



## **PLANNING COMMISSION STAFF REPORT**

**TO:** Planning Commission

**FROM:** Joe Pearson II, Planning Manager

**DATE:** January 19, 2023

**SUBJECT:** **Project Name: Freeway Adjacent Digital Display Billboards Ordinance;** Planning and Zoning Permit No. 20-580-06 (Zoning Text Amendment); The project location is the entire City of Oxnard, consisting of all areas within the City limit.

- 1) Recommendation:** That the Planning Commission (“**Commission**”):
  - a)** Adopt Resolution 2023-XX recommending that the City Council adopt a Mitigated Negative Declaration (MND) 22-01; and
  - b)** Adopt Resolution 2023-XX recommending that the City Council approve Planning and Zoning Permit No. 20-580-06 (Zoning Text Amendment).
- 2) Project Description and Applicant:** The proposed project includes a request for amendments to Article IX. Advertising Signs of the Oxnard City Code to permit Freeway Adjacent Digital Display Billboards on parcels designated as commercial, industrial, or public facilities within 400 feet of the U.S. 101 right-of-way within the City of Oxnard. The installation and operation of individual electronic billboards would require approval of a Special Use Permit and Development Agreement. No Freeway Adjacent Digital Billboard may be placed at a distance of less than 100 feet from the property line of any residentially zoned parcel. All Freeway Adjacent Digital Display Billboards would have a maximum face display area of 14 feet in height and 48 feet in width, would be oriented primarily for viewing from the adjacent freeway, and would have a maximum height of 55 feet as measured from the pavement level of the adjacent freeway to the bottom of the digital display or 80 feet to the top of the sign. Each Freeway Adjacent Digital Display Billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet with a maximum of five (5) allowed in the City.

The request includes adoption of the proposed Final Initial Study/Mitigated Negative Declaration (IS-MND) and adoption of the Mitigation Monitoring and Reporting Program (MMRP) which has been prepared pursuant to provisions of the California Environmental Quality Act (CEQA) Guidelines, Section 15063. For purposes of CEQA compliance, the City of Oxnard is identified as the Lead Agency for this Project. The Lead Agency is responsible for preparing this IS-MND in accordance with CEQA and the CEQA Guidelines. The IS-MND identifies and discusses potential impacts, mitigation measures, monitoring



requirements, and residual impacts for identified subject areas. As mandated by the CEQA Guidelines, the IS-MND has been subject to the City's internal review process and reflects the Lead Agency's independent review and judgment and objectivity with regard to the scope, content, and adequacy of analysis. Filed by the City of Oxnard, 214 S C Street, Oxnard, CA 93030 (the "Applicant").

**3) Background Information:**

- a) On June 18, 2019, the City Council approved and authorized the Mayor to execute Exclusive Negotiation Agreements (ENAs) with Clear Channel Outdoor, LLC and another with Outfront Foster Interstate, LLC -- both for potential digital billboard sites. Under the terms of the ENAs, both companies were given the exclusive right to negotiate with the City for an initial six-month period, and two additional six-month terms if the projects were being diligently pursued by the parties. On November 17, 2020 Council amended the ENAs to allow for an additional 6 months (until June 2021), as well as provided the City Manager with authority to extend the ENAs for two additional six-month terms if the projects are being diligently pursued by the parties. On June 7, 2022, the City Council determined that significant enough progress had been made to amend the ENAs, to grant another 6 months (until June 2023), as well as provided the City Manager with authority to extend the ENAs for two additional six-month terms if the projects are being diligently pursued by the parties. To allow for these and other potential signs in the future the City is proceeding with the proposed Project.
- b) The City currently allows for billboards in the form of Off-site advertising signs throughout the City in General Commercial (C-2), Commercial Manufacturing (C-M), Limited Manufacturing (M-L), Light Manufacturing (M-1), and Heavy Manufacturing (M-2) zones pursuant to OCC 16-608. Under the proposed ordinance the Freeway Adjacent Digital Display Billboards, would be regulated separately from the Off-site advertising signs. The allowance of Freeway Adjacent Digital Display Billboards, is much more limited, as they are only allowed within 400 feet of the U.S. Highway 101 and only on City owned property. Similar to the Off-site advertising signs these signs would only be allowed within commercially zoned property. In addition to the existing off-site advertising signs the City has previously allowed two digital signs at the Collection and the Oxnard Auto Center. These signs are generally limited to the display of businesses located with the Collection or the Oxnard Auto Center. They were both permitted under their respective Specific Plans, therefore no additional signage would be allowed without changes to the Specific Plans.

- 4) Environmental Determination:** Pursuant to the California Environmental Quality Act (CEQA) Section 15060, the City of Oxnard as the Lead Agency, prepared a Mitigated Negative Declaration (MND) in accordance with CEQA and the CEQA Guidelines. The MND identified and discussed potential impacts, mitigation measures, monitoring requirements, and residual impacts for identified subject areas. The MND found that the implementation of the proposed Project would result in potentially significant impacts

associated with aesthetics (lighting), air quality, biological resources, cultural resources and tribal cultural resources, and noise. Mitigation measures have been required to reduce each potentially significant impact to less than significant. Compliance with State law and the General Plan goals and policies identified within Sections 3.1 (Aesthetics and Urban Design), 3.3 (Air Quality), 3.4 (Biological Resources), 3.6 (Cultural Resources and Tribal Cultural Resources), and 3.12 (Noise) and implementation of the required mitigation measures within the Draft Mitigated Negative Declaration would reduce potential significant impacts. These measures include: (AES-1 through AES-3) regulating light trespass, including an operating mechanism for electronic billboard malfunctions or failures, conducting a third party test for the installed electronic billboard, (AQ-1) demonstrating that the electronic billboard would not exceed Ventura County Air Pollution Control District thresholds of significance, (BIO-1 and BIO-2) conducting a pre-construction survey for active bird nests and conducting protocol focused survey for least Bell's vireo, and (CUL-1 through CUL-3) monitoring and collecting, if necessary, any discovered historical, archaeological, paleontological, and tribal cultural resources. After the implementation of the required mitigation measures, the potential significant impacts would be reduced to less than significant. No remaining significant impacts would occur.

The MND was available for public review from June 30, 2022, and ended on July 29, 2022. The City of Oxnard received five comment letters on the Draft MND. The comment letters and responses to each comment have been prepared and included in the Final IS/MND. Comments provided will be considered by the decision-making body in accordance with CEQA Guidelines, Section 15074(b).

With the inclusion of the mitigations for the areas noted above, the Project will not have a significant effect on the environment. Therefore, a Mitigated Negative Declaration (MND) was prepared with mitigation measures and monitoring program in accordance with the provisions of CEQA (Attachment C).

## **5) Project Analysis:**

**a) *General Discussion:*** Pursuant to Oxnard City Code (OCC) Section 2-95, the Planning Commission is an advisory body which provides land use recommendations to the City Council on items such as General Plan Amendments, Specific Plans, Ordinance Amendments and Development Agreements. The Planning Commission is the decision maker for Special Use Permit pursuant to OCC Section 16-531.

The proposed project includes a request for amendments to Article IX. Advertising Signs of the Oxnard City Code to permit Freeway Adjacent Digital Display Billboards on parcels designated as commercial, industrial, or public facilities within 400 feet of the U.S. 101 right-of-way within the City of Oxnard.

The installation and operation of individual electronic billboards will require approval of a Special Use Permit and Development Agreement. The specific limitations of the

Freeway Adjacent Digital Display Billboards are as follows:

- Freeway Adjacent Digital Display Billboards may only be erected on City of Oxnard owned property or Right of Way, in any non-residential zones located within four hundred (400) feet of the freeway and no more than five (5) are allowed within the City.
- No Freeway Adjacent Digital Display Billboard may be placed at a distance of less than 100 feet from the property line of any residentially zoned parcel.
- The maximum height of any Freeway Adjacent Digital Display Billboard shall not exceed fifty-five (55) feet as measured from the pavement level of US Highway 101 to the bottom of the digital display.
- The maximum size of each Freeway Adjacent Digital Display Billboard face display area shall be Fourteen (14) feet in height and forty-eight (48) feet in width. Each billboard shall be separated from every other billboard by at least 2,000 feet.
- All freeway adjacent digital display billboards shall either be double faced or include covered backs or facings.
- Each Freeway Adjacent Digital Display Billboard must be oriented primarily for viewing from the adjacent freeway.
- All Freeway Adjacent Digital Display Billboards will not exceed 0.3 foot-candles over ambient levels at a distance of 250 feet in any direction. All Freeway Adjacent Digital Display Billboards shall comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5.
- A Freeway Adjacent Digital Display Billboard may show a series of still images, each displayed for at least eight (8) seconds. The still images may not move or present the appearance of motion and may not use flashing or blinking lights or any other means not providing constant illumination. Transition or blank screen time between one still image and the next may not exceed one (1) second.
- The owner of the Freeway Adjacent Digital Display Billboard must comply with all applicable federal, state, and local laws, including the Highway Beautification Act of 1965 (23 United States Code Section 131), the Outdoor Advertising Act (California Business and Professions Code Section 5200 et seq.), and this Article IX, when constructing, operating, improving, maintaining, repairing, and removing the Freeway Adjacent Digital Display Billboard.
- In approving a Development Agreement for any Freeway Adjacent Digital

Display Billboard, the City Council must find that the Development Agreement will confer substantial public benefit to the City and to the general public.

- b) **General Plan Consistency:** Consistency with the 2030 General Plan is defined by the relationship between 2030 General Plan policies and the proposed Project. The proposed Project does not conflict with General Plan land use, goals and policies. The project's consistency review with General Plan policies is included as Attachment B. The proposed Project has been determined to be consistent with the General Plan.
  - c) **State Regulations:** The proposed billboards are required to comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5. These regulations are intended to ensure that the signs are constructed, operated, and maintained in a manner that would not adversely affect the vision of drivers upon the highway. Also, Caltrans regulates the placement of outdoor advertising displays visible from California highways, therefore each sign constructed under the proposed ordinance would require an outdoor Advertising (ODA) License from Caltrans. With the inclusion of the State regulation in the ordinance and the requirement for a permit from Caltrans, the each individual electronic billboard would not substantially increase hazards to drivers along U.S. 101 and less than significant impacts would occur.
- 6) **Community Workshop and Public Input:** A Community Workshop was held on December 20, 2021 for two proposed signs along River Park Boulevard and Ventura Road. Public notice signs were posted onsite. Notifications were mailed to the RiverPark Neighborhood. Approximately 2,000 notices were mailed. The meeting was held online. Eight members of the community attended this meeting, and two people spoke on the items. The video from the online workshop was also posted on the City's website for members of the public to view separately. The primary concern identified at the Community Workshop was related to general allowance of electronic billboards and lighting impacts. Future signs developed under this ordinance would be subject to the City Community Workshop requirements, as applicable. Also, along with the public review period for the MND, a notice was posted in the newspaper and sent to state and local agencies, as well as interested parties. As noted above comments from the public review period have been included in the response to comments.
- Consistent with public noticing requirements, the Planning Commission hearing was advertised in the local newspaper.
- 7) **Appeal Procedure:** The action of the Planning Commission on the Ordinance Amendment is a recommendation of either approval or denial to the City Council.

**Attachments:**

- A. Final IS-MND (December 2022)
- B. General Plan Consistency Chart

*Freeway Adjacent Digital Display Billboards Ordinance*

*PZ No. 20-580-06 (Zoning Text Amendment)*

*PC Hearing Date: January 19, 2023*

*Page 6 of 6*

- C. Draft Planning Commission Resolution Recommending Adoption of Mitigated Negative Declaration (MND) 22-01
- D. Draft Planning Commission Resolution Recommending Approval of PZ Permit No. 20-580-06 (Zoning Text Amendment)
- E. Staff Presentation

# **ATTACHMENT A**

**FINAL IS-MND 22-01 (DECEMBER 2022)**



# FREEWAY ADJACENT DIGITAL DISPLAY BILLBOARDS ORDINANCE

Response to Comments on Public Review Draft  
Initial Study/Mitigated Negative Declaration  
State Clearinghouse Number 2022060701

Prepared for  
City of Oxnard  
Community Development Department

October 2022





# FREEWAY ADJACENT DIGITAL DISPLAY BILLBOARDS ORDINANCE

Response to Comments on Public Review Draft  
Initial Study/Mitigated Negative Declaration

Prepared for  
City of Oxnard  
Community Development Department  
214 South C Street  
Oxnard, California 93030  
805.385.8272

October 2022

16755 Von Karman Avenue  
Suite 200  
Irvine, CA 92606  
949.753.7001  
esassoc.com



|              |               |          |
|--------------|---------------|----------|
| Bend         | Orlando       | San Jose |
| Camarillo    | Pasadena      | Sarasota |
| Delray Beach | Petaluma      | Seattle  |
| Destin       | Portland      | Tampa    |
| Irvine       | Sacramento    |          |
| Los Angeles  | San Diego     |          |
| Oakland      | San Francisco |          |

**OUR COMMITMENT TO SUSTAINABILITY** | ESA helps a variety of public and private sector clients plan and prepare for climate change and emerging regulations that limit GHG emissions. ESA is a registered assessor with the California Climate Action Registry, a Climate Leader, and founding reporter for the Climate Registry. ESA is also a corporate member of the U.S. Green Building Council and the Business Council on Climate Change (BC3). Internally, ESA has adopted a Sustainability Vision and Policy Statement and a plan to reduce waste and energy within our operations. This document was produced using recycled paper.

# TABLE OF CONTENTS

---

## Freeway Adjacent Digital Display Billboards Ordinance: Response to Comments on Public Review Draft Initial Study/Mitigated Negative Declaration

|            |                                                          |            |
|------------|----------------------------------------------------------|------------|
| <b>1.0</b> | <b>Introduction.....</b>                                 | <b>1-1</b> |
| 1.1        | CEQA Requirements.....                                   | 1-1        |
| 1.2        | CEQA Process .....                                       | 1-2        |
| <b>2.0</b> | <b>Comment Letters .....</b>                             | <b>2-1</b> |
| <b>3.0</b> | <b>Responses to Comments .....</b>                       | <b>3-1</b> |
| <b>4.0</b> | <b>Errata .....</b>                                      | <b>4-1</b> |
| <b>5.0</b> | <b>Mitigation Monitoring and Reporting Program .....</b> | <b>5-1</b> |

### Appendix

|   |                                                                     |
|---|---------------------------------------------------------------------|
| A | Freeway Adjacent Digital Display Billboards Revised Draft Ordinance |
|---|---------------------------------------------------------------------|

This page intentionally left blank

# CHAPTER 1

---

## Introduction

This Response to Comments document was prepared to respond to comments that were received on the Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND). The Final Initial Study/Mitigated Negative Declaration (Final IS/MND) consists of the Public Review Draft IS/MND and this Response to Comments document. The Final IS/MND has been prepared in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code Section 21000 et seq.) and *CEQA Guidelines* (California Administrative Code Section 15000 et seq.). Documents relating to this Final IS/MND were cited and incorporated. All documents are available for review at the City of Oxnard website: <https://www.oxnard.org/city-department/community-development/planning/environmental-documents/>.

### 1.1 CEQA Requirements

Before the City of Oxnard may approve the project, it must certify that the Final IS/MND: a) has been completed in compliance with CEQA; b) was presented to the Oxnard City Council who reviewed and considered it prior to approving the project; and c) reflects the City's independent judgment and analysis.

*CEQA Guidelines* Section 15074 states that prior to approving a project, the decision-making body of the lead agency shall consider the proposed mitigated negative declaration together with any comments received during the public review process. Therefore, the decision making body will be considering the following documents that constitute the Final IS/MND prior to making a decision on the project.

- The Public Review Draft IS/MND
- Response to Comment Document which includes:
  - Comments and recommendations received on the Public Review Draft IS/MND;
  - A list of persons, organizations, and public agencies commenting on the Public Review Draft IS/MND;
  - The response of the Lead Agency to substantive environmental points raised in the review and consultation process.

This Response to Comments document for the Freeway Adjacent Digital Display Billboards Ordinance presents the following chapters:

- Chapter 1: Introduction – this chapter includes an introduction to the Response to Comments and the CEQA process and requirements
- Chapter 2: Comment Letters – this chapter includes a list of persons, organizations, and public agencies commenting on the Public Review Draft IS/MND
- Chapter 3: Response to Comments – this chapter includes the written comments received on the Public Review Draft IS/MND as well as the written responses to each comment
- Chapter 4: Errata – this chapter includes any revisions made to the Public Review Draft IS/MND in response to comments received or initiated by the Lead Agency
- Chapter 5: Mitigation and Monitoring Program (MMRP) – this chapter includes a list of the mitigation measures, identification of the responsible implementation agency, agency responsible for monitoring, timing of implementation, and date of compliance for each mitigation measure

## 1.2 CEQA Process

### Public Participation Process

#### Notice of Intent of the Public Review Draft IS/MND

The Notice of Intent (NOI) of the Public Review Draft IS/MND was posted on June 30, 2022 with the Ventura County Clerk Recorder. The Public Review Draft IS/MND was circulated for a 30-day public review until July 29, 2022. The NOI for the Public Review Draft IS/MND was circulated to state and local agencies and interested parties requesting a copy of the NOI. Copies of the Public Review Draft IS/MND were made available for review at the City of Oxnard Community Development Department located at 214 S. C Street, Oxnard, California, 93030 and at the Oxnard Public Library, 251 South “A” Street. The document was also available at the City of Oxnard website: <https://www.oxnard.org/city-department/community-development/planning/environmental-documents/>.

### Evaluation and Response to Comments

In accordance with Article 6 of the *CEQA Guidelines*, the City of Oxnard, as the Lead Agency, was required to evaluate substantive environmental comments received on the Public Review Draft IS/MND. This Response to Comments document provides written responses to each comment received on the Public Review Draft IS/MND.



## Final IS/MND Approval

As the Lead Agency, the City of Oxnard is required to determine the adequacy of the Final IS/MND (Public Review Draft IS/MND and Response to Comments). The City can adopt the Final IS/MND if they find on the basis of the whole record before it (including the Public Review Draft IS/MND and Response to Comments) that there is no substantial evidence that the project will have a significant effect on the environment and that the Final IS/MND reflects the City's independent judgment and analysis.

## Notice of Determination

Pursuant to Section 15094 of the *CEQA Guidelines*, the City of Oxnard will file a Notice of Determination (NOD) with the Ventura County Clerk Recorder within five working days of project approval.

This page intentionally left blank

## CHAPTER 2

---

### Comment Letters

The Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND) for the Freeway Adjacent Digital Display Billboards Ordinance was circulated for public review for 30 days (June 30, 2022 through July 29, 2022). The City of Oxnard received four comment letters from public agencies during the public review period, as listed in the table below. Each comment letter has been assigned an alphabetical designation (A through D). Each comment within each letter has been assigned a numerical designation so that each comment could be cross-referenced with an individual response. The comments and responses are provided in Chapter 3.

#### COMMENT LETTERS RECEIVED

| Comment No. | Commenting Agency                                               | Date of Comment |
|-------------|-----------------------------------------------------------------|-----------------|
| A           | California Highway Patrol                                       | July 27, 2022   |
| B           | Ventura County Air Pollution Control District                   | July 26, 2022   |
| C           | County of Ventura Resource Management Agency, Planning Division | July 29, 2022   |
| D           | California Department of Transportation                         | July 25, 2022   |

This page intentionally left blank

## CHAPTER 3

---

### Responses to Comments

Following are the comment letters and the written responses to each of the comments that were received during the public review period of the Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND). In some instances, in response to the comment, the City of Oxnard has made additions or deletions to the text of the Public Review Draft IS/MND; additions are included as underlined text and deletions are shown as ~~stricken text~~.



## Comment Letter A

Pearson II, Joe &lt;joe.pearson@oxnard.org&gt;

**RE: Environmental Impact Report (SCH # 2022060701)**

1 message

**Primicerio, Jarod@CHP** <JPrimicerio@chp.ca.gov>

Wed, Jul 27, 2022 at 12:41 PM

To: "Joe.Pearson@Oxnard.org" &lt;Joe.Pearson@oxnard.org&gt;

Cc: CHP-701\_AA\_Desk &lt;701\_AA\_Desk@chp.ca.gov&gt;, CHP-EIR &lt;EIR@chp.ca.gov&gt;, "state.clearinghouse@opr.ca.gov" &lt;state.clearinghouse@opr.ca.gov&gt;

The California Highway Patrol's (CHP) Ventura Area office received an Environmental Impact Report (SCH # 2022060701) for a proposed digital billboard adjacent to the US-101 Freeway, located within the City of Oxnard. The CHP Ventura Area was requested to evaluate the proposal; specifically, in regard to the potential impact it may have on departmental operations, public safety, increased calls to the communications center/dispatch, increased response times, and traffic congestion.

This proposed digital billboard, coupled with the two additional proposed digital billboards (SCH # 2022060700 and SCH # 2022060706), all adjacent to the US-101 Freeway within the City of Oxnard, will likely cause a drastic increase to traffic congestion already severely impacted in the region. There are currently two digital billboards adjacent to the US-101 Freeway within the City of Oxnard, thus adding three additional, there would be a total of five digital billboards within less than a four mile stretch along this portion of the Freeway. The magnitude of the project may place a greater strain on limited public safety resources with an expected increase in vehicular traffic on US-101. A potential delay of emergency response due to extended response times places the public at risk. The potential increase in traffic may cause an increase in motor services, crashes, and injuries to motorists. Consequently, these incidents will cause an increase in calls to the CHP Ventura Communications Center and dispatchers. The proposed area is currently experiencing significant growth with the construction of retail and residential properties. The digital sign(s) will exacerbate the traffic congestion and may create long-term detrimental impact to the residents, visitors, and first responders within the Ventura Area.

Should you have any questions, please contact Lieutenant Sergio Perez or myself at (805) 662-2640.

Sincerely,

Jarod Primicerio



**CONFIDENTIALITY NOTICE:** This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

## **Comment Letter A: California Highway Patrol – July 27, 2022**

### **Comment A-1**

The comment asserts that the proposed Freeway Adjacent Digital Display Billboards Ordinance along with the Riverpark Boulevard Electronic Billboard and Ventura Road Electronic Billboard could cause a drastic increase in traffic congestion along U.S. 101 within the City of Oxnard. The comment further states that the increase in traffic volumes and congestion on U.S. 101 would result in a potential delay on emergency response and could result in an increase in motor services, crashes, and injuries.

### **Response to Comment A-1**

The implementation of future electronic billboards implemented under the Freeway Adjacent Digital Display Billboards Ordinance including the Riverpark Boulevard Electronic Billboard and the Ventura Road Electronic Billboard would not result in a substantial amount of traffic. As discussed in Section 3.15 a) of the Public Review Draft IS/MND, the construction of individual electronic billboards under the proposed Ordinance would generate a nominal number of construction vehicle trips for the activities to place at electronic billboard on an individual site. This nominal number of trips would not conflict with the circulation system and would result in less than significant impacts. In addition, long-term activities associated with the proposed Ordinance include periodic visits to each individual electronic billboard site for maintenance. These periodic visits would also result in less than significant impacts to the surrounding circulation system.

The traffic volumes resulting from construction and operation of the individual billboards would result in a nominal amount of traffic and nominal effect on congestion. Furthermore, with a nominal effect on congestion, the individual billboards would result in less than significant potential for delaying emergency response and would result in less than significant increases in motor services, crashes, and injuries.

The congestion and safety concerns raised in this comment do not appear to be a direct result of implementing electronic billboards, but may result from cumulative development throughout the City of Oxnard. Because the Project would not result in an increase in daily or weekly operational traffic volumes, the Project would not contribute to potential cumulative traffic volume increases along U.S. 101 that would contribute to increases in motor services, crashes, and injuries to motorists.

As discussed in Section 3.15 c) in the Public Review Draft IS/MND, the proposed billboards implemented under the Freeway Adjacent Digital Display Billboards Ordinance would be required to comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5. The billboard proposes to include different images, but each

image will be displayed for at least eight seconds and the images would not move or present the appearance of motion and would not flash or blink or any other means that does not provide a constant illumination. These features associated with the individual electronic billboards would not substantially increase hazards to drivers along U.S. 101 and less than significant impacts would occur. Furthermore, the Project will require an Outdoor Advertising Act Permit from the California Department of Transportation to ensure that the proposed electronic billboard does not represent a danger to motorists traveling along U.S. 101.





Comment Letter B

**VENTURA COUNTY  
AIR POLLUTION CONTROL DISTRICT**

Memorandum

TO: Joe Pearson II, Sr. Planner, City of Oxnard      DATE: July 26, 2022

FROM: Nicole Collazo, Air Quality Specialist, Planning Division 

SUBJECT: Draft Mitigated Negative Declaration for the Freeway Adjacent Digital Display Billboards Ordinance (RMA 22-018)

Air Pollution Control District (APCD) staff have reviewed the subject mitigated negative declaration (MND) of the Freeway Adjacent Digital Display Billboards Ordinance project (project). The project proposes amendments to Article IX. Advertising Signs of the Oxnard City Code to permit Freeway Adjacent Digital Display Billboards on parcels designated as commercial, industrial, or public facilities within 400 feet of the U.S. 101 right-of-way within the City of Oxnard. The Lead Agency is the City of Oxnard. APCD submits the following comments for the project's MND.

**GENERAL COMMENTS**

*Air Quality Section*

1) Item a and b, Page 24-25. VCOG is no longer responsible for developing the AQMP. This is language contained in our 2003 Ventura County Air Quality Assessment Guidelines and no longer applies. The AQMP is developed by the APCD using SCAG's population growth forecasts in its air quality modeling and forecasting. We recommend amending this section. We also note that our 2022 AQMP is currently in development and scheduled to be adopted at the end of 2022.

2) Item c, Page 27. For future individual projects under this ordinance that undergo an environmental review, as indicated in Mitigation Measure AQ-1, applicable mitigation measures to reduce NOx and diesel particulate matter emissions is the use of Tier 3 and Tier 4 EPA diesel rating off-road construction equipment and on-road construction vehicle with an engine model year of 2010 or greater.

Thank you for the opportunity to comment on the project's MND. If you have any questions, you may contact me at [nicole@vcapcd.org](mailto:nicole@vcapcd.org).

B-1

B-2

## **Comment Letter B: Ventura County Air Pollution Control District – July 26, 2022**

### **Comment B-1**

This comment states that the Ventura Council of Governments (VCOG) no longer responsible for developing the Ventura County Air Quality Management Plan (VCAQMP) but Ventura County APCD is responsible.

### **Response to Comment B-1**

The City of Oxnard thanks the Ventura County Air Pollution Control District for clarifying that the VCOG no longer provides forecasted regional population, housing, and employment for the VCAQMP.

