion control measures and maintenance responsibilities, and non-stormwater management controls.

   GEO-1 Erosion and Sediment Control

   In order to mitigate potential soil erosion and loss of topsoil from excavation, the construction SWPPP shall incorporate, but not be limited to, the following measures, as appropriate, to minimize erosion:

   - Excavation and grading shall be restricted to the dry season (April 15 to October 15) unless an erosion control plan is in place and all measures therein are in effect.
   - Best Management Practices (BMPs) will be employed to control erosion, including temporary siltation protection devices such as silt fencing, straw bales, and sand bags. These shall be placed at the base of all cut and fill slopes and soil stockpile areas where potential erosion may occur.
   - Refer to Section 4.3, Water Resources and Hydraulic Hazards, for additional requirements related to stormwater and non-stormwater pollution prevention and control.

   Facts in Support of Finding: Mitigation measure GEO-1 requires the preparation of a SWPPP that will include BMPs to minimize erosion and sedimentation. Implementation of this mitigation will reduce the impact to less than significant.

F) HAZARDOUS MATERIALS AND WASTE

Individual or Cumulative Physical Hazard of Material(s) or Waste

1. **Construction Impact:** The project will require the placement of dewatering wells approximately 15 to 20 feet deep, along the work area of the J Street Drain. The nearby Halaco Superfund Site, located approximately 1,500 feet east of the southern portion of the J Street Drain, overlies a groundwater plume impacted primarily by Halaco metals. Currently, the natural direction of groundwater movement beneath the western portion of the Halaco Site (i.e., closest to the J Street Drain) is toward McWane Boulevard (i.e., northward). The entrainment of metals in groundwater nearest the J Street Drain project area is considered potentially problematic, in that the contaminated plume could be encountered during construction activity, in which case treatment of the extracted groundwater would be required prior to discharge into the Perkins Drain. A groundwater modeling study was performed to address this potential problem. The numerical model of the groundwater system beneath the J Street Channel was used to evaluate potential impacts to groundwater in response to dewatering that will be necessary to construct the drain, particularly with regards to whether metal contaminants in groundwater may migrate toward the channel and possibly enter into the dewatering stream. The numerical model of the groundwater system beneath the J Street Channel area demonstrates that a drain, possibly the sewer line beneath McWane Boulevard and Perkins Road, in combination with elevated surface water in the Ormond Beach Lagoon and the Oxnard Industrial Drain (OID) have significant effects on groundwater elevations and migration in the area with groundwater flow identified in the direction of McWane Boulevard and Perkins Road. The simulations demonstrate that it is unlikely for dewatering to draw groundwater from beneath the Halaco Site toward the J Street Drain under current conditions. However, should the existing northward drain effect on groundwater cease, the dewatering effort may cause migration of potentially impacted groundwater from beneath the Halaco Site up to 50 feet toward the J Street Drain (based on refined hydraulic conductivity determined during field testing in November 2011). A potentially significant impact is identified and mitigation is required (EIR page 4.8-11).

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the Project which will avoid or substantially lessen the significant environmental effects with regards to Hazardous Materials identified in the EIR.

   Mitigation Measure

   HAZ-1 Prior to dewatering activities between the Ventura County Railroad and the south project terminus, the District shall install or use existing monitoring wells in order to verify the direction of groundwater movement at the time of dewatering. If it is determined that there is a potential for groundwater migration at the site, the District shall install and operate five injection wells. Injection of water into the shallow aquifer at the beach parking area between the J Street Drain and the Halaco Site would minimize the migration of groundwater from beneath the Halaco Site.

   Facts in Support of Finding: Injection of water into the shallow aquifer through five wells located in the beach parking area between the J Street Drain and the Halaco Site can be utilized to mitigate potential migration of groundwater from beneath the Halaco Site. The monitoring of water levels within selected monitoring wells in the vicinity of the Halaco Site can be utilized before and during Phase 1 dewatering to assess whether groundwater continues to move toward a northern "drain," and during dewatering to identify if migration of groundwater from the Halaco Site toward the J Street Drain is occurring. Implementation of mitigation measure HAZ-1 will reduce the potential impact to a less than significant level.

2. **Cumulative Impacts:** Dewatering activities associated with the proposed project and cumulative projects (e.g., Water Pipeline II) would result in temporary impacts with regards to the potential migration of heavy metals within the groundwater plume from the Halaco site. As previously stated, this could be mitigated by injecting water into the shallow aquifer through several wells (EIR page 4.8-16).

