

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Jay Dobrowalski, Senior Planner

DATE: June 17, 2021

SUBJECT: **Project Name: Mandalay 220kV Substation;** Planning and Zoning Permit No. 20-400-04 (Coastal Development Permit) to authorize the removal of equipment associated with the Mandalay 220 kiloVolt (kV) Substation and replace with limited backfill materials, located east and west of North Harbor Boulevard approximately 0.75 miles south of Gonzales Road (APNs: 183-0-022-01, 183-0-022-02, 183-0-022-03, 183-0-021-01, 183-0-021-02, and 183-0-021-03)

1) Recommendation: That the Planning Commission (“**Commission**”):

- a) Find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15302 (Class 2, Replacement or Reconstruction); and
- b) Adopt Resolution 2021-XX approving Planning and Zoning Permit No. 20-400-04 (Coastal Development Permit), subject to certain findings and conditions.

2) Project Description and Applicant: A request to remove equipment associated with the Mandalay 220 kV Substation and replace with limited backfill materials.

The Project is located east and west of North Harbor Boulevard approximately 0.75 miles south of Gonzales Road within the Coastal Energy Facilities (EC) zone (Attachment A). For the purposes of this Staff Report, the foregoing project description shall be referred to as the “**Project**.” Filed by Kimberly Cuevas, Southern California Edison, 2244 Walnut Grove Avenue GO-1 Quad 2C, Rosemead, California 91770 (the “**Applicant**”).

Please see the reduced Project plans (Attachment B) for more details.

3) Existing & Surrounding Land Uses: The project site is currently developed with electrical substation and associated utility equipment. The Project is situated on private lands adjacent to the Mandalay 220 kV Substation and the Mandalay 66 kV Substation. The project area contains above ground electrical equipment inside a fence surrounding the Mandalay 220 kV Substation and gravel groundcover. Overhead utility lines and associated poles and towers are located outside the fenced area.

The following table summarizes the land uses and zoning designation of the Project site and adjacent properties, which are also illustrated on Attachment A.

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Public Utility Energy Facility (PUE)	Coastal Energy Facilities (EC)	Energy facilities (Mandalay Generating Station, Mandalay 220 kV and 66 kV Substations)
North	Agriculture (AG), Resource Protection (RP)	County	Oil and gas facilities, agriculture
South	Resource Protection (RP), Residential Existing (REX)	Coastal Resource Protection (RP), Coastal Recreation (RC), Single-Family Beach (R-B-1), Easement Right-of-Way (ESM-RW)	Mandalay State Beach, oil and gas facilities, graded building pads
East	Agriculture (AG), Easement (ESM)	County, Coastal Resource Protection (RP)	Oil and gas facilities, agriculture
West	Recreation Area (REC), Resource Protection (RP)	Coastal Recreation (RC), Easement Right-of-Way (ESM-RW)	Mandalay State Beach, Pacific Ocean

4) Background Information:

- a) The project site was developed with the existing Mandalay 220 kV Substation in approximately 1958. The Mandalay Generating Facility opened in 1959 with two steam powered generation units, one jet engine powered unit was added in 1970. There are dozens of building permits dating back to 1963 for the Mandalay Power Plant and its ancillary uses.
- b) The site has few Planning entitlements.
 - i) Permits for a storage tank and a pipeline were approved by the Planning Director in 2000 and 2001, respectively.
 - ii) On August 17, 2000, the Planning Commission approved Coastal Development Permit 00-5-41 to allow Southern California Edison to decommission and remove four oil storage tanks located adjacent to the Mandalay Bay Generating Station.
 - iii) Two Coastal Administrative Modification permits (PZ 04-420-01 & PZ 04-420-02) were approved by the Planning Director in 2004 for different aspects of a project to dredge and remove dredged material for a canal on the site.
 - iv) Additionally, a lot line adjustment was made in preparation for SCE divestiture (PZ 97-5-28 and 04-420-01).

5) Environmental Determination: In accordance with Section 15302 (Class 2, Replacement or Reconstruction) of the State of California Environmental Quality Act (CEQA) Guidelines, projects involving “replacement or reconstruction of existing facilities” including the “existing utility systems and/or facilities involving negligible or no expansion of capacity” may be found to be exempt from the requirements of CEQA. This proposed Project meets the requirements of a Class 2 Categorical Exemption because it consists of the removal of existing equipment from an energy substation that involves no expansion of capacity, and replacement with limited backfill materials to ensure that the site is returned to its original condition prior to the installation of the

equipment. The project includes restoration work as designed and directed by a qualified biologist in the form of seeding or planting in the areas of ground or vegetation disturbance. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, staff has determined that there is no substantial evidence that the project will have a significant effect on the environment and recommends that the Planning Commission direct the Planning & Environmental Services Manager to file the Notice of Exemption (Attachment C) with the Ventura County Clerk pursuant to Section 15062 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of the project.

6) Analysis:

a) General Discussion: The proposed project includes the removal of existing equipment from the Mandalay 220 kV substation to decommission the substation. The Mandalay 220 kV Substation is being decommissioned at the request of the generation customer Gen-On (formerly NRG), whose Mandalay Generating Station is in the process of retirement. SCE's Mandalay 220 kV Substation is located on SCE land and served to connect the Generating Station to the electrical grid.

The proposed activities include the removal of transmission, subtransmission, and telecommunication lines from the substation leading into the adjacent (Mandalay 66 kiloVolt) substation, and a steel lattice tower. Specifically, the activities include the removal of wood poles, a tubular steel pole, conduit, cable, and equipment.

The proposed transmission line work includes the removal of two overhead transmission lines that run from a tower located on the east side of North Harbor Boulevard to the substation on the west side of North Harbor Boulevard.

The proposed subtransmission line work includes the removal of two overhead lines that run from the adjacent Mandalay 66kV substation to the adjacent Mandalay Generating Station, 18 poles (17 wood poles and one tubular steel pole), down guys, anchors, and an overhead conductor. The 18 poles to be removed are located as follows: 4 poles are located within adjacent to the Mandalay 66 kV substation on the east side of North Harbor Boulevard; 2 poles are located on the south side of the canal and east of North Harbor Boulevard; 7 poles (including the one tubular steel pole) are located along the south side of the canal; and 5 poles are located within the developed areas of the Mandalay Generating Station.

The proposed telecommunications line work includes the removal of overhead and underground fiber optic cable. The overhead cable will be removed between a tower located on the east side of North Harbor Boulevard and the substation located on the west side of North Harbor Boulevard. The underground cable will be removed between the Mandalay 66 kV substation and the tower (which are both located on the east side of North Harbor Boulevard) and between the Mandalay 220 kV substation and the Mandalay Generating Station (which are both located on the west side of North Harbor Boulevard). The underground cable will be pulled from the conduit (the conduit will be abandoned and remain in place) to minimize ground disturbance.

The project will result in ground disturbance during removal of the poles. Removal of each pole requires approximately 2-3 feet of digging around the base of each pole. The poles will be pulled out of the ground using vehicles. After the poles are removed, the pole holes will be filled with adjacent native material and/or clean sand. The project includes brush clearance as required to access one of the poles, and vegetation trimming or removal may be required under a tower to access some of the equipment on the tower.

The Mandalay 220 kV substation is surrounded by a chainlink fence. The project includes the removal of all the equipment within the chainlink fence. The substation includes underground cables that will be removed from existing conduits. The substation has a fire hydrant and water lines that will be capped. Upon completion of the project, the fence and gravel will be left in place.

The project site has vehicle access from North Harbor Boulevard along paved driveways to the substations, and existing dirt roads across vegetated areas. To minimize ground disturbance within vegetated areas, temporary mats will be laid down on the ground to allow vehicle travel and minimize disturbance to vegetation. The project equipment and materials will be staged within existing developed areas on the substation driveways, paved areas, or within the substations. Equipment to be used for the Project include bucket truck, pick-up truck, single drum puller, cable dolly, crane, manlift, forklift, and 18-wheeler flatbed truck.

The project includes biological restoration work in the form of seeding or planting in the areas of ground or vegetation disturbance.

b) General Plan and Local Coastal Program (LCP) Consistency: The project site has a 2030 General Plan land use designation of Energy Facility (PUE) which allows large electrical generating and transmission facilities. The proposed use of the site is the continued use of the energy substation area which will be left vacant after the removal of the equipment; therefore, the project is consistent with the City's 2030 General Plan and complies with all applicable Coastal Land Use Plan Policies (see below consistency tables).

Consistency with the 2030 General Plan is defined by the relationship between 2030 General Plan policies and the proposed project. The three consistency classification levels are:

- I. Direct Applicability to a Proposed Project or Program (full text of the policy and an explanation).
- II. Related or Indirect Applicability to the Proposed Project or Program (policy title and an explanation for each or groups of related or indirectly related policies).
- III. No or Distant Applicability to the Proposed Project or Program (all policies not listed as Level I and II are assumed to be consistent).

POLICY	LEVEL	POLICY OR TITLE	EXPLANATION
ER-1.1	I	Protect Oxnard's Natural and Cultural Resources Protect the City's natural resource areas, fish and wildlife habitat, scenic areas, open space areas, parks, and cultural and historic resources from unnecessary encroachment or harm and if encroachment or harm is necessary, fully mitigate the impacts to the maximum extent feasible.	Project includes restoration activities to ensure that the site is returned to its original condition prior to the installation of the equipment.
ER-2.4	I	Design Review Process Use the environmental and design review process to protect designated sensitive habitat, and promote open space.	Project includes minimized ground disturbance, vehicle mats, and restoration activities to ensure that the site is returned to its original condition prior to the installation of the equipment.
ER-4.1	I	Encourage Protection of Sensitive Habitat Identify and encourage protection of sensitive habitat areas, with attention to habitat that may span small parcels.	Project site includes sensitive habitat and the project is designed to minimize disturbance and restoration activities to ensure that the site is returned to its original condition prior to the installation of the equipment.
ER-4.5	I	Planning in Sensitive Areas Require careful planning of new development in or near areas that are known to have particular value for biological resources to maintain sensitive vegetation and wildlife habitat.	Project includes removal of existing utility infrastructure and related development and includes restoration activities to ensure that the site is returned to its original condition prior to the installation

			of the equipment.
ER-6.2	I	Protect and Enhance Major Scenic Resources Protect and enhance the scenic resources of the beaches, Channel Island Harbor, windrows, farmland, the Channel Islands, and surrounding mountains.	Project includes removal of existing above ground powerlines and related equipment which will enhance views along the coast.
ER-6.4	I	Siting of Transmission Lines Work with utility companies to avoid transmission lines interfering with scenic views.	Project includes removal of existing transmission lines which will enhance views.
CD-9.2 CD-16.5 CD-17.1	II	Revitalization and Redevelopment Industrial and Commercial Development Standards Electric Facilities	The project is subject to conditions of approval that meet these Level II policies.
All others	III	All policies not listed above	No or distant applicability to the proposed project.