The fourth sentence of the first paragraph on page 24 of the Public Review Draft IS/MND is revised as follows:

~~V~~CAPCD ~~and the Ventura Council Association of Governments (VCOG)~~ are is responsible for preparing the air quality management plan (AQMP), which addresses federal and state Clean Air Act (CAA) requirements.

The second paragraph on page 24 and extending to page 25 of the Public Review Draft IS/MND is revised as follows:

The proposed Project is located within the Ventura County portion of the SCCAB, which is under the jurisdiction of the VCAPCD for air quality planning and control. As such, VCAPCD's 2016 AQMP is the applicable air quality plan for the proposed Project. Projects that are consistent with the regional population, housing, and employment forecasts identified by the VCAPCD ~~VCOG~~ are deemed consistent with the AQMP growth projections, since the forecast assumptions by VCAPCD ~~VCOG~~ forms the basis of the land use and transportation control portions of the AQMP. Additionally, because VCAPCD's ~~VCOG's~~ regional growth forecasts are based upon, among other things, land uses designated in general plans, a project that is consistent with the land use designated in a general plan would also be consistent with the VCAPCD's ~~VCOG's~~ regional forecast projections, and thus also with the AQMP growth projections.

### **Comment B-2**

This comment states that applicable measures to reduce NOx and diesel particulate matter emissions is through the use of Tier 3 and Tier 4 EPA diesel rating off-road construction equipment and on-road construction vehicle with an engine model year of 2010 or greater.

### **Response to Comment B-2**

The City of Oxnard thanks the Ventura County Air Pollution Control District for identifying potential measures to reduce NOx and diesel particulate matter emissions associated with

individual electronic billboards. As identified in Mitigation Measure AQ-1 on page 27 of the Public Review Draft IS/MND, each applicant of individual billboards proposed under the Freeway Adjacent Digital Display Billboards Ordinance will be required to demonstrate that construction and operational activities would not exceed the Ventura County Air Pollution Control District thresholds of significance of reactive organic compounds (ROG or VOC) as well as oxides of nitrogen (NOx). As stated in Section 3.3 c) on page 26 of the Public Review Draft IS/MND, the VCAPCD has not established mass emission significance thresholds for particulate matter (PM10 or PM 2.5). However, even though significance thresholds for particulate matter have not been established, construction activities related to the placement of a pole in the ground that would support an electronic billboard is expected to result in a nominal amount of particulate emissions.



Comment Letter C

July 29, 2022

Joe Pearson II, AICP  
Community Development Department, Planning Division  
City of Oxnard  
214 South C Street  
Oxnard, CA 93030

**SUBJECT: Response to Notice of Intent to Adopt a Mitigated Negative Declaration (MND) for the Proposed Freeway Adjacent Digital Display Billboards Ordinance, a Notice of Intent to Adopt the Proposed Riverpark Boulevard Electronic Billboard MND and the proposed Notice of Intent to Adopt the Ventura Road Electronic Billboard MND**

Dear Joe Pearson,

Thank you for providing the Ventura County Planning Division with the opportunity to comment regarding the following Mitigated Negative Declarations:

1. City of Oxnard (City) Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND) for the Proposed Freeway Adjacent Digital Display Billboards Ordinance project (proposed ordinance).
2. City of Oxnard NOI to adopt an MND for the Ventura Road Electronic Billboard project
3. City of Oxnard NOI to adopt an MND for the Riverpark Boulevard Electronic Billboard project.

The proposed Freeway Adjacent Billboards ordinance would permit the siting of digital display billboards within 400 feet of the U.S. 101 right-of-way, on the City's property or in its right-of-way, and in non-residential zones. No digital display billboards may be sited less than 100 feet from the property line of any residential zoned parcel. The proposed development standards would limit billboards to a maximum face display area of 14 feet in height and 48 feet in width, require orientation primarily for viewing from the freeway, and the maximum height of the entire structure cannot exceed 55 feet as measured from the pavement level of the adjacent freeway to the bottom of each display. Each digital display billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet. The permitting path process would be a Special Use Permit. Section 16-530 of the Oxnard Municipal Code describes that a Special Use Permit is authorized by the Planning Commission.

C-1

The County has calculated the distance of the proposed ordinance planning area in relationship with unincorporated area of the County. Calculating the stretch of Highway U.S. 101 from the easternmost portion of the proposed ordinance project area to the westernmost portion, the total length of the project area was estimated at 4.09 miles. Using this estimate, the total of length of unincorporated area in the ordinance planning area totaled approximately 1.3 miles or 30% of the total project planning area distance along the Highway U.S. 101. This calculation represents a significant portion of unincorporated area that may be impacted by the proposed ordinance, particularly along unincorporated areas of El Rio/ Del Norte and Nyeland Acres.

C-1  
(Cont)

The project area for the proposed ordinance is located adjacent to portions of the El Rio/ Del Norte and Nyeland Acres unincorporated communities. There are also two billboards proposed. The Riverpark Boulevard Electronic Billboard project would be located approximately 1,800 feet from an unincorporated zone for residential high-density development (RHD-20 du/ac). The Ventura Road Electronic Billboard would be located near a wildlife habitat corridor that lies in the Santa Clara Riverbed. Based on these circumstances, the proposed projects may have direct and cumulative impacts on existing development and sensitive habitat in the County's jurisdiction.

Since it is difficult to evaluate cumulative impacts due to the three separate MND's for these projects; prior to taking any action on the proposed projects, the City should consolidate its review of potential environmental impacts of the Ordinance MND, Ventura Road and RiverPark project MND's into one environmental analysis and document. Given that these projects are being processed concurrently, and the fact that Ventura Road and RiverPark projects cannot be adopted until the billboard ordinance is adopted, consolidation of the three MND's will enable to the County to understand direct, indirect and cumulative environmental impacts of the ordinance programmatic and billboard projects.

C-2

The revised analysis should evaluate potential environmental impacts for the unincorporated areas adjacent to and in the vicinity of the proposed projects; , particularly residential areas in the El Rio/Del Norte and Nyeland Acres communities. Specific issue area to consider are neighborhood compatibility, scenic resources, and biological resource issues areas discussed below.

### **Impacts to Neighborhood Compatibility**

The MNDs evaluate aesthetic impacts, and the Ordinance MND states that, "because specific electronic billboard projects are not known at this time, project-level environmental impacts cannot be assessed. As each individual electronic billboard project is proposed, a project level environmental evaluation will be required" (MND Chapter 3, Aesthetics and Urban Design). However, there are MNDs for two proposed billboards within the proposed ordinance planning area. As stated above, for adequate CEQA review, these projects should be combined onto one study and the projects should be processed in accordance with the proposed ordinance.

C-3

The proposed ordinance should require projects to be designed to meet development standards that reduce or eliminate potential impacts without deferring to an evaluation for consistency with lighting and other standards until after the billboards are authorized and built. Please consider the following amendments to the draft ordinance to reduce potential impacts:

- Clarify that setback distances to residential zones also apply to unincorporated residential zones.
- Clarify how height is measured and require height to be measured from the adjacent average grade.
- Limit the number of billboards that can be sited within the planning area.
- Clarify how the ordinance will benefit disadvantaged communities.

C-3  
(Cont)

Setbacks: The ordinance should be revised to consider residential zoned unincorporated properties located adjacent to the proposed ordinance planning area where electronic billboards could be sited (see circled areas in Figure 1 below). As drafted, the ordinance could allow billboards to be sited within a few feet of residential zones in the unincorporated area.

It would be helpful if the proposed Ordinance MND, Figures 2, 2b, and 2d accurately delineate unincorporated areas relative to the planning area. As of now, the program location areas do not display the difference between the separate jurisdictional boundaries, specifically the City of Oxnard and unincorporated community planning areas and therefore potential impacts cannot be adequately evaluated. The City should update the program location index images in the proposed ordinance MND to accurately reflect the location of planning area boundaries in relation to unincorporated County boundaries.

C-4

Height: As stated in the proposed Ordinance MND, the “maximum height of any Freeway Adjacent Digital Display Billboard shall not exceed 55 feet as measured from the pavement level of the adjacent freeway to the bottom of the digital display” (MND Page 9). The height standards of electronic billboards in the Ordinance MND should be clarified so the public can understand maximum heights of the billboards from the top of the billboard to ground level, as slope and topography changes will site billboards lower or higher in relation to adjacent land uses and cause impacts that were not evaluated in the Ordinance MND. For example, the proposed Riverpark Boulevard Electronic Billboard (MND No.22-03) has a proposed height of 80 feet measured from the top of the billboard to the ground. This height standard used in this specific proposal is more accurate than the method of measurement proposed in the ordinance and could be inconsistent with the ordinance. One method of measurement is needed that evaluates the maximum height as measured from the adjacent grade to the top of the billboard itself. The County requests that you please verify in the Response to Comments that the height in the ordinance for billboards will not exceed 55 feet as measured from the pavement level of the adjacent freeway to the bottom of the digital display for any proposed billboard projects. If this height assumption is inaccurate, please verify the maximum height that any billboard can be pursuant to the ordinance.

C-5

Limit the Number of Billboards: Another potential cumulative impact on unincorporated areas is there are no maximum quantity of allowable digital billboard displays identified in the proposed ordinance. As of now, the Ordinance MND makes no indication for a maximum allowable number throughout the entirety of the planning area. There should be calculations to understand the potential maximum number of digital display billboards, taking into consideration that they must be placed 2,000 feet away from one another. The proposed ordinance should include reference that existing digital display billboards must comply with the all development standards, including setbacks set forth in the Caltrans Outdoor Advertising Act and Regulations.

C-6

Community Benefits: El Rio/ Del Norte and Nyeland Acres communities are identified in the County General Plan as designated disadvantaged communities. The City should take into consideration how the ordinance and billboards would affect these disadvantaged communities and update the Required Findings of Public Benefit section of the proposed Ordinance MND (page 10) to describe how public benefits will be provided to affected disadvantaged communities that could be adversely affected by the proliferation of digital display billboards.

C-7

The City and digital display billboard applicants should also meet with the El Rio/ Del Norte Municipal Advisory Council to further clarify potential public benefits and impacts from the proposed ordinance and XX project and XX project . Furthermore, the El Rio/Del Norte Area Plan includes the following policy that encourages the City to present proposed ordinances and discretionary projects to the Council for review and comment (*italics added for emphasis*):

**Policy, ED-21.1- Public Review Authority**

The El Rio/Del Norte Municipal Advisory Council shall continue to be the Board of Supervisors' recognized public review group for the El Rio/Del Norte area. All County *and city applications for discretionary permits* and all environmental documents for projects which would affect the El Rio/Del Norte area shall be sent to the Board of Supervisors' Office for transmittal to the El Rio/Del Norte Municipal Advisory Council as early in the process as possible.

C-8

**Scenic Resources**

To address concerns with light pollution, light trespass illuminance standards were discussed in the proposed Ordinance MND. However, there are still concerns with glare and light pollution, specifically in the evening with respect to the nearby residential communities. The analysis within Chapter 3 of the proposed Ordinance MND did not evaluate potential impacts from public viewing locations such as roadways in the unincorporated area of Ventura County, particularly the El Rio and Nyeland Acres communities. Since there is no numerical limit on the proliferation of billboards under the proposed ordinance, the Ordinance MND should also evaluate cumulative impacts from glare and illuminance from the perspective of public roads and hiking trails in the hillside areas with views of the Oxnard Plain.

C-9

When assessing the distance from Digital Billboard Display's to residential parcels, Los Angeles County's zoning code, Section 22.114.070 prescribes standards for outdoor advertising signs, and states that such signs shall not be permitted within 200 feet of a residential zone located on the same side of the street or highway. The City should adopt the same or greater 200-foot setback requirement from residential zones (including unincorporated residential zones) rather than the proposed 100-foot setback. The City should also include the following standard from Los Angeles County zoning code Section 22.114.050 in the MNDs and conditions of approval for light protection to surrounding premises, with the additional reference added for applicability to unincorporated areas in parenthesis:

C-10

- In no case shall a lighted sign or lighting device thereof be so placed or directed so as to permit the beams and illumination therefrom to be directed or beamed upon a public street, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.

The proposed Ordinance MND states that, "light pollution or obtrusive light is highly subjective. To address concerns with light pollution, recommendations to limit light trespass onto adjacent properties from the International Commission on Illumination (CIE) were reviewed. The CIE identifies a light trespass illuminance of 0.5 fc or greater for light-sensitive urban areas such as residential areas and 0.2 fc or greater for natural areas such as the Santa Clara River Basin" (MND page 19). The Ordinance MND should also include references to compliance with the Caltrans Outdoor Advertising Act and Regulations and ensure compliance with California Vehicle Code Section 21466.5 for enforcing sign brightness and reads as follows:

- No person shall place or maintain or display, upon or in view of any highway, any light of any color of such brilliance as to impair the vision of drivers upon the highway. A light source shall be considered vision impairing when its brilliance exceeds the values listed below.
- The brightness reading of an objectionable light source shall be measured with a 11/2-degree photoelectric brightness meter placed at the driver's point of view. The maximum measured brightness of the light source within 10 degrees from the driver's normal line of sight shall not be more than 1,000 times the minimum measured brightness in the driver's field of view, except that when the minimum measured brightness in the field of view is 10 foot-lamberts or less, the measured brightness of the light source in foot-lambert shall not exceed 500 plus 100 times the angle, in degrees, between the driver's line of sight and the light source.

C-11

Lastly, Federal Highway Administration guidance on off-premise changeable message signs recommend adjusting brightness in response to changes in light levels so that signs are not unreasonably bright for the safety of the motoring public. Brightness should be adjusted accordingly and if a billboard has the potential to illuminate uses in unincorporated residential zones, an evening time shut off period should be required for mitigation of potential brightness and illumination light spill.



The City should include mitigation measures and comparable brightness standards for the intensity of lighting identified in the City of Ventura's Auto Center Specific Plan Amendments for the Final Initial Study Mitigated Negative Declaration that was approved in 2017 as either mitigation measures in the Ordinance MND or development standards in the Billboard Ordinance. The City of Ventura's Auto Center electronic billboard display is routinely turned off at 10 p.m. to mitigate light emittance and nuisance in the evening time. The following measures from the Auto Center Specific Plan should also be included in the proposed ordinance, and digital display billboard projects should be conditioned as follows:

Mitigation Measure AES-1: Electronic Sign Brightness. The Auto Center Specific Plan shall include the following standards for the Auto Center freeway sign and Auto Center entry sign:

- Lighting levels on the digital sign shall not exceed 0.3 foot candles above ambient light from a distance of 250 feet, as measured according to standards of the Outdoor Advertising Association of America.
- Brightness shall not exceed 800 nits (candela per square meter) from sunset to sunrise. At all other times, brightness will not exceed 7500 nits.
- Illumination shall be directed such that minimal light spill will occur on either side or the top or bottom of the sign face.
- A light sensor shall be installed with the sign to measure ambient light levels and to adjust light intensity to respond to such conditions. The light sensor adjusts the sign's brightness in order to compete with ambient light. The darker the surrounding ambient light, the less bright the sign is.
- The sign shall not display any moving, flashing, scrolling, fading, brightening or animated text or video.
- Signage shall be controlled remotely and include remote maintenance software.
- LED lighting has a directional nature, and the projected viewing angle values for this sign shall be  $\pm 30^\circ$  vertically and  $\pm 60^\circ$  horizontally. Louvers shall be located above each row of lights to prevent light from projecting upward into the sky.

Mitigation Measure AES-2: City Approval of Brightness. Within 14 days of the freeway sign being operational, annually, and as required by City staff (after maintenance, malfunctions, multiple complaints) the applicant shall submit to the satisfaction of the Community Development Director, the following information:

- A third-party test conducted after installation to verify that the billboard complies with the requirements not to exceed 0.3 foot-candle above ambient light at 250 feet from the face of the freeway sign. If the value exceeds industry standards, additional lighting output reduction shall be required until the 0.3 foot-candle requirement is satisfied.

## Biological Resources

The proposed Ordinance MND (page 32) evaluates potential impacts to critical habitat, special status plant species and avian species. The electronic billboards could impact wildlife corridor movement due to electronic light displays that deter and disorient wildlife movement. The Santa Clara River riparian area is identified by the County of Ventura as an important Habitat Connectivity and Wildlife Corridor. Without precise mapping that identifies the extent that billboards could be placed closest to the Santa Clara River basin, and the proposed approach to test billboards for impacts after they are built, there is insufficient information to determine whether there will be direct, indirect, or cumulative impacts to wildlife movement. CEQA requires protecting wildlife corridors/movement areas and the proposed ordinance development standards, environmental impact analyses, and project-specific conditions of approval should include measures to conserve the natural state of the habitat wildlife corridor and ensure species can move throughout the region. The City should consider the following mitigation measure in the Ordinance MND for impacts to biological resources. This mitigation measure should also apply to the Riverpark Boulevard MND and as needed to future digital billboard projects' conditions of approval:

C-12

AES-2: City Approval of Brightness. Within 14 days of the freeway sign being operational, annually, and as required by City staff (after maintenance, malfunctions, multiple complaints) the applicant shall submit to the satisfaction of the Community Development Director, the following information:

C-13

- A third-party test conducted after installation to verify that the billboard complies with the requirements not to exceed 0.2 foot-candle above ambient light at 250 feet from the face of the freeway sign, as measured from within the Habitat Corridor. If the value exceeds industry standards, additional lighting output reduction shall be required until the 0.2 foot-candle requirement is satisfied.

The Santa Clara River is the longest continuous river system in Southern California and runs over 100 miles in length, originating from the San Gabriel Mountains in Los Angeles County and traverses throughout Ventura County to reach the Pacific Ocean. Extensive patches of high-quality riparian habitat are present along the length of the river and its tributaries. Numerous state and federally listed species have been found in and nearby the undeveloped areas (e.g., least bell's vireo (*Vireo bellii pusillus*), mesa horkelia (*Horkelia cuneata*), California legless lizard (*Anniella pulchra*), Lyon's pentachaeta (*Pentachaeta lyonia*), and coastal California gnatcatcher (*Poliophtila californica californica*). Please see Figure 2 below for a map of the Habitat Connectivity and Wildlife Corridor in the South Coast Ventura County region. The proposed Ordinance MND should be revised to adequately analyze the impacts to the wildlife corridor and include additional mitigation measures as appropriate. Lastly, the following El Rio Area Plan Goals and Policies should be considered for standards in the proposed ordinance, and as a basis for biological mitigation measures to offset environmental impacts:

C-14

C-15

Goal, ED-32: To protect the biological resources of the Santa Clara River and adjoining natural habitat areas including significant stands of Southern Willow within the Santa Clara River bounding the El Rio/Del Norte area.

Goal, ED-33: To encourage revegetation or landscaping in natural habitat areas and the Santa Clara River that incorporates native plant species in order to restore habitat in already disturbed areas.

C-15  
(Cont)

Policy, ED-33.1: To encourage revegetation or landscaping in natural habitat areas and the Santa Clara River that incorporates native plant species in order to restore habitat in already disturbed areas.

In closing, thank you again for the opportunity to comment on the three MNDs for the proposed ordinance and digital display billboard projects. The County is hopeful that the City will combine these three MND's into one environmental document and recirculate for public review and comment. This action would facilitate meaningful public disclosure of the potential direct, indirect, and cumulative environmental impacts of the Ordinance MND and associated Ventura Road and RiverPark projects on the unincorporated County. If you have any questions about this letter, please contact Joel Hayes at Joel.Hayes@ventura.org or 805.654.2834.

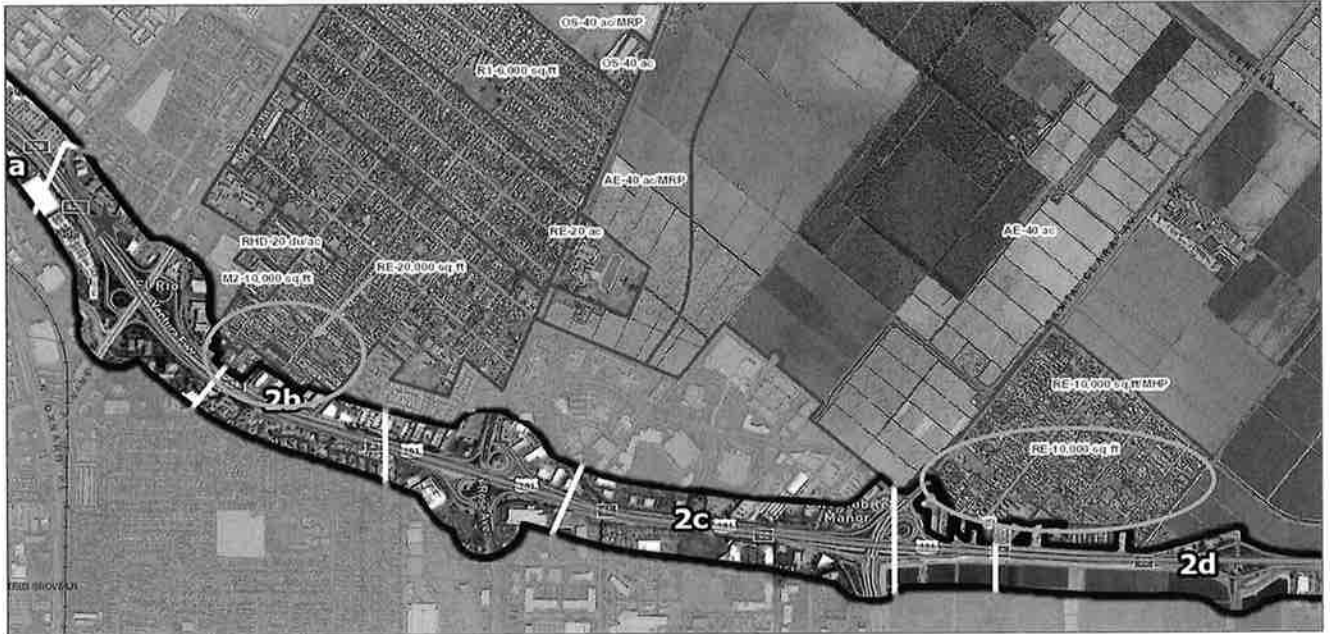
C-16

Sincerely,

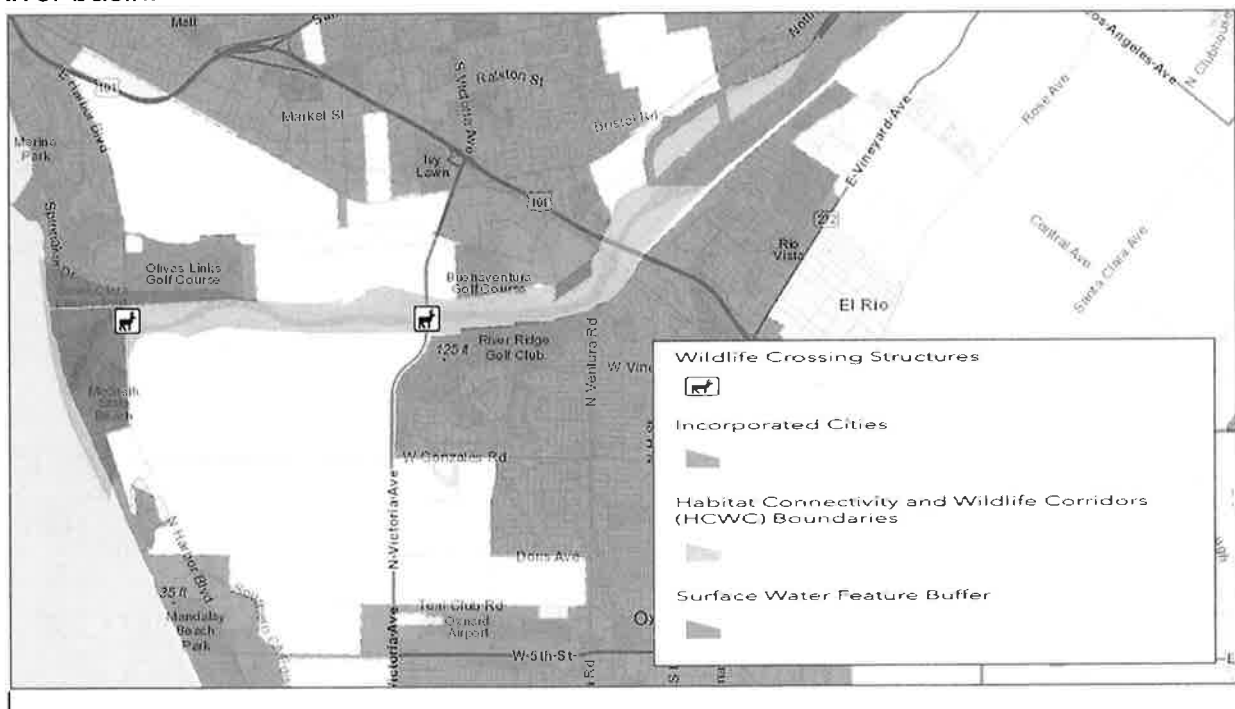


Dave Ward, AICP | Planning Director  
County of Ventura, Planning Division

**Figure 1.** Unincorporated Residential Zones (circled in green) that need to be evaluated for direct, indirect and cumulative impacts due to the proposed ordinance and billboard projects.



**Figure 2.** Map showing Habitat Connectivity and Wildlife Corridors in the Santa Clara River basin.



## **Comment Letter C: County of Ventura Resources Management Agency, Planning Division – July 29, 2022**

### **Comment C-1**

This comment states that the Planning Division reviewed three separate Mitigated Negative Declaration (MNDs) related to the proposed Freeway Adjacent Digital Display Billboards Ordinance as well as the Riverpark Electronic Billboard and Ventura Road Electronic Billboard. The comment specifically states that the proposed Ordinance would permit siting display billboards within 400 feet of the U.S. 101 right-of-way, on City property, in non-residential zones, not less than 100 feet from the property line of residential zoned parcels, and have a maximum face display area of 14 feet in height and 48 feet in width. This comment also states that the Ordinance requires each electronic billboard to be located at least 2,000 feet apart.

Furthermore, this comment states that the area of the proposed Ordinance is located adjacent to portions of the El Rio/Del Norte and Nyeland Acres unincorporated communities. The comment states that these unincorporated communities are located along approximately 30 percent of the Ordinance area, and individual electronic billboards may have direct and cumulative impacts on these unincorporated communities as well as sensitive habitat in the County's jurisdiction (i.e., Santa Clara River Basin).

### **Response to Comment C-1**

The comments regarding the specific design regulations for the individual electronic billboards implemented under the proposed Freeway Adjacent Digital Display Billboards Ordinance are correctly stated. Individual electronic billboards could be located in close proximity of both the El Rio/Del Norte and Nyeland Acres unincorporated communities as well as within the vicinity of City of Oxnard residents. The potential impacts to community residents are addressed through the Public Review Draft IS/MND. Potential impacts associated with the implementation of electronic billboards under the proposed Ordinance are addressed throughout Chapter 3 of the Public Review Draft IS/MND. The potential significant impacts identified in Chapter 3 related to aesthetics and urban design, air quality, biological resources, cultural and tribal cultural resources, and noise. Mitigation measures are included within the Public Review Draft IS/MND to reduce each of the potential impacts to less than significant. The potential issues that could impact residents along the proposed Ordinance area include aesthetics and urban design, air quality, and noise. These potential impacts could occur on residents of the City of Oxnard and/or the unincorporated area of the County.