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the Project which will avoid or substantially lessen the significant environmental effects with regards to Hazardous Materials identified in the EIR.

   Mitigation Measure

   HAZ-1 Prior to dewatering activities between the Ventura County Railroad and the south project terminus, the District shall install or use existing monitoring wells in order to verify the direction of groundwater movement at the time of dewatering. If it is determined that there is a potential for groundwater migration at the site, the District shall install and operate five injection wells. Injection of water into the shallow aquifer at the beach parking area between the J Street Drain and the Halaco Site would minimize the migration of groundwater from beneath the Halaco Site.

   Facts in Support of Finding: Injection of water into the shallow aquifer through five wells located in the beach parking area between the J Street Drain and the Halaco Site can be utilized to mitigate potential migration of groundwater from beneath the Halaco Site. The monitoring of water levels within selected monitoring wells in the vicinity of the Halaco Site can be utilized before and during Phase 1 dewatering to assess whether groundwater continues to move toward a northern "drain," and during dewatering to identify if migration of groundwater from the Halaco Site toward the J Street Drain is occurring. Implementation of mitigation measure HAZ-1 will reduce the potential impact to a less than significant level.

Proximity of Hazardous Materials or Waste to Populated Areas

1. **Construction Impact:** The nearby Halaco Superfund Site, located approximately 1,500 feet east of the southern portion of the J Street Drain, overlies a groundwater plume impacted primarily by Halaco metals. The ground water migration modeling simulations demonstrate that it is unlikely for dewatering to draw groundwater from beneath the Halaco Site toward the J Street Drain under current conditions. However, should the existing northward drain effect on groundwater cease, the dewatering effort may cause migration of potentially impacted groundwater from beneath the Halaco Site up to 50 feet toward the J Street Drain (based on refined hydraulic conductivity determined during field testing in November 2011). A potentially significant impact is identified and mitigation is required (EIR page 4.8-14).

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the Project which will avoid or substantially lessen the significant environmental effects with regards to Hazardous Materials identified in the EIR.

   Mitigation Measure

   HAZ-1 Prior to dewatering activities between the Ventura County Railroad and the south project terminus, the District shall install or use existing monitoring wells in order to verify the direction of groundwater movement at the time of dewatering. If it is determined that there is a potential for groundwater migration at the site, the District shall install and operate five injection wells. Injection of water into the shallow aquifer at the beach parking area between the J Street Drain and the Halaco Site would minimize the migration of groundwater from beneath the Halaco Site.

Facts in Support of Finding: Injection of water into the shallow aquifer through five wells located in the beach parking area between the J Street Drain and the Halaco Site can be utilized to mitigate potential migration of groundwater from beneath the Halaco Site. The monitoring of water levels within selected monitoring wells in the vicinity of the Halaco Site can be utilized before and during Phase 1 dewatering to assess whether groundwater continues to move toward a northern "drain," and during dewatering to identify if migration of groundwater from the Halaco Site toward the J Street Drain is occurring. Implementation of mitigation measure HAZ-1 will reduce the potential impact to a less than significant level.

2. **Cumulative Impact:** Dewatering activities associated with the proposed project and cumulative projects (e.g., Water Pipeline II) may result in temporary impacts with regards to the potential migration of heavy metals within the groundwater plume from the Halaco site. Mitigation measure HAZ-1 requires the use of monitoring wells, and possibly injection wells during dewatering activities to address this impact. Through numerical modeling, the use of injection wells was demonstrated to isolate groundwater from the Halaco Site and prevent migration of groundwater toward the channel. Similar activities associated with cumulative projects near the Halaco site would be subject to similar mitigation to avoid potential impacts. Therefore, by adhering to applicable regulations and mitigation measures, cumulative impacts would be less than significant (EIR page 4.8-17).

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the Project which will avoid or substantially lessen the significant environmental effects with regards to Hazardous Materials identified in the EIR.

   Mitigation Measure

   HAZ-1 Prior to dewatering activities between the Ventura County Railroad and the south project terminus, the District shall install or use existing monitoring wells in order to verify the direction of groundwater movement at the time of dewatering. If it is determined that there is a potential for groundwater migration at the site, the District shall install and operate five injection wells. Injection of water into the shallow aquifer at the beach parking area between the J Street Drain and the Halaco Site would minimize the migration of groundwater from beneath the Halaco Site.