In addition to being subject to the 2030 General Plan, the proposed development is subject to the Coastal Act and Local Coastal Plan. The applicable policies have been compared with the proposed project as follows:

Coastal Act Policies (CA) and Local Coastal Plan (LCP) Policies

POLICY NO.	POLICY	EXPLANATION
CAP 30240a	Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.	Project is designed to minimize ground and vegetation disturbance and includes restoration activities to ensure that the site is returned to its original condition prior to the installation of the equipment.
CAP 30240b	Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas	

	shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.	
CAP 30250	New development shall be located within, contiguous with, or in close proximity to existing developed areas able to accommodate it.	Project site is located within a previously disturbed area developed with the existing substation. Project was developed with a biological report and recommendations have been incorporated into the project description and conditions or approval. Restoration activities are included to ensure that the site is returned to its original condition prior to the installation of the equipment.
LCP 6(d)	New development adjacent to wetlands or resource protection areas shall be sited and designed to mitigate any adverse impacts to the wetlands or resource...When a development is proposed within an environmentally sensitive habitat or a resource procession area, or within 100 feet of such areas, a biological report shall be prepared within includes applicable topographic, vegetative and soils information. The information shall include physical and biological features existing in the habitat areas. The report shall be prepared by a qualified biologist, and shall recommend mitigation measures to protect any impacted resources. All recommendations shall be made in cooperation with the State Department of Fish and Game. When applicable restoration of damaged habitats shall be a condition of approval.	
CAP 30251	Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas to minimize the alteration of natural landforms, and to be visually compatible with the character of the surrounding areas.	Project includes removal of above ground powerlines and related equipment which will enhance views.

LCP 37	All new development in the coastal zone shall be designed to minimize impacts on the visual resources in the area.	
LCP 52	Industrial and energy-related development shall not be located in coastal resource areas, including sensitive habitats, recreational areas and archaeological sites. All development adjacent to these resource areas or agricultural areas shall be designed to mitigate any adverse impacts. All new industrial development shall be designed and screened to minimize aesthetic impacts. Screening shall be primarily vegetative.	Project development includes fill within holes for removed poles. Project has been designed to minimize disturbances. Restoration activities are included to ensure that the site is returned to its original condition prior to the installation of the equipment.
LCP 54	All new industrial and energy-related development shall be located and designed to minimize adverse effects upon public access to the beach. Where appropriate, an access dedication shall be a condition of approval.	Project activities will occur within existing substation and will not create new adverse impacts to public access to the beach.
LCP 63	Except for oil and gas wells and accessory structures, all energy facilities proposed for the coastal zone shall be permitted uses only in the areas designated "Energy Development Areas" on the land use map. The concentration of these uses in the industrial development in the Ormond Beach area is in conformance with coastal policies requiring the concentration of development and facility consolidation (Sections 30260 and 30261).	The existing substation is located within an area designated "Energy Development Areas" on the land use map. The project includes the removal of utility equipment.

The proposed Project complies with the above CAP and LCP policies and, as shown below, the Project is fully consistent with the development standards of the Coastal

Energy Facilities (EC) zone which implements the above LCP policies.

- c) **Conformance with Zoning Development Standards:** The proposed removal of existing energy substation equipment is subject to the policies of the Coastal Energy Facilities (EC) zone. Pursuant to Section 17-20(B)(2) and (3) (Coastal Energy Facilities Zone) of the Coastal Zoning Code, an electrical power generating plant and accessory uses normally associated with said power generating facilities and electrical substations are subject to the Planning Commission's approval of a Coastal Development Permit. Additionally, pursuant to Section 17-57(B)(5) (Coastal Permit Procedures) of the Coastal Zoning Code, the proposed project is appealable to the California Coastal Commission, and is thus subject to the Planning Commission's approval of a Coastal Development Permit. The proposed development has been reviewed for consistency with the development standards of the Coastal Zoning Code as follows:

Coastal Act Policies (CA) and Local Coastal Plan (LCP) Policies Applicable to Development Within the Coastal Energy Facilities Zone

POLICY NO.	POLICY	EXPLANATION
CAP 30260	Coastal dependent energy facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth, where consistent with this article.	Project site is located within an area previously developed with the existing energy station and two substations. The project includes the removal of utility equipment.
LCP 29	All new energy related development shall conform to the air quality regulations set forth by the Ventura County Air Pollution Control District, the air quality management plan and new source review rule 26.	Project development will be subject to required air quality review and approval by the Ventura County Air Pollution Control District. The project includes the removal of utility equipment.
LCP 30	Energy related development shall not be located in coastal resource areas including sensitive habitats, recreational areas and archaeological sites. All development adjacent to these resource areas or agricultural areas shall be designed to mitigate any adverse impacts.	Project development includes the removal of existing equipment that is located within a coastal resource area and has been designed to minimize disturbances. Restoration activities are included to ensure that the site is returned to its original condition prior to the installation of the equipment.

LCP 54	All new energy related development shall be located and designed to minimize adverse effects upon public access to the beach.	Project development includes the removal of equipment from an existing substation that will not create adverse impacts to public access to the beach.
LCP 56	No energy related development shall be located seaward of the 100 year flood/wave run-up line as designated by the U.S. Department of Housing Insurance Program Administration and the land use map of the Oxnard coastal land use plan.	Project development includes the removal of equipment from an existing substation.
LCP 64	Wastewater from any energy related facilities shall be treated as necessary and put to reuse including, but not limited to the following: (a) Re-injection into the aquifer or ground water recharge system; and (b) Recycling for industrial, agricultural or urban use.	Project development does not include any changes to wastewater from the existing substation.

As conditioned, the Project is consistent with the Coastal Act policies and Local Coastal Plan policies that are applicable to development located within the Coastal Energy Facilities zone.

- d) Site Design:** The project site is located on both the west and east side of North Harbor Boulevard. The 66kV substation is located on the east side of the roadway, and the Mandalay Generating Station and 220 kV substation are both located on the west side of the roadway. The energy facility equipment that will be removed is generally surrounded by existing energy facility equipment and native vegetation. The project site includes trees and native vegetation that partially screens the 220kV substation from North Harbor Boulevard. The top portion of the equipment located within the 220kV substation area is visible from the roadway. After the equipment is removed from the 220 kV substation area, the 220kV substation will not be visible from North Harbor Boulevard.
- f) Circulation and Parking:** Vehicular access to the site is provided via paved driveways from North Harbor Boulevard. The paved driveways will be used to access existing dirt roads for direct access to some equipment. In order to access some poles within the existing vegetation, vehicle access will be taken over existing vegetation directly from North Harbor Boulevard. The vehicle access over the vegetation will use temporary mats and a straight path of travel to minimize distance and potential impacts from vehicles. Equipment to be used for the Project include bucket truck, pick-up truck, single drum puller, cable dolly, crane, manlift, forklift,

and 18-wheeler flatbed truck. The intent of the equipment is to minimize the amount of “on the ground” activity and to maximize removing equipment through the air. The substation’s existing gravel area will be used as the staging area for the decommissioning work. The project does not require onsite parking to be provided.

7) Community Workshop and Public Input: Since the Project site is not located within a General Plan designated neighborhood, the project was not required to be presented to the community during a Community Workshop.

Consistent with public noticing requirements, the Planning Commission Hearing was advertised in the newspaper, with an on-site posting and by mail to property owners within 300 feet of the project site, and residents within 100 feet of the project site. To date, Planning Staff has not received any comments or inquiry from the public regarding the proposed project.

8) Appeal Procedure: In accordance with Section 17-58(J) of the City Code, the Planning Commission’s action may be appealed to the City Council within 10 working days after the decision is made. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period. If an appeal to the City Council is not filed within 10 working days of the Planning Commission's decision, the decision of the Planning Commission shall be considered final and a Notice of Final Action shall be filed on the 11th working day with the Coastal Commission.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning, Aerial)
- B. Development Project Plans
- C. Notice of Exemption
- D. Resolution (Coastal Development Permit)
- E. Staff Presentation