The comment identifying potential impacts to sensitive habitat whether in the County or City jurisdiction is noted. As discussed in Section 3.4 of the Public Review Draft IS/MND, potential impacts on sensitive vegetation communities and associated sensitive wildlife species could occur and Mitigation Measures BIO-1, BIO-2 and AES-2 are included to reduce potential impacts to less than significant.

### **Comment C-2**

This comment asserts that evaluating the cumulative impacts of the three projects that are addressed within the three separate Public Review Draft IS/MNDs is difficult and recommends that the City consolidates its review into one environmental document.

### **Response to Comment C-2**

The potential effects resulting from the Freeway Adjacent Digital Display Billboards Ordinance is evaluated at a Program-level and as each individual electronic billboard project is proposed, a project-level environmental evaluation will be required. The Riverpark Boulevard and Ventura Road Electronic Billboard Projects are independent projects and are evaluated at a Project-level, and specific impacts and applicable mitigation measures are provided in their respective Public Review Draft IS/MND. A discussion of cumulative impacts is provided for each Public Review Draft IS/MND in Section 3.18 b). The City thanks the County for their input, but will proceed with the separate IS/MNDs for the program and two independent specific projects.

### **Comment C-3**

This comment states that an analysis of potential environmental impacts to unincorporated areas such as the El Rio/Del Norte and Nyeland Acres communities and sensitive biological resources adjacent to and in the vicinity of the proposed Project should be evaluated.

The comment also requests amendments to the draft Freeway Adjacent Digital Display Billboards Ordinance.

### **Response to Comment C-3**

As discussed in Response to Comment C-1, the potential impacts identified in the Ordinance Public Review Draft IS/MND could occur on residents of the City of Oxnard and/or the unincorporated area of the County. The environmental evaluation provided for the Ordinance was at a Program-level as discussed in Response to Comment C-2.

One of the environmental issues that could have potential impact on residents of the unincorporated communities of the County is aesthetics and urban design. As discussed in Section 3.1 of the Public Review Draft IS/MND, views and scenic resources could be impacted with the implementation of individual electronic billboards in accordance with the proposed Ordinance. The implementation of the individual billboards will be required to comply with the applicable 2030 General Plan goals and policies related to views as well as the standards identified in the proposed Ordinance. These applicable goals and policies are identified in Section 3.1 of the Public Review Draft IS/MND. In addition, the proposed Ordinance requires that each individual electronic billboard be separated from each other by a minimum of 2,000 linear feet. To ensure compliance with the applicable goals and policies, each applicant for an individual electronic billboard will be required to conduct its own environmental project-level evaluation to demonstrate that less than significant impacts on views and scenic resources would occur.

The comment also recommends amendments to the proposed Ordinance.

The first recommendation is applying the setback distances of each electronic billboard from residential zoned property within the unincorporated areas as well as the City. The proposed Ordinance states that no freeway adjacent digital display billboard may be placed at a distance of less than 100 feet from a property line of any residentially zoned parcel. This would apply to any residentially zoned parcel whether it is located within the City or unincorporated County area.

The second recommendation is to clarify how the height of the proposed billboard is measured and requests that the height is measured from the adjacent average grade. To clarify the allowed height of each individual electronic billboard, a revision to the Freeway Adjacent Digital Display Billboards Draft Ordinance has been provided in **Appendix A** of this Response to Comments Document. The maximum height to the top of the Freeway Adjacent Digital Display Billboard shall not exceed 80 feet as measured from the pavement level of U.S. 101. A height measurement of each proposed electronic billboard from the adjacent average grade is not appropriate since some billboards would be located at City street underpasses. The total height of the billboard would need to take the height of the underpass into consideration. It is more appropriate to identify the height of each billboard as measured from the pavement level of U.S. 101.

The third recommendation is to limit the number of billboards that can be sited within the Program area. As identified in the proposed Ordinance, each billboard would need to be separated by at least 2,000 feet. To clarify the number of billboards that could be implemented under the proposed Ordinance, a revision to the Freeway Adjacent Digital Display Billboards Draft Ordinance has been provided in Appendix A of this Response to Comments Document. The maximum number of Freeway Adjacent Digital Display Billboards shall not exceed a total of 5 within the City.

The fourth recommendation is to clarify how the proposed Ordinance will benefit disadvantage communities. The proposed Ordinance does not state that there needs to be a statement of benefit to disadvantage communities. The proposed Ordinance states that there is a required finding of public benefit. The finding needs to be provided in approving a Development Agreement for each of the individual electronic billboards. The finding of public benefit is not required as part of the environmental documentation, but information from the environmental documentation can be used to determine the public benefit along with other information such as financial information.

#### **Comment C-4**

This comment references the proposed Ordinance and requests setbacks. The comment asserts that proposed billboards could be located closer than 100 feet from residentially zoned parcels located within the unincorporated County areas. This comment also asserts that the figures within the Public Review Draft IS/MND need to delineate the jurisdictional boundaries between the City and County to adequately evaluate potential impacts.

#### **Response to Comment C-4**

As discussed in Response to Comment C-3, the required setback from residentially zoned parcels apply to both residential zoned parcels in the City as well as the unincorporated County areas. In addition, Figures 2 and 2a through 2d in the Public Review Draft IS/MND delineate the proposed Program area. The environmental evaluation within Chapter 3 of the Public Review Draft IS/MND evaluates potential impacts on the uses in the vicinity of the Program area whether the uses are within the City or the County.

#### **Comment C-5**

This comment references the proposed Ordinance and requests more specific information on maximum heights.

#### **Response to Comment C-5**

As discussed in Response to Comment C-3 above, a revision to the Freeway Adjacent Digital Display Billboards Draft Ordinance has been provided in Appendix A of this Response to Comments Document to clarify the maximum height to the top of the Freeway Adjacent Digital Display Billboard shall not exceed 80 feet as measured from the pavement level of U.S. 101.

#### **Comment C-6**

This comment references the proposed Ordinance and requests more specific information on limiting the number of billboards.

#### **Response to Comment C-6**

As stated in Response to Comment C-3, a revision to the Freeway Adjacent Digital Display Billboards Draft Ordinance has been provided in Appendix A of this Response to Comments Document to clarify that the maximum number of Freeway Adjacent Digital Display Billboards shall not exceed a total of 5 within the City. As stated within the proposed Ordinance, each proposed electronic billboard must comply with the applicable federal, state, and local laws including the Outdoor Advertising Act.

#### **Comment C-7**

This comment asserts that the City should take into consideration how the ordinance and proposed billboards would affect disadvantage communities and how public benefits will be provided to affected disadvantage communities.

#### **Response to Comment C-7**

The El Rio/Del Norte and Nyeland Acres communities are primarily within the jurisdiction of the County of Ventura. The environmental evaluation within Chapter 3 of the Public Review Draft IS/MND evaluates potential impacts on the uses in the vicinity of the Program area whether the uses are within the City or the County.



As discussed in Response to Comment C-3, the proposed Ordinance does not state that there needs to be a statement of benefit to disadvantage communities. The proposed Ordinance states that there is a required finding of public benefit. The finding needs to be provided in approving a Development Agreement for each of the individual electronic billboards. Although a finding of public benefit needs to be provided, this finding is not part of the CEQA documentation for the proposed Program and would not be part of the CEQA documentation for the individual electronic billboards. The reference provided in the comment regarding Page 10 of the Public Review Draft IS/MND is to the requirement that needs to be met prior to approving an individual Development Agreement.

#### **Comment C-8**

This comment asserts that all County and City applications for discretionary permits and all environmental documents for Projects should be sent to the Board of Supervisor's Office for transmittal to the El Rio/Del Norte Municipal Advisory Council.

#### **Response to Comment C-8**

Potential impacts associated with the implementation of the proposed Freeway Adjacent Digital Display Billboards Ordinance are provided in Chapter 3 of the Public Review Draft IS/MND, and the document was provided to the County for review and comment. The City of Oxnard does not have a requirement for Projects and Programs within the City to be sent to the Board of Supervisors' Office for transmittal to the El Rio/Del Norte Municipal Advisory Council.

#### **Comment C-9**

This comment asserts that potential visual impacts from roadways was not provided and without knowing the number of billboards that could be implemented under the proposed Ordinance, cumulative light and glare impacts from public roads and hiking trails should be evaluated.

#### **Response to Comment C-9**

The visual impacts of implementing the proposed Ordinance are discussed in Section 3.1 a) of the Public Review Draft IS/MND. Scenic vistas within and beyond the City limits are identified. Each billboard implemented under the proposed Ordinance is required to be separated by at least 2,000 feet from each other. As discussed in Response to Comment C-3, a revision to the Freeway Adjacent Digital Display Billboards Draft Ordinance has been provided in Appendix A of this Response to Comments Document to clarify that the maximum number of Freeway Adjacent Digital Display Billboards shall not exceed a total of 5 within the City. In addition, compliance with the applicable visual goals and policies of the 2030 General Plan would protect scenic vistas and less than significant impacts would occur. Section 3.1 b) addresses the Program's potential impact on scenic highways such as Oxnard Boulevard and U.S. 101. No additional scenic highways have been designated in the Program vicinity. Section 3.1 c) of the Public Review Draft IS/MND addresses the Program's potential to alter the existing visual characteristics along U.S.

101. As stated, the implementation of the applicable 2030 General Plan goals and policies would protect the visual character and less than significant impacts would occur. As discussed in Section 3.1 d) of the Public Review Draft IS/MND, the implementation of the proposed Program would allow for the placement of intermittent electronic billboards within the Program area delineated in Figures 2 and 2a through 2d, and each individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies related to aesthetics and views. Through compliance with these applicable goals and policies, the implementation of the proposed Program would not add to or compound to an existing negative view of the Program area, and potential impact would be less than significant. Finally, Section 3.1 e) of the Public Review Draft IS/MND addresses the Program's potential increase in nighttime lighting. The Program is required to be consistent with the applicable 2030 General Plan goals and policies. However, the evaluation found that potential significant light impacts could still occur at nearby residences as well as natural areas. As a result, Mitigation Measures AES-1 through AES-3 are included to reduce potential lighting impacts to less than significant.

**Comment C-10**

The comment also recommends that a different setback from residentially zoned parcels should be included. The setback that is recommended in this comment is consistent with the Los Angeles County zoning code.

**Response to Comment 10**

This comment that suggests that the City should use a different recommended setback from residentially zoned parcels is noted; however, the evaluation along with the standards identified in the proposed Ordinance and with the recommended mitigation measures within the Public Review Draft IS/MND found that a setback of 100 feet would result in less than significant impacts on residential uses.

**Comment C-11**

This comment states that there should be references to comply with the Caltrans Outdoor Advertising Act and Regulations and ensure compliance with California Vehicle Code Section 21466.5. The comment suggests that light levels of the signs are not unreasonably bright for the safety of the motoring public. Also, the brightness should be adjusted so that significant impacts to adjacent residents does not occur, and there should be an evening shut off period to reduce potential brightness and illumination spill. The comment suggests that measures similar to the City of Ventura's Auto Center Specific Plan should be included. These measures include turning off the electronic billboard display at 10 p.m.

**Response to Comment C-11**

As stated in Section 1.8 of the Public Review Draft IS/MND, each electronic billboard implemented under the proposed Ordinance is required to comply with all applicable federal, state, and local laws including the Caltrans Outdoor Advertising Act and the proposed Ordinance. The requirements of the proposed Ordinance are more restrictive than the requirements of the Outdoor Advertising Act permit. As an example, the permit requires electronic displays to be spaced at 1,000 feet from another electronic display while the proposed Ordinance requires the displays to be spaced by at least 2,000 feet from another electronic display. In addition, the permit requires the maximum display area to be 25 feet in height and 60 feet in length while the proposed Ordinance requires a smaller display at 14 feet in height and 48 feet in width (length).

Section 1.8 of the Public Review Draft IS/MND also states that all individual electronic billboards implemented under the proposed Ordinance shall comply with the illuminance and brightness identified in the California Building and Professional Code Section 5403(g) and California Vehicle Code Section 21466.5. The suggestion to adjust the brightness so that significant impacts to adjacent residents does not occur is noted. The lighting evaluation in Section 3.1 e) of the Public Review Draft IS/MND identifies mitigation measures that include illuminance performance standards and procedures if there is a malfunction or failure of the display operation to ensure potential impacts on adjacent residents are reduced to less than significant. The suggestion to turn off the electronic billboard display at 10 p.m. is noted; however, based on the environmental evaluation, potential lighting impacts in the evening after the implementation of mitigation measures would be reduced to less than significant.

**Comment C-12**

This comment asserts that without precise mapping of the extent that the billboards could be placed closest to the Santa Clara River Basin and based on the proposed approach to test billboards for lighting impacts, there is insufficient information to determine if there will be direct, indirect or cumulative impacts to wildlife.

**Response to Comment C-12**

These potential wildlife impacts from lighting are addressed in Section 3.1 d) of the Public Review Draft IS/MND. Prior to the implementation of the proposed mitigation measures, lighting impacts on wildlife are potentially significant; however, with the implementation of Mitigation Measures AES-1 through AES-3, potential impacts on wildlife would be reduced to less than significant. The City understands that the Santa Clara River Basin is a wildlife corridor, but as discussed in Section 3.4 d) of the Public Review Draft IS/MND, potential impacts to nesting birds within the wildlife corridor would be reduced to less than significant with the implementation of Mitigation Measures AES-2 and BIO-1. Cumulative impacts are addressed in Section 3.18 b) of the Public Review Draft IS/MND. Cumulative growth within the City was found to result in significant biological resource impacts. The implementation of the individual electronic

billboards under the proposed Ordinance along with Mitigation Measures BIO-1, BIO-2 and AES-2 would reduce the Program's contribution to the significant cumulative biological resources impacts to less than cumulatively considerable.

#### **Comment C-13**

This comment suggests that that the commenters recommended Mitigation Measure AES-2 be included to require testing at a specific lighting level as a measure for the proposed Ordinance. This measure suggests requiring a third party test and demonstrating that lighting levels do not exceed 0.2 foot-candle above ambient light at 250 feet from the face of the freeway sign and within a habitat corridor.

#### **Response to Comment C-13**

Mitigation Measure AES-3 on page 20 of the Public Review Draft IS/MND includes a third party test to demonstrate that lighting from the electronic billboard does not exceed 0.3 fc above ambient light at 250 feet from the face of the freeway sign. Although this comment is requesting that the habitat corridor (i.e., natural areas) include a lighting level that is less than 0.3 fc at 250 feet, the measure clearly states that increases in lighting levels cannot exceed 0.2 fc at natural areas which would also include the habitat corridor. Therefore, the requirement within the suggested revised mitigation measure for the habitat corridor is already incorporated within Mitigation Measure AES-3.

#### **Comment C-14**

This comment asserts that the Public Review Draft IS/MND be revised to adequately analyze the impacts to the wildlife corridor and include additional mitigation measures as appropriate.

#### **Response to Comment C-14**

As discussed in Section 3.4 d) of the Public Review Draft IS/MND, potential impacts to the movement of wildlife species could occur due to the illumination of the proposed electronic billboard. To reduce this potential impact to the wildlife corridor, lighting requirements are identified in Mitigation Measure AES-2 and to reduce potential impacts in nesting birds, Mitigation Measure BIO-1 is recommended. The impact discussion and recommended mitigation measures provide an adequate analysis of impacts to the wildlife corridor.

#### **Comment C-15**

This comment suggests that the El Rio Area Plan Goals and Policies should be considered for standards in the proposed ordinance.

**Response to Comment C-15**

Although the County of Ventura suggests to consider the County's goals and policies within the proposed City of Oxnard Ordinance, the goals and policies of the City's General Plan that are applicable to the protection of natural resource areas and fish and wildlife habitat are discussed in Section 3.4 d) of the Public Review Draft IS/MND.

**Comment C-16**

This comment thanks the City for providing an opportunity to comment on the three Public Review Draft IS/MNDs for the proposed Ordinance and the two electronic billboard projects. The County reiterated the request to provide the environmental documentation for the IS/MNDs into one environmental document.

**Response to Comment C-16**

As discussed in Response to Comment C-2, the potential effects resulting from the Freeway Adjacent Digital Display Billboards Ordinance is evaluated at a Program-level and as each individual electronic billboard project is proposed, a project-level environmental evaluation will be required. The Riverpark Boulevard and Ventura Road Electronic Billboard Projects are evaluated at a Project-level, and specific impacts and applicable mitigation measures are provided in their respective Public Review Draft IS/MND. The City thanks the County for their input, but will proceed with the separate IS/MNDs for the program and two specific projects.



**DEPARTMENT OF TRANSPORTATION**

DISTRICT 7

100 S. MAIN STREET, MS 16

LOS ANGELES, CA 90012

PHONE (213) 269-1124

FAX (213) 897-1337

TTY 711

[www.dot.ca.gov](http://www.dot.ca.gov)

Comment Letter D

Billboards Ordinance

SCH # 2022060701

Vic. Citywide

GTS # LA-2022-00505-MND

July 25, 2022

Dear Joe Pearson:

*Making Conservation a California Way of Life*

Joe Pearson II

City of Oxnard

214 South C Street

Oxnard, CA 93030

RE: Freeway Adjacent Digital Display

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced MND. The Project involves amendments to Article IX. Advertising Signs of the Oxnard City Code to permit Freeway Adjacent Digital Display Billboards on parcels designated as commercial, industrial, or public facilities within 400 feet of the U.S. 101 right-of-way within the City of Oxnard. The

installation and operation of individual electronic billboards would require approval of a Special Use Permit. No Freeway Adjacent Digital Billboard may be placed at a distance of less than 100 feet from the property line of any residentially zoned parcel. All Freeway Adjacent Digital Display Billboards would have a maximum face display area of 14 feet in height and 48 feet in width, would be oriented primarily for viewing from the adjacent freeway, and would have a maximum height of 55 feet as measured from the pavement level of the adjacent freeway to the bottom of the digital display. Each Freeway Adjacent Digital Display Billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet.

D-1  
(Cont)

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. Senate Bill 743 (2013) has codified into CEQA law and mandated that CEQA review of transportation impacts of proposed development be modified by using Vehicle Miles Traveled (VMT) as the primary metric in identifying transportation impacts for all future development projects. You may reference the Governor's Office of Planning and Research (OPR) for more information:

<http://opr.ca.gov/ceqa/updates/guidelines/>

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Joe Pearson

II July 25, 2022

Page 2 of 3

As a reminder, VMT is the standard transportation analysis metric in CEQA for land use projects after July 1, 2020, which is the statewide implementation date.

Construction of individual electronic billboards under the proposed Program would generate a nominal number of construction vehicle trips for the activities to place an electronic billboard on an individual site. This nominal number of trips would not conflict with the circulation system and result in less than significant impacts. In addition, long term activities associated with the proposed Program include periodic visits to each individual electronic billboard site for maintenance. These periodic visits would also result in less than significant impacts to the surrounding circulation system. Therefore, Caltrans concurs that no impact would occur, and mitigation is not required at this time.

D-1  
(Cont)

The proposed Program includes the placement of individual electronic billboards adjacent to U.S. 101. The proposed billboards would be oriented for viewing primarily from U.S. 101. The proposed billboards are required to comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5. The individual billboards would include different images, and in accordance with the Ordinance standards, each image will be displayed for at least eight seconds and the images would not move or present the appearance of motion and would not flash or

D-2

blink or any other means that does not provide a constant illumination. These features associated with each individual electronic billboard would not substantially increase hazards to drivers along U.S. 101 and less than significant impacts would occur.

D-2  
(Cont)

However, please be reminded that any work performed within the State Right-of-way will require an Encroachment Permit from Caltrans. Any modifications to State facilities must meet all mandatory design standard and specifications.

D-3

Caltrans regulates the placement of outdoor advertising displays visible from California highways. The project would require outdoor Advertising (ODA) License. For questions, inquiries, and any other questions you may have, please call (916) 654-6473 or reference to the following website for additional information.

D-4

<https://dot.ca.gov/programs/traffic-operations/oda>

Any transportation of heavy construction equipment and/or materials which requires use of oversized-transport vehicles on State highways will need a Caltrans transportation permit. We recommend large size truck trips be limited to off-peak commute periods.

D-5

*"Provide a safe and reliable transportation network that serves all people and respects the environment"*

Joe Pearson

II July 25, 2022

Page 3 of 3

If you have any questions, please feel free to contact Mr. Alan Lin, the project coordinator, at (213) 269-1124 and refer to GTS # VEN-2022-00505AL-MND.

Sincerely,

MIYA EDMONSON  
LDR/CEQA Branch Chief

email: State Clearinghouse



*“Provide a safe and reliable transportation network that serves all people and respects the environment”*

## **Comment Letter D: California Department of Transportation – July 25, 2022**

### **Comment D-1**

This comment provides a summary of the standards identified in the proposed Ordinance. In addition, the comment restates the conclusions provided in Section 3.15 of the Public Review Draft IS/MND, and the comment concurs that no construction or long-term transportation impacts would occur with the implementation of the proposed Ordinance.

### **Response to Comment D-1**

The City of Oxnard notes the comment's concurrence with the findings in the Public Review Draft IS/MND.

### **Comment D-2**

This comment states the standards identified in the proposed Ordinance regarding brightness and images. The comment further states that the features identified in the proposed Ordinance would not substantially increase hazards to drivers along U.S. 101, and less than significant impacts would occur.

### **Response to Comment D-2**

The City of Oxnard notes that the standards identified in the proposed Ordinance would result in less than significant hazard impacts.

### **Comment D-3**

This comment states that any work performed within the State right-of-way would require an Encroachment Permit from the California Department of Transportation.

### **Response to Comment D-3**

The City of Oxnard understands that when individual electronic billboard projects implemented under the proposed Ordinance includes work within the State right-of-way, an Encroachment Permit from the California Department of Transportation would be required.

### **Comment D-4**

This comment states that the placement of outdoor advertising displays visible from California highways would require an outdoor Advertising License.

### **Response to Comment D-4**

As stated on page 10 of the Public Review Draft IS/MND, the implementation of future billboards under the proposed Ordinance would be required to comply with the Outdoor Advertising Act. The City of Oxnard understands that compliance includes obtaining an Outdoor Advertising License from the California Department of Transportation.

**Comment D-5**

This comment states that any oversized-transport vehicles that travel on State highways associated with construction activities will need a Caltrans transportation permit.

**Response to Comment D-5**

The City of Oxnard understands that if an applicant requires oversized-transport vehicles on State highways, an applicant will require a Caltrans transportation permit.

# CHAPTER 4

---

## Errata

The following text changes are made to the Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND) and incorporated as part of the Final Initial Study/Mitigated Negative Declaration (Final IS/MND). These changes are minor and do not alter the conclusions of the Public Review Draft IS/MND. Changes to the text are noted with underline (for added text) or ~~strikeout~~ (for deleted text).

### Page 9, Section 1.8, second and fourth paragraphs

**Location.** Freeway Adjacent Display Billboards may only be erected on City of Oxnard owned property or Right-of-Way, in any non-residential zones within 400 feet of the freeway right-of-way for U.S. Highway 101. The total number of Freeway Adjacent Digital Display Billboards shall not exceed a total of five (5) within the City.

**Height.** The maximum height of any Freeway Adjacent Digital Display Billboard shall not exceed 55 feet as measured from the pavement level of the adjacent freeway to the bottom of the digital display. The maximum height to the top of the Freeway Adjacent Digital Display Billboard shall not exceed eighty (80) feet as measured from the pavement level of U.S. Highway 101.

### Page 24, fourth sentence of the first paragraph

~~VCAPCD and the Ventura Council Association of Governments (VCOG) are~~ is responsible for preparing the air quality management plan (AQMP), which addresses federal and state Clean Air Act (CAA) requirements.

### Page 24, second paragraph

The proposed Project is located within the Ventura County portion of the SCCAB, which is under the jurisdiction of the VCAPCD for air quality planning and control. As such, VCAPCD's 2016 AQMP is the applicable air quality plan for the proposed Project. Projects that are consistent with the regional population, housing, and employment forecasts identified by the VCAPCD ~~VCOG~~ are deemed consistent with the AQMP growth projections, since the forecast assumptions by VCAPCD ~~VCOG~~ forms the basis of the land use and transportation control portions of the AQMP. Additionally, because VCAPCD's ~~VCOG's~~ regional growth forecasts are based upon, among other things, land uses designated in general plans, a project that is consistent with the land use designated

in a general plan would also be consistent with the VCAPCD's ~~VCOG's~~ regional forecast projections, and thus also with the AQMP growth projections.

## **Page 34, tenth and eleventh paragraphs**

**Mitigation Measure BIO-1:** Construction activities involving vegetation removal as well as installation of the proposed billboard shall be conducted between September 16 and ~~December~~ January 31, outside the ~~typical~~ nesting season for birds and raptors in the region. If vegetation removal or installation must occur during the ~~typical~~ nesting season (~~January February 1 – September 15 August 31~~), a qualified biologist shall conduct a pre-construction survey for active nests within areas that will be subject to vegetation removal, construction noise, and/or ground disturbances, including a ~~100 to 3~~ 500-foot buffer around existing trees and landscaped areas, to identify any potential active nests within seven days prior to work activities. Buffer distances can be adjusted at the discretion of the biologist based on the location of the nest, species, and surrounding land uses. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds.

If an active nest is observed during the pre-construction clearance survey, an adequate buffer determined by the City-approved qualified biologist shall be established around the active nest depending on sensitivity of the species and proximity to construction activity and impact areas. Onsite construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest or nesting activities. Construction activities shall be avoided within the buffer, unless otherwise approved by the City-approved monitoring biologist (e.g., vehicles could pass through buffer areas while jackhammering would be restricted). Buffers shall be clearly marked and defined to restrict certain activities where they could result in nest failure, and shall remain in place until nests are no longer active, as determined by the City-approved monitoring biologist.