   Facts in Support of Finding: Injection of water into the shallow aquifer through five wells located in the beach parking area between the J Street Drain and the Halaco Site can be utilized to mitigate potential migration of groundwater from beneath the Halaco Site. The monitoring of water levels within selected monitoring wells in the vicinity of the Halaco Site can be utilized before and during Phase 1 dewatering to assess whether groundwater continues to move toward a northern "drain," and during dewatering to identify if migration of groundwater from the Halaco Site toward the J Street Drain is occurring. Implementation of mitigation measure HAZ-1 will reduce the potential impact to a less than significant level.

G) CULTURAL RESOURCES

Archaeological Resources

1. **Construction Impact:** The Cultural Resources Constraint Analysis Report prepared for the J Street Drain project did not identify any archeological resources located within the project area. However, archaeological resource sites have been identified in proximity to the project alignment and there is the potential for previously unknown subsurface artifacts to be demolished, materially altered, or relocated during ground disturbing activities. Therefore, construction of the proposed project would result in potentially significant impacts and mitigation is required (EIR page 4.9-7).

Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the Project which will avoid or substantially lessen the significant environmental effects to Cultural and Paleontological Resources identified in the EIR.

Mitigation Measures

CULT-1 In the event that archaeological resources are exposed during project construction, all earth disturbing work within the vicinity of the find shall be temporarily suspended or redirected until a qualified archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume.

CULT-2 If the resource is determined to be potentially significant, a cultural resources treatment plan shall be developed to provide appropriate mitigation measures. These measures may include archaeological testing and data recovery excavation. The treatment plan shall also include a detailed description of associated reporting requirements, curation requirements for any cultural materials collected during treatment, and the qualifications for archaeologists involved in treatment activities.

Facts in Support of Finding: Implementation of mitigation measures CULT-1 and CULT-2 requires that a qualified archaeological monitor be on-site to stop construction activities in the event that ground disturbing activities discover archaeological resources, until the resource can be appropriately treated, if necessary. By obtaining a qualified archaeological monitor and empowering the monitor to stop construction activities, the cultural value of any discovered archaeological resources would be retained.

2. **Cumulative Impacts:** The Water Pipeline 1 and the J Station Elimination projects would intersect the J Street Drain project at Hueneme Road and the Ventura County Railroad, respectively. Therefore, the proposed project could contribute to a significant cumulative impact to archaeological resources if such resources were encountered along those project alignments as well as within the J Street Drain work area. Consequently, the project would result in potentially significant cumulative-level impacts to archaeological resources requiring mitigation (EIR page 4.9-9).

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the Project which will avoid or substantially lessen the significant environmental effects to Cultural and Paleontological Resources identified in the EIR.

   Mitigation Measures

   CULT-1 In the event that archaeological resources are exposed during project construction, all earth disturbing work within the vicinity of the find shall be temporarily suspended or redirected until a qualified archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume.

   CULT-2 If the resource is determined to be potentially significant, a cultural resources treatment plan shall be developed to provide appropriate mitigation measures. These measures may include archaeological testing and data recovery excavation. The treatment plan shall also include a detailed description of associated reporting requirements, curation requirements for any cultural materials collected during treatment, and the qualifications for archaeologists involved in treatment activities.

   Facts in Support of Finding: Implementation of mitigation measures CULT-1 and CULT-2 requires that a qualified archaeological monitor be on-site to stop construction activities in the event that ground disturbing activities discover archaeological resources, until the resource can be

appropriately treated, if necessary. By obtaining a qualified archaeological monitor and empowering the monitor to stop construction activities, the cultural value of any discovered archaeological resources would be retained.

Human Remains

1. **Construction Impact:** No evidence of human remains, including those interred outside of formal cemeteries, was discovered during the records search, literature review, field survey, or site testing and evaluation at the project site. There is no remaining indication that the project site was used by Native Americans for religious, ritual, or other special activities and therefore impacts to Native American burial sites are not expected. However, although no evidence was uncovered during the literature review and field survey, there is still potential that human remains may be disturbed during construction activities. Therefore, a potentially significant impact is identified and mitigation is required (EIR page 4.9-8).

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the Project which will avoid or substantially lessen the significant environmental effects to Cultural and Paleontological Resources identified in the EIR.

   Mitigation Measures

   CULT-3 If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Ventura County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Ventura County Coroner determines the remains to be Native American, the NAHC shall be contacted within a reasonable timeframe. Subsequently, the NAHC shall identify the "most likely descendant." The most likely descendant shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.