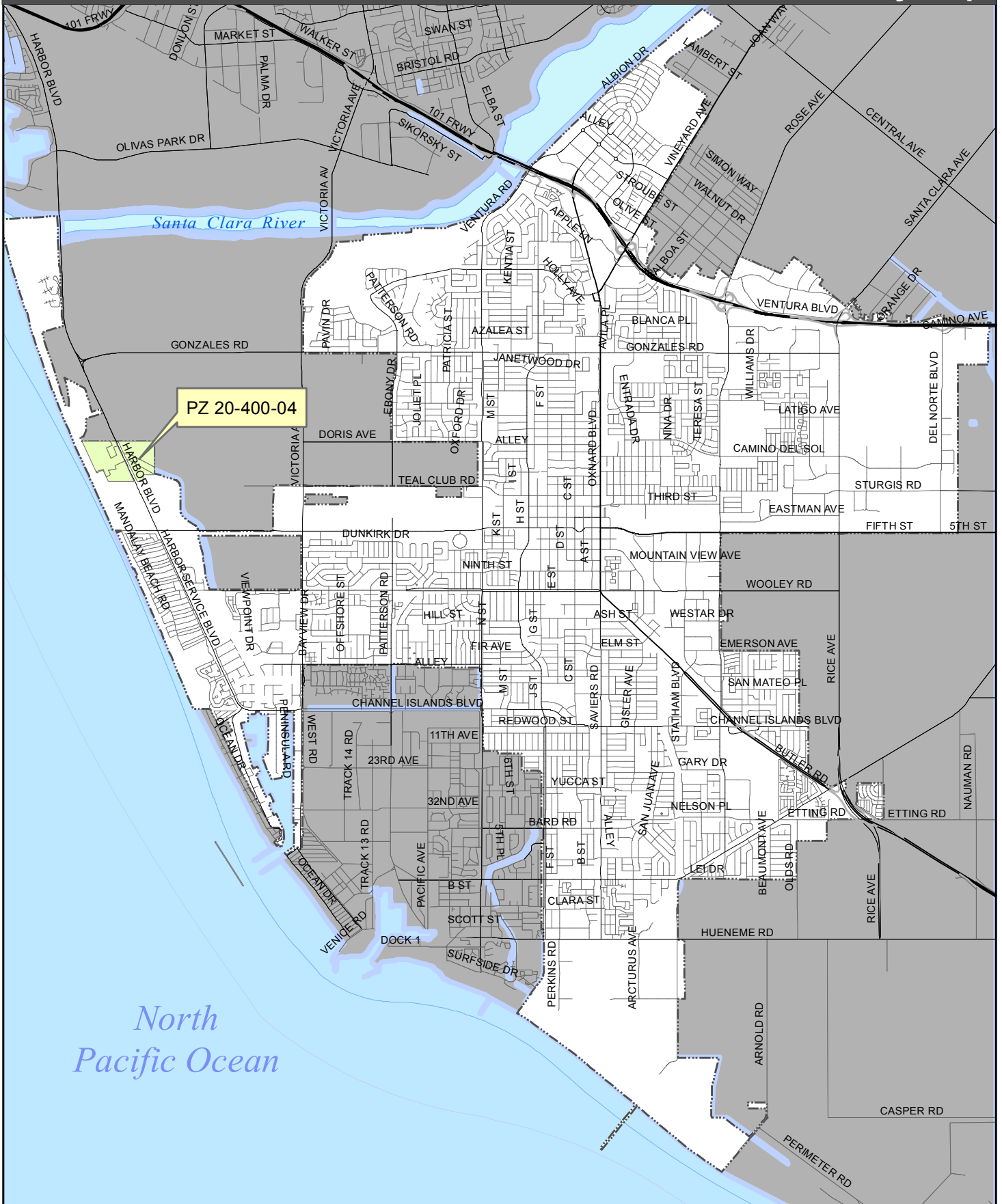
ATTACHMENT

A

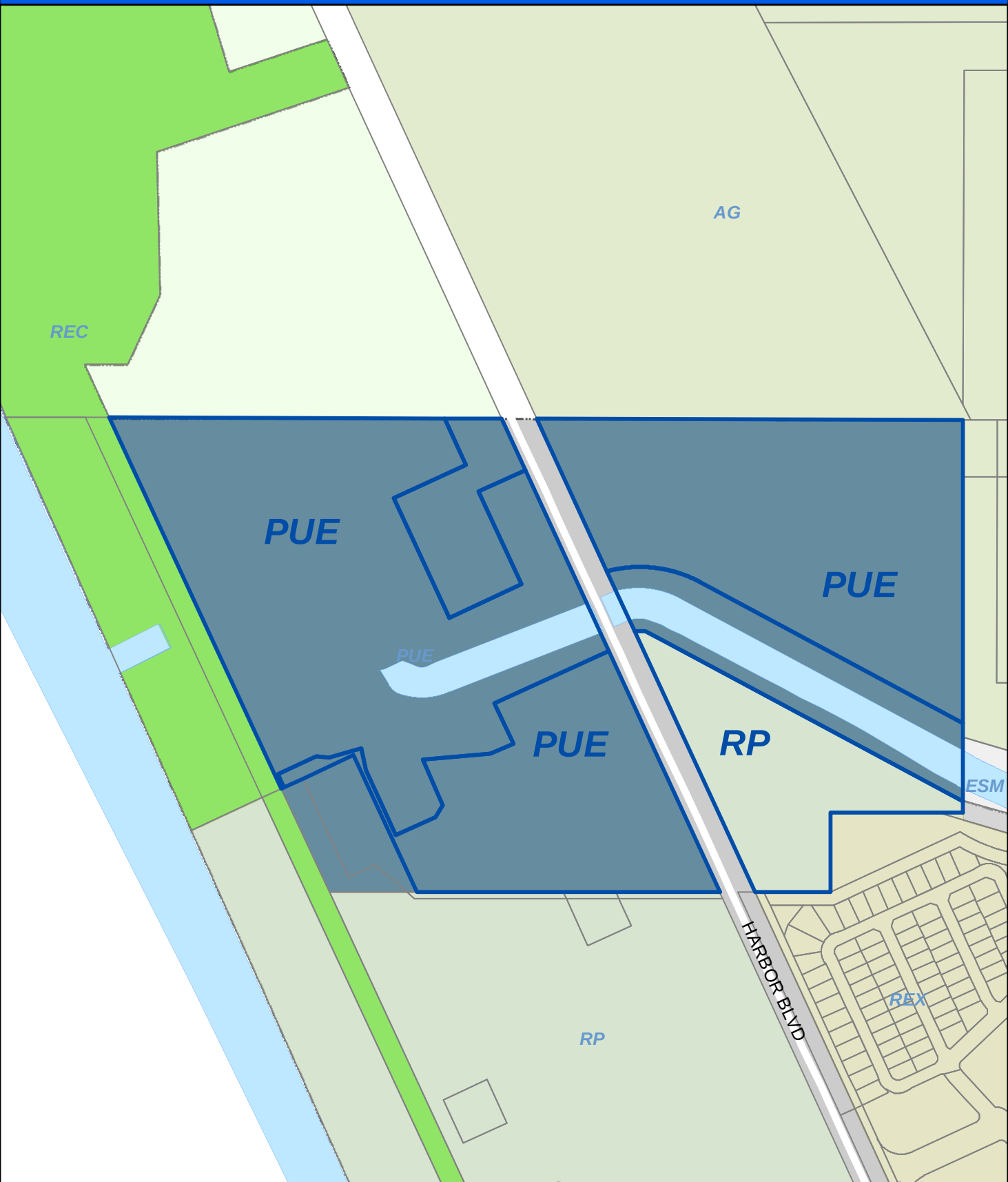
MAPS

(VICINITY, GENERAL PLAN, ZONING, AERIAL)

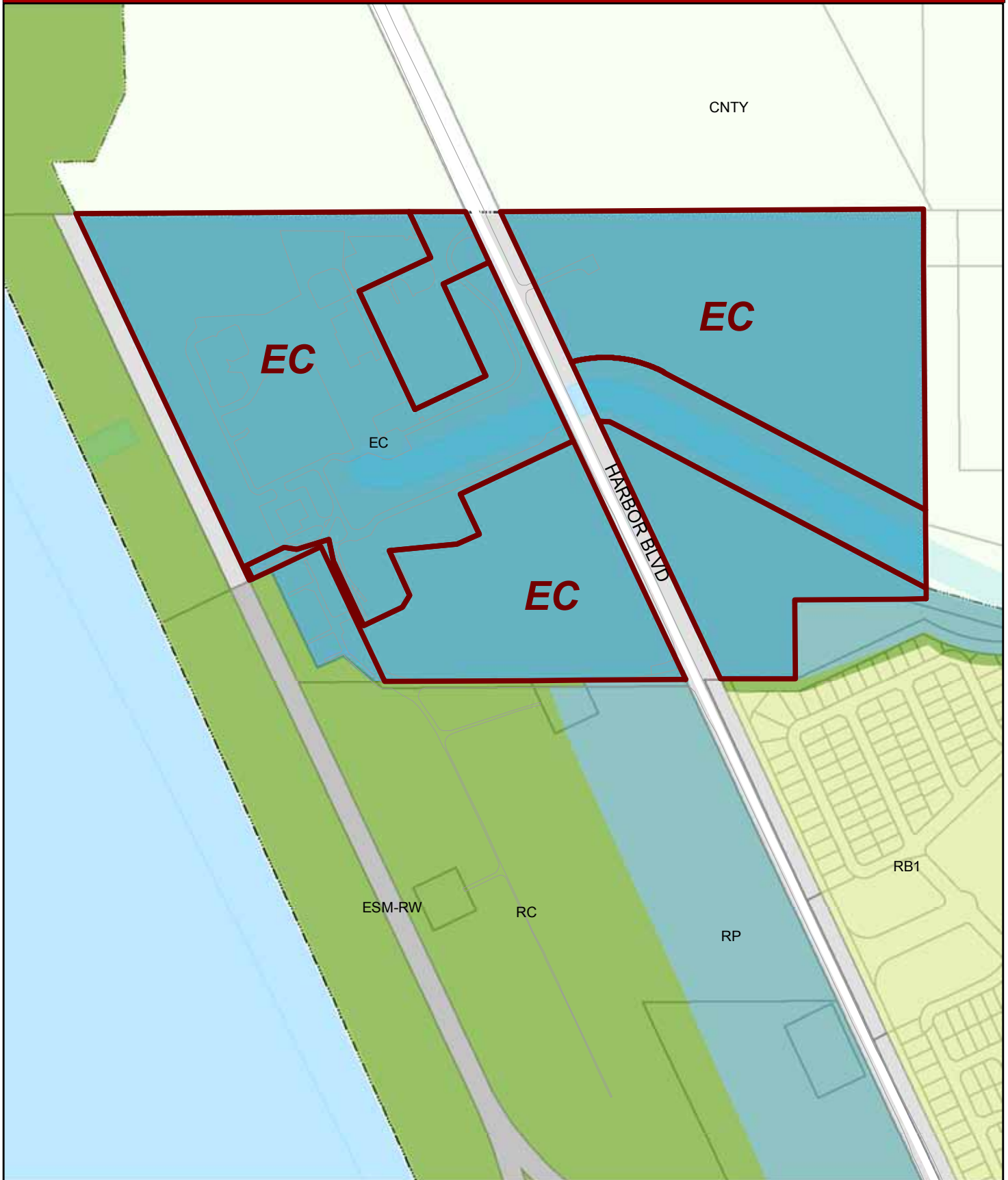
Vicinity Map



2030 General Plan Land Use Map



Zoning/Specific Plan Map



Oxnard Planning

June 2, 2021

PZ 20-400-04
APN: 183002201, 183002202, 183002203,
183002101, 183002102, 183002103
SCE Mandalay Substation
0 100 200 400 600 800 Feet