## CHAPTER 5

### Mitigation Monitoring and Reporting Program

| Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Timing                                    | Responsible for Implementation  | Responsible for Enforcement      | Date of Compliance |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|---------------------------------|----------------------------------|--------------------|
| <b>AES-1:</b> Each Applicant shall demonstrate that light trespass illuminance of 0.5 fc or greater for urban areas and 0.2 fc or greater for natural areas shall not be exceeded.:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Prior to issuance of a Special Use Permit | Applicant                       | Community Development Department |                    |
| <b>AES-2:</b> Each proposed light emitting diode (LED) billboard shall include an operating mechanism (hardware or software controlled) that turns off the display or turns it to all black in the event of a malfunction or failure in any system or subsystem that results in the display wholly or partly appearing to flash..                                                                                                                                                                                                                                                                                                                                      | Prior to construction completion          | Project Construction Contractor | Community Development Department |                    |
| <b>AES-3:</b> Within 14 days of each electronic billboard being operational, annually, and as required by City staff (i.e., after maintenance, malfunctions, multiple complaints), each Applicant shall submit to the satisfaction of the Community Development Director the following information: <ul style="list-style-type: none"> <li>A third party test conducted after installation to verify that the electronic billboard complies with the requirements not to exceed 0.3 foot-candle above ambient light at 250 feet from the face of the electronic billboard or exceed the 0.5 foot-candle at any residential uses or 0.2 fc at natural areas.</li> </ul> | Ongoing                                   | Applicant                       | Community Development Department |                    |
| <b>AQ-1:</b> Each Applicant shall demonstrate that construction and operational activities associated with each electronic billboard would not exceed the VCAPCD thresholds of significance that include a maximum daily ROG (VOC) or NOx emissions above 25 pounds per day (lbs/day).                                                                                                                                                                                                                                                                                                                                                                                 | Prior to issuance of a Special Use Permit | Applicant                       | Community Development Department |                    |

| Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Timing                                                          | Responsible for Implementation                                    | Responsible for Enforcement      | Date of Compliance |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|-------------------------------------------------------------------|----------------------------------|--------------------|
| <p><b>BIO-1:</b> Construction activities involving vegetation removal as well as installation of the proposed billboard shall be conducted between September 16 and December 31, outside the nesting season for birds and raptors in the region. If vegetation removal or installation must occur during the nesting season (January 1 – September 15), a qualified biologist shall conduct a pre-construction survey for active nests within areas that will be subject to vegetation removal, construction noise, and/or ground disturbances, including a 500-foot buffer around existing trees and landscaped areas, to identify any potential active nests within seven days prior to work activities. Buffer distances can be adjusted at the discretion of the biologist based on the location of the nest, species, and surrounding land uses. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds.</p> <p>If an active nest is observed during the pre-construction clearance survey, an adequate buffer determined by the City-approved qualified biologist shall be established around the active nest depending on sensitivity of the species and proximity to construction activity and impact areas. Onsite construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest or nesting activities. Construction activities shall be avoided within the buffer, unless otherwise approved by the City-approved monitoring biologist (e.g., vehicles could pass through buffer areas while jackhammering would be restricted). Buffers shall be clearly marked and defined to restrict certain activities where they could result in nest failure, and shall remain in place until nests are no longer active, as determined by the City-approved monitoring biologist.</p> | Survey prior to construction and monitoring during construction | Applicant, Project Construction Contractor, and Project Biologist | Community Development Department |                    |
| <p><b>BIO-2:</b> To avoid impacts to nesting least Bell's vireo, construction activities within 500 feet of suitable nesting habitat shall be timed to avoid the season when nests may be active for this species (March 15 to September 15). If avoidance of work activities within this time period is not feasible, a focused nest survey for least Bell's vireo shall be conducted within suitable nesting habitat the season prior to initiation of work activities, to determine their presence or absence within 500 feet of proposed work limits. In accordance with the USFWS survey protocol, eight focused surveys spaced a minimum of 10 days apart shall</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Survey prior to construction and monitoring during construction | Applicant, Project Construction Contractor, and Project Biologist | Community Development Department |                    |

| Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Timing                                                                                                                                                            | Responsible for Implementation                                       | Responsible for Enforcement             | Date of Compliance |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|-----------------------------------------|--------------------|
| <p>be conducted during the period of April 10 to July 31. The results shall be submitted in a report to the USFWS.</p> <p>If the focused protocol nest surveys do not indicate the presence of least Bell's vireo, no further mitigation is required. A negative finding is considered valid until the following breeding season. Additional surveys shall be required each year that work is conducted in least Bell's vireo breeding habitat during the breeding season. If focused surveys indicate the presence of least Bell's vireo, a formal Endangered Species Act consultation with the USFWS shall occur prior to disturbance of this species or its habitat.</p> <p>If occupied habitat and/or nesting individuals are determined to be present based on the focused survey, and work cannot be avoided during the nesting season, a preconstruction clearance survey shall be performed by a qualified City-approved biologist within 7 days prior to work activities to determine the approximate location of nesting territories within 500 feet of work areas. Surveys shall be conducted by a biologist approved by the USFWS and CDFW for conducting least Bell's vireo nest surveys, or by a biologist with least Bell's vireo survey experience, so long as the nest is not approached and/or disturbed. If a nest is detected or active breeding is determined, work shall halt within 500 feet of the nesting territory, and the area shall be monitored on a weekly basis until a City-approved qualified biologist determines the nest is no longer active and the young have fledged.</p> |                                                                                                                                                                   |                                                                      |                                         |                    |
| <p><b>CUL-1:</b> Prior to ground disturbance, the applicant is required to retain a City-approved archaeologist and Native American Monitor. In the event that historic or archaeological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer of at least 50 feet shall be established around the find where construction activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside the buffer area. All historic and archaeological resources unearthed by construction activities associated with the proposed Program shall be evaluated by a qualified professional archaeologist who meets the U.S. Secretary of</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>Retain Archaeologist and Native American Monitor prior to ground disturbance and halt or divert activities if resources are found until they are evaluated</p> | <p>Applicant, Project Archaeologist, and Native American Monitor</p> | <p>Community Development Department</p> |                    |



| Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Timing                                                                                                                          | Responsible for Implementation                    | Responsible for Enforcement      | Date of Compliance |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|----------------------------------|--------------------|
| Interior's Professional Qualifications and Standards. Should the newly discovered artifacts be determined to be historic, Native American Tribes/Individuals shall be contacted and consulted and Native American construction monitoring shall be initiated. The Applicant and the City shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                 |                                                   |                                  |                    |
| <b>CUL-2:</b> Prior to ground disturbance, the applicant is required to retain a paleontologist for monitoring of ground disturbing activities. In the event that paleontological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find until it is assessed for scientific significance and collected. Monitoring shall include matrix screening for the presence of microfossils; however, monitoring is largely a visual inspection of sediment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Retain Paleontologist prior to ground disturbance and halt or divert activities if resources are found until they are evaluated | Applicant and Project Paleontologist              | Community Development Department |                    |
| <b>CUL-3:</b> A qualified archaeologist and Native American Monitor shall be present during construction-related ground disturbance activities in order to identify any unanticipated discovery of tribal cultural resources. The qualified archaeologist and Native American monitor may be different individuals or the same individual if the City determines that individual qualifies as both a qualified archaeologist and Native American monitor. All archaeological resources unearthed by construction activities shall be evaluated by the qualified archaeologist and Native American Monitor. If the resources are determined to be human remains, the coroner shall be notified, and if the human remains are Native American in origin, the coroner shall notify the NAHC as mandated by state law, who will then appoint a most likely descendent, who shall then coordinate with the landowner regarding treatment and curation of these resources. Typically, the most likely descendent will request reburial or preservation for educational purposes. If a resource is determined by the qualified archaeologist to constitute a "historical resource" pursuant to CEQA Guidelines Section 15064.5(a) or a "unique archaeological resource" pursuant to PRC Section 21083.2(g), the qualified archaeologist shall coordinate with the applicant | During ground disturbance                                                                                                       | Project Archaeologist and Native American Monitor | Community Development Department |                    |

| Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Timing | Responsible for Implementation | Responsible for Enforcement | Date of Compliance |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|--------------------------------|-----------------------------|--------------------|
| <p>and the City to develop a formal treatment plan that would serve to reduce impacts to the resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes.</p> |        |                                |                             |                    |

Appendix A  
**Freeway Adjacent Digital  
Display Billboards Revised  
Draft Ordinance**

This page intentionally left blank

**DRAFT dated 10-7-2020**

**City of Oxnard**

**Freeway Adjacent Digital Display Billboards DRAFT Ordinance**

**Section I.** The following definitions in Section 16-596(A) of Division 1 of Article IX of the Oxnard City Code are hereby added or amended to read as follows (new text underlined; deletions in red strikethrough):

~~FLASHING SIGN~~ ANIMATED SIGN – Any sign ~~containing or illuminated by lights which are intermittently on and off, change in intensity, or create the illusion of flashing in any manner.~~ designed to attract attention through movement or the semblance of movement of the whole or any part, including, but not limited to, signs which swing, twirl, revolve, move back and forth or up and down; or signs which can change color or shades of color; or any other method or device which suggests movement, but not including flags, banner signs, or Freeway Adjacent Digital Display Billboards.

DIGITAL DISPLAY - A sign face that displays images through the use of grid lights, cathode-ray projections, light-emitting diodes (LEDs), plasma screens, liquid-crystal displays (LCDs), fiber optics, or other electronic media or functionally equivalent technology.

FREEWAY ADJACENT DIGITAL DISPLAY BILLBOARD - A pole sign or changeable message sign, which features a Digital Display, erected and/or maintained for advertising, in whole or in part, a business, activity, service or product not sold or produced on the premises upon which the sign is placed, which is located in any parcel in a commercial, industrial, or public facilities zone within four hundred (400) feet of the freeway right-of-way for US Highway 101. This definition does not include an Outdoor Advertising Sign.

OUTDOOR ADVERTISING SIGN - Any sign painted on or affixed to any structure, or erected as a free-standing sign, which advertises a person, product or service not located on the same parcel of record as the sign. This definition includes such terms as “off-site sign” and “non-accessory sign.” This definition does not include subdivision tract directional signs. This definition does not include a Freeway Adjacent Digital Display Billboard.

**Section II.** Section 16-608, subsection (G) of the Oxnard City Code is hereby amended to read as follows (new text underlined; deletions in red strikethrough):

**SEC. 16-608. SIGNS IN GENERAL COMMERCIAL AND INDUSTRIAL ZONES.**

Only the following signs are permitted in the C-2, C-P-D, CBD, C-M, M-L, M-1, M-2, BRP and M-P-D zones, with or without planned development additive zones:

[ . . . ]

(G) Off-site advertising signs with no Digital Displays, also known as Outdoor Advertising Signs ~~billboards and outdoor advertising~~, where conditionally permitted by this ~~chapter~~ Article IX, may be approved, subject to the ~~following provisions~~ requirements below. This subsection (G) does not apply to Freeway Adjacent Digital Display Billboards, which are governed by Section 16-609.

[ . . . ]

(K) Freeway Adjacent Digital Display Billboards shall be permitted as provided in Section 16-609.

**Section III.** Section 16-609 of Division 3, of Article IX of the Oxnard City Code is hereby added to read as follows (new text underlined):

**SEC. 16-609. FREEWAY ADJACENT DIGITAL DISPLAY BILLBOARDS.**

(A) Before a Freeway Adjacent Digital Display Billboard may be installed within the City, the applicant must first obtain a Special Use Permit (SUP) granted in accordance with Sections 16-530 to 16-553 and enter into a statutory Development Agreement with the City that addresses the terms and conditions of any approved Freeway Adjacent Digital Display Billboard, including but not limited to message cycling, light intensity, and any annual payments, if any, to be paid to the City. Both the SUP and the Development Agreement are subject to the approval of the City Council, following a recommendation by the Commission.

(B) In addition to the findings required by the Oxnard City Code for granting a SUP, Freeway Adjacent Digital Display Billboards approved pursuant to this Section 16-609 shall be subject to the following limitations:

1. **Location.** Freeway Adjacent Digital Display Billboards may only be erected on City of Oxnard owned property or Right of Way, in any non-residential zones located within four hundred (400) feet of the freeway right-of-way for US Highway 101. The total number of Freeway Adjacent Digital Display Billboard shall not exceed a total of five (5) within the City.
2. **Distance from residential uses.** No Freeway Adjacent Digital Display Billboard may be placed at a distance of less than 100 feet from the property line of any residentially zoned parcel, as measured from the border of the Digital Display billboard face, or the base of the digital display billboard structure, whichever is closest to the residentially zoned parcel.
3. **Height.** The maximum height of any Freeway Adjacent Digital Display Billboard shall not exceed fifty-five (55) feet as measured from the pavement level of US Highway 101 to the bottom of the digital display. The maximum height to the top of the Freeway Adjacent Digital Display Billboard shall not exceed eighty (80) feet as measured from the pavement level of US Highway 101.
4. **Size and Spacing.** The maximum size of each Freeway Adjacent Digital Display Billboard face display area shall be Fourteen (14) feet in height and forty-eight (48) feet in width, with the area of each face not to exceed an overall maximum amount of eight hundred and fifty (850) square feet, including border and trim. Each Freeway Adjacent Digital Display Billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet.

5. **Design.** All freeway adjacent digital display billboards shall either be double faced or include covered backs or facings. All interior equipment shall be screened from public view.
6. **Orientation.** Each Freeway Adjacent Digital Display Billboard must be oriented primarily for viewing from the adjacent freeway.
7. **Brightness.** All Freeway Adjacent Digital Display Billboards will not exceed 0.3 foot-candles over ambient levels at a distance of 250 feet in any direction. Illuminance can be measured by using a foot-candle meter held at a height of approximately five feet and aimed toward a sign consistent with the sign-to-viewer distance. All Freeway Adjacent Digital Display Billboards shall comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5.
8. **Display cycle.** A Freeway Adjacent Digital Display Billboard may show a series of still images, each displayed for at least eight (8) seconds. The still images may not move or present the appearance of motion and may not use flashing or blinking lights or any other means not providing constant illumination. Transition or blank screen time between one still image and the next may not exceed one (1) second.
9. **Compliance with law.** The owner of the Freeway Adjacent Digital Display Billboard must comply with all applicable federal, state, and local laws, including the Highway Beautification Act of 1965 (23 United States Code Section 131), the Outdoor Advertising Act (California Business and Professions Code Section 5200 *et seq.*), and this Article IX, when constructing, operating, improving, maintaining, repairing, and removing the Freeway Adjacent Digital Display Billboard.
10. **Required Finding of Public benefit.** In approving a Development Agreement for any Freeway Adjacent Digital Display Billboard, the City Council must find that the Development Agreement will confer substantial public benefit to the City and to the general public. Such public benefits may include, without limitation, the removal of legal non-conforming billboards, advertising of City events and public service announcements, and/or annual financial contributions to the City.
11. **Required Findings.** In addition to the finding required for granting a SUP under section 16-531, in approving a Special Use Permit for a Freeway Adjacent Digital Display Billboard, the decision maker must also find that it:
  - a. Complies with the requirements of Section 16-609 and this Chapter;
  - b. Will not create a significant traffic or other public safety hazard;

- c. Will be of appropriate size, scale, and design for the area in which it will be located; and
- d. Will be of high quality in appearance, design, and construction, and will be subject to conditions, as appropriate, governing its design and operation.

**Section IV.** Section 16-610 of Division 4, of Article IX of the Oxnard City Code is hereby amended to read as follows (new text underlined; deletions in red strikethrough):

**SEC. 16-610. GENERAL RESTRICTIONS.**

(A) General requirements and limitations for signs in all zones, except Freeway Adjacent Digital Display Billboards which are governed exclusively by Section 16-609, are as follows: [ . . . ]



# **FREEWAY ADJACENT DIGITAL DISPLAY BILLBOARDS ORDINANCE**

Initial Study/Mitigated Negative Declaration

Prepared for  
City of Oxnard  
Community Development Department

June 2022





# FREEWAY ADJACENT DIGITAL DISPLAY BILLBOARDS ORDINANCE

Initial Study/Mitigated Negative Declaration

Prepared for  
City of Oxnard  
Community Development Department  
214 South C Street  
Oxnard, California 93030  
805.385.8272

June 2022

16755 Von Karman Avenue, Suite 200  
Irvine, California 92606  
949.753.7001  
[www.esassoc.com](http://www.esassoc.com)



|             |                |
|-------------|----------------|
| Irvine      | Sacramento     |
| Los Angeles | San Diego      |
| Oakland     | San Francisco  |
| Orlando     | Santa Monica   |
| Pasadena    | Seattle        |
| Petaluma    | Tampa          |
| Portland    | Woodland Hills |

202000387.03

**OUR COMMITMENT TO SUSTAINABILITY** | ESA helps a variety of public and private sector clients plan and prepare for climate change and emerging regulations that limit GHG emissions. ESA is a registered assessor with the California Climate Action Registry, a Climate Leader, and founding reporter for the Climate Registry. ESA is also a corporate member of the U.S. Green Building Council and the Business Council on Climate Change (BC3). Internally, ESA has adopted a Sustainability Vision and Policy Statement and a plan to reduce waste and energy within our operations. This document was produced using recycled paper.

# TABLE OF CONTENTS

## Freeway Adjacent Digital Display Billboards Ordinance Initial Study/Mitigated Negative Declaration

|                                                            | <u>Page</u> |
|------------------------------------------------------------|-------------|
| <b>Initial Study</b> .....                                 | <b>1</b>    |
| 1.0 Project Information .....                              | 1           |
| 2.0 Environmental Factors Potentially Affected .....       | 11          |
| 3.0 Environmental Checklist .....                          | 13          |
| 3.1 Aesthetics and Urban Design .....                      | 13          |
| 3.2 Agricultural Resources .....                           | 21          |
| 3.3 Air Quality .....                                      | 23          |
| 3.4 Biological Resources .....                             | 31          |
| 3.5 Climate Change and Greenhouse Gas Emissions .....      | 41          |
| 3.6 Cultural Resources and Tribal Cultural Resources ..... | 46          |
| 3.7 Geology and Soils .....                                | 55          |
| 3.8 Hazards and Hazardous Materials .....                  | 60          |
| 3.9 Hydrology and Water Quality .....                      | 66          |
| 3.10 Land Use and Planning .....                           | 70          |
| 3.11 Mineral Resources .....                               | 74          |
| 3.12 Noise .....                                           | 75          |
| 3.13 Population, Education, and Housing .....              | 85          |
| 3.14 Public Services and Recreation .....                  | 87          |
| 3.15 Transportation and Circulation .....                  | 89          |
| 3.16 Utilities and Energy .....                            | 91          |
| 3.17 Wildfire .....                                        | 95          |
| 3.18 Mandatory Findings of Significance .....              | 96          |

### Appendices

- A Freeway Adjacent Digital Display Billboards Draft Ordinance
- B Assembly Bill 52 Native American Notification

## List of Figures

|           |                             |   |
|-----------|-----------------------------|---|
| Figure 1  | Program Vicinity Map.....   | 2 |
| Figure 2  | Program Location Index..... | 3 |
| Figure 2a | Program Location .....      | 4 |
| Figure 2b | Program Location .....      | 5 |
| Figure 2c | Program Location .....      | 6 |
| Figure 2d | Program Location .....      | 7 |

## List of Tables

|         |                                              |    |
|---------|----------------------------------------------|----|
| Table 1 | Construction Vibration Damage Criteria ..... | 80 |
| Table 2 | Human Response to Vibration .....            | 81 |

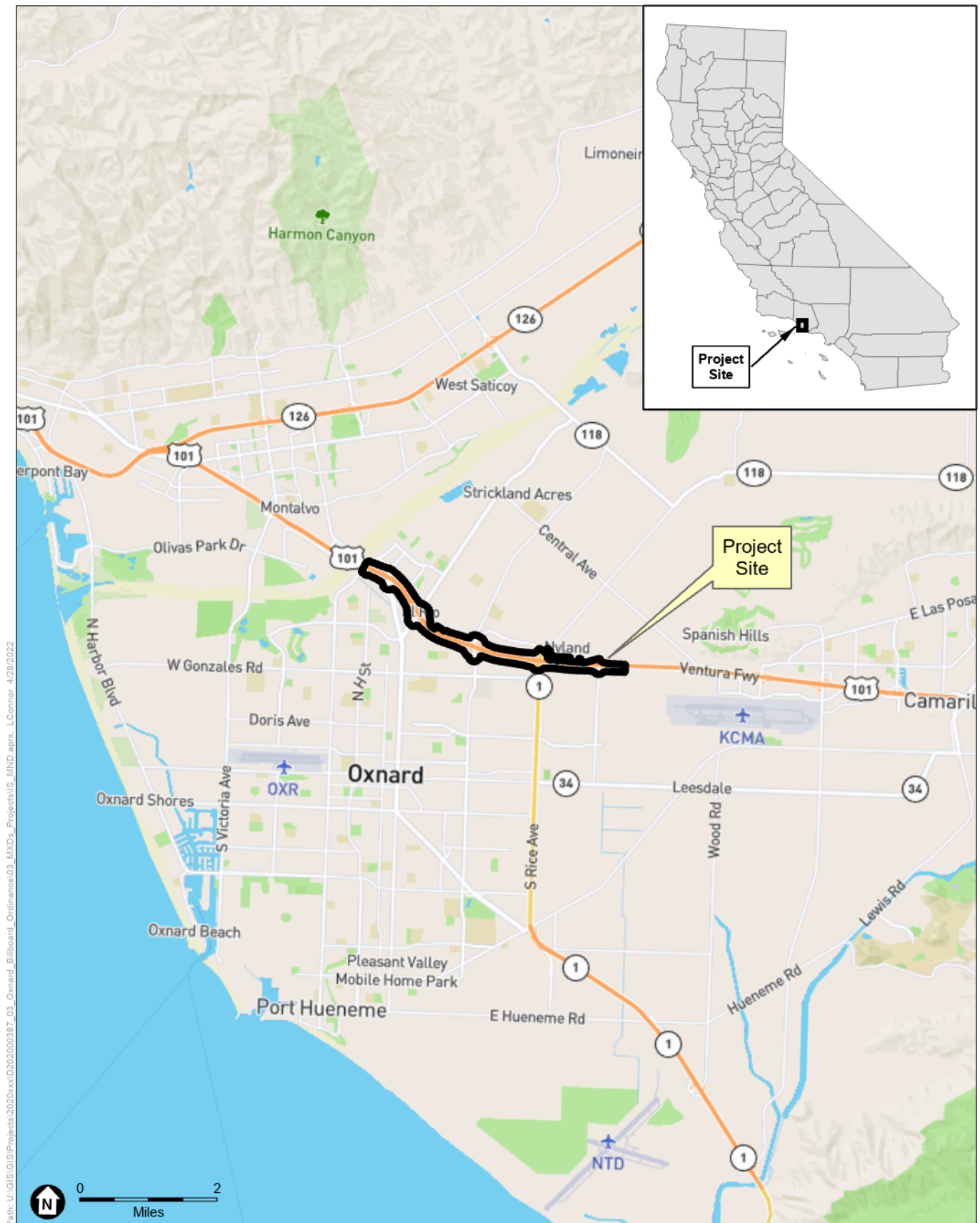
# ENVIRONMENTAL CHECKLIST

---

## Initial Study

### 1.0 Project Information

1. **Project Title:** Freeway Adjacent Digital Display Billboards Ordinance
2. **Lead Agency Name and Address:** City of Oxnard  
Community Development Department  
Planning Division  
214 South C Street  
Oxnard, California 93030
3. **Contact Person and Phone Number:** Joe Pearson  
805-385-8272
4. **Project (Program) Location:** The Program area is located in the northern portion of the City of Oxnard and illustrated in **Figure 1**, Project Vicinity Map. Specifically, the Program area is located on any City of Oxnard-owned property or Right-of-Way, in any non-residential zones within 400 feet of the freeway right-of-way for U.S. Highway 101. The City jurisdiction extends from the eastern City limit at approximately 2,000 feet east of Del Norte Boulevard at Beardsley Wash and extends west to the western City limit at the Ventura Road right-of-way. **Figure 2** provides a Project Location Index and **Figures 2a through 2d** illustrates four areas of the Project Location that encompass the Program area.



SOURCE: ESRI

Freeway Adjacent Digital Display Billboards Ordinance

**Figure 1**  
Program Vicinity Map













SOURCE: Mapbox, 2021; ESA, 2022

Freeway Adjacent Digital Display Billboards Ordinance

**Figure 2b**  
Program Location









SOURCE: Mapbox, 2021; ESA, 2022

Freeway Adjacent Digital Display Billboards Ordinance

**Figure 2d**  
Program Location



**5. Project (Program) Sponsor's Name and Address:**

City of Oxnard  
214 South C Street  
Oxnard, California 93030

**6. General Plan Designation(s):**

The Program area includes multiple designations under the City of Oxnard 2030 General Plan. These designations include: Park, Commercial Regional, Commercial General, Commercial Office, Business Research Park and Light Industrial.

**7. Zoning:**

The Program area includes multiple designations under the City of Oxnard Zoning. These designations include: Parks and Open Space, Commercial Office, Retail Office, Commercial Regional, Light Manufacturing, General Commercial Planned Development, Auto Sales & Service, Retail Commercial, Commercial Manufacturing, and Business & Research Park.

**8. Description of Project (Program):**

The City of Oxnard is proposing amendments to Article IX. Advertising Signs of the Oxnard City Code to permit Freeway Adjacent Digital Display Billboards on parcels designated as commercial, industrial, or public facilities within 400 feet of the U.S. 101 right-of-way within the City of Oxnard (see **Appendix A**). The installation and operation of individual electronic billboards will require approval of a Special Use Permit. The specific limitations of the Freeway Adjacent Digital Display Billboards are as follows:

**Location.** Freeway Adjacent Display Billboards may only be erected on City of Oxnard owned property or Right-of-Way, in any non-residential zones within 400 feet of the freeway right-of-way for U.S. Highway 101.

**Distance from Residential Uses.** No Freeway Adjacent Digital Display Billboard may be placed at a distance of less than 100 feet from the property line of any residentially zoned parcel, as measured from the border of the Digital Display billboard face, or the base of the digital display billboard structure, whichever is closest to the residentially zoned parcel.

**Height.** The maximum height of any Freeway Adjacent Digital Display Billboard shall not exceed 55 feet as measured from the pavement level of the adjacent freeway to the bottom of the digital display.

**Size and Spacing.** The maximum size of each Freeway Adjacent Digital Display Billboard face display area shall be 14 feet in height and 48 feet in width, with the area of each face not to exceed an overall maximum amount of 850 square feet, including border and trim. Each Freeway Adjacent Digital Display Billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet.

**Design.** All Freeway Adjacent Digital Display Billboards shall either be double faced or include covered backs or facings. All interior equipment shall be screened from public view.

**Orientation.** All Freeway Adjacent Digital Display Billboards must be oriented primarily for viewing from the adjacent freeway.

**Brightness.** All Freeway Adjacent Digital Display Billboards will not exceed 0.3 foot-candles over ambient levels at a distance of 250 feet in any direction. Illuminance can be measured by using a foot-candle meter held at a height of approximately 5 feet and aimed toward a sign consistent with the sign-to-viewer distance. All Freeway Adjacent Digital Display Billboards shall comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5.