   Facts in Support of Finding: In the event that human remains are uncovered during ground disturbing activities, implementation of mitigation measure CULT-3 would ensure that the appropriate agencies are contacted such that the remains are respectfully treated. By implementing mitigation measure CULT-3, potential impacts to human remains would be reduced to below a level of significance.

2. **Cumulative Impact:** Any impacts to human remains would be site-specific. The Water Pipeline 1 and the J Station Elimination projects would intersect the J Street Drain project at Hueneme Road and the Ventura County Railroad, respectively. Therefore, the proposed project could contribute to a significant cumulative impact to human remains if any were encountered along those project alignments as well as within the J Street Drain work area and thus, a potentially significant cumulative impact is identified for construction activities (EIR page 4.9-11).

   Finding: Pursuant to *CEQA Guidelines* §15091(a)(1), changes or alterations have been required or incorporated in the Project which will avoid or substantially lessen the significant environmental effects to Cultural and Paleontological Resources identified in the EIR.

   Mitigation Measures

   To reduce potential impacts to human remains, the following mitigation measure shall be implemented:

   CULT-3 If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Ventura County Coroner has

made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Ventura County Coroner determines the remains to be Native American, the NAHC shall be contacted within a reasonable timeframe. Subsequently, the NAHC shall identify the "most likely descendant." The most likely descendant shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.

Facts in Support of Finding: In the event that human remains are uncovered during ground disturbing activities, implementation of mitigation measure CULT-3 would ensure that the appropriate agencies are contacted such that the remains are respectfully treated. By implementing mitigation measure CULT-3, potential impacts to human remains would be reduced to below a level of significance.

J. PROJECT ALTERNATIVES

The *CEQA Guidelines* require an EIR to "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives" (*CEQA Guidelines* §15126.6(a)). The *CEQA Guidelines* direct that selection of alternatives focus on those alternatives capable of eliminating any significant environmental effects of the project or of reducing them to a less-than significant level, even if these alternatives would impede to some degree the attainment of project objectives, or would be more costly. In cases where a project is not expected to result in significant impacts after implementation of recommended mitigation, review of project alternatives is still appropriate.

The range of alternatives required within an EIR is governed by the "rule of reason" which requires an EIR to include only those alternatives necessary to permit a reasoned choice. In addition to specifying that the EIR evaluate "a range of reasonable alternatives" to the project, Section 15126.6(c) of the *CEQA Guidelines* requires that an EIR identify any alternatives that were considered but were rejected as infeasible. The following outlet alternatives, dike system and natural system with the restoration project, were considered for analysis in the Draft EIR, but were not considered for further evaluation. These alternatives are described below, along with a discussion of why they were rejected from further consideration.

Alternatives Eliminated from Further Consideration

Outlet Alternative A: Dike System

Under this alternative, flow from the J-Street Drain is allowed to drain directly into the Pacific Ocean, essentially bypassing the Ormond Beach Lagoon. This alternative would require channeling of the beach including the construction of a berm on the west side of the channel. This berm would prevent flow from traveling though the Ormond Beach Lagoon as it does now. Due to sand deposition from the ocean, this alternative would require yearly maintenance to ensure that the constructed channel remains open.

Project Related Impacts: This alternative could affect two endangered species—the California least tern and tidewater goby. The former species would be affected if the water levels in the Ormond Beach Lagoon were significantly reduced in the spring and summer when this species is foraging in the lagoon. The latter species would be affected by increased salinity in the diverted J Street Drain, particularly if the diked channel were open to the ocean during the dry season, when freshwater input is low. The high salinities in the diked channel would not support tidewater goby over the long term, as this species requires brackish water. Therefore, the extent of this species, which currently occupies the lower J Street Drain, as well as the lagoon, could diminish.

This alternative would not reduce impacts relating to other issue areas including water quality, air quality, traffic, noise, geology and soils, hazardous materials, cultural resources, utilities, and public health compared to the proposed project. However, this alternative would result in greater impacts to biological resources and is therefore eliminated from further consideration.

Project Objectives: This alternative would meet some of the objectives of this project; however, this alternative may not maintain the existing functional characteristics of the Ormond Beach Lagoon, is incompatible with the future Ormond Beach Lagoon restoration plans due to the potential impacts to sensitive species, would not minimize the disturbance to tidewater goby habitat downstream of the J Street Drain lined channel, and would not minimize operation and maintenance requirements.

Conclusion: This alternative is rejected as infeasible because it would result in greater impacts to biological resources.