Zoning/Specific Plan Map



1:6,000

Aerial Map



ATTACHMENT B

REDUCED PROJECT PLANS

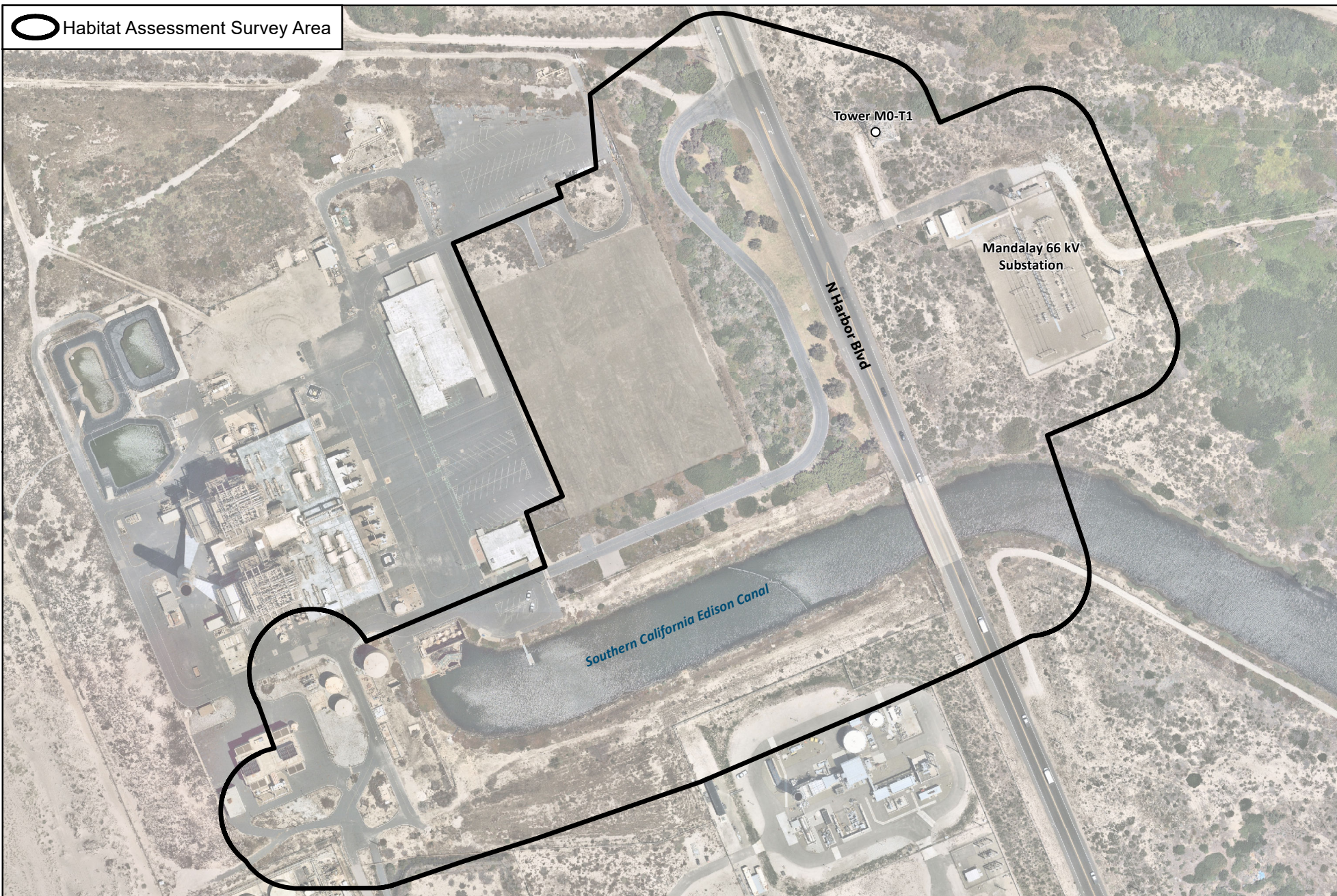


Figure 3

Post-Decommissioning Simulation

SCE MANDALAY 220KV SUBSTATION DECOMMISSIONING



Artemis Environmental
Services, Inc.



0 200
Feet

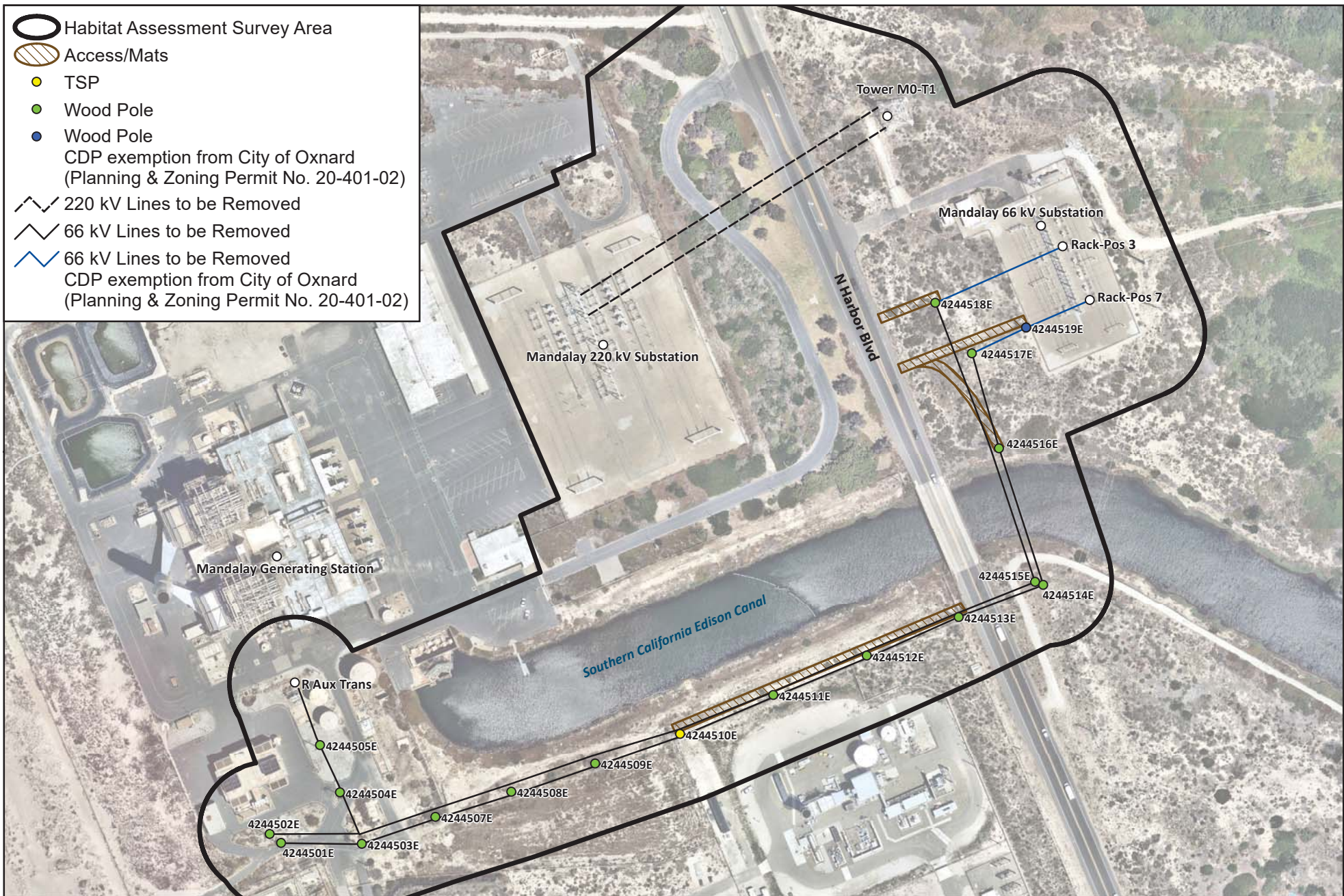


Figure 2

Proposed Project

ATTACHMENT C

CEQA NOTICE OF EXEMPTION

NOTICE OF EXEMPTION

Project Description: PZ No. 20-400-04 (Coastal Development Permit): A request to remove equipment associated with the Mandalay 220 kV Substation and replace with limited backfill materials located east and west of North Harbor Boulevard approximately 0.75 miles south of Gonzales Road within the Coastal Energy Facilities (EC) zone. Filed by Kimberly Cuevas, Southern California Edison, 2244 Walnut Grove Avenue GO-1 Quad 2C, Rosemead, California 91770.

Finding: The Planning Division of the Development Services Department of the City of Oxnard has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

- ☐ Ministerial Project
- ☒ Categorical Exemption
- ☐ Statutory Exemption
- ☐ Emergency Project
- ☐ Quick Disapproval [CEQA Guidelines, 14 Cal. Code of Regs. 15270]
- ☐ No Possibility of Significant Effect [CEQA Guidelines, 14 Cal. Code of Regs. 15061(b)(3)]

Supporting Reasons: In accordance with Section 15302 (Class 2, Replacement or Reconstruction) of the State of California Environmental Quality Act (CEQA) Guidelines, projects involving “replacement or reconstruction of existing facilities” including the “existing utility systems and/or facilities involving negligible or no expansion of capacity” may be found to be exempt from the requirements of CEQA. This Project meets the requirements of a Class 2 Categorical Exemption because it consists of the removal of existing equipment from an energy substation that involves no expansion of capacity, and replacement of with limited backfill materials to ensure that the site is returned to its original condition prior to the installation of the equipment. The project includes restoration work as designed and directed by a qualified biologist in the form of seeding or planting in the areas of ground or vegetation disturbance. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Based on the above exemption and in accordance with CEQA, the Planning Commission has determined that there is no substantial evidence that the project may have a significant effect on the environment and hereby authorizes and directs the Planning and Environmental Services Manager to file a Notice of Exemption with the Ventura County Clerk.

(Date)

Scott Kolwitz, Planning Manager
City of Oxnard

**ATTACHMENT
D**

**RESOLUTION No. 20-400-04
(COASTAL DEVELOPMENT PERMIT)**

RESOLUTION NO. 2021-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 20-400-04 (COASTAL DEVELOPMENT PERMIT) TO AUTHORIZE THE REMOVAL OF EQUIPMENT ASSOCIATED WITH THE MANDALAY 220 KV SUBSTATION AND REPLACE WITH LIMITED BACKFILL MATERIALS ON APPROXIMATELY 9.5 ACRES, LOCATED EAST AND WEST OF NORTH HARBOR BOULEVARD APPROXIMATELY 0.75 MILES SOUTH OF GONZALES ROAD (APNS: 183-0-022-02, 183-0-022-03, 183-0-021-01, 183-0-021-02, AND 183-0-021-03) IN THE COASTAL ENERGY FACILITIES (EC) ZONE, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY KIMBERLY CUEVAS, SOUTHERN CALIFORNIA EDISON, 2244 WALNUT GROVE AVENUE GO-1 QUAD 2C, ROSEMEAD, CALIFORNIA 91770.

WHEREAS, on October 28, 2020, Kimberly Cuevas, on behalf of property owner Southern California Edison (the “**Applicant**” and/or “**Permittee**”), submitted a request for a Coastal Development Permit, pursuant to Oxnard City Code Section 17-57 through 17-58, to allow the removal of equipment associated with the Mandalay 220 kV Substation and replace with limited backfill materials on approximately 9.5 acres, located east and west of North Harbor Boulevard approximately 0.75 miles sh of Gonzales Road; and

WHEREAS, on June 17, 2021, the Planning Commission of the City of Oxnard (“**Planning Commission**”) conducted a duly noticed public hearing to consider Applicant’s request to approve Planning and Zoning Permit No. 20-400-04 (Coastal Development Permit) to allow the removal of equipment associated with the Mandalay 220 kV Substation and replace with limited backfill materials on approximately 9.5 acres, located at North Harbor Boulevard approximately 0.75 miles south of Gonzales Road; and

WHEREAS, the Planning and Environmental Services Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a Class 2 Categorical Exemption (Section 15302). Further, the project does not trigger any of the Exceptions to the Exemptions (Section 15300.2) to defeat the Exemption:

- (a) **Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply to all instances, except where the project may impact on an environmental resource of**

hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The project site has a 2030 General Plan/Local Coastal Plan land use designation of Public Utility Energy Facility (PUE) and a Coastal Zoning designation of Coastal Energy Facilities (EC). The Project site is located within a mapped energy facility area, which is adjacent to sensitive habitats. The project includes the removal of a pole located within the adjacent sensitive habitat and replacement with limited backfill materials to ensure that the site is returned to its original condition prior to the installation of the equipment. The project includes restoration work as designed and directed by a qualified biologist in the form of seeding or planting in the areas of ground or vegetation disturbance. Therefore, the project will have no significant impact on an environmental resource of hazardous or critical concern.

- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.**

The proposed Coastal Development Permit request for the removal of equipment associated with the Mandalay 220 kV Substation will result in less equipment on-site associated with the energy facilities. Removed equipment will be replaced with limited backfill materials to ensure that the site is returned to its original condition prior to the installation of the equipment. The project includes restoration work as designed and directed by a qualified biologist in the form of seeding or planting in the areas of ground or vegetation disturbance. The use of the substation is consistent with the 2030 General Plan, Local Coastal Plan and the Oxnard City Code and is compatible with the physical scale and character of other energy facility development in the project area. Any projects requiring discretionary approval would be analyzed with the 2030 General, Local Coastal Plan and the Oxnard City Code for consistency and CEQA for any potential impacts. Therefore, the project will have no significant cumulative impact.

- (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.**

The proposed Coastal Development Permit request for the removal of equipment associated with the Mandalay 220 kV Substation and replacement with limited backfill materials to ensure that the site is returned to its original condition prior to the installation of the equipment will authorize development activities within an area that has been previously developed with energy facilities. The removal of equipment will not result in an unusual circumstance that would cause the project to have a significant effect on the environment. The project will not alter the energy facility character of the surrounding development and the property does

not contain any unusual environmental characteristics as the property is generally surrounded by existing energy facilities and native vegetation. Therefore, the project will not have a significant effect on the environment due to unusual circumstances.

- (d) **Scenic Highways.** A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements, which are required as mitigation by an adopted negative declaration or certified EIR.

The project is not located in or adjacent to a state designated scenic highway.

- (e) **Hazardous Waste Sites.** A categorical exemption shall not be used for a project located on a site, which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The proposed project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code as confirmed by staff on June 9, 2021.

- (f) **Historical Resources.** A categorical exemption shall not be used for a project, which may cause a substantial adverse change in the significance of a historical resource.

The project site was developed with the existing Mandalay 220 kV Substation in approximately 1958. The existing substation does not have the potential to be considered eligible for the California Register of Historical Resources (CRHR) and is not considered historical, contain an existing or potential landmark, point of interest, or historic resource, and it is not located within an existing, proposed, or potential Historic District. Therefore, the proposed project will not cause a substantial adverse change in the significance of a historical resource.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OXNARD:

SECTION 1. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission staff report and all attachments thereto, the Planning Commission finds:

- (1) **The proposed use is conditionally permitted within the subject (EC) subzone and conforms with all of the applicable provisions of this chapter.**

The proposed removal of existing energy substation equipment, replacement with limited backfill materials to ensure that the site is returned to its original condition

prior to the installation of the equipment, and restoration work as designed and directed by a qualified biologist in the form of seeding or planting in the areas of ground or vegetation disturbance is subject to the policies of the Coastal Energy Facilities (EC) zone. Pursuant to Section 17-20(B)(2) and (3) (Coastal Energy Facilities Zone) of the Coastal Zoning Code, an electrical power generating plant and accessory uses normally associated with said power generating facilities and electrical substations are subject to the Planning Commission's approval of a Coastal Development Permit. Additionally, pursuant to Section 17-57(B)(5) (Coastal Permit Procedures) of the Coastal Zoning Code, the proposed project is appealable to the California Coastal Commission, and is thus subject to the Planning Commission's approval of a Coastal Development Permit. The project site has a General Plan and Local Coastal Plan land use designation of Coastal Energy Facilities (EC). As discussed in the staff report, the proposed Project complies with all the standards of the EC subzone, and applicable provisions of Chapter 17 of the Oxnard City Code.

(2) The proposed use will not impair the integrity and character of the subject sub-zone.

The Project includes the removal of existing energy facility equipment and complies with the standards of the EC sub-zone related to facility expansion, air quality, coastal resource areas, beach access, flooding, and wastewater. As outlined in the staff report, the Project also complies with the Coastal Act and Local Coastal Plan. Similar coastal energy facility development exists adjacent to the substation. As proposed and conditioned, the Project is not expected to negatively affect the integrity or character of the EC sub-zone or immediate vicinity.

(3) The location and intensity of use of the subject site would be physically suitable and would protect and maintain adjacent coastal resources.

The Project site is generally surrounded by existing energy facilities and native vegetation. The Local Coastal Program planned for this lot to be developed with coastal energy facility uses. The lot is not adjacent to a beach public access way and the proposed removal of equipment will not further prevent beach access.

As discussed in the staff report, the proposed Project and use are consistent with uses considered and permitted by the Coastal Energy Facilities (EC) zone, including the zone standards. Construction activities, anticipated uses, and development design will be subject to standard construction requirements of the Building and Fire Codes. Removed equipment will be replaced with limited backfill materials to ensure that the site is returned to its original condition prior to the installation of the equipment. The project includes restoration work as designed and directed by a qualified biologist in the form of seeding or planting in the areas of ground or vegetation disturbance. The proposed substation removal is

compatible with the existing surrounding uses and future development of the area. Therefore, the location and proposed intensity of the Project is suitable for the site and implementation would not significantly impact coastal resources.

(4) The proposed use would be compatible with the land uses presently on the subject site.

The Project site is developed with energy facilities. The removal of equipment is consistent with the EC zone requirements. Therefore, the proposed electrical substation would be compatible with the land use presently on, and anticipated for, the subject property.

(5) The proposed use would be compatible with existing and future land uses within the sub-zone and the general area in which the proposed use would be located.

Energy facilities are allowed in the EC subzone. The surrounding lots are developed with utility facilities and open space, and future uses on the adjacent ESM parcels include utilities, and adjacent RP and RC parcels include open space.

As proposed and conditioned, the Project will meet the development standards of the Coastal Energy Facilities (EC). The subject site is adequate in terms of size, and is designed to meet the development standards prescribed in the EC zone requirements.

Therefore, the proposed removal of existing energy substation equipment, replacement with limited backfill materials to ensure that the site is returned to its original condition prior to the installation of the equipment, and restoration work as designed and directed by a qualified biologist in the form of seeding or planting in the areas of ground or vegetation disturbance will be compatible with the surrounding utility facilities and open space and future land uses within the subzone and general area in which the proposed project would be located.

(6) There are adequate public services for the proposed use, including, but not limited to fire and police protection, water, sanitation and public utilities and services to ensure that the proposed use will not be detrimental to public health and safety.

The Project has access to existing public services. The Project site has access to existing water and sewer mains along North Harbor Boulevard. The surrounding development has adequate fire, police, water, sanitation, and utility services. The Project has been reviewed by the City of Oxnard's technical staff, which include the Oxnard Police and Fire Departments; staff has determined that the Project would have no significant impact on the public health, safety, or welfare.

Additionally, and in accordance with the Stormwater Quality Conditions of this Resolution, the Project's design will comply with stormwater control measures as required by the Los Angeles Regional Water Quality Control Board's municipal separate storm sewer system ("MS4") permit. Therefore, as proposed and as conditioned, there are adequate public services for the proposed use to ensure that the Project will not be detrimental to public health and safety.

- (7) **The Proposed use will provide a type and level of public access consistent with the access policies and standards of the certified Oxnard Coastal Land Use Plan.**

Implementation of the proposed Project will not affect existing public access to the beach as the subject site is not located adjacent to a beach public access way, and the activities within the existing energy facilities will not further prevent beach access. Therefore, present public access to the beach would remain unchanged by this Project.

- (8) **The proposed use will be appropriate in light of an established need, based upon the underlying goals and objectives of specific Oxnard Coastal Land Use Plan policies, applicable to the proposed location.**

The proposed Project would provide the City with consolidated energy facilities in the Coastal Zone. As indicated in Map No. 2 of the Oxnard Local Coastal Plan (LCP), the subject site is in the Coastal Energy Facilities area, which is one of the Coastal Zone areas planned for energy facilities. The Project site is identified in both the LCP and the General Plan with a designation of Public Utility Energy Facility (PUE). Therefore, the proposed use is appropriate in light of established need, based upon the goals and objectives in the LCP.

- (9) **The proposed use would be consistent with all the applicable policies of the certified Oxnard Coastal Land Use Plan.**

The project site is an existing energy substation surrounded by existing energy facility equipment and native vegetation. The proposed Project includes removal of existing energy substation equipment, replacement with limited backfill materials to ensure that the site is returned to its original condition prior to the installation of the equipment, and restoration work as designed and directed by a qualified biologist in the form of seeding or planting in the areas of ground or vegetation disturbance. The Project would not impact public access to the beach. As discussed in the staff report, the Project complies with the zoning standards and adheres to both General Plan and certified LCP policies for coastal energy facilities uses.

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project will not have a significant

impact on the environment and is categorically exempt from CEQA pursuant to Article 19, Section 15302 (Replacement or Reconstruction) of the State CEQA Guidelines. The Project consists of the removal of existing equipment from an energy substation that involves no expansion of capacity, and replacement of with limited backfill materials to ensure that the site is returned to its original condition prior to the installation of the equipment. There is no substantial evidence that the Project will have a significant effect on the environment, and no Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. The Planning and Environmental Services Manager is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Based on the findings set forth herein, the Planning Commission hereby approves Planning and Zoning Permit No. 20-400-04 (Coastal Development Permit), subject to the attached conditions of approval.

SECTION 4. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of Section 17-58 of the Oxnard City Code.

SECTION 5. The Secretary shall certify the adoption of this Resolution.

STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. *G-I*) while some are taken from environmental documents (e.g. *MND-S2*).

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning Division
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic Division
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Landscape Design	CE	Code Compliance

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-I*).
2. This permit is granted for the plans dated June 17, 2021, (“the plans”) on file with the Planning Division.

3. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed Project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL, G-3)
4. All required off-site and on-site improvements for the Project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, G-4)
5. By commencing any activity related to the Project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)
6. Developer agrees, as a condition of adoption of this Resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers, and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the Resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such Resolution that were part of the approval process. (CA, G-6).
7. Any covenants, conditions, and restrictions (CC&Rs) applicable to the Project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)
8. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
9. Developer shall provide off-street parking for the Project, including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code. (PL/B, G-9)
10. Before placing or constructing any signs on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL/B, G-10)
11. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)

12. Developer shall not permit any combustible refuse or other flammable materials to be burned on the Project property, unless allowed in writing by the Fire Chief. (FD, *G-12*)
13. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the Project property, except as provided in a permit issued by the Fire Chief. (FD, *G-13*)
14. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, *G-14*)
15. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the Project property for which the Code Compliance Division has open cases. (PL, *G-15*).
16. Prior to issuance of building permits, Developer shall execute an agreement, in a form approved by the City Attorney, to hold harmless, indemnify and defend the City, its City Council, and each member thereof, and every officer, employee, representative or agent of City, from any and all liability, claims, demands, actions, damages (whether in contract or tort, including personal injury, death at any time, or property damage), costs and financial loss, including all costs and expenses and fees of litigation or arbitration, that arise directly or indirectly from the City's approval of this permit or other permits; from construction of the Project or any part thereof approved herein; and from land failure, erosion, inundation, or wave attacks on the subject property or on any property near or adjacent thereto, arising out of or resulting from or caused by work performed or authorized by Developer. (PL/CA, *G-16*)
17. The subject Coastal Development Permit shall become effective after 10 working days have elapsed without appeal to the Coastal Commission following the proper receipt by the Coastal Commission's Executive Director of the notice of permit issuance pursuant to Section 13316 of the Coastal Commission Code of Regulations or after 21 calendar days following the final city action. Notice to the Coastal Commission shall be given by Planning Division staff as described by Sections 17-58 H through J of the Oxnard City Code. (PL, *G-17*)
18. Prior to issuance of building permits, Developer shall execute and deliver to the City Attorney an Easement Deed, in a form satisfactory to the City Attorney, unconditionally granting to the City of Oxnard an easement to use and maintain the land west of the most westerly structural member of the subject property as a public lateral accessway to and along the Pacific Ocean. Building permits shall not be issued until the Mayor signs a Certificate of Acceptance of the Easement Deed and both such documents are recorded in the office of the Ventura County Recorder.

PLANNING DIVISION STANDARD CONDITIONS

19. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Planning Commission and/or the City Council in all sets of construction documents and specifications for the Project. (PL, *PL-3*)
20. Prior to issuance of building permits, Developer shall pay a document-imaging fee for the planning files in an amount calculated by planning staff at the time of building permit review based on fees then in effect. (PL/B, *PL-16*).
21. Developer shall participate in the City's Public Art Program by paying the Public Art fee prior to issuance of building permits, in accordance with City Council Resolution No. 14,124. (PL, *PL-50*)
22. All construction activities shall occur only between the hours of 7:00am to 6:00 pm Monday through Saturday in accordance with Section 7-188(D) of the Oxnard City Code.

PLANNING DIVISION SPECIAL CONDITION

23. Developer shall limit outdoor storage of construction related materials to the gravel area of the substation as shown on the project plans during the construction period of the project. Outdoor storage of materials shall be prohibited after final inspection of the project by Building & Engineering staff.
24. Developer shall maintain the construction site free of litter and the accumulation of construction debris. (PL)
25. Developer shall remove any and all graffiti from the project premises, including but not limited to graffiti on equipment or fences, within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. (PL)
26. Before the City issues building permits, Developer shall provide a Graffiti Deterrent Plan, subject to the approval the Planning Division Manager. Such plan shall include such elements as clear film on windows and/or mirrors, as well as washable paint and sealers on the building and perimeter walls. (PL)
27. Developer shall ensure that all construction equipment is maintained and tuned to manufacturer's recommended specifications. (MND, C-1)
28. At all times during construction activities, Developer shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust. (MND, C-2)

29. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall be at least twice per day and shall penetrate sufficiently to minimize fugitive dust during grading activities. (MND, C-3)
30. During construction, Developer shall control dust by the following activities:
 - a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code §23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
 - b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (MND, C-4)
31. During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less. (MND, C-5)
32. During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite. (MND, C-6)
33. The Permittee shall comply with the provisions of applicable VCAPCD Rules and Regulations, which include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), Rule 55 (Fugitive Dust), and Rule 55.1 (Removal of Visible Roadway Accumulations). ((MND, C-7)
34. Prior to grading permit approval, Developer shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements. (PL)
35. The Permittee shall comply with the provisions of applicable VCAPCD Rules and Regulations, which include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), Rule 55 (Fugitive Dust), and Rule 55.1 (Removal of Visible Roadway Accumulations). (PL)
36. Prior to issuance of demolition permits for any structure on the site, Developer shall provide evidence of notifying the Air Pollution Control District of such demolition. Demolition and/or renovation activities shall be conducted in compliance with APCD regularities regarding Asbestos (Rule 63.7). (MND, C-8)
37. In the event that any historic or prehistoric cultural resources are discovered on-site, work in the vicinity of the find shall be halted immediately and the Developer shall obtain a

contract with a qualified archaeologist for the review and remediation of the site. The contract shall be submitted to the Planning Division for review and approval. The archaeologist shall evaluate the discovery and determine the necessary mitigations for successful compliance with all applicable regulations. Developer or its successor in interest shall be responsible for paying all salaries, fees and the cost of any archaeologist or other consultants and future mitigation resulting from the survey. (MND, E-1)

38. Prior to issuance of a grading or building permit, the Developer shall finalize the pre-construction restoration plan to the satisfaction of the Community Development Director. The intent of the restoration plan is to minimize disturbances to the sensitive habitat adjacent to the project site, Developer shall comply with the following avoidance and minimization measures:
- a. Biological Monitor: A biological monitor is required to survey the workspace and be present as needed. In addition, a pre-construction briefing with the biological monitor and construction personnel is required prior to ground or vegetation disturbing activities.
 - b. Avoidance via Mats: Under the direction of a qualified botanist, mats shall be used to span listed plant populations and sensitive vegetation communities to reduce or avoid impacts. Mats shall be installed in a manner to reduce impacts and shall be retained no more than a one-week duration. Mats shall be placed from North Harbor Boulevard to work areas for poles 4244518E, 4244519E, 4244517E, and 4244516E and between Poles 4244510E and 4244513E to access Poles 4244511E, 4244512E, and 4244513E from the west. If rare plants are identified during pre-construction surveys, they will be marked and avoided to the greatest extent possible during construction activities, or, under the direction of a qualified biologist and with the concurrence of the Community Development Director, the plants may be transplanted to more suitable locations.
 - c. Avoid Drainages: All debris (i.e., spoils, cut vegetation, clipping etc.), vehicles and equipment, and construction materials must be kept from entering drainage features.
 - d. Overland Driving: Crews will maximize the use of existing access roads or disturbed/developed areas to stage materials and equipment. Crews can drive on designated roads / driveways and in areas protected with required mats. Removing, blading, grubbing, or cutting of vegetation is not allowed. Enter and exit the project site on the same path to the extent practicable.
 - e. Pre-construction Briefing: The Environmental Requirements document must be kept on site. The Environmental Requirements will be read to the construction personnel to ensure requirements and the following processes are understood by all construction personnel prior to starting work. If construction personnel finds any requirements within this document are infeasible given a safety or scope concern, construction personnel shall contact the qualified biologist to review the requirements and project implementation. If unexpected problems develop in the field or modifications are proposed during project implementation that would result in a different or larger footprint, construction personnel will stop work and contact the qualified biologist. Any modifications to the restoration plan must be

- reviewed and approved by City staff to the satisfaction of the Community Development Director.
- f. Work Areas: Vehicles and equipment must remain on the existing access routes and immediate vicinity of towers/roads/work areas identified in the project scope. If any work needs to be conducted outside these access routes or work areas, personnel shall contact the qualified biologist to review the requirements and project implementation.
 - g. Pre-construction Check: Prior to starting work, the qualified biologist will check the workspace for bird nests (e.g., pole cavities, vegetation to be removed). During construction, construction personnel shall contact the biological monitor if newly discovered active bird nests are discovered within 200 feet of the work area.
 - h. Injured/Trapped Special Status Wildlife: Prior to the start of work, the qualified biologist will inspect workspaces for any injured or dead special status wildlife. The qualified biologist will look in holes and trenches, construction material, and equipment for any trapped special status wildlife. During construction, construction personnel shall contact the biological monitor if any dead, injured, or trapped special status wildlife is observed in the work area, and the qualified biologist shall coordinate the care and / or removal of injured or dead special status wildlife in the project area.
 - i. Weed Maintenance and Prevention: Use certified weed-free materials (e.g., gravel, straw, and fill) to the extent practicable. Maintain facilities and infrastructure to limit the introduction and spread of weeds.
 - j. Spill Release/Prevention: Vehicles/equipment must be inspected for leaks (e.g., fuel, oil, hydraulic fluids, etc.) and repaired prior to work. Fueling should not be conducted near a drainage feature. Spill kits/absorbent clean-up materials shall be available on-site and if used, disposed of properly. Contact 1-844-GOT-SPIL for any potential hazardous material or spills that cannot be cleaned up by spill kits alone.
39. Prior to final inspection of the project by Building & Engineering staff, the Developer shall finalize the post-construction restoration plan to the satisfaction of the Community Development Director. Upon completion of removal of equipment from the project site and prior to final inspection of the project by Building & Engineering staff, the on-site biologist shall submit findings and recommendations for any restoration work (including but not limited to reseedling or replanting and monitoring and associated source of funding) to the Planning Division for review and approval.
40. If the post-construction restoration plan determines that post-construction monitoring of the site is required, the Developer shall deposit \$5,000 with the City prior to final inspection of the project by Building & Engineering staff for condition compliance and reporting associated with development project, PZ 20-400-04. If additional funds are required throughout the post-construction monitoring phase, they shall be deposited in increments of \$1,000 or as may be mutually agreed upon by the Developer and the Community Development Director to cover City staff monitoring costs.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 17th day of June 2021.

Daniel Chavez, Jr., Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held this 17th day of June 2021, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

Scott Kolwitz, Secretary

ATTACHMENT E

STAFF PRESENTATION

Mandalay 220kV Substation

Planning & Zoning Permit No. 21-400-04
(Coastal Development Permit)

Located east and west of North Harbor Boulevard
approximately 0.75 miles south of Gonzales Road