**Display Cycle.** A Freeway Adjacent Digital Display Billboard may show a series of still images, each display for at least 8 seconds. The still images may not move or present the appearance of motion and may not use flashing or blinking lights or any other means not providing constant illumination. Transition or blank screen time between one still image and the next may not exceed one second.

**Compliance with Law.** The owner of the Freeway Adjacent Digital Display Billboard must comply with all applicable federal, state, and local laws, including the Highway Beautification Act of 1965 (23 United States Code Section 131), the Outdoor Advertising Act (California Business and Professions Code Section 5200 et seq.), and City of Oxnard Code Article IX, when constructing, operating, improving, maintaining, repairing, and removing the Freeway Adjacent Digital Display Billboard.

**Required Finding of Public Benefit.** In approving a Development Agreement for any Freeway Adjacent Digital Display Billboard, the City Council must find that the Development Agreement will confer substantial public benefit to the City and to the general public. Such public benefits may include, without limitation, the removal of legal non-conforming billboards, advertising of City events and public service announcements, and/or financial contributions to the City.

**Required Findings.** In addition to the finding required for granting a SUP under section 16-531, in approving a Special Use Permit for a Freeway Adjacent Digital Display Billboard, the decision maker must also find that it:

- a. Complies with the requirements of this subsection (Section 16-609) and this Chapter;
- b. Will not create a significant traffic or other public safety hazard;
- c. Will be of appropriate size, scale, and design for the area in which it will be located; and
- d. Will be of high quality in appearance, design, and construction, and will be subject to conditions, as appropriate, governing its design and operation.

## 9. Surrounding Land Uses and Setting.

The Freeway Adjacent Digital Display Billboards would be allowed on the north side and south side of U.S. 101 within the City limits. The land uses within and surrounding the Program area include the following:

South of Ventura Road and North of Oxnard Boulevard – Areas currently or soon to be under construction with residential and commercial uses.

South of Oxnard Boulevard and north of Vineyard Avenue – Commercial and residential uses

South of Vineyard Avenue and north of Rose/Santa Clara Avenue – Mix of residential, commercial and industrial uses

South of Rose/Santa Clara Avenue and north of Rice Avenue – Commercial and industrial uses

South of Rice Avenue and north of Beardsley Wash – Agriculture and a mix of residential, commercial and industrial uses

## 10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

No other permits, financing approval or participation agreement are anticipated to be required from public agencies other than the City of Oxnard.

## 11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

The City of Oxnard sent a notification letter on November 23, 2021 to the Native American tribe that is on the City's Assembly Bill (AB) 52 list (Appendix B). This list includes only one tribe, Barbareno/Ventureno Band of Mission Indians, that has requested notification of projects within the City in accordance with AB 52. The Barbareno/Ventureno Band of Mission Indians did not request consultation with the City of Oxnard regarding the proposed Program.



## 2.0 Environmental Factors Potentially Affected

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

|                                                                      |                                                                                      |                                                             |                                                                        |
|----------------------------------------------------------------------|--------------------------------------------------------------------------------------|-------------------------------------------------------------|------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Aesthetics and Urban Design      | <input checked="" type="checkbox"/> Cultural Resources and Tribal Cultural Resources | <input type="checkbox"/> Mineral Resources                  | <input type="checkbox"/> Utilities and Energy                          |
| <input type="checkbox"/> Agricultural Resources                      | <input type="checkbox"/> Geology and Soils                                           | <input checked="" type="checkbox"/> Noise                   | <input type="checkbox"/> Wildfire                                      |
| <input checked="" type="checkbox"/> Air Quality                      | <input type="checkbox"/> Hazards and Hazardous Materials                             | <input type="checkbox"/> Population, Education, and Housing | <input checked="" type="checkbox"/> Mandatory Findings of Significance |
| <input checked="" type="checkbox"/> Biological Resources             | <input type="checkbox"/> Hydrology and Water Quality                                 | <input type="checkbox"/> Public Services and Recreation     |                                                                        |
| <input type="checkbox"/> Climate Change and Greenhouse Gas Emissions | <input type="checkbox"/> Land Use and Planning                                       | <input type="checkbox"/> Transportation and Circulation     |                                                                        |

### DETERMINATION:

On the basis of this initial study:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

---

---

Printed Name

For

---

---

### 3.0 Environmental Checklist

#### 3.1 Aesthetics and Urban Design

| <i>Issues:</i>                                                                                                                                                                                                                                                                                                                                              | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|--------------------------|
| a) Would the project have a substantial adverse effect on a scenic vista such as an ocean or mountain view from an important view corridor or location as identified in the 2030 General Plan or other City planning documents?                                                                                                                             | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, or route identified as scenic by the County of Ventura or City of Oxnard?                                                                                                        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| c) Would the project substantially degrade the existing visual character or quality of the site or its surroundings such as by creating new development or other physical changes that are visually incompatible with surrounding areas or that conflict with visual resource policies contained in the 2030 General Plan or other City planning documents? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| d) Would the project add to or compound an existing negative visual character associated with the project site?                                                                                                                                                                                                                                             | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| e) Would the project create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?                                                                                                                                                                                                                 | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                    | <input type="checkbox"/> |

#### Discussion

- a) **Less than Significant Impact.** A scenic vista is generally defined as a public viewpoint that provides expansive views of a highly valued landscape for the benefit of the public. Based on a review of the Oxnard General Plan Background Report (City of Oxnard, 2006), the highly valued landscape areas are scenic areas and view corridors within the City of Oxnard. The scenic areas and view corridors include local waterways, agricultural open space, beaches and coastline, scenic highways/roadways, hills and mountains, and urban landscapes that maintain original historic architectural features and contain park/plaza features. Beyond the City limits includes scenic resources such as the Coastal Mountain Range west of the City and the hills of Point Mugu State Park that bound the southeastern portion of the City.

The proposed Program area is located adjacent to U.S. 101 that is identified as part of the City's Scenic Highway System along the entire length of U.S. 101 from the eastern city limits at Beardsley Channel to the western city limits at Ventura Road. The scenic areas along the U.S. 101 view corridor include the Santa Clara River, agricultural open space in the eastern portion of the City, and unique urban landscapes such as the high rise office buildings (City National Bank and Morgan Stanley Tower) within the Financial District adjacent to Vineyard Avenue. As motorists travel northbound on U.S. 101, they have limited and partial views of the Coastal Mountain Range as they approach Vineyard Avenue and travel to the western limit of the City. These views are limited due to existing urban development that includes

residential, commercial, and office buildings as well as associated landscaping. Northbound motorists' views also include utility poles and lines, light standards, commercial billboards and Caltrans signs. As motorists' travel southbound on U.S. 101, the existing urban development on the south side of U.S. 101 that includes office, commercial and residential buildings, commercial billboards and landscaping associated with the urban development and landscaping within the U.S. 101 right-of-way impede motorists' distant views of the hills of Point Mugu. The distant views of the hills of Point Mugu become more viewable as southbound motorists pass Rose Avenue. These southbound views are also interrupted by distant urban development as well as foreground views of utility poles and lines as well as Caltrans signs.

The placement of proposed electronic billboards along U.S. 101 would be approximately 70 feet in height as seen by the motorists with an electronic billboard that would include a surface area of approximately 850 square feet.

The implementation of the electronic billboards under the proposed Program would result in impacts on motorist views traveling along U.S. 101. Motorists' views of the vegetation within the Santa Clara River Basin, open agricultural land east of Rose Avenue, the high rise office towers at Vineyard Avenue and the distant Coastal Mountain Range and hills of Point Mugu State Park would be intermittently impeded because the Program requires individual billboards to be separated by at least 2,000 feet from each other, and the billboards would have a total of 850 square feet.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goals and policies include:

**Goal CD-9:** A high quality visual image and perception of the city.

**Policy CD-9.4:** Ensure all public and private investments positively contribute to the overall character of the City by minimizing impacts on important view corridors by creating edge treatments along greenbelt areas and a landscaped buffer corridor of at least 30 feet along designated scenic corridors and other major transportation corridors.

**Goal ER-6:** Protected and enhanced natural setting and scenic resources.

**Policy ER-6.1:** Preserve important public views and viewsheds by ensuring that the scale, bulk and setback of new development does not significantly impede or disrupt them and ensure that important vistas and view corridors are enhanced. Require development to provide physical breaks to allow views into these vistas and view corridors.

**Policy ER-6.2:** Protect and enhance the scenic resources of the beaches, Channel Island Harbor, windrows, farmland, the Channel Islands, and surrounding mountains.

**Policy ER-6.3:** Preserve views of significant small-scale plant communities including wetlands, riparian vegetation, man-made water features, and the like wherever possible.

Compliance with the above General Plan goals and policies would protect scenic vistas. Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goals and policies as well as the design standards proposed within the Ordinance would reduce the potential Program scenic vista effects to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- b) **Less than Significant Impact.** The Program area is located along the north and south sides of U.S. 101 from the eastern City limits to the western City limits. Currently, U.S. 101 is an eligible State scenic highway; however, it is not an official State-designated scenic highway (Caltrans, 2019). The nearest officially State-designated highway is State Route 33 located approximately 7 miles west of the Program area. Oxnard Boulevard south of U.S. 101 is also an eligible State scenic highway as well as a City-designated scenic highway. However, scenic views of the Program area from Oxnard Boulevard south of U.S. 101 are limited due to existing terrain as well as existing development. Very limited views of the upper elevation of a potential future electronic billboard in this area would be viewable.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goal and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

**Goal ER-6:** Protected and enhanced natural setting and scenic resources.

**Policy ER-6.2:** Protect and enhance the scenic resources of the beaches, Channel Island Harbor, windrows, farmland, the Channel Islands, and surrounding mountains.

**Policy ER-6.3:** Preserve views of significant small-scale plant communities including wetlands, riparian vegetation, man-made water features, and the like wherever possible

Compliance with the above General Plan goal and policy would protect scenic resources. Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goal and policies as well as the design standards proposed within the Ordinance would reduce the potential Program scenic resources effects to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.



- c) **Less than Significant Impact.** As discussed above, the implementation of the proposed Program could add intermittent structures to motorists' view along the U.S. 101. The addition of potential intermittent electronic billboards (i.e., at least 2,000 feet apart) would alter the existing visual characteristics along U.S. 101.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policy include:

**Goal ER-6:** Protected and enhanced natural setting and scenic resources.

**Policy ER-6.1:** Preserve important public views and viewsheds by ensuring that the scale, bulk and setback of new development does not significantly impede or disrupt them and ensure that important vistas and view corridors are enhanced. Require development to provide physical breaks to allow views into these vistas and view corridors.

**Policy ER-6.2:** Protect and enhance the scenic resources of the beaches, Channel Island Harbor, windrows, farmland, the Channel Islands, and surrounding mountains.

**Policy ER-6.3:** Preserve views of significant small-scale plant communities including wetlands, riparian vegetation, man-made water features, and the like wherever possible.

**Policy ER-6.5:** Require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward and, where public safety would not be compromised, encourage the use of low-pressure sodium lighting for all outdoor light fixtures.

**Goal ER-9:** Enhanced perceived character and quality of the City of Oxnard.

**Policy 9.4:** Ensure that all new development emphasizes a human, pedestrian scale and minimizes its effect on the area's sensitive visual resources.

Compliance with the above General Plan goals and policies would protect the visual character along U.S. 101. Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goals and policies as well as the design standards proposed within the Ordinance would reduce the potential Program visual character effects to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- d) **Less than Significant Impact.** Currently, the Program area includes views of open agricultural land, urban development, high-rise office buildings, and the Santa Clara River Basin as well as distant views of the Coastal Mountain Range and the hills of Point Mugu State Park. Generally, the Program area reflects an urban thoroughfare with primarily urban development, private billboards, Caltrans billboard signs and freeway landscaping. The Program area does not represent an existing negative view from the surrounding areas. The implementation of the proposed Program would allow the placement of intermittent electronic billboards that would alter the existing visual characteristics of the Program area.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policy include:

**Goal ER-6:** Protected and enhanced natural setting and scenic resources.

**Policy ER-6.1:** Preserve important public views and viewsheds by ensuring that the scale, bulk and setback of new development does not significantly impede or disrupt them and ensure that important vistas and view corridors are enhanced. Require development to provide physical breaks to allow views into these vistas and view corridors.

**Policy ER-6.2:** Protect and enhance the scenic resources of the beaches, Channel Island Harbor, windrows, farmland, the Channel Islands, and surrounding mountains.

**Policy ER-6.3:** Preserve views of significant small-scale plant communities including wetlands, riparian vegetation, man-made water features, and the like wherever possible.

**Policy ER-6.5:** Require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward and, where public safety would not be compromised, encourage the use of low-pressure sodium lighting for all outdoor light fixtures.

**Goal ER-9:** Enhanced perceived character and quality of the City of Oxnard.

**Policy 9.4:** Ensure that all new development emphasizes a human, pedestrian scale and minimizes its effect on the area's sensitive visual resources.

Compliance with the above General Plan goals and policies would not add to or compound to an existing negative view of the Program area. Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goals and policies as well as the design standards proposed within the Ordinance would not add to or compound to an existing negative view of the Program area; and therefore the proposed Program's impact

would be less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- e) **Less than Significant with Mitigation Incorporated.** The implementation of the proposed Program would increase nighttime lighting in the Program vicinity. Currently, the City of Oxnard does not have a quantitative exterior light standard. Typically, lighting is quantified using a foot-candle which is the unit of measure expressing the quantity of light received on a surface. One foot-candle is the illuminance produced by a candle on a surface one-foot square from a distance of one foot.

Light pollution or obtrusive light is highly subjective. To address concerns with light pollution, recommendations to limit light trespass onto adjacent properties from the International Commission on Illumination (CIE) were reviewed. The CIE identifies a light trespass illuminance of 0.5 fc or greater for light-sensitive urban areas such as residential areas and 0.2 fc or greater for natural areas such as the Santa Clara River Basin (CIE, 2003). Therefore, due to the absence of a current local light pollution standard, a significant light impact on the adjacent residents would occur if light levels are 0.5 fc or greater and a significant impact on adjacent natural areas would occur if light levels are 0.2 fc or greater.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goals and policies include:

**Goal CD-9:** A high quality visual image and perception of the city.

**Policy CD-9.3:** Designate major entryways as gateways into the City. The City shall use landscaping, decorative lighting, signage and/or other streetscape design techniques to enhance the City's identity, sense of place, and provide visual emphasis to the streetscapes to the City.

**Goal ER-6:** Protected and enhanced natural setting and scenic resources.

**Policy ER-6.5:** Require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward and, where public safety would not be compromised, encourage the use of low-pressure sodium lighting for all outdoor light fixtures.

Compliance with the above General Plan goals and policies as well as the Ordinance requirement to not exceed 0.3-foot candles at a distance of 250 feet would reduce the potential for light and glare impacts; however, significant light impacts could still occur at nearby residences as well as natural areas.

## Mitigation Measures

The following mitigation measures are required to reduce potential lighting impacts at nearby residences and natural areas.

**Mitigation Measure AES-1:** Each Applicant shall demonstrate that light trespass illuminance of 0.5 fc or greater for urban areas and 0.2 fc or greater for natural areas shall not be exceeded.

**Mitigation Measure AES-2:** Each proposed light emitting diode (LED) billboard shall include an operating mechanism (hardware or software controlled) that turns off the display or turns it to all black in the event of a malfunction or failure in any system or subsystem that results in the display wholly or partly appearing to flash.

**Mitigation Measure AES-3:** Within 14 days of each electronic billboard being operational, annually, and as required by City staff (i.e., after maintenance, malfunctions, multiple complaints), each Applicant shall submit to the satisfaction of the Community Development Director the following information:

- A third party test conducted after installation to verify that the electronic billboard complies with the requirements not to exceed 0.3 foot-candle above ambient light at 250 feet from the face of the electronic billboard or exceed the 0.5 foot-candle at any residential uses or 0.2 fc at natural areas.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goals and policies and the design standards proposed within the Ordinance, and the implementation of the above mitigation measures would reduce the Program's light and glare impact to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

To ensure that the images on each electronic billboard do not cause hazardous conditions to motorists, the proposed Ordinance allows each billboard to show a series of still images, each displayed for at least eight seconds. The still images may not move or present the appearance of motion and may not use flashing or blinking lights or any other means not providing constant illumination. Transition or blank screen time between one still image and the next may not exceed one second. The implementation of these design features as well as complying with all applicable federal, state, and local laws, including the Highway Beautification Act of 1965 (23 United States Code Section 131) and the Outdoor Advertising Act (California Business and Professions Code Section 5200 et seq.), when constructing, operating, improving, maintaining, and repairing each proposed billboard would reduce potential light and glare impacts on motorists from electronic billboards to less than significant.

## References

- Caltrans. 2019. California State Scenic Highways. Available at:  
<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed on February 10, 2022.
- City of Oxnard. City of Oxnard General Plan Background Report. Available at:  
[https://www.oxnard.org/wp-content/uploads/2016/08/OxnardDraftBackgroundReport2006\\_04.21.06.pdf](https://www.oxnard.org/wp-content/uploads/2016/08/OxnardDraftBackgroundReport2006_04.21.06.pdf). Accessed on February 10, 2022.
- International Commission on Illumination (CIE). 2003. Guide on the Illumination of the Effects of Obtrusive Light from Outdoor Lighting Installations.
-



### 3.2 Agricultural Resources

| <i>Issues:</i>                                                                                                                                                                         | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-----------------------------------------------------------|-------------------------------------|-------------------------------------|
| a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?                                                             | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?                                                                                 | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Would the project involve other changes in the existing environment that, due to their location or nature, could result in conversion of off-site farmland to non-agricultural use? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Discussion

- a) **Less than Significant Impact.** The Program area includes Prime Farmland and Farmland of Statewide Importance between Santa Clara Avenue/Rice Avenue and the eastern City limits at Beardsley Wash based on a review of the California Department of Conservation's California Important Farmland Finder (CDC, 2016a). The Program could allow electronic billboards to be placed within Prime Farmland and/or Farmland of Statewide Importance in the eastern portion of the City; however, as required under the proposed Ordinance, each electronic billboard would need to be separated by a minimum of 2,000 linear feet. Each electronic billboard would include the placement of a pole in the ground that would support a billboard as well as providing access to the pole for maintenance purposes. The placement of a pole and access would result in a minimal commitment of land and removal of Prime Farmland and/or Farmland of Statewide Importance.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policy include:

**Goal CD-6:** Continued agriculture use within the Planning Area, compatible with the community's vision.

**Policy CD-6.1:** Require that agricultural land uses designated for long-term protection and production be buffered from urban land uses through the use of techniques including, but not limited to, greenbelts, open space setbacks, fencing, berming, and windrows.

**Goal ER-1:** Protection of natural resources, agriculture, and open spaces is well integrated with the built environment and human activities and achieves a symbiotic, mutually-beneficial, sustainable relationship.

**Policy ER-1.2:** Protect open space and agricultural uses around Oxnard through continued adherence to the Guidelines for Orderly Development, Ventura County Greenbelt programs, the Save Open-Space and Agricultural Resources Ordinance, and

other programs or policies that may subsequently be adopted such as the SB 375 Sustainable Communities Strategy.

Compliance with the above General Plan goals and policies as well as the standards identified in the proposed Ordinance would reduce potential impacts to Prime Farmland and/or Farmland of Statewide Importance. Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goal and policies as well as the design standards proposed within the Ordinance would reduce the potential Program agricultural effects to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- b) **No Impact.** Williamson Act contracts are formed between a county or city and a landowner for the purposes of restricting specific parcels of land to agricultural preserve areas. Based on a review of Williamson Act Contract Land, the Program area does not include parcels that are under a Williamson Act contract (CDC, 2016b). Because there are no active Williamson Act contracts associated with the Program area, the Program would not conflict with a Williamson Act contract. In addition, based on a review of the City of Oxnard Zone Map, there are no lands within the Program area that are zoned for agriculture (City of Oxnard, 2017). No Program impact would occur to Williamson Act contract land or existing agricultural zoning.
- c) **No Impact.** The implementation of the proposed Program would not involve other changes in the existing environment that would result in the conversion of agricultural to non-agricultural use. No impacts would occur.

## References

- California Department of Conservation (CDC), 2016a. Available at: California Important Farmland Finder <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed on February 10, 2022.
- CDC. 2016b. State of California Williamson Act Contract Land. Available at: [https://planning.lacity.org/eir/HollywoodCenter/Deir/ELDP/\(E\)%20Initial%20Study/Initial%20Study/Attachment%20B%20References/California%20Department%20of%20Conservation%20Williamson%20Map%202016.pdf](https://planning.lacity.org/eir/HollywoodCenter/Deir/ELDP/(E)%20Initial%20Study/Initial%20Study/Attachment%20B%20References/California%20Department%20of%20Conservation%20Williamson%20Map%202016.pdf). Accessed on March 16, 2022.
- City of Oxnard. 2017. City of Oxnard Zoning Map. Available at: <https://www.oxnard.org/wp-content/uploads/2017/01/ZoneMap-01.17-AH11x17.pdf>. Accessed on March 16, 2022.

### 3.3 Air Quality

| <i>Issues:</i>                                                                                                                                                                                           | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|--------------------------|
| a) Would the project conflict with or obstruct implementation of the Ventura County AQMP?                                                                                                                | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| b) Would the project result in a cumulatively considerable net increase of any criteria pollutant in excess of quantitative thresholds recommended by the VCAPCD?                                        | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                    | <input type="checkbox"/> |
| c) Would the project expose sensitive receptors to substantial pollutant concentrations exceeding state or federal standards or in excess of applicable health risk criteria for toxic air contaminants? | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                    | <input type="checkbox"/> |
| d) Would the project create objectionable odors affecting a substantial number of people?                                                                                                                | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |

### Discussion

- a) **Less than Significant Impact.** Ventura County Air Pollution Control District (VCAPCD) is responsible for attaining and maintaining air quality standards in the Ventura County portion of the South Central Coast Air Basin (SCCAB) through a comprehensive program of planning, regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues. The clean air strategy of VCAPCD includes preparation of plans for attainment of ambient air quality standards, adoption and enforcement of rules and regulations concerning sources of air pollution, and issuance of permits for stationary sources of air pollution (VCAPCD, 2003). The Ventura County portion of the SCCAB is designated as nonattainment for ozone for the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) and for respirable particulate matter 10 micrometers in diameter and smaller (PM10) for the CAAQS. VCAPCD and the Ventura Council Association of Governments (VCOG) are responsible for preparing the air quality management plan (AQMP), which addresses federal and state Clean Air Act (CAA) requirements. The VCAPCD has adopted Air Quality Management Plans (AQMPs) to meet the CAAQS and NAAQS. The VCAPCD Governing Board adopted the 2016 AQMP on February 14, 2017 (VCAPCD, 2017). The goals of the VCAQMP are to ensure that city and county population growth do not interfere with emission reductions and progress in meeting the state and national ambient air quality standards.
- b) The proposed Program is located within the Ventura County portion of the SCCAB, which is under the jurisdiction of the VCAPCD for air quality planning and control. As such, VCAPCD's 2016 AQMP is the applicable air quality plan for the proposed Program. Projects or Programs that are consistent with the regional population, housing, and employment forecasts identified by the Ventura Council of Governments (VCOG) are deemed consistent with the AQMP growth projections, since the forecast assumptions by VCOG forms the basis of the land use and transportation control portions of the AQMP. Additionally, because VCOG's regional growth forecasts are based upon, among other things, land uses designated in general plans, a project or a program that is consistent with the land use designated in a

general plan would also be consistent with the VCOG's regional forecast projections, and thus also with the AQMP growth projections.

Because the implementation of the proposed Program would not result in an increase in growth projections, the Program would have no impact on VCAPCD's AQMP.

Furthermore, future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goal and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

**Goal ER-14:** Improved air quality and minimized adverse effects of air pollution on human health and the economy.

**Policy ER-14.4:** Require all construction equipment to be maintained and tuned to meet appropriate EPA, CARB, and VCAPCD emissions requirements and when new emission control devices or operational modifications are found to be effective, such devices or operational modifications are required on construction equipment.

**Policy ER-14.5:** Require that the construction period be lengthened to minimize the number of vehicles and equipment operating at the same time during smog season (May through October).

**Policy ER-14.6:** Continue to require mitigation measures as a condition of obtaining building or use permits to minimize dust and air emissions impacts from construction.

**Policy ER-14.8:** Cooperate with other local, county, regional, and State agencies in implementing air quality plans to achieve State and Federal Ambient Air Quality Standards and in preparing, adopting, and implementing the SCAG Sustainable Communities Strategy (SB 375).

**Policy ER-14.12:** Consult with the Ventura County Air Pollution Control District (VCAPCD) during CEQA review for projects that require air quality impact analysis and ensure that the VCAPCD is on the distribution list for all CEQA documents.

Compliance with the above General Plan goal and policies as well as the standards identified in the proposed Ordinance would reduce air emissions. However, as stated above, because the implementation of the proposed Program would not result in an increase in growth projections, the Program would have no impact on VCAPCD's AQMP.

- c) **Less than Significant with Mitigation Incorporated.** The City of Oxnard has not developed specific air quality thresholds for air quality impacts. However, as stated in Appendix G of the CEQA Guidelines, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the above determinations. As such, the significance thresholds and analysis methodologies in VCAPCD's CEQA Air Quality Handbook are used in evaluating air quality emissions impacts

within the City of Oxnard. The VCAPCD's CEQA Air Quality Handbook focuses on reducing ozone precursor emissions, which includes ROCs (also referred to as volatile organic compounds [VOCs]) and NO<sub>x</sub> because emissions of these pollutants could jeopardize attainment of the NAAQS and CAAQS for ozone in Ventura County. The VCAPCD thresholds of significance include a maximum daily ROG (VOC) or NO<sub>x</sub> emissions above 25 pounds per day (lbs/day). The other criteria pollutants of concern include: carbon monoxide (CO), which is a colorless and odorless gas and can cause dizziness, confusion, unconsciousness or even death at high levels; sulfur dioxide (SO<sub>2</sub>), which is also colorless and can cause asthma exacerbation, including bronchoconstriction accompanied by symptoms of respiratory irritation, such as wheezing, shortness of breath and chest tightness; and PM<sub>10</sub> and fine particulate matter 2.5 micrometers or less in diameter (PM<sub>2.5</sub>), which can worsen respiratory diseases, including asthma and chronic obstructive pulmonary disease, leading to hospitalization and emergency department visits and respiratory mortality. The VCAPCD has not established mass emission significance thresholds for CO, SO<sub>2</sub>, PM<sub>10</sub> or PM<sub>2.5</sub>.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goal and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

**Goal ER-14:** Improved air quality and minimized adverse effects of air pollution on human health and the economy.

**Policy ER-14.4:** Require all construction equipment to be maintained and tuned to meet appropriate EPA, CARB, and VCAPCD emissions requirements and when new emission control devices or operational modifications are found to be effective, such devices or operational modifications are required on construction equipment.