Outlet Alternative B: Natural System with the Restoration Project (California State Coastal Conservancy)

This alternative would involve leaving the end of the drain as it is, but having a managed lagoon outlet as described in the Beach Elevation Management Plan (BEMP). Under this alternative, flow from the J Street Drain is allowed to drain directly into the Ormond Beach Lagoon and out to the Pacific Ocean at its present location. This alternative would be based on the Coastal Conservancy's development of a wetland just south of the area where the Oxnard Industrial Drain flows into the Ormond Beach Lagoon. This wetland area is to be developed/designed by the Coastal Conservatory. In this alternative, the Ormond Beach Lagoon would require little to no maintenance at the ocean outlet. As part of this alternative, the lagoon area on the east side of the J-Street Drain Channel, just south of the old Hueneme Drain Channel, would be excavated down to improve outlet conditions for the J-Street Drain and to increase the wetland area.

Project Related Impacts: This alternative would not reduce significant impacts that have been identified for the proposed project. After reconstruction of the J Street Drain concrete lining, the channel invert would be about four feet lower than the existing invert in order to create the required channel capacity. This alternative would require excavation of the lagoon downstream of J Street Drain to facilitate the movement of water from the drain into the lagoon, potentially reducing the extent of standing water in upstream portions of the drain and transferring it to the lagoon instead. This would shift available mosquito breeding areas from an easily treated location (the J Street Drain) to one that is less accessible to Ventura County Vector Control Program (VCVCP) staff and more suitable for mosquito breeding by way of its shallow, vegetated margins.

Due to the additional excavation, this alternative would result in greater impacts to air quality, traffic, noise, geologic hazards, hazardous materials, water resources, and cultural resources. Furthermore, extensive excavation within the lagoon would have greater impacts to sensitive biological resources such as tidewater goby, California least tern, and marsh habitats.

Project Objectives: This alternative would meet most of the objectives of this project, but it would not minimize the disturbance to tidewater goby habitat downstream of the J Street Drain lined channel during the short term. This alternative would not reduce potential significant impacts.

Conclusion: Because this alternative would not reduce potential significant impacts, it was eliminated from further consideration.

Alternatives Evaluated in the EIR

Outlet Alternative D: No Project

Under this alternative, the Ormond Beach Lagoon would not be altered in any way. Essentially, this alternative allows the lagoon to function as it does now with periodic natural breaching. J Street Drain would drain directly to the Ormond Beach Lagoon as it does now. In this option, the District would not

modify the Ormond Beach Lagoon, and a BEMP would not be adopted. Flow from J Street Drain would continue to pass through the lagoon and out to the ocean at its present location. This alternative would accommodate future development of a wetland just south of the area where the Oxnard Industrial Drain flows into the Ormond Beach Lagoon. This wetland area may be developed/designed by the Coastal Conservancy. As part of Alternative D, maintenance personnel would need to periodically remove vegetation around the ocean outlet. This maintenance work would prevent root establishment in the ocean outlet area and allow the outlet to open more easily by natural breaching processes.

Project Related Impacts: This alternative would result in no project-related impacts since construction or beach grooming activities would not occur. This alternative would not impact the existing hydrology, circulation pattern, water quality, or biological resources at the Ormond Beach Lagoon.

Additionally, this alternative would not result in impacts relating to other issue areas including land use and planning, air quality, traffic, noise, geology and soils, hazardous materials, cultural resources, and utilities. Compared to the Preferred Outlet Alternative, the No Project Outlet Alternative would result in fewer environmental impacts. However, when the No Project Outlet Alternative is combined with the Preferred Channel Alternative, the lack of a transition from the deepened channel to the lagoon may increase erosion of the lagoon and cause more extensive ponding of flows upstream.

Project Objectives: This alternative would meet most of the objectives of this project including ensuring project compatibility with future Ormond Beach Lagoon restoration plans. However, the No Project Outlet Alternative does not provide an action plan for beach grooming (BEMP) to ensure sufficient flood protection for upstream properties. Furthermore, the lack of a transition between the deepened drain and the adjacent higher elevation lagoon may conflict with the objective of providing 100-year flood protection.

Conclusion: Since the No Project Outlet Alternative does not provide an action plan to ensure sufficient flood protection for upstream properties and the lack of a transition between the deepened drain and the adjacent higher elevation lagoon may conflict with the objective of providing 100-year flood protection, this alternative was eliminated from consideration.