Kimberly Cuevas, Southern California Edison, Applicant

Planning Commission
June 17, 2021

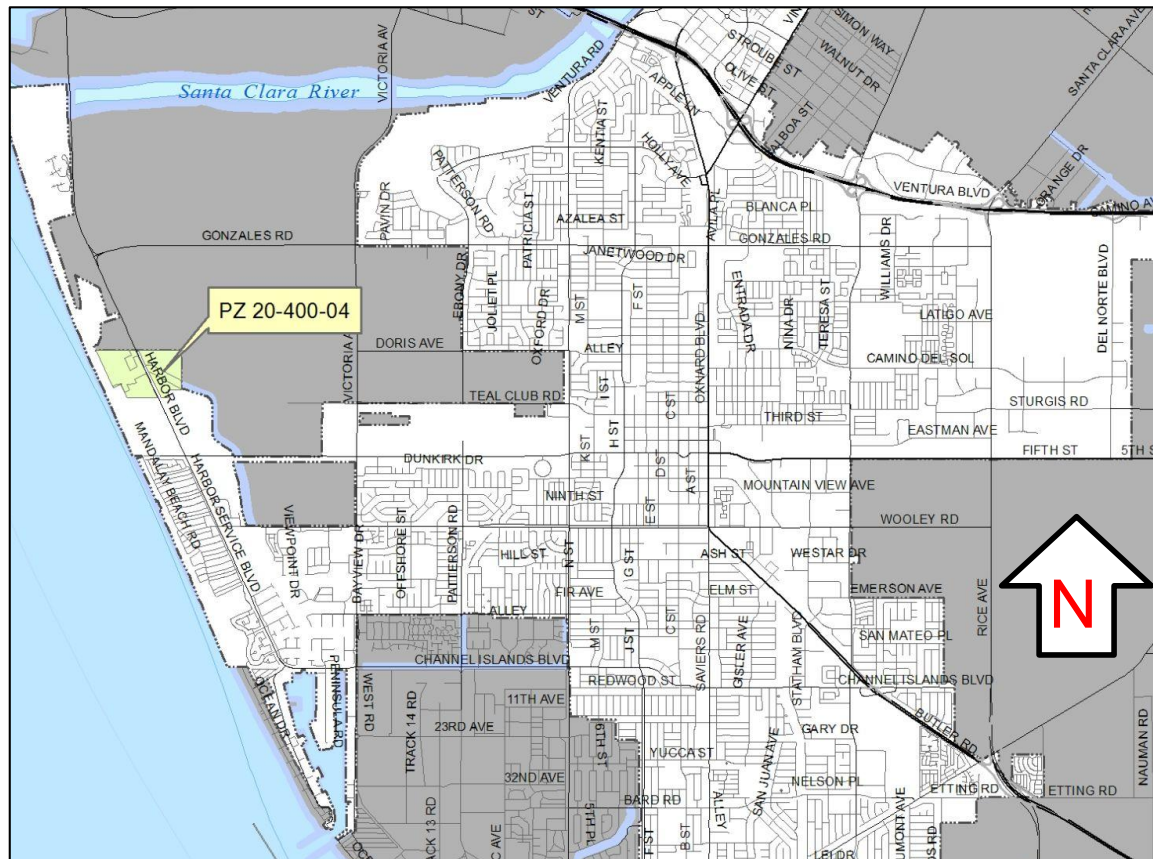
Project Request

- Request to approve a Coastal Development Permit (CDP):
 - Removal of equipment associated with the Mandalay 220 kiloVolt (kV) Substation
 - transmission, subtransmission, and telecommunication lines
 - wood poles, a tubular steel pole, conduit, cable, and equipment
 - Backfill materials to return the site to its original condition prior to the installation of the equipment
 - Restoration work as designed and directed by a qualified biologist in the form of seeding or planting in the areas of ground or vegetation disturbance
- Not in a Neighborhood

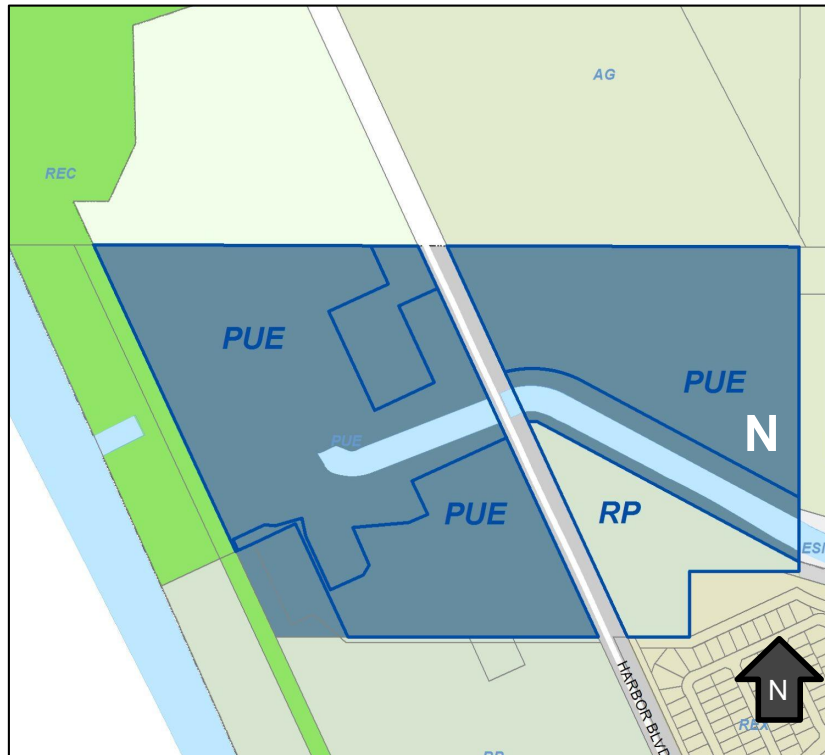
Background

- Project site developed with Mandalay 220 kV Substation in approximately 1958. The Mandalay Generating Facility opened in 1959 with two steam powered generation units, one jet engine powered unit was added in 1970. There are dozens of building permits dating back to 1963 for the Mandalay Power Plant and its ancillary uses.
- The site has few Planning entitlements:
 - 2000 and 2001: Permits for a storage tank and a pipeline approved by the Planning Director.
 - 2000: Coastal Development Permit 00-5-41 to allow decommissioning and removal of four oil storage tanks located adjacent to the Mandalay Bay Generating Station approved by Planning Commission.
 - 2004: Two Coastal Administrative Modification permits (PZ 04-420-01 & PZ 04-420-02) for dredging canal were approved by the Planning Director.
 - Lot line adjustment (PZ 97-5-28 and 04-420-01) for SCE divestiture .

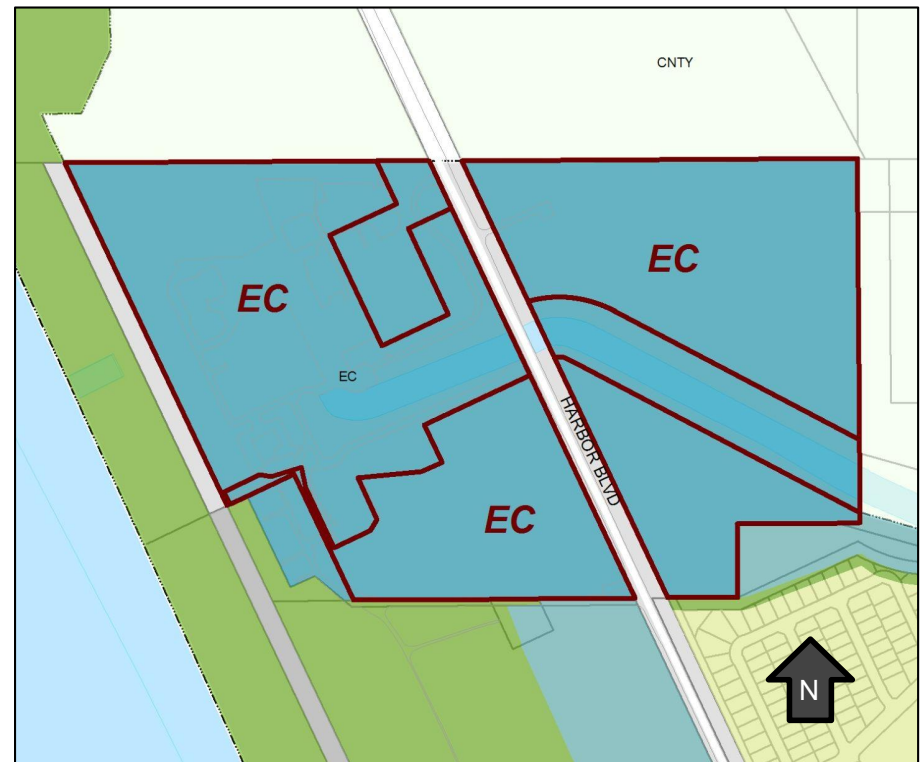
Location Map



Local Coastal Program / 2030 General Plan & Zoning



Local Coastal Program /
General Plan: Public Utility Energy
Facility (PUE)



Zoning: Coastal Energy Facilities (EC)

Street View



View from North Harbor Boulevard looking northeast



View from North Harbor Boulevard looking east

Street View



View from North Harbor Boulevard looking northwest

Surrounding Uses

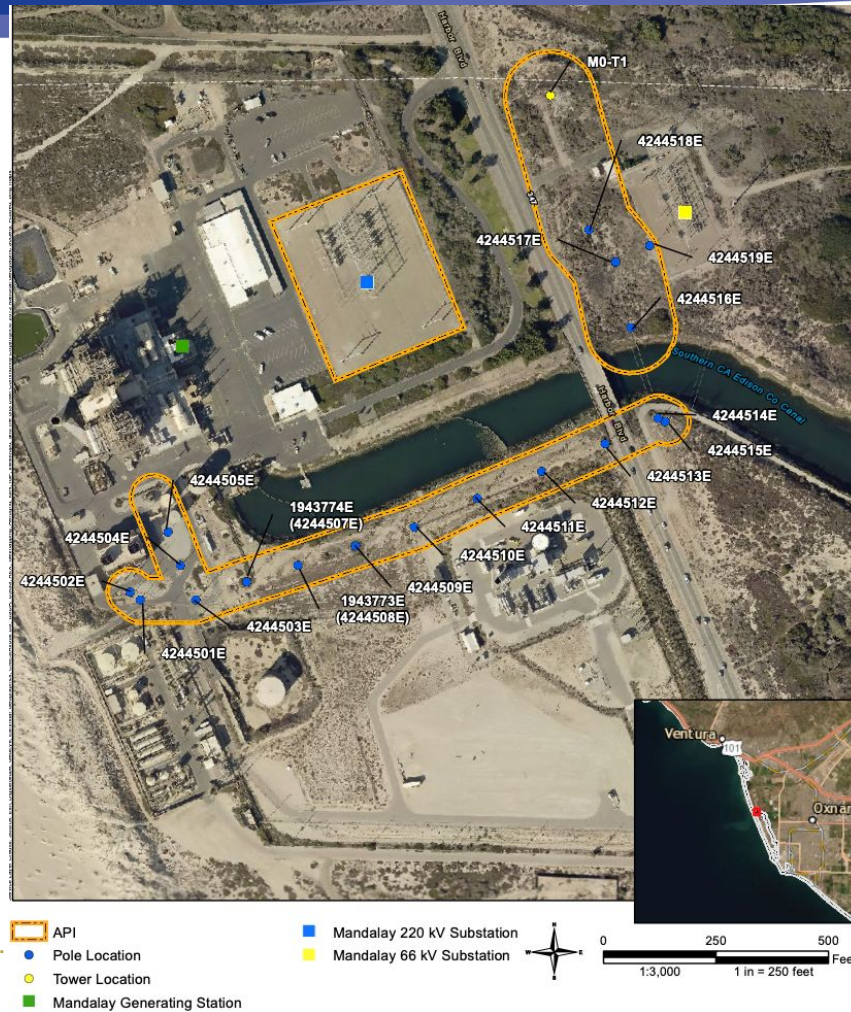
- **North:** Oil and gas facilities, agriculture
- **East:** Oil and gas facilities, agriculture
- **South:** Mandalay State Beach, oil and gas facilities, graded building pads
- **West:** Mandalay State Beach, Pacific Ocean