**Policy ER-14.5:** Require that the construction period be lengthened to minimize the number of vehicles and equipment operating at the same time during smog season (May through October).

**Policy ER-14.6:** Continue to require mitigation measures as a condition of obtaining building or use permits to minimize dust and air emissions impacts from construction.

**Policy ER-14.8:** Cooperate with other local, county, regional, and State agencies in implementing air quality plans to achieve State and Federal Ambient Air Quality Standards and in preparing, adopting, and implementing the SCAG Sustainable Communities Strategy (SB 375).

**Policy ER-14.12:** Consult with the Ventura County Air Pollution Control District (VCAPCD) during CEQA review for projects that require air quality impact analysis and ensure that the VCAPCD is on the distribution list for all CEQA documents.



Compliance with the above General Plan goals and policies as well as the standards identified in the proposed Ordinance would reduce potential emission of criteria pollutants, specifically ROG and NOx. However, potential emissions of ROG and NOx could be significant.

### **Mitigation Measure**

The following mitigation measure is required to reduce potential construction-related emissions of ROG and NOx.

**Mitigation Measure AQ-1:** Each Applicant shall demonstrate that construction and operational activities associated with each electronic billboard would not exceed the VCAPCD thresholds of significance that include a maximum daily ROG (VOC) or NOx emissions above 25 pounds per day (lbs/day).

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goal and policies and the design standards proposed within the Ordinance, and the implementation of the above mitigation measure would reduce the Program's emissions of ROG (VOC) and NOx to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

### ***Cumulative***

The geographic scope for regional air quality impacts consists of the air basin(s) in which the installation of individual electronic billboards would occur. The VCAPCD's approach for assessing cumulative impacts is based on attainment of ambient air quality standards in accordance with the requirements of the CAA and California Clean Air Act. As discussed earlier, the VCAPCD has developed a comprehensive plan, the 2016 AQMP, which addresses the region's cumulative air quality condition. CEQA Guidelines Section 15064(h)(3) provides guidance in determining the significance of cumulative impacts, stating in part that:

A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem (e.g., water quality control plan, air quality plan, integrated waste management plan) within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency.

For purposes of the cumulative air quality analysis with respect to CEQA Guidelines Section 15064(h)(3), the proposed Program's incremental contribution to cumulative air quality impacts is determined based on compliance with the VCAPCD's adopted 2016 AQMP and based on compliance with the VCAPCD's regional significance thresholds for ROG (VOC) and NOx. As stated above, compliance with the General Plan goal and policies identified above, the design standards proposed within the Ordinance, and the implementation

of Mitigation Measure AQ-1 would reduce the Program's emissions of ROG (VOC) and NO<sub>x</sub> to less than cumulatively considerable. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- c) **Less than Significant with Mitigation Incorporated.** Sensitive receptors are individuals who are considered more sensitive to air pollutants than others. The reasons for greater than average sensitivity may include pre-existing health problems, proximity to emissions sources, or duration of exposure to air pollutants. Schools, hospitals, and convalescent homes are considered as relatively sensitive to poor air quality because children, elderly people, and the infirm are more susceptible to respiratory distress and other air quality-related health problems than the general public. Residential areas are considered sensitive to poor air quality because people usually stay home for extended periods of time, with associated greater exposure to ambient air quality. All future billboard installations would be located within 400 feet of the U.S. Highway 101 right-of-way, but not within a residential area. Additionally, the Ordinance would require a minimum distance of 100 feet from the billboard and the property line of any residentially-owned parcel. Since air emissions disperse rapidly in the environment and decrease with distance from the source, emissions from construction activities would be limited.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goal and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

**Goal ER-14:** Improved air quality and minimized adverse effects of air pollution on human health and the economy.

**Policy ER-14.4:** Require all construction equipment to be maintained and tuned to meet appropriate EPA, CARB, and VCAPCD emissions requirements and when new emission control devices or operational modifications are found to be effective, such devices or operational modifications are required on construction equipment.

**Policy ER-14.5:** Require that the construction period be lengthened to minimize the number of vehicles and equipment operating at the same time during smog season (May through October).

**Policy ER-14.6:** Continue to require mitigation measures as a condition of obtaining building or use permits to minimize dust and air emissions impacts from construction.

**Policy ER-14.8:** Cooperate with other local, county, regional, and State agencies in implementing air quality plans to achieve State and Federal Ambient Air Quality Standards and in preparing, adopting, and implementing the SCAG Sustainable Communities Strategy (SB 375).

**Policy ER-14.12:** Consult with the Ventura County Air Pollution Control District (VCAPCD) during CEQA review for projects that require air quality impact analysis and ensure that the VCAPCD is on the distribution list for all CEQA documents.

Compliance with the above General Plan goals and policies as well as the standards identified in the proposed Ordinance would reduce exposure of air pollutant concentrations; however, potential emission of criteria pollutants, specifically ROG and NOx could be significant.

### **Mitigation Measure**

The following mitigation measure is required to reduce potential air pollutant concentration impacts.

Implementation of Mitigation Measure AQ-1 is required.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goal and policies and the design standards proposed within the Ordinance, and the implementation of the above mitigation measure would reduce the Program's emissions of ROG (VOC) and NOx to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

### ***CO Hotspots***

Emissions of CO are generated in greatest quantities from motor vehicle combustion of fossil fuels and are usually concentrated at or near ground level because they do not readily disperse into the atmosphere, particularly under cool, stable (i.e., low or no wind) atmospheric conditions. Localized areas where ambient concentrations exceed State and/or federal standards are termed CO hotspots. Traffic impacts and the potential for CO hot spots associated with the proposed Program would be minimal due to the limited construction activities associated with each electronic billboard and limited trips associated with long-term maintenance. Future implementation of an individual electronic billboard would be required to comply with the above applicable 2030 General Plan goal and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the above General Plan goal and policies and the design standards proposed within the Ordinance would reduce the Program's emissions of CO to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

### ***Localized Air Quality Impacts – Toxic Air Contaminants***

Toxic Air Contaminants (TACs) are generally defined as those contaminants that are known or suspected to cause serious health problems, but do not have a corresponding ambient air quality standard. TACs are also defined as an air pollutant that may increase a person's risk of developing cancer and/or serious health effects; however, the emission of a toxic chemical does not automatically create a health hazard. Program construction would result in short-term emissions of diesel PM, a TAC. Diesel particulate matter poses a carcinogenic health risk that is measured using an exposure period of 70 years for a lifetime exposure or 30 years for a residential exposure. The exhaust of off-road heavy-duty diesel equipment would emit diesel particulate matter. The dose to which receptors are exposed is the primary factor used to determine health risk (i.e., the potential exposure to TACs to be compared to applicable standards). Dose is a function of the concentration of a substance or substances in the environment and the duration of exposure to the substance. Dose is positively correlated with time, meaning that a longer exposure period would result in a higher exposure level for the maximally exposed individual. Thus, the risks estimated for a maximally exposed individual are higher if a fixed exposure occurs over a longer time period. According to the Office of Environmental Health Hazard Assessment (OEHHHA), carcinogenic health risk assessments, which determine the exposure of sensitive receptors to TAC emissions, should be based on a 70-year exposure period for a lifetime exposure or 30 years for a residential exposure; however, such assessments should be limited to the period or duration of activities.

Construction and operational activities associated with individual electronic billboards are expected to be minimal resulting in nominal TAC emissions. Future implementation of an individual electronic billboard would be required to comply with the above applicable 2030 General Plan goal and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the above General Plan goal and policies and due to the nominal air pollutant exposure from construction and operational activities to sensitive receptors, substantial pollutant concentrations are expected to be less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- d) **Less than Significant Impact.** During installation of electronic billboards under the proposed Program, diesel exhaust from diesel trucks and off-road construction equipment may emit odors. Such odors would be a temporary source of nuisance to adjacent uses but would not affect a substantial number of people. As odors associated with construction of individual billboards under the proposed Program would be temporary and intermittent in nature, the odors would be considered a less than significant impact. Furthermore, the individual electronic billboard would not emit any direct objectionable odors.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. Although less than significant odor impacts are expected, as each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

## References

- VCAPCD 2003. *Ventura County Air Quality Assessment Guidelines*. October. Available: <http://www.vcapcd.org/environmental-review.htm>.
- VCAPCD 2017. *Final 2016 Ventura County Air Quality Management Plan*. February 14. Available: <http://www.vcapcd.org/pubs/Planning/AQMP/2016/Final/Final-2016-Ventura-County-AQMP.pdf>
-



### 3.4 Biological Resources

| <i>Issues:</i>                                                                                                                                                                                                                                                                                                                                                                                                          | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?                                                                                      | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                    | <input type="checkbox"/>            |
| b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?                                                                                                                                                   | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                    | <input type="checkbox"/>            |
| c) Would the project have a substantial adverse effect on federally protected waters of the U.S. as defined by Section 404 of the federal Clean Water Act or protected waters of the state as defined by Section 1600 et seq. of the California Fish and Game Code (including, but not limited to, marshes, vernal pools, coastal wetlands) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?                                                                                                                                                                    | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                    | <input type="checkbox"/>            |
| e) Would the project conflict with any local policies or ordinances protecting biological resources?                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| f) Would the project conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?                                                                                                                                                                                                                                    | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **Less than Significant with Mitigation Incorporated.** The proposed Program extends along U.S. 101 for approximately 4.25 miles from Beardsley Wash east of Del Norte Boulevard on the east to Ventura Road on the west within the City of Oxnard. Much of the adjacent land uses within the City of Oxnard are primarily commercial on the west end of Highway 101 and agricultural fields on the east end of U.S. 101. There are several residential areas both north and south of U.S. 101. The vegetation along this stretch of U.S. 101 is primarily agricultural fields and ornamental landscaping, including *Eucalyptus* species, tipu tree (*Tipuana tipu*) and Canary Island date palm (*Phoenix canariensis*).

A database search indicates that there are no U.S. Fish and Wildlife Service (USFWS) designated Critical Habitat for any special-status plant or wildlife species (USFWS 2022a). Southwestern willow flycatcher (*Empidonax traillii extimus*) Critical Habitat is mapped as occurring within the Santa Clara River riparian area located west of the City limits. Additionally, the California Natural Diversity Data Base (CNDDB) and California Native Plant Society (CNPS) Rare Plant Inventory identified 21 special-status plant species and 36 special-status wildlife species as being recorded within the Camarillo, Oxnard and Ventura

USGS 7.5-minute quadrangles (CDFW 2022; CNPS 2022). None of the special-status plant species are expected because the areas along U.S. 101 within the City lack suitable habitat. Based on the results of the CNDDDB database search and limited habitat adjacent to U.S. 101, special-status avian species have a low to no potential to occur within the Program area. Except for the Santa Clara River Basin, the only special-status species to be located within close proximity of the database search area are the Crotch bumblebee (*Bombus crotchii*) and burrowing owl (*Athene cunicularia*). These species were recorded by CNDDDB as occurring in close proximity to the database search area, but both have a low potential to occur within the Program area.

While no special-status species are expected to use the Program area, all native bird species that occur adjacent to or surrounding the Program area are protected from ‘take’ by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGF). The installation of individual electronic billboards in accordance with the proposed ordinance has the potential to affect nesting birds. Only the portion of the Program area adjacent to the Santa Clara River Basin has a potential to impact special-status species because suitable habitat occurs for nesting birds such as least Bell’s vireo.

Because the Santa Clara River Basin is located immediately adjacent to the western end of the Program area, and the Basin includes a sensitive vegetation community (i.e., willow riparian woodland habitat), operational lighting of a proposed electronic billboard adjacent to the Basin could result in indirect impacts. The willow riparian habitat has a high potential for special-status avian species including least Bell’s vireo (*Vireo bellii pusillus*) and yellow warbler (*Setophaga petechia*). Additionally, State-protected reptile species, coast horned lizard (*Phrynosoma blainvillii*) and western pond turtle (*Emys marmorata*), and special-status plant species (California Rare Plant Rank [CRPR] 2B.2), white rabbit-tobacco (*Pseudognaphalium leucocephalum*), were recorded by CNDDDB as occurring in close proximity to the western boundary of the Program area.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

**Goal ER-1:** Protection of natural resources, agriculture, and open spaces is well integrated with the built environment and human activities and achieves a symbiotic, mutually-beneficial, sustainable relationship.

**Policy ER-1.1:** 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.

**Goal ER-3:** Protected, restored and enhanced water-related habitats and their associated plant and wildlife species.

**Policy ER-3.2:** Review development proposals in accordance with applicable Federal, State, and local statutes protecting special-status species and jurisdictional wetlands and be open to requiring greater protection

**Policy ER-3.3:** Whenever possible, request appropriate feasible County, State, and Federal agency mitigation measures.

**Policy ER-3.5:** Require that construction-related silt and sediment be minimized or prohibited to minimize temporary impacts on biological resources

**Goal ER-4:** Protected, restored and enhanced sensitive habitat areas.

**Policy ER-4.1:** Identify and encourage protection of sensitive habitat areas, with attention to habitat that may span small parcels.

**Policy ER-4.4:** Consider loss of sensitive habitats due to development to be a significant environmental impact. All development that is proposed to disturb or remove sensitive habitat shall demonstrate appropriate feasible mitigation.

Compliance with the above General Plan goals and policies as well as the standards identified in the proposed Ordinance would reduce potential effects on special status species; however, potential effects on wildlife species could remain significant.

### **Mitigation Measures**

The following mitigation measures are required to reduce potential impacts on sensitive vegetation communities and associated sensitive wildlife species.

Implementation of Mitigation Measure AES-2 is required.

**Mitigation Measure BIO-1:** Construction activities involving vegetation removal as well as installation of the proposed billboard shall be conducted between September 1 and January 31, outside the typical nesting season for birds in the region. If vegetation removal or installation must occur during the typical nesting season (February 1 – August 31), a qualified biologist shall conduct a pre-construction survey for active nests within areas that will be subject to vegetation removal, construction noise, and/or ground disturbances, including a 100 to 300-foot buffer around existing trees and landscaped areas, to identify any potential active nests within seven days prior to work activities. Buffer distances can be adjusted at the discretion of the biologist based on the location of the nest, species, and surrounding land uses. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds.

If an active nest is observed during the pre-construction clearance survey, an adequate buffer determined by the City-approved qualified biologist shall be established around the active nest depending on sensitivity of the species and proximity to construction activity and impact areas. Onsite construction

monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest or nesting activities. Construction activities shall be avoided within the buffer, unless otherwise approved by the City-approved monitoring biologist (e.g., vehicles could pass through buffer areas while jackhammering would be restricted). Buffers shall be clearly marked and defined to restrict certain activities where they could result in nest failure, and shall remain in place until nests are no longer active, as determined by the City-approved monitoring biologist.

**Mitigation Measure BIO-2:** To avoid impacts to nesting least Bell's vireo, construction activities within 500 feet of suitable nesting habitat shall be timed to avoid the season when nests may be active for this species (March 15 to September 15). If avoidance of work activities within this time period is not feasible, a focused nest survey for least Bell's vireo shall be conducted within suitable nesting habitat the season prior to initiation of work activities, to determine their presence or absence within 500 feet of proposed work limits. In accordance with the USFWS survey protocol, eight focused surveys spaced a minimum of 10 days apart shall be conducted during the period of April 10 to July 31. The results shall be submitted in a report to the USFWS.

If the focused protocol nest surveys do not indicate the presence of least Bell's vireo, no further mitigation is required. A negative finding is considered valid until the following breeding season. Additional surveys shall be required each year that work is conducted in least Bell's vireo breeding habitat during the breeding season. If focused surveys indicate the presence of least Bell's vireo, a formal Endangered Species Act consultation with the USFWS shall occur prior to disturbance of this species or its habitat.

If occupied habitat and/or nesting individuals are determined to be present based on the focused survey, and work cannot be avoided during the nesting season, a preconstruction clearance survey shall be performed by a qualified City-approved biologist within 7 days prior to work activities to determine the approximate location of nesting territories within 500 feet of work areas. Surveys shall be conducted by a biologist approved by the USFWS and CDFW for conducting least Bell's vireo nest surveys, or by a biologist with least Bell's vireo survey experience, so long as the nest is not approached and/or disturbed. If a nest is detected or active breeding is determined, work shall halt within 500 feet of the nesting territory, and the area shall be monitored on a weekly basis until a City-approved qualified biologist determines the nest is no longer active and the young have fledged.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goals and policies and the design standards proposed within the Ordinance, and the implementation of the above mitigation measures would reduce the Program's potential

effects on special-status species to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- b) **Less than Significant with Mitigation Incorporated.** As stated above in Section 3.4 a), the majority of the Program area would result in less than significant impacts on riparian habitat or sensitive vegetation communities. The portion of the Program area that could result in impacts on a sensitive vegetation community (willow riparian woodland community) includes the western portion of the Program area adjacent to the Santa Clara River Basin.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goals and policies include:

**Goal ER-1:** Protection of natural resources, agriculture, and open spaces is well integrated with the built environment and human activities and achieves a symbiotic, mutually-beneficial, sustainable relationship.

**Policy ER-1.1:** 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.

**Goal ER-2:** Maintenance and enhancement of natural resources and open space

**Policy ER-2.2:** Evaluate existing and potential sensitive habitat areas (Environmentally Sensitive Habitat Area in the Coastal Zone – ESHA) as resource protection or open space land uses, including but not limited to: 1) Ormond Beach wetlands and upland areas, 2) Santa Clara River estuary and riverbed, 3) Edison Canal and harbor-related habitat areas, and 4) various dune habitat areas.

**Policy ER-2.4:** Use the environmental and design review process to protect designated sensitive habitat, and promote open space.

**Goal ER-3:** Protected, restored and enhanced water-related habitats and their associated plant and wildlife species.

**Policy ER-3.1:** Require the preservation and enhancement of the riparian habitat along the Santa Clara River, Edison Canal, the McGrath Lake vicinity, and within the Ormond Beach wetlands

**Policy ER-3.2:** Review development proposals in accordance with applicable Federal, State, and local statutes protecting special-status species and jurisdictional wetlands and be open to requiring greater protection

**Policy ER-3.3:** Whenever possible, request appropriate feasible County, State, and Federal agency mitigation measures.

**Policy ER-3.5:** Require that construction-related silt and sediment be minimized or prohibited to minimize temporary impacts on biological resources

**Goal ER-4:** Protected, restored and enhanced sensitive habitat areas.

**Policy ER-4.1:** Identify and encourage protection of sensitive habitat areas, with attention to habitat that may span small parcels.

**Policy ER-4.4:** Consider loss of sensitive habitats due to development to be a significant environmental impact. All development that is proposed to disturb or remove sensitive habitat shall demonstrate appropriate feasible mitigation.

**Policy ER-4.5:** 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.

**Policy ER-4.6:** Adopt and/or continue to maintain resource protection zoning designation for sensitive habitats to prevent the encroachment of detrimental land uses.

Compliance with the above General Plan goals and policies as well as the standards identified in the proposed Ordinance would reduce potential effects on sensitive communities; however, potential effects on sensitive communities could remain significant.

### **Mitigation Measure**

The following mitigation measure is required to reduce potential impacts on sensitive vegetation communities.

### **Mitigation Measure**

Implementation of Mitigation Measure AES-2 is required.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goals and policies and the design standards proposed within the Ordinance, and the implementation of the above mitigation measure would reduce the Program's potential effects on special-status species to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- c) **No Impact.** Wetlands (including swamps, bogs, seasonal wetlands, seeps, marshes, and similar areas) are considered waters of the U.S., and are defined by USACE as “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions” (33 CFR 328.3[b]; 40 CFR 230.3[t]).



No wetland features are identified by the National Wetlands Inventory (NWI) as occurring within the Program area (USFWS 2022b). As mentioned above, the Santa Clara River is located adjacent to the Program area and contains willow riparian woodland habitat that may contain wetlands. Since installation of an electronic billboard would not extend into riparian habitat and standard measures, no impacts would occur.

- d) **Less than Significant with Mitigation Incorporated.** While the physical structure of the electronic billboard itself would not impact the movement of wildlife species, the electronic billboard illumination could affect the movement or behavior of birds and mammals in and around a billboard site. It is known that migrating birds are attracted to artificial light sources and hundreds of species migrate nocturnally (Gauthreaux and Belser 2006). Direct effects on migrating birds becoming attracted to artificial light sources include collisions with lighting, communication towers, or buildings. Orientation mistakes and increased migration lengths are also indirect effects of artificial lighting (Gauthreaux and Belser 2006). Migrating birds are especially susceptible to disorienting effects of billboard illumination when visibility is poor during fog or rain events (Gauthreaux and Belser 2006). Research also shows that birds have the ability to orient to the Earth's magnetic field under certain colors of light - monochromatic blue or green light, but not under red or white light (van de Laar 2007; Poot et al. 2008; Ritz et al. 2009). Local movement by passerine birds, including those songbirds migrating along the Pacific Flyway, could also be attracted to the increased illumination within the Program area. Studies have shown passerine birds foraging nocturnally and displaying territorial defense behaviors as a result of increased artificial illuminance (de Molenaar et al. 2006).

It is possible that some birds moving locally at night may end up near the center of a billboard's beam angle and be attracted to it. This would be uncommon and limited as a majority of the species are diurnal and not typically active at night. Birds moving locally at any time of the day or night would be at low heights, rarely rising to the height of most billboard's center beam angle.

The proposed ordinance has the potential to affect nesting birds during the operation of an electronic billboard because night lighting of nesting habitat along U.S. 101 corridor may disrupt courtship and nesting behavior of some species.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goals and policies include:

**Goal ER-1:** Protection of natural resources, agriculture, and open spaces is well integrated with the built environment and human activities and achieves a symbiotic, mutually-beneficial, sustainable relationship.

**Policy ER-1.1:** 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.

**Goal ER-2: Maintenance and enhancement of natural resources and open space**

**Policy ER-2.2:** Evaluate existing and potential sensitive habitat areas (Environmentally Sensitive Habitat Area in the Coastal Zone – ESHA) as resource protection or open space land uses, including but not limited to: 1) Ormond Beach wetlands and upland areas, 2) Santa Clara River estuary and riverbed, 3) Edison Canal and harbor-related habitat areas, and 4) various dune habitat areas.

**Policy ER-2.4:** Use the environmental and design review process to protect designated sensitive habitat, and promote open space.

**Goal ER-3: Protected, restored and enhanced water-related habitats and their associated plant and wildlife species.**

**Policy ER-3.1:** Require the preservation and enhancement of the riparian habitat along the Santa Clara River, Edison Canal, the McGrath Lake vicinity, and within the Ormond Beach wetlands

**Goal ER-4: Protected, restored and enhanced sensitive habitat areas.**

**Policy ER-4.1:** Identify and encourage protection of sensitive habitat areas, with attention to habitat that may span small parcels.

**Policy ER-4.4:** Consider loss of sensitive habitats due to development to be a significant environmental impact. All development that is proposed to disturb or remove sensitive habitat shall demonstrate appropriate feasible mitigation.

**Policy ER-4.5:** 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.

**Policy ER-4.6:** Adopt and/or continue to maintain resource protection zoning designation for sensitive habitats to prevent the encroachment of detrimental land uses.

Compliance with the above General Plan goals and policies as well as the standards identified in the proposed Ordinance would reduce potential effects on sensitive communities; however, potential effects on nesting birds could remain significant.

**Mitigation Measures**

The following mitigation measure is required to reduce potential impacts on nesting birds.

Implementation of Mitigation Measures AES-2 and BIO-1 is required.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the

General Plan goals and policies and the design standards proposed within the Ordinance, and the implementation of the above mitigation measures would reduce the Program's potential effects on nesting birds to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- e) **No Impact.** In accordance with the proposed Program, the installation of an electronic billboard could occur on City-owned property or right-of-way within 400 feet of the U.S. 101 freeway right-of-way. The City of Oxnard requires a permit for planting, removing, or permanently affecting, in any manner, a tree, shrub, or other plant life within a right-of-way per Ordinance No. 2444. No other local policies or ordinances protecting biological resources are applicable to the proposed Program. Compliance with Ordinance No. 2444 would result in no impact on an ordinance protecting biological resources.
- f) **No Impact.** The proposed Program area is not located within any habitat conservation plan or natural community conservation plan areas. Therefore, the proposed Program would not conflict with provisions of an adopted natural community conservation plan or other approved local, regional, or state habitat conservation plan. No impact would occur.

## References

- California Department of Fish and Wildlife (CDFW). 2022. California Natural Diversity Database (CNDDDB) RareFind 5. CDFW's Electronic database, Sacramento, California. Accessed on March 2, 2022, at <https://www.dfg.ca.gov/biogeodata/cnddb>.
- California Native Plant Society (CNPS). 2022. Rare Plant Inventory. Accessed on March 2, 2022 at <https://rareplants.cnps.org/Search/Advanced>.
- de Molenaar, J. G., M. E. Sanders, and D. A. Jonkers. 2006. Road lighting and grassland birds: Local influence of road lighting on a black-tailed godwit population. Pages 114-136 in Rich, C., and T. Longcore, editors. *Ecological Consequences of Artificial Night Lighting*. Covelo, CA: Island Press.
- Gauthreaux, S. A., and C. G. Belser. 2006. Effects of artificial night lighting on migrating birds. Pages 67-93 in Rich, C., and T. Longcore, editors. *Ecological Consequences of Artificial Night Lighting*. Covelo, CA: Island Press.
- Poot, H., B. J. Ens, H. de Vries, M. A. H. Donners, M. R. Wernand, and J. M. Marquenie. 2008. Green light for nocturnally migrating birds. *Ecology and Society* 13:47.
- Ritz, T., R. Wiltschko, P. J. Hore, C. T. Rodgers, K. Stapput, P. Thalau, C. R. Timmel, and W. Wiltschko. 2009. Magnetic compass of birds is based on a molecule with optimal directional sensitivity. *Biophysical Journal* 96:3451–3457
- van de Laar, F. J. T. 2007. Green light to birds: investigation into the effect of bird-friendly lighting. NAM Locatie L15-FA-1, Assen, The Netherlands.

U.S. Fish and Wildlife Service (USFWS). 2022a. IPAC Information for Planning and Consultation. Accessed on February 22, 2022, at <https://ecos.fws.gov/ipac/>.

U.S. Fish and Wildlife Services (USFWS). 2022b. National Wetland Inventory (NWI) Data Mapper. Accessed on February 22, 2022, at <https://www.fws.gov/wetlands/Data/Mapper.html>.