Channel Alternative A: Buried Box Culvert

Alternative A would feature buried box culverts that would allow for landscaping on top. This alternative would require that the box culverts be strengthened to hold the additional weight of the vegetation on top. Having vegetation on top would allow for an aesthetic benefit for the length of J Street. However, the drain would remain an open channel south of Hueneme Road to avoid impacts to listed species.

Project Related Impacts: This alternative would require greater soil excavation than the proposed project and may result in greater excess soil to be hauled off to landfills. Therefore, construction of this alternative would involve additional haul truck trips. With regard to air quality, construction-related oxides of nitrogen (NO_x) emissions would exceed the Ventura County Air Pollution Control District (VCAPCD) and South Coast Air Quality Management District (SCAQMD) daily thresholds of significance. However, these impacts would be less than significant due to their temporary nature and implementation of VCAPCD mitigation measures. With regard to global climate change, impacts would be similar to the proposed project. Construction emissions would add to greenhouse gas emissions in the atmosphere; however, as with the proposed project, the emissions are not anticipated to exceed SCAQMD's annual threshold for industrial projects of 10,000 metric tons of carbon dioxide equivalent (CO_{2e},) and, when amortized, would be below the California Air Pollution Control Officers Association (CAPCOA) recommended annual threshold of 900 metric tons of CO_{2e} emissions. Noise construction impacts associated with this alternative would be similar to those of the proposed project and would be less than significant with incorporation of mitigation. Traffic impacts would be greater due to more haul truck trips to transport excess soil. However, traffic impacts would be less than significant with

mitigation measures. The excess soil would result in a greater solid waste impact as more soil would be required to be accommodated at landfills.

Waste treatment/disposal impacts associated with this alternative would be greater than the proposed project. This alternative would include a covered top for landscaping which would result in long-term visual resources benefits, thus reducing this significant impact. This alternative would not change the amount of ponded water compared to the proposed project. Public health impacts associated with mosquito breeding areas would be greater than the proposed project because the covered channel would be difficult to access and therefore mosquito treatment may be less effective.

Construction-related impacts to cultural resources would be the same as the proposed project as no archeological resources were found within the project area. Mitigation measures would be in place for the potential that previously unknown subsurface artifacts are encountered during ground disturbance activities. The potential for impacts to paleontological resources would be low, as it is for the proposed project. Impacts associated with geology including liquefaction and expansive soil would be similar to the proposed project as well. The construction associated with this alternative would be similar to the proposed project. Water and biological impacts for this alternative would result in similar impacts and mitigation measures as the proposed project because both alternatives would require similar footprints for construction. The operation of this alternative would result in maintenance activities similar to those currently in place and the proposed project. However, the box culvert drain would not be accessible for dumping and trash would not blow into the covered drain; therefore, less maintenance with regards to trash clean up would be necessary for this alternative.

Project Objectives: This alternative would meet all of the project objectives regarding flood control protection, Ormond Beach Lagoon, and tidewater goby. Additionally, Alternative A would provide an aesthetic benefit by adding landscaping on top of the drain for the length of J Street. However, Alternative A would likely cost substantially more than the proposed project due to the increased construction and landscaping costs.

Conclusion: Alternative A was eliminated from consideration since it would cost substantially more than the proposed project due to the increased construction and landscaping costs.

Channel Alternative C: Open Rectangular Channel

This alternative would have a main channel with vertical walls that would be sufficient to carry most stormwater flows, however as flow increased it would reach the step and spread out further. This would still allow for the desired capacity, but would also allow for creation of a narrow landscaping area on the step.

Project Related Impacts: Alternative C would require additional right-of-way. While this alternative would involve design features that differ from the proposed project, construction impacts associated with this alternative would not differ considerably.

This alternative would require similar soil excavation as the proposed project and would result in similar quantities of excess soil to be hauled off to landfills. With regards to air quality, construction-related NO_x emissions would exceed the VCAPCD and SCAQMD daily thresholds of significance, but impacts would be considered less than significant due to their temporary nature. With regard to global climate change, impacts would be similar to the proposed project. Noise construction impacts associated with this alternative would be similar to those of the proposed project and would be less than significant with mitigation. Traffic construction impacts associated with this alternative would be similar to those of the proposed project, which would be less than significant with mitigation measures. The potential for impacts to paleontological resources would be low, as it is for the proposed project.

Other construction impacts relating to cultural resources would be the same as the proposed project as no archeological resources were found within the project area. Mitigation measures would be in place for

the potential that previously unknown subsurface artifacts are encountered during ground disturbance activities. Additionally, impacts associated with geology, including liquefaction and expansive soil, would be similar to the proposed project as well.