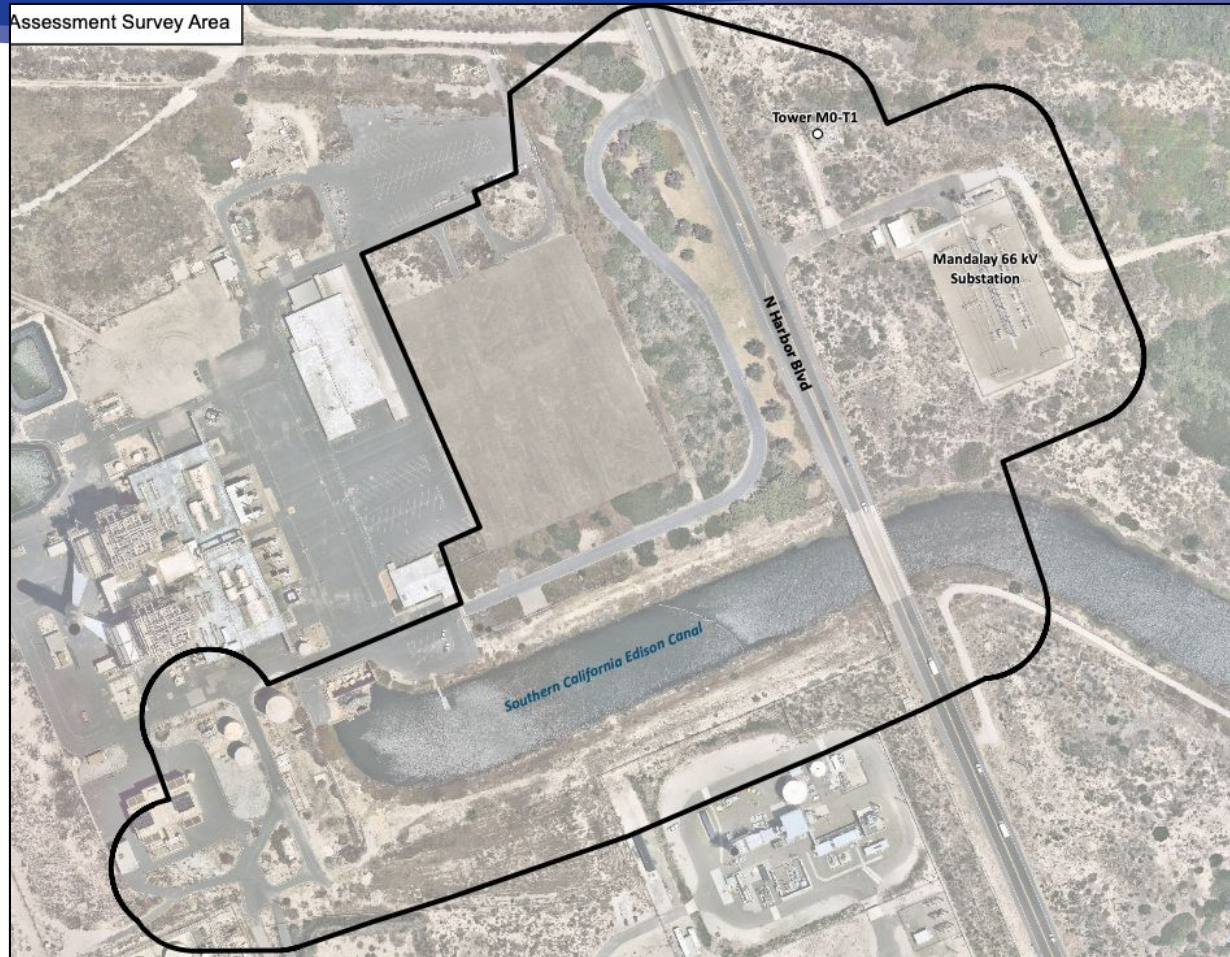
Consistency with Standards

- The project is consistent with all applicable standards:
 - General Plan
 - Local Coastal Program
 - Coastal Energy Facilities (EC) zone

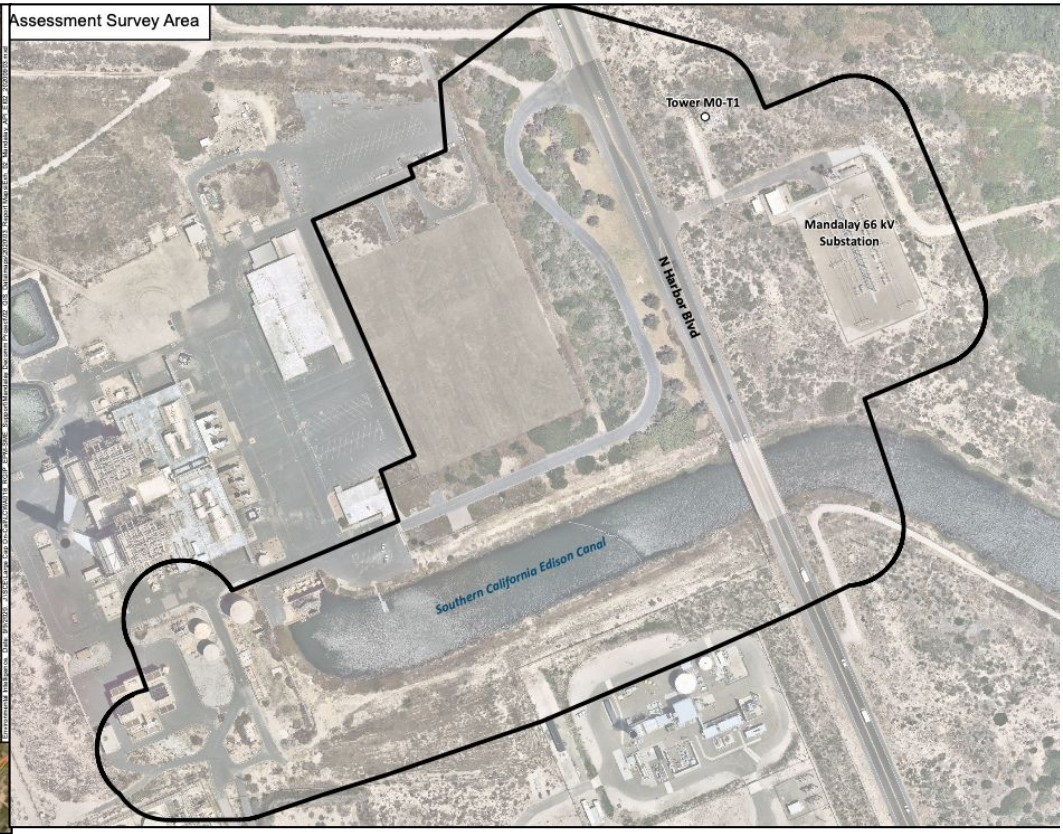
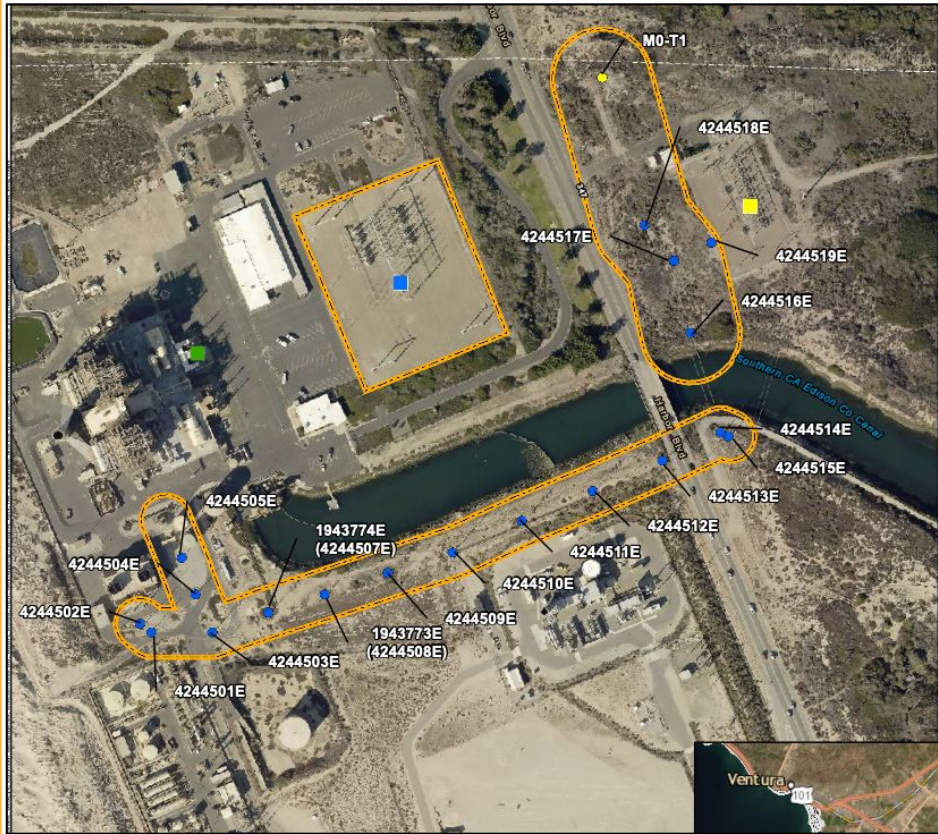
Site Plan



Site Plan



Site Plan



Community Input

- The Project site is not located within a General Plan designated neighborhood.
 - Not required to be presented at a Community Workshop
- Public notices sent for the Planning Commission hearing.
 - To date, staff has not received any comments or inquiry from the public

Conditions of Approval

- Condition No. 3:
Up to 36-months to start construction if CDP is approved.
 - Condition No. 22:
Construction Days & Time: Construction activities to occur between the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday.
 - Condition No. 38-40:
Pre- and Post- construction restoration plans to the the satisfaction of the Community Development Director
-

Environmental Review

Exempt for California Environmental Quality Act (CEQA):

1. Section 15302, “Replacement or Reconstruction”;
2. Project consists of existing utility systems and/or facilities involving negligible or no expansion of capacity;
3. Replacement with limited backfill materials to ensure that the site is returned to its original condition prior to the installation of the equipment;
4. The project includes restoration work as designed and directed by a qualified biologist in the form of seeding or planting in the areas of ground or vegetation disturbance;
5. As proposed Project will not have significant environmental impacts;
6. No Exceptions to the Exemption apply.

Recommendation

That the Planning Commission:

- a) Find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15302 (Class 2, Replacement or Reconstruction); and
- b) Adopt Resolution 2021-XX approving Planning and Zoning Permit No. 20-400-04 (Coastal Development Permit), subject to certain findings and conditions.



Questions?