---

### 3.5 Climate Change and Greenhouse Gas Emissions

| <i>Issues</i>                                                                                                                                                                                                                                    | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-----------------------------------------------------------|-------------------------------------|--------------------------|
| a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?                                                                                                    | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases or otherwise conflict with the state goal for reducing greenhouse gas emissions in California? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Would the project contribute or be subject to potential secondary effects of climate change (e.g., sea level rise, increase fire hazard)?                                                                                                     | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Discussion

a, b) **Less than Significant Impact.** State regulated GHGs include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), nitrogen trifluoride (NF<sub>3</sub>), and sulfur hexafluoride (SF<sub>6</sub>). CO<sub>2</sub> is the most abundant GHG in the atmosphere. Not all GHGs exhibit the same ability to induce climate change; as a result, GHG contributions are commonly quantified in equivalent mass of CO<sub>2</sub>, denoted as CO<sub>2</sub>e. Mass emissions are calculated by converting pollutant specific emissions to CO<sub>2</sub>e emissions by applying the proper global warming potential (GWP) value. These GWP ratios are available from the U.S. Environmental Protection Agency (USEPA) and are published in the California Climate Action Registry (CCAR) General Reporting Protocol. By applying the GWP ratios, project related CO<sub>2</sub>e emissions can be tabulated in metric tons per year.

Neither the City nor the VCAPCD have adopted a numerical significance threshold for assessing impacts related to GHG emissions from a project, and the City has not formally adopted a local plan for reducing GHG emission. When no guidance exists under CEQA, the lead agency may look to and assess general compliance with comparable regulatory schemes.<sup>1</sup> In its January 2008 CEQA and Climate Change white paper, the California Air Pollution Control Officer's Association (CAPCOA) identified a number of potential approaches for determining the significance of GHG emissions in CEQA documents. In its white paper, CAPCOA suggests making significance determinations on a case-by-case basis when no significance thresholds have been formally adopted by a lead agency (CAPCOA, 2008).

Amendments to Section 15064.4 of the CEQA Guidelines were adopted to assist lead agencies in determining the significance of the impacts of GHG emissions. Consistent with existing CEQA practice, Section 15064.4 gives lead agencies the discretion to determine whether to

<sup>1</sup> See *Protect Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal. App. 4th 1099, 1107 [“[A] lead agency’s use of existing environmental standards in determining the significance of a project’s environmental impacts is an effective means of promoting consistency in significance determinations and integrating CEQA environmental review activities with other environmental program planning and resolution.”]. Lead agencies can, and often do, use regulatory agencies’ performance standards. A project’s compliance with these standards usually is presumed to provide an adequate level of protection for environmental resources. See, e.g., *Cadiz Land Co. v. Rail Cycle* (2000) 83 Cal.App.4th 74, 99 (upholding use of regulatory agency performance standard).

assess those emissions quantitatively or qualitatively. If a qualitative analysis is used, in addition to quantification, this section recommends certain qualitative factors that may be used in the determination of significance (i.e., extent to which the project may increase or reduce GHG emissions compared to the existing environment; whether the project exceeds an applicable significance threshold; and extent to which the project complies with regulations or requirements adopted to implement a reduction or mitigation of GHGs). The amendments do not establish a threshold of significance; rather, lead agencies are granted discretion to establish significance thresholds for their respective jurisdictions, including looking to thresholds developed by other public agencies, or suggested by other experts, such as CAPCOA, so long as any threshold chosen is supported by substantial evidence (see Section 15064.7(c)). The California Natural Resources Agency has also clarified that the CEQA Guidelines amendments focus on the effects of GHG emissions as cumulative impacts, and that they should be analyzed in the context of CEQA's requirements for cumulative impact analysis (see Section 15064(h)(3)).<sup>2</sup>

Although GHG emissions can be quantified, CARB, VCAPCD and the City of Oxnard have not adopted project-level significance thresholds for GHG emissions that would be applicable to the proposed Program. The Governor's Office of Planning and Research (OPR) released a technical advisory on CEQA and climate change that provided some guidance on assessing the significance of GHG emissions, and states that "lead agencies may undertake a project-by-project analysis, consistent with available guidance and current CEQA practice," and that while "climate change is ultimately a cumulative impact, not every individual project that emits GHGs must necessarily be found to contribute to a significant cumulative impact on the environment."<sup>3</sup> Furthermore, the technical advisory states that "CEQA authorizes reliance on previously approved plans and mitigation programs that have adequately analyzed and mitigated GHG emissions to less than significant as a means to avoid or substantially reduce the cumulative impact of a project."<sup>4</sup>

Per CEQA Guidelines Section 15064(h)(3), a project's incremental contribution to a cumulative impact can be found not cumulatively considerable if the project would comply with an approved plan or mitigation program that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area of the project.<sup>5</sup> To qualify, such a plan or program must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency.<sup>6</sup>

<sup>2</sup> See generally California Natural Resources Agency, Final Statement of Reasons for Regulatory Action (December 2009), pp. 11-13, 14, 16. [http://resources.ca.gov/ceqa/docs/Final\\_Statement\\_of\\_Reasons.pdf](http://resources.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf)[http://resources.ca.gov/ceqa/docs/Final\\_Statement\\_of\\_Reasons.pdf](http://resources.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf), accessed November 2019; see also Letter from Cynthia Bryant, Director of the Office of Planning and Research to Mike Chrisman, Secretary for Natural Resources, April 13, 2009. Available at [http://www.valleyair.org/Programs/CCAP/documents/Transmittal\\_LetterOPRApril2009.pdf](http://www.valleyair.org/Programs/CCAP/documents/Transmittal_LetterOPRApril2009.pdf)[http://opr.ca.gov/docs/Transmittal\\_Letter.pdf](http://opr.ca.gov/docs/Transmittal_Letter.pdf), accessed November 2019.

<sup>3</sup> Governor's Office of Planning and Research, Technical Advisory – CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review, (2008).

<sup>4</sup> Governor's Office of Planning and Research, Technical Advisory – CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review, (2008).

<sup>5</sup> 14 CCR § 15064(h)(3).

<sup>6</sup> 14 CCR § 15064(h)(3).



Examples of such programs include a “water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, [and] plans or regulations for the reduction of greenhouse gas emissions.”<sup>7</sup> Thus, CEQA Guidelines Section 15064(h)(3) allows a lead agency to make a finding of non-significance for GHG emissions if a project complies with a program and/or other regulatory schemes to reduce GHG emissions.<sup>8</sup>

In the absence of any adopted, quantitative threshold, the Program would not have a significant effect on the environment if the Program is found to be consistent with the applicable regulatory plans and policies to reduce GHG emissions, including the emissions reduction measures discussed within CARB’s Climate Change Scoping Plan and City of Oxnard’s policies established for the purpose of increasing energy efficiency and reducing GHG emissions.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goal and policy as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policy include:

**Goal SC-3:** Energy efficiency performance standards and generation from renewable sources.

**Policy SC-3.10, Alternatives to Power Plant Generation:** Evaluate the feasibility of incorporating alternative sources of power generation such as wind and tidal power into the regional existing power supply grid to reduce reliance on GHG emission producing public utility and privately-owned power plants.

In addition, future implementation of an individual electronic billboard would be required to comply with the following applicable regulatory plans.

#### **Assembly Bill 32/Senate Bill 32 and Executive Order B-30-15**

In support of Assembly Bill 32 and Senate Bill 32, the state has promulgated specific laws aimed at GHG reductions.

<sup>7</sup> 14 CCR § 15064(h)(3).

<sup>8</sup> See, for example, San Joaquin Valley Air Pollution Control District (SJVAPCD), CEQA Determinations of Significance for Projects Subject to ARB’s GHG Cap-and-Trade Regulation, APR-2025 (June 25, 2014), in which the SJVAPCD “determined that GHG emissions increases that are covered under ABR’s Cap-and-Trade regulation cannot constitute significant increases under CEQA...” Furthermore, the SCAQMD has taken this position in CEQA documents it has produced as a lead agency. The SCAQMD has prepared three Negative Declarations and one Draft Environmental Impact Report that demonstrate the SCAQMD has applied its 10,000 MTCO<sub>2</sub>e/yr significance threshold in such a way that GHG emissions covered by the Cap-and-Trade Program do not constitute emissions that must be measured against the threshold. See SCAQMD, Final Negative Declaration for Ultramar Inc. Wilmington Refinery Cogeneration Project, SHC No. 2012041014 (October 2014); SCAQMD Final Negative Declaration for Phillips 99 Los Angeles Refinery Carson Plant—Crude Oil Storage Capacity Project, SCH No. 2013091029 (December 2014); SCAQMD Final Mitigated Negative Declaration for Toxic Air Contaminant Reduction for Compliance with SCAQMD Rules 1420.1 and 1402 at the Exide Technologies Facility in Vernon, CA, SCH No. 2014101040 (December 2014); and SCAQMD Final Environmental Impact Report for the Breitburn Santa Fe Springs Blocks 400/700 Upgrade Project, SCH No. 2014121014 (August 2015).

**2017 Climate Change Scoping Plan**

According to the CARB 2017 Climate Change Scoping Plan, reductions needed to achieve the 2030 goal are expected to be achieved by targeting specific emission sectors, including those sectors that are not directly controlled or influenced by the Program, but nonetheless contribute to program-related GHG emissions (CARB, 2017). A list of applicable GHG emission reduction actions and strategies from the 2017 Climate Change Scoping Plan include:

**Senate Bill 350 (SB 350):**

The Clean Energy and Pollution Reduction Act of 2015 increases the standards of the California Renewable Portfolio Standard (RPS) program by requiring that the amount of electricity generated and sold to retail customers per year from eligible renewable energy resources be increased to 50 percent by 2030. Required measures include:

Increase RPS to 50 percent of retail sales by 2030.

Establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas end uses by 2030.

Reduce GHG emissions in the electricity sector through the implementation of the above measures and other actions as modeled in IRPs to meet GHG emissions reductions planning targets in the IRP process. Load-serving entities and publicly owned utilities meet GHG emissions reductions planning targets through a combination of measures as described in IRPs.

**Implement Mobile Source Strategy (Cleaner Technology and Fuels):**

Implementation of federal phase 2 standards for medium- and heavy-duty vehicles.

Adopt a Low Carbon Fuel Standard with a CI reduction of 18 percent.

Implement the post-2020 Cap-and-Trade Program with declining annual caps.

Compliance with the above General Plan goal and policy and applicable regulatory plans as well as the standards identified in the proposed Ordinance would reduce potential climate change impacts from the generation of greenhouse gas emissions.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goal and policy, the design standards proposed within the Ordinance, and the applicable regulatory plans would reduce the Program's potential climate change effects to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- c) **Less than Significant Impact.** As discussed above, compliance with the above General Plan goal and policy and applicable regulatory plans as well as the standards identified in the proposed Ordinance would reduce potential climate change impacts from the generation of greenhouse gas emissions.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goal and policy, the design standards proposed within the Ordinance, and the applicable regulatory plans would reduce the Program's potential climate change effects to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

## References

California Air Pollution Control Officers Association (CAPCOA), 2008. CEQA & Climate Change Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act. <http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA-White-Paper.pdf>

California Air Resources Control Board (CARB). 2017. California's 2017 Climate Change Scoping Plan. Available at: [https://ww2.arb.ca.gov/sites/default/files/classic/cc/scopingplan/scoping\\_plan\\_2017.pdf](https://ww2.arb.ca.gov/sites/default/files/classic/cc/scopingplan/scoping_plan_2017.pdf). Accessed on May 27, 2022.

### 3.6 Cultural Resources and Tribal Cultural Resources

| <i>Issues (and Supporting Information Sources):</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-----------------------------------------------------------|-------------------------------------|--------------------------|
| a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/> |
| b) Would the project cause a substantial adverse change in the significance of a unique archaeological resource pursuant to State CEQA Guidelines Section 15064.5?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/> |
| c) Would the project directly destroy a unique paleontological resource or site or unique geologic feature?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/> |
| d) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).                                                                                                                                           | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/> |
| f) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/> |

### Discussion

- a) **Less than Significant with Mitigation Incorporated.** A records search was conducted at the South Central Coastal Information Center, California State University, Fullerton as part of the City of Oxnard General Plan Background Report prepared in 2006. According to the records search, the City contains a variety of previously recorded cultural resources, both from prehistoric and historic eras, including 12 prehistoric sites and 7 isolates. The City contains 31 recorded resources in the form of buildings and structures. Based on a review of the locations of the known resources, there are no known historic archaeological resources within the Program area. Although there are no known historic resources, there could be an inadvertent discovery during the installation of individual electronic billboards in accordance with the proposed Program.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goals and policies include:

**Goal CD-3:** A city of stable, safe, attractive, and revitalized neighborhoods with adequate parks, schools, infrastructure and community identity and pride.

**Policy CD-3.1:** Protect existing residential neighborhoods from the encroachment of incompatible activities and land uses as determined through environmental review and/or determination by the Planning Commission

**Goal CD-9:** A high quality visual image and perception of the city.

**Policy CD-9.1:** Recognize, preserve, and improve the visual identity and character of existing neighborhoods. Infill development shall respect historic structures and be of compatible scale and character with historic areas.

**Goal CD-11:** Protected historic and authentic qualities of Oxnard's traditional Neighborhoods and historic districts.

**Policy CD-11.2:** Seek to preserve historical structures and neighborhoods by evaluating the potential to expand and create new historic neighborhoods.

**Policy CD-11.3:** Ensure that new public and private investment protects and enhances Oxnard's existing cultural resources, traditional neighborhoods, and historic districts, to the extent feasible.

**Policy CD-11.4:** Require new developments within historic areas to incorporate historic and natural features and adaptive reuse into site development planning.

**Goal ER-1:** Protection of natural resources, agriculture, and open spaces is well integrated with the built environment and human activities and achieves a symbiotic, mutually-beneficial, sustainable relationship

**Policy ER-1.1:** 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.

**Goal ER-11:** Identification, protection, and enhancement of the City's archeological, historical, and paleontological resources.

**Policy ER-11.4:** Support public and private efforts to preserve, rehabilitate, and continue the use of historic structures, sites, and districts. Where applicable, preservation efforts shall confer with the Ventura County Cultural Heritage Board and conform to the current Secretary of the Interior's Standards for Treatment of Historic

Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing  
Historic Building and the California Office of Historic Preservation.

Compliance with the above General Plan goals and policies would reduce potential impacts on historical resources; however, there is a potential for historic archaeological resources to be found, and if they are found, construction activities could cause significant impacts to the unknown resources.

**Mitigation Measure**

The following mitigation measure is required to reduce potential impacts to historic resources.

**Mitigation Measure CUL-1:** Prior to ground disturbance, the applicant is required to retain a City-approved archaeologist and Native American Monitor. In the event that historic or archaeological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer of at least 50 feet shall be established around the find where construction activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside the buffer area. All historic and archaeological resources unearthed by construction activities associated with the proposed Program shall be evaluated by a qualified professional archaeologist who meets the U.S. Secretary of Interior's Professional Qualifications and Standards. Should the newly discovered artifacts be determined to be historic, Native American Tribes/Individuals shall be contacted and consulted and Native American construction monitoring shall be initiated. The Applicant and the City shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the above applicable General Plan goals and policies and implementation of the above mitigation measure would reduce the Program's potential impact on unknown historical resources to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- b) **Less than Significant with Mitigation Incorporated.** Based on a review of the City of Oxnard General Plan Background Report, there are no known archaeological resources within the Program area. Although there are no known resources, there could be an inadvertent discovery during the installation of an individual electronic billboard under the proposed Program.



Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goals and policies include:

**Goal ER-1:** Protection of natural resources, agriculture, and open spaces is well integrated with the built environment and human activities and achieves a symbiotic, mutually-beneficial, sustainable relationship

**Policy ER-1.1:** 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.

**Goal ER-11:** Identification, protection, and enhancement of the City's archeological, historical, and paleontological resources.

**Policy ER-11.1:** Continue to require a qualified archaeologist to perform a cultural resources study prior to project approval. Inspection for surface evidence of archaeological deposits, and archaeological monitoring during grading should be required in areas where significant cultural resources have been identified or are expected to occur.

**Policy ER-11.2:** Ensure that alternatives are considered, including planning construction to avoid archeological sites, deeding archaeological sites into permanent conservation easements, and planning parks, greenspace or other open space to incorporate archaeological sites in the event that development threatens significant archaeological resources.

**Policy ER-11.3:** Continue to require project applicants to have a qualified archaeologist conduct a record search at the South Central Coast Information Center located at California State University Fullerton and other appropriate historical repositories, conduct field surveys where appropriate, and prepare technical reports, where appropriate, meeting California Office of Historic Preservation Standards (Archaeological Resource Management Reports) prior to project approval.

**Policy ER-11.6:** In the event that archaeological/paleontological resources are discovered during site excavation, continue to require that grading and construction work on the project site is suspended until the significance of the features can be determined by a qualified archaeologist/paleontologist.

Compliance with the above General Plan goals and policies would reduce potential impacts on archaeological resources; however, there is a potential for archaeological resources to be found, and if they are found, construction activities could cause significant impacts to the resources.

**Mitigation Measure**

The following mitigation measure is required to reduce potential impacts to archaeological resources.

Implementation of Mitigation Measure CUL-1 is required.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the applicable General Plan goals and policies and implementation of the above mitigation measure would reduce the Program's potential impact on archaeological resources to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- c) **Less than Significant with Mitigation Incorporated.** Based on a review of the U.S. Geological Survey map for Oxnard, the Program area is underlain by Holocene alluvial deposits (CDC, 2003). Holocene alluvium is thought to be too young to contain significant paleontological resources. Therefore, near surface grading would result in less than significant impacts to paleontological resources. However, the Holocene alluvium could be underlain by more sensitive geologic sediment that could have a high potential to contain paleontological resources.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goal and policy as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policy include:

**Goal ER-11:** Identification, protection, and enhancement of the City's archeological, historical, and paleontological resources.

**Policy ER-11.6:** In the event that archaeological/paleontological resources are discovered during site excavation, continue to require that grading and construction work on the project site is suspended until the significance of the features can be determined by a qualified archaeologist/paleontologist.

Compliance with the above General Plan goal and policy would reduce potential impacts on paleontological resources; however, there is a potential for paleontological resources to be found, and if they are found, construction activities could cause significant impacts to the resources.

**Mitigation Measure**

The following mitigation measure is required to reduce potential impacts to paleontological resources.

**Mitigation Measure CUL-2:** Prior to ground disturbance, the applicant is required to retain a paleontologist for monitoring of ground disturbing activities. In the event that paleontological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find until it is assessed for scientific significance and collected. Monitoring shall include matrix screening for the presence of microfossils; however, monitoring is largely a visual inspection of sediment.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the applicable General Plan goal and policy identified above and implementation of the above mitigation measure would reduce the Program's potential impact on paleontological resources to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- d) **Less than Significant.** No human remains are known to exist on or in the immediate vicinity of the Program area. If human remains are inadvertently encountered, all work is required to halt and the Ventura County Coroner is required to be contacted in accordance with California Public Resources Code 5097.98 and Health and Safety Code Section 7050.5. If the coroner determines that the remains are Native American, the California Native American Heritage Commission (NAHC) would be notified in accordance with State law.

Future implementation of an individual electronic billboard would be required to comply with State law, the applicable 2030 General Plan goal and policy as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policy include:

**Goal ER-11:** Identification, protection, and enhancement of the City's archeological, historical, and paleontological resources.

**Policy ER-11.6:** In the event that archaeological/paleontological resources are discovered during site excavation, continue to require that grading and construction work on the project site is suspended until the significance of the features can be determined by a qualified archaeologist/paleontologist.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with State law and the applicable General Plan goal and policy identified above would reduce the Program's potential impact on human remains to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- e, f) **Less than Significant with Mitigation Incorporated.** As of July 1, 2015, California Assembly Bill 52 of 2014 (AB 52) was enacted and expanded CEQA by defining a new resource category, “tribal cultural resources (TCR)”. AB 52 establishes that “A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment” (Public Resources Code Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (Public Resources Code Section 21084.3). Effects on tribal cultural resources are only knowable once a specific project has been proposed because the effects depend highly on the individual project site conditions and the characteristics of the proposed activity.

The City of Oxnard sent a notification letter on November 23, 2021 to the Native American tribe that is on the City’s Assembly Bill (AB) 52 list (Appendix B). This list includes only one tribe, Barbareno/Ventureno Band of Mission Indians, that has requested notification of projects within the City in accordance with AB 52.

The act amended California Public Resources Code (PRC) Section 5097.94, and added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. AB 52 applies specifically to projects for which a NOP or a Notice of Intent to Adopt a Negative Declaration or MND will be filed on or after July 1, 2015. The primary intent of AB 52 was to include California Native American Tribes early in the environmental review process and to establish a new category of resources related to Native Americans that require consideration under the CEQA, known as tribal cultural resources (as defined in PRC Section 21074(a)). On July 30, 2016, the California Natural Resources Agency adopted the final text for tribal cultural resources update to *CEQA Guidelines* Appendix G, which was approved by the Office of Administrative Law on September 27, 2016.

PRC Section 21080.3.1 requires that within 14 days of a lead agency determining that an application for a project is complete, or a decision by a public agency to undertake a project, the lead agency provide formal notification to the designated contact, or a tribal representative, of California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the project (as defined in PRC Section 21073) and who have requested in writing to be informed by the lead agency (PRC Section 21080.3.1(b)). Tribes interested in consultation must respond in writing within 30 days from receipt of the lead agency’s formal notification and the lead agency must begin consultation within 30 days of receiving the tribe’s request for consultation (PRC Sections 21080.3.1(d) and 21080.3.1(e)).

PRC Section 21080.3.2(a) identifies the following as potential consultation discussion topics: the type of environmental review necessary; the significance of tribal cultural resources; the significance of the project’s impacts on the tribal cultural resources; project alternatives or appropriate measures for preservation; and mitigation measures. Consultation is considered concluded when either: (1) the parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or (2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached (PRC Section 21080.3.2(b)).

If a California Native American tribe has requested consultation pursuant to Section 21080.3.1 and has failed to provide comments to the lead agency, or otherwise failed to engage in the consultation process, or if the lead agency has complied with Section 21080.3.1(d) and the California Native American tribe has failed to request consultation within 30 days, the lead agency may certify an EIR or adopt a Mitigated Negative Declaration (PRC Section 21082.3(d)(2) and (3)).

The Barbareno/Ventureno Band of Mission Indians was notified of the proposed Program, but did not request consultation with the City of Oxnard regarding the Program. There are no known tribal cultural resources located within the Program area, and therefore, no impacts to known tribal cultural resources would occur.

Although the current AB 52 process for the proposed Program failed to identify any TCRs, new TCRs may be identified or established over the course of the implementation of the Program and could be impacted.

### **Mitigation Measure**

The following mitigation measure is required to reduce potential impacts to paleontological resources.

**Mitigation Measure CUL-3:** A qualified archaeologist and Native American Monitor shall be present during construction-related ground disturbance activities in order to identify any unanticipated discovery of tribal cultural resources. The qualified archaeologist and Native American monitor may be different individuals or the same individual if the City determines that individual qualifies as both a qualified archaeologist and Native American monitor. All archaeological resources unearthed by construction activities shall be evaluated by the qualified archaeologist and Native American Monitor. If the resources are determined to be human remains, the coroner shall be notified, and if the human remains are Native American in origin, the coroner shall notify the NAHC as mandated by state law, who will then appoint a most likely descendent, who shall then coordinate with the landowner regarding treatment and curation of these resources. Typically, the most likely descendent will request reburial or preservation for educational purposes. If a resource is determined by the qualified archaeologist to constitute a “historical resource” pursuant to CEQA Guidelines Section 15064.5(a) or a “unique archaeological resource” pursuant to PRC Section 21083.2(g), the qualified archaeologist shall coordinate with the applicant and the City to develop a formal treatment plan that would serve to reduce impacts to the resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the

Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, implementation of the above mitigation measure would reduce the Program's potential impact on tribal cultural resources to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

## References

California Department of Conservation (CDC), California Geological Survey. 2003. Geologic Map of the Oxnard 7.5' Quadrangle, Ventura County, California: A Digital Database, Version 1.0.

Impact Sciences, Inc. 2001. Riverpark Specific Plan Draft EIR. Available at: <https://www.oxnard.org/environmental-document-archives/>. Accessed on February 11, 2022.

W&S Consultants. 2000. Phase I Archaeological Survey for the Riverpark Specific Plan Area. December 14.

---



### 3.7 Geology and Soils

| <i>Issues:</i>                                                                                                                                                                                                                                                                                                                       | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:                                                                                                                                                                                   |                                               |                                                                       |                                             |                                     |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist or based on other substantial evidence of a known fault?                                                                                                                           | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| ii) Strong seismic ground shaking that cannot be addressed through compliance with standard Code requirements?                                                                                                                                                                                                                       | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| b) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse that cannot be addressed through compliance with standard Code requirements? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| c) Would the project be located on expansive soil, creating substantial risk to life or property that cannot be addressed through compliance with standard Code requirements?                                                                                                                                                        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| d) Would the project expose people or structures to inundation by seiche or tsunami?                                                                                                                                                                                                                                                 | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| e) Would the project rely on dredging or other maintenance activity by another agency that is not guaranteed to continue?                                                                                                                                                                                                            | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a.i) **Less than Significant Impact.** A fault is a plane or surface in the earth along which failure has occurred and materials on opposite sides have moved relative to one another in response to the accumulation and release of stress. The U.S. Geological Survey defines active faults as those that have had surface displacements within Holocene time (about the last 11,000 years). Potentially active faults are those that have had surface displacement during Quaternary time, within the last 1.6 million years. Based on a review of the City of Oxnard General Plan Background Report, the most regionally active faults in the vicinity of the City of Oxnard are the Oak Ridge, Pitas Point-Ventura, Red Mountain, Anacapa, and Malibu Coast faults. The nearest active fault to the Program area is the Pitas Point-Ventura fault which is located approximately four miles north of the Program area (Matrix Design Group, Inc., 2006).

Although the nearest active fault is approximately four miles from the Program area, future implementation of an individual electronic billboard would be required to comply with State law, the applicable 2030 General Plan goal and policy as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policy include:

**Goal SH-1:** Minimal damage to structures, property, and infrastructure as a result of liquefaction and subsidence.

**Policy ER-1.1:** Ensure that structures for human occupancy are only constructed or placed on a potential liquefaction site if the approved geological report shows that an acceptable hazard risk would be created and/or required mitigation measures are met.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with State law and the General Plan goal and policy identified above would reduce the Program's potential impact related to fault rupture to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- a.ii) **Less than Significant Impact.** The Program area is located in Southern California, an area that is subject to strong seismic ground shaking. Seismically induced ground acceleration is the shaking motion that is produced by an earthquake. As noted in Response 8.a.i) above, there are regionally active faults in the vicinity of the City of Oxnard. Earthquake activity associated with these faults could cause ground shaking within the Program area. Individual electronic billboards constructed in accordance with the Ordinance Program are subject to the seismic design criteria of the most recent California Building Code (CBC) which has been adopted within the Oxnard City Code. The criteria contain seismic safety provisions with the aim of preventing building and structural collapse during an earthquake.

Future implementation of an individual electronic billboard would be required to comply with State law and the applicable 2030 General Plan goal and policies. The applicable 2030 General Plan goal and policies include:

**Goal SH-1:** Minimal damage to structures, property, and infrastructure as a result of liquefaction and subsidence.

**Policy ER-1.3:** Require that all new buildings and alterations to existing buildings be built according to the seismic requirements adopted within the most current City of Oxnard Building Code, or its adopted equivalent.

**Policy ER-1.4:** Require that adequate soils, and geologic and structural evaluation reports be prepared by registered soils engineers, engineering geologists, and/or structural engineers, as appropriate, for applicable development.

**Policy ER-1.8:** Where necessary, utilize the expert mitigation measures such as those identified in Special Publication 117: Guidelines for Analyzing and Mitigating Seismic Hazards in California (prepared by the Southern California Earthquake Center) to minimize risk associated with seismic activity.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the most recent CBC and the General Plan goal and policies identified above would reduce the Program's potential impact related to strong seismic ground shaking to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- b) **Less than Significant Impact.** Unstable geologic units or soils commonly occur when there are landslides, lateral spreading, subsidence/collapse, or liquefaction.

#### ***Landslides***

Because the Program area is located on relatively flat terrain, the individual electronic billboards would not be subject to potential unstable soils due to landslides.

#### ***Lateral Spreading***

Lateral spreading movement occurs when a soil mass slides laterally on liquefied soil layers, moving downslope or towards a free face. Based on a review of the City of Oxnard General Plan Background Report, the majority of the Program area is subject to liquefaction, and therefore, there is a potential for lateral spreading to occur within the Program area. The proposed Program is subject to the seismic design criteria of the most recent California Building Code (CBC) which has been adopted within the Oxnard City Code and the CBC includes provisions to reduce lateral spreading impacts.

#### ***Subsidence/Collapse***

Subsidence or collapse is the sinking of the ground surface caused by the compression of earth materials resulting from manmade activities, such as groundwater or oil and gas withdrawal. The resulting compression typically occurs only once within affected soils and cannot be repeated during fluctuations of the groundwater level or from peat oxidation. Historic groundwater withdrawals have caused some regional subsidence or collapse and potential subsidence and collapse could occur within the Program area. The proposed Program is subject to the seismic design criteria of the most recent California Building Code (CBC) which has been adopted within the Oxnard City Code and the CBC includes provisions to reduce subsidence and collapse impacts.

#### ***Liquefaction***

Liquefaction is a phenomenon that occurs when soil undergoes transformation from a solid state to a liquefied condition due to the effects of increased pore-water pressure. This typically occurs where susceptible soils (particularly soils in the medium sand to silt range) are located over a high groundwater table. A high groundwater table is described as one within 50 feet of the surface. Most of the Program area is subject to liquefaction. The proposed Program is subject to the seismic design criteria of the most recent California Building Code (CBC) which has been adopted within the Oxnard City Code and the CBC includes provisions to reduce liquefaction impacts.

Future implementation of an individual electronic billboard would be required to comply with State law and the applicable 2030 General Plan goal and policies. The applicable 2030 General Plan goal and policies include:

**Goal SH-1:** Minimal damage to structures, property, and infrastructure as a result of liquefaction and subsidence.

**Policy SH-1.1:** Ensure that structures for human occupancy are only constructed or placed on a potential liquefaction site if the approved geological report shows that an acceptable hazard risk would be created and/or required mitigation measures are met.

**Policy SH-1.3:** Require that all new buildings and alterations to existing buildings be built according to the seismic requirements adopted within the most current City of Oxnard Building Code, or its adopted equivalent.

**Policy SH-1.4:** Require that adequate soils, and geologic and structural evaluation reports be prepared by registered soils engineers, engineering geologists, and/or structural engineers, as appropriate, for applicable development.

**Policy SH-1.5:** Continue to require the submission of a geological report for proposed development located in a potential liquefaction area.

**Policy SH-1.7:** Continue to require a complete site-specific soils investigation that addresses liquefaction and compressible soil characteristics and identifies construction techniques or other mitigation measures to prevent significant impacts upon the proposed development

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the most recent CBC and the General Plan goal and policies identified above would reduce the Program's potential impact related to unstable soils to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- c) **Less than Significant Impact.** Expansive soil is characterized by a clay composition whereby clay particles expand dramatically upon wetting. Structures constructed on expansive soils require special design considerations that are identified within the CBC. Based on a review of the City of Oxnard General Plan Background Report, the Program area generally consists of alluvial deposits of silt, sand and gravel that are not expected to be expansive. Conformance with the design criteria within the CBC would reduce substantive expansive soils.

Future implementation of an individual electronic billboard would be required to comply with State law, the applicable 2030 General Plan goal and policy as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policy include:

**Goal SH-1:** Minimal damage to structures, property, and infrastructure as a result of liquefaction and subsidence.

**Policy SH-1.1:** Ensure that structures for human occupancy are only constructed or placed on a potential liquefaction site if the approved geological report shows that an acceptable hazard risk would be created and/or required mitigation measures are met.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with State law and the General Plan goal and policy identified above would reduce the Program's potential impact related to expansive soils to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- d) **No Impact.** Seiches and tsunamis are caused by earthquakes. Seiches are waves caused by large-scale, short-duration oscillation of confined bodies of water (such as reservoirs and lakes) during earthquakes that may damage low-lying adjacent areas, although not as severely as a tsunami. The closest enclosed body of water that could result in earthquake-induced seiche is Lake Piru which is approximately 30 miles northeast of the Program area. Due to the distance of Lake Piru, potential seiches in the lake would not impact the Program area. Tsunamis are earthquake-induced surge waves that can cause severe coastal flooding. Because the Program area is located at least five miles from the coast and at approximately elevation 65 to 80 feet above mean sea level, the Program area is not at risk from a tsunami. Implementation of individual electronic billboards in accordance with the proposed Program would not be impacted by seiches or tsunamis.
- e) **No Impact.** The proposed Program is located along U.S. 101. The operation of the individual electronic billboards would not rely on maintenance activities under the purview of other agencies aside from the City of Oxnard. The proposed Program would have no impact.

## References

Matrix Design Group, Inc. 2006. City of Oxnard General Plan Draft Background Report. Available at [https://www.oxnard.org/wp-content/uploads/2016/08/OxnardDraftBackgroundReport2006\\_04.21.06.pdf](https://www.oxnard.org/wp-content/uploads/2016/08/OxnardDraftBackgroundReport2006_04.21.06.pdf). Accessed on February 16, 2022.

### 3.8 Hazards and Hazardous Materials

| <i>Issues</i>                                                                                                                                                                                                                                      | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?                                                                                          | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment?                                   | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| c) Would the project emit hazardous substances or involve handling hazardous or acutely hazardous substances, or waste within one-quarter mile of an existing or proposed school in quantities or a manner that would create a substantial hazard? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| d) Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?    | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| e) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?                                                                                                        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **Less than Significant Impact.** Construction activities required for individual electronic billboards in accordance with the proposed Program would involve site clearing, grading, drilling, trenching to connect to an existing electrical line and other ground-disturbing activities. These construction activities would temporarily require the use of equipment such as trucks, drill, concrete mixer, crane, and other powered equipment, and would use potentially hazardous materials, such as fuels (gasoline and diesel) and lubricants (oil and grease). In addition, construction may use hazardous materials, such as solvents, paints, thinners, or other chemicals. Such materials would be used only in small quantities based on the minimal activities associated with the installation of an electronic billboard. These materials would be transported, handled, stored and disposed of in accordance with applicable laws and regulations and manufacturers' instructions.

Operation of the proposed electronic billboards installed in accordance with the proposed Program would result in periodic maintenance activities. These activities may include the limited use of paints, solvents and other chemicals.

Future implementation of an individual electronic billboard would be required to comply with State law, the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

**Goal ICS-16:** Residents and property protected from the use, transport, and disposal of hazardous materials.

**Policy ICS-16.3:** Continue to require the proper disposal and recycling of hazardous materials.

**Goal SH-7:** Minimize risk associated with the transportation, distribution, use, and storage of hazardous materials.

**Policy SH-7.1:** Maintain and periodically update a hazardous waste minimization audit and hazardous waste minimization program as part of the development review process.

**Policy SH -7.2:** Require that hazardous materials are used, stored, transported and disposed of within the City in a safe manner and in compliance with local, state, and federal standards.

**Policy SH -7.3:** Avoid, whenever possible, the routing of hazardous materials near residential, tourist, and recreational areas and maintain a hazardous material truck route in the office of the Traffic Engineer.

**Policy SH -7.5:** Implement the policies of the Ventura County Hazardous Waste Management Plan as they pertain to the Oxnard Planning Area.

**Policy SH -7.11:** Continue to require a hazardous materials inventory for businesses and other applicable parties as part of the Certified Unified Program Agency (CUPA) program.

**Policy SH -7.12:** Ensure that the proponents of new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or State cleanup standards outlined in the studies will be implemented as part of the construction phase for each project.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with State law and the General Plan goals and policies identified above would reduce the Program's potential hazard impact related to the routine transport, use and disposal of hazardous materials to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- b) **Less than Significant Impact.** As stated above, the maintenance activities associated with electronic billboards may use a limited quantity of hazardous materials such as paints, solvents and other chemicals. However, because these activities are periodic and the use of potential hazardous materials is limited, the Program could create a nominal hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.



Future implementation of an individual electronic billboard would be required to comply with State law, the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

**Goal ICS-16:** Residents and property protected from the use, transport, and disposal of hazardous materials.

**Policy ICS-16.3:** Continue to require the proper disposal and recycling of hazardous materials.

**Goal SH-7:** Minimize risk associated with the transportation, distribution, use, and storage of hazardous materials.

**Policy SH -7.1:** Maintain and periodically update a hazardous waste minimization audit and hazardous waste minimization program as part of the development review process.

**Policy SH -7.2:** Require that hazardous materials are used, stored, transported and disposed of within the City in a safe manner and in compliance with local, state, and federal standards.

**Policy SH -7.3:** Avoid, whenever possible, the routing of hazardous materials near residential, tourist, and recreational areas and maintain a hazardous material truck route in the office of the Traffic Engineer.

**Policy SH -7.5:** Implement the policies of the Ventura County Hazardous Waste Management Plan as they pertain to the Oxnard Planning Area.

**Policy SH -7.11:** Continue to require a hazardous materials inventory for businesses and other applicable parties as part of the Certified Unified Program Agency (CUPA) program.

**Policy SH -7.12:** Ensure that the proponents of new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or State cleanup standards outlined in the studies will be implemented as part of the construction phase for each project.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with State law and the General Plan goals and policies identified above would reduce the Program's potential hazard impact related to reasonable upset or accident conditions involving the release of hazardous materials to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- c) **Less than Significant Impact.** The nearest existing schools to the Program area are the Rio Real Elementary School located northwest of the U.S. 101 and Rose/Santa Clara Avenue interchange (approximately 350 feet) and the Rio Linda Elementary School located southeast of the U.S. 101 and Rose/Santa Clara Avenue interchange (approximately 550 feet).

Future implementation of an individual electronic billboard would be required to comply with State law, the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

**Goal ICS-16:** Residents and property protected from the use, transport, and disposal of hazardous materials.

**Policy ICS-16.3:** Continue to require the proper disposal and recycling of hazardous materials.

**Goal SH-7:** Minimize risk associated with the transportation, distribution, use, and storage of hazardous materials.

**Policy SH -7.1:** Maintain and periodically update a hazardous waste minimization audit and hazardous waste minimization program as part of the development review process.

**Policy SH -7.2:** Require that hazardous materials are used, stored, transported and disposed of within the City in a safe manner and in compliance with local, state, and federal standards.

**Policy SH -7.3:** Avoid, whenever possible, the routing of hazardous materials near residential, tourist, and recreational areas and maintain a hazardous material truck route in the office of the Traffic Engineer.

**Policy SH -7.5:** Implement the policies of the Ventura County Hazardous Waste Management Plan as they pertain to the Oxnard Planning Area.

**Policy SH -7.11:** Continue to require a hazardous materials inventory for businesses and other applicable parties as part of the Certified Unified Program Agency (CUPA) program.

**Policy SH -7.12:** Ensure that the proponents of new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or State cleanup standards outlined in the studies will be implemented as part of the construction phase for each project.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with

State law and the General Plan goals and policies identified above would reduce the Program's potential hazard impact to schools to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- d) **Less than Significant Impact.** Government Code Section 65962.5 requires CalEPA to develop and annually update the Hazardous Waste and Substances Sites (Cortese) List. The information contained in the Cortese List is provided by the Department of Toxic Substances Control (DTSC) and other state and local government agencies. A review of the DTSC EnviroStor and State Water Resources Control Board (SWRCB) GeoTracker databases indicated that there were no hazardous materials sites that are on the Cortese List. However, there have been hazardous materials sites along U.S. 101. There were at least 14 leaking underground storage tanks (LUST) north of U.S. 101 and five LUST south of U.S. 101 that resulted in contamination of soil/non-potable groundwater due to accidental releases of gasoline, diesel, and waste/motor/hydraulic oils. Each of these sites were the subject of cleanup including monitoring wells. Each of these LUST sites are closed and no further environmental concerns remain. Although there are no current hazardous waste sites, the implementation of the proposed Ordinance in the future could occur within a site exposed to a future hazardous materials concern.

Future implementation of an individual electronic billboard would be required to comply with State law, the applicable 2030 General Plan goal and policy as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policy include:

**Goal SH-7:** Minimize risk associated with the transportation, distribution, use, and storage of hazardous materials.

**Policy SH -7.1:** Ensure that the proponents of new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or State cleanup standards outlined in the studies will be implemented as part of the construction phase for each project.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with State law and the General Plan goal and policy identified above would reduce the Program's potential hazard impact associated with a hazardous materials site to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- e) **No Impact.** The Program area is located along U.S. 101. The operation of an electronic billboard would be located on individual lots and would not result in changes to the existing circulation system. The electronic billboards that are installed in accordance with the proposed Program would not physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, no impact would occur.

## References

State Water Resources Control Board (SWRCB), 1998. GeoTracker Database.  
MacValley/McCaslin Oil (T0611100537). Available at:  
[http://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=T0611100537](http://geotracker.waterboards.ca.gov/profile_report?global_id=T0611100537). Accessed on  
February 28, 2022.

---

### 3.9 Hydrology and Water Quality

| <i>Issues:</i>                                                                                                                                                                                                                                                                                                                                                                                                 | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-----------------------------------------------------------|-------------------------------------|-------------------------------------|
| a) Would the project violate any water quality standards or waste discharge requirements?                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in on- or off-site flooding or exceed the capacity of existing or planned stormwater drainage systems?                                                                                                         | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Would the project place new structures within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?                                                                                                                                                                                                                  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Would the project impede or redirect flood flows such that it would increase on- or off-site flood potential?                                                                                                                                                                                                                                                                                               | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?                                                                                                                                                                                                                           | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g) Would the project be exposed to a substantial risk related to inundation by seiche, tsunami, or mudflow?                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Discussion

- a) **Less than Significant Impact.** Construction activities associated with the Program could result in short-term surface water quality impacts. These potential impacts could occur from construction-related activities such as drilling for the electronic sign pole foundation and pouring concrete. Runoff of loose soils and/or construction wastes and fuel during a rainstorm could flow into local storm drains as a result of individual electronic billboard construction. Such contaminated runoff could potentially threaten downstream water resources that receive runoff from the local drainage network.

The Ventura County Watershed Protection District, County of Ventura, and the cities of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, San Buenaventura, Santa Paula, Simi Valley, and Thousand Oaks have joined together to form the Ventura Countywide Stormwater Quality Management Program and are named as co-permittees under a revised countywide municipal NPDES permit for stormwater discharges issued by RWQCB in 2010 (Order R4-2010-0108). Under Order R4-2010-0108, the co-permittees are required to administer, implement, and enforce a Stormwater Quality Management Program to reduce pollutants in urban runoff to the maximum extent practicable. Accordingly, the individual electronic billboards implemented as part of the proposed Program would be required to meet

regulations and conditions of approval to comply with NPDES requirements. Compliance with the Oxnard building permit would require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) and associated best management practices (BMP). The BMPs would include measures that would be implemented to prevent discharge of eroded soils from the construction site and sedimentation of surface waters offsite. The BMPs would also include measures to quickly contain and clean up any minor spills or leaks of fluids from construction equipment. The City's Stormwater Quality Management ordinance (OCC Chapter 22, Article XII) specifies various prohibitions intended to implement the Clean Water Act and prohibit non-storm water discharges into the storm drain system. BMP requirements are enforced through the City's plan approval and permit process and plans for all new development projects are subject to City inspection.

Standard construction BMPs such as silt fencing, storm drain inlet protection, and proper material and waste storage will ensure surface water quality is not substantially degraded during construction. Compliance with the City's standard stormwater runoff provisions for construction activities, such as runoff control and other measures set forth in the City's Stormwater Quality Management ordinance would ensure that the Program does not violate any water quality standards or any waste discharge requirements during construction.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the NPDES requirements and the City's Stormwater Quality Management ordinance would reduce the Program's potential storm water quality impacts to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

Operation activities associated with electronic billboards would not involve the use of water or the generation of wastewater. Therefore, no violation of any water quality standards or any waste discharge requirements would occur, and thus no water quality impacts due to operational activities would result.

- b) **Less than Significant Impact.** Groundwater in the Oxnard Plain and throughout the region is under the management of the Fox Canyon Groundwater Management Agency (FCGMA). The FCGMA was created in 1982 by the California Legislature via the Fox Canyon Groundwater Management Agency Act [AB-2995] for the express purposes of regulating, conserving, managing, and controlling the use and extraction of groundwater to help preserve resources, and to counter seawater intrusion beneath the Oxnard Plain. The regulations of FCGMA, which restrict groundwater withdrawals, apply to all groundwater users within its jurisdiction. These users include agricultural activities, industrial users, and municipalities such as the City of Oxnard.

The proposed Program would result in construction activities to install electronic billboards. The proposed billboards would not require water to operate. Construction activities associated

with electronic billboards could encounter groundwater; however, no substantial extraction of groundwater is expected to occur.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with FCGMA regulations that restrict groundwater withdrawals would reduce the Program's potential groundwater impacts to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- c) **No Impact.** The Program area has relatively flat topography. The only water resource feature that extends under U.S. 101 and is within the Program area is a channelized portion of Beardsley Channel. Therefore, the implementation of the proposed Program **would** not substantially alter the existing drainage pattern of the site or area, including through the alteration of a course, stream or river, or through the addition of impervious surfaces as the installation of electronic billboards under the proposed Program would nominally increase impervious surfaces. As such, no impact would occur.
- d) **No Impact.** Based on a review of the Flood Insurance Rate Map, the Program area is not located in a flood prone area including a 100-year flood zone (FEMA, 2010). Therefore, the Program would not include the placement of an electronic billboard within a 100-year flood zone. No impact would occur.
- e) **No Impact.** The implementation of the Program would include the placement of electronic billboards within the Program area. The placement electronic billboards would not impede or redirect existing surface drainage flows from the Program site.
- f) **Less than Significant Impact.** Based on a review of the Ventura County Multi-Hazard Mitigation Plan, the majority of the City of Oxnard including the Program area is within a dam inundation area (AECOM, 2015). Although the Program area is subject to inundation due to a failure of a dam upstream along the Santa Clara River, the probability of dam failure inundation is not known but such an event would likely be the result of an extreme storm. The Division of Safety and Dams periodically checks the conditions of dams so that the likelihood for a dam failure is further reduced. The existing levee along the Santa Clara River is currently being evaluated to be reconstructed to provide greater protection for urban uses. There is a potential for a breach of the levee prior to reconstruction of the levee. Because a future electronic billboard could be installed in the vicinity of the existing levee, inundation of the future electronic billboard could occur.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, because the electronic billboards implemented as part of the proposed Program would not include people at each of the billboard sites on a regular basis, the Program would not result in exposing people to injury or death. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.



- g) **No Impact.** Based on a review of the Flood Insurance Rate Map, the Program area is not located in a flood prone area (FEMA, 2010). As discussed in Section 8.d) above, the Program area would not be subject to seiches or tsunamis. The Program area and surrounding area contain relatively flat terrain and are not subject to mudflows. Therefore, the construction of electronic billboards in accordance with the proposed Program would not expose the proposed billboards to substantial risk related to inundation by a seiche, tsunami or mudflow.

## References

- AECOM. 2015. Ventura County Multi-Hazard Mitigation Plan. Available at:  
<https://www.vcfloodinfo.com/pdf/2015%20Ventura%20County%20Multi-Hazard%20Mitigation%20Plan%20and%20Appendices.pdf>. Accessed on February 18, 2022.
- City of Oxnard. Nd. City of Oxnard Code of Ordinances, Chapter 22, Article XII, Stormwater Quality Management Available at:  
[https://codelibrary.amlegal.com/codes/oxnard/latest/oxnard\\_ca/0-0-0-45856..](https://codelibrary.amlegal.com/codes/oxnard/latest/oxnard_ca/0-0-0-45856..) Accessed on May 27, 2022.
- Federal Emergency Management Agency. 2010. Flood Insurance Rate Map, Ventura County, California, Panel 910 of 1275, Map Number 06111C0910E. Available at:  
<https://msc.fema.gov/portal/search?AddressQuery=Riverpark%20Oxnard%20Ca#searchresultsanchor>. Accessed on February 18, 2022.
-

### 3.10 Land Use and Planning

| <i>Issues:</i>                                                                                                                                                                                                                            | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project conflict with an applicable land use plan, policy or regulation of the City or other agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating a significant environmental effect? | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                    | <input type="checkbox"/>            |
| b) Would the project involve land uses that are not allowed under any applicable airport land use compatibility plan?                                                                                                                     | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| h) Would the project conflict with an applicable habitat conservation plan or natural community conservation plan?                                                                                                                        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| i) Would the project physically divide an established community?                                                                                                                                                                          | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **Less than Significant with Mitigation Incorporated.** The proposed Program would result in an amendment to the existing City of Oxnard sign regulations within the City of Oxnard Municipal Code. The Program includes standards to comply with state law regarding electronic billboard brightness and display cycle to reduce potential traffic safety impacts for motorists along U.S. 101; however, the Program could result in land use compatibility conflicts with applicable City plans and policies.

As discussed in Section 3.1 a) through c), the implementation of the Program would result in less than significant impacts to scenic vistas, scenic resources, scenic highways and less than significant visual alteration of the existing visual characteristics. However, the operation of electronic billboards could result in substantial lighting impacts on sensitive land use areas such as residences and on sensitive vegetation communities.

Future implementation of an individual electronic billboard would be required to comply with State law, the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goals and policies include:

**Goal CD-3:** A city of stable, safe, attractive, and revitalized neighborhoods with adequate parks, schools, infrastructure and community identity and pride.

**Policy CD-3.1:** Protect existing residential neighborhoods from the encroachment of incompatible activities and land uses as determined through environmental review and/or determination by the Planning Commission.

**Goal CD-4:** A city of stable, safe, attractive, and revitalized neighborhoods with adequate parks, schools, infrastructure and community identity and pride

**Policy CD-4.1:** Mitigate conflicts between commercial and other land uses, especially residential and recreational uses.

**Goal CD-9:** A high quality visual image and perception of the city.

**Policy CD-9.3:** Designate major entryways as gateways into the City. The City shall use landscaping, decorative lighting, signage and/or other streetscape design techniques to enhance the City's identity, sense of place, and provide visual emphasis to the streetscapes to the City.

**Policy CD-9.4:** Ensure all public and private investments positively contribute to the overall character of the City by minimizing impacts on important view corridors by creating edge treatments along greenbelt areas and a landscaped buffer corridor of at least 30 feet along designated scenic corridors and other major transportation corridors.

**Goal ER-6:** Protected and enhanced natural setting and scenic resources.

**Policy ER-6.1:** Preserve important public views and viewsheds by ensuring that the scale, bulk and setback of new development does not significantly impede or disrupt them and ensure that important vistas and view corridors are enhanced. Require development to provide physical breaks to allow views into these vistas and view corridors.

**Policy ER-6.2:** Protect and enhance the scenic resources of the beaches, Channel Island Harbor, windrows, farmland, the Channel Islands, and surrounding mountains.

**Policy ER-6.3:** Preserve views of significant small-scale plant communities including wetlands, riparian vegetation, man-made water features, and the like wherever possible.

**Policy ER-6.5:** Require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward and, where public safety would not be compromised, encourage the use of low-pressure sodium lighting for all outdoor light fixtures.

Compliance with the above General Plan goals and policies as well as the standards identified in the proposed Ordinance would reduce potential land use compatibility impacts. However, significant compatibility impacts specifically related to increases in lighting could remain.

### **Mitigation Measures**

The following mitigation measures are required to reduce potential compatibility impacts at nearby uses.

Implementation of Mitigation Measures AES-1 through AES-3 is required.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the applicable General Plan goals and policies, and the design standards proposed within the Ordinance, and implementation of the above mitigation measures would reduce the Program's compatibility impacts to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- b) **Less than Significant Impact.** The Program area is located at least 2.2 miles from the Oxnard Airport and approximately 0.8 mile from the Camarillo Airport. The Program area is not within the clear zone of either airport, however, the Program area is within the airport land use plans' Federal Aviation Administration (FAA) Part 77 height restriction areas. According to the Oxnard Airport Master Plan, obstructions to air navigation within the Program area would occur if structures exceeded 350 feet in elevation (Coffman Associates, Inc., 2004). The proposed Program would not include any structures that would be 350 feet in elevation, and therefore, the implementation of the Program would not impact air navigation at the Oxnard Airport. According to the Camarillo Airport Master Plan, obstructions in air navigation could occur within the portion of the Program area east of Rice/Santa Clara Avenue.

Future implementation of an individual electronic billboard would be required to comply with State and federal laws, the applicable 2030 General Plan goal and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

**Goal SH-9:** Oxnard Airport operations are at an acceptable risk and compatible with surrounding land uses and activities.

**Policy SH-9.1:** Require development around the Oxnard and Camarillo Airports to be consistent with the safety policies and land use compatibility guidelines contained within the Ventura County Airport Land Use Plan.

**Policy SH-9.2:** Ensure development within the airport approach and departure zones are in compliance with applicable Federal Aviation Administration regulations that address objects affecting navigable airspace.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the General Plan goals and policies and the design standards proposed within the Ordinance would reduce the Program's compatibility impacts to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- d) **No Impact.** The proposed Program area is not located within any habitat conservation plan or natural community conservation plan areas. Therefore, the proposed Program would not

conflict with provisions of an adopted natural community conservation plan or other approved local, regional, or state habitat conservation plan, and no impact would occur.

- e) **No Impact.** The implementation of