Water and biological impacts for this alternative would result in similar impacts and mitigation measures as the proposed project because both alternatives would require similar footprints for construction.

Waste treatment/disposal impacts associated with this alternative would be similar to the proposed project.

The operation of this alternative would require maintenance activities similar to those currently in place. Operational impacts would be the same as the proposed project.

This alternative would include a narrow area on the step for vegetation which would result in long-term visual resources benefits, thus reducing this significant impact. This alternative may increase the area of ponded water compared to the proposed project, with water within the "step" channel sections being shallower and supporting vegetation. This would create more suitable habitat for mosquito breeding than the proposed project. Public health impacts associated with mosquito breeding areas would therefore be greater than the proposed project.

Project Objectives: This alternative would meet the project objectives with regards to flood control protection, Ormond Beach Lagoon, and tidewater goby. Additionally, Alternative C would provide an aesthetic benefit by having a vegetated step for the length of the drain.

Conclusion: This alternative would require additional right-of-way which has the potential to alter the alignment of J Street and increase costs.

Channel Alternative D: Two Separate Buried Box Culverts

Like Alternative A, this alternative would require strengthening the box culverts to allow for vegetation on top. By separating the culverts a vegetated swale would be created between the culverts. This vegetated swale could then be used to treat stormwater runoff before it enters the culverts. Due to the presence of endangered California least tern and tidewater goby south of Hueneme Road (Phase 1), this alternative is only considered for Phases 2-4.

Project Related Impacts: Alternative D would require additional right-of-way and relocation of existing utilities compared to the proposed project. This alternative would result in a significant impact to utilities and would require additional mitigation measures.

Excess soil from excavation would be transported to landfills and concrete debris from demolition would be transported for recycling. This alternative would require greater soil excavation than the proposed project and may result in greater quantities of excess soil to be hauled off to landfills. Construction of this alternative would involve additional haul truck trips. Construction NO_x emissions would exceed the VCAPCD and SCAQMD daily thresholds of significance; however, impacts would be considered less than significant due to their temporary nature. With regard to global climate change, impacts would be similar as with the proposed project. Noise construction impacts associated with this alternative would be similar to those of the proposed project and would be less than significant with mitigation. Traffic impacts would be greater due to more haul truck trips to transport excess soil. However, as with the proposed project, traffic impacts would be less than significant with mitigation measures. The excess soil would result in a greater solid waste impact as more soil would be required to be accommodated at landfills.

The potential for impacts to paleontological resources would be low, as it is for the proposed project.

Other construction impacts relating to cultural resources would be the same as the proposed project as no archeological resources located within the project area were found. Mitigation measures would be in place to address the potential for previously unknown subsurface artifacts to be encountered during

ground disturbance activities. Impacts associated with geology including liquefaction and expansive soil would be similar to the proposed project as well.

Water and biological impacts for this alternative would result in similar impacts and mitigation measures as the proposed project because both alternatives would require similar footprints for construction.

Impacts relating to waste treatment and disposal and water supply demand would be greater than the proposed project due to greater quantities of excess soil the need to maintain new landscaping. This alternative would include a covered top for vegetation which would result in long-term visual resources benefits, thus reducing this significant impact. This alternative would not change the amount of ponded water compared to the proposed project. Public health impacts associated with mosquito breeding areas would be greater than the proposed project because the covered channel would be difficult to access and therefore mosquito treatment may be less effective.

The operation of this alternative would result in maintenance activities similar to those currently in place and the proposed project. However, the buried box culvert drain would not be accessible for dumping and trash would not blow into the covered drain; therefore, less maintenance with regard to trash clean up would be necessary with this alternative

Project Objectives: This alternative would meet the project objectives with regards to flood control protection, Ormond Beach Lagoon, and tidewater goby. Additionally, Alternative D would provide an aesthetic benefit by having a landscaped median for the length of J Street. However, this alternative would likely cost substantially more than the proposed project due to increased landscaping and construction costs and the cost of relocating existing utilities.

Conclusion: This alternative would likely cost substantially more than the proposed project due to increased landscaping and construction costs and the cost of relocating existing utilities; therefore it was eliminated from consideration.

Channel Alternative E: Natural Channel

This alternative would be a completely natural channel with no concrete sides or bottom. This would require a much wider channel than currently exists, and would impact the existing streets and require removal of homes on one side of the street.

Project Related Impacts: Alternative E would require additional right-of-way and relocation of existing utilities and homes compared to the Preferred Alternative. This alternative would result in a significant impact to land use and would require mitigation measures.

This alternative would require excavation and demolition during construction in order to create the natural channel. Excess soil and concrete debris would be transported to landfills and recycling centers, respectively. Regarding air quality, construction-related NO_x emissions would exceed the VCAPCD and SCAQMD daily thresholds of significance. With regard to global climate change, construction emissions would be greater and the greenhouse gas emission would be greater.

Additionally, impacts related to noise and traffic would be of a greater degree than those associated with the Preferred Alternative since the construction footprint would be substantially larger. Further, because one side of J Street would be eliminated under this alternative, traffic impacts would likely be significant and unmitigable. After excavation and demolition, the drain would remain as a natural earthen channel and no additional construction impacts (i.e., concrete placement) would occur. Therefore, air quality, noise, and traffic construction impacts would not be as significant as those of the proposed project.

Construction impacts relating to cultural and paleontological resources would be less than significant because this alternative does not require excavation of previously undisturbed subsurface areas because the natural channel would be shallower than the concrete channel alternatives. Impacts associated with geology, including liquefaction and expansive soil, would be similar to the proposed project.

Biological impacts and mitigation measures for this alternative would be greater than the proposed project because a greater project footprint is required for construction. However, there is potential that the open channel could be used by aquatic species as habitat. Groundwater and surface water quality impacts may be significant as a result of this alternative because the natural channel allows runoff containing pollutants to percolate through the permeable surface into groundwater supply. During storm events, flows passing through the natural channel would be more turbid than flows in a concrete channel due to bed and bank erosion. Additionally, runoff flow would decrease as some runoff may be lost due to groundwater recharge.

Impacts relating to waste treatment and disposal would be greater than the proposed project as a result of the larger volume of soil that would be transported to the landfill.

This alternative would potentially result in long-term benefits to visual resources due to the aesthetic value of an open channel. The impact to visual resources would therefore be less than the proposed project. This alternative might increase the area of ponded water compared to the proposed project. Suitable mosquito breeding habitat would be more extensive because of shallower flow depth and availability of vegetation to shelter larvae from wind, waves, and natural predators. Public health impacts resulting from larger and more suitable mosquito breeding areas would be greater than the proposed project.

The operation of this alternative would require maintenance activities similar to those currently in place and the proposed project; however, maintenance activities would potentially have to occur more frequently. In the natural channel option desired vegetation would be planted within the channel to help maintain slopes and minimize erosion. However, the vegetation would need to be trimmed and maintained by the District to prevent reduction of capacity. Therefore, maintenance for the natural channel alternative may be greater than the proposed project.

Project Objectives: This alternative would meet the project objectives regarding flood control protection. However, this alternative may not meet project objectives regarding Ormond Beach Lagoon and tidewater goby since the greater project footprint and natural channel have the potential to introduce greater quantities of polluted runoff, particularly turbid flows, into tidewater goby habitat and/or groundwater supply. Conversely, converting the existing concrete channel to an earthen channel could increase the area of potential breeding habitat for tidewater goby, as this species burrows into channel or lagoon sediments to deposit eggs.

Conclusion: This alternative would likely cost more than the proposed project due to the increased costs of construction and maintenance associated with removal of homes and maintaining the natural channel. Further, this alternative would eliminate part of an existing housing community, require substantially more rights-of-way, and eliminate a portion of J Street.

Channel Alternative F: No Project

The No Project alternative, required by law to be evaluated in the EIR, considers ”existing conditions as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services” [*CEQA Guidelines* Section 15126.6 (e)(2)].

Project Related Impacts: This alternative would not result in any of the construction- or BEMP-related impacts associated with the Preferred Alternative since no construction would occur and a BEMP would not be established. However, without the increase in flood protection the local area would continue to be susceptible to flooding.

Project Objectives: This alternative would not meet the project objectives with regards to flood control protection. Current conditions for Ormond Beach Lagoon and the tidewater goby would persist.

Conclusion: This alternative would not provide flood protection to the local area, leaving homes and business susceptible to flooding. Additionally, residents and business may be required to purchase flood insurance for properties within an identified flood area if the Federal Emergency Management Agency revises the Digital Flood Insurance Rate Maps (DFIRMs) in the future. Current DFIRMs are based on data and analyses pre-dating 1985, and which therefore do not take into account the trend of increasing rainfall since the 1980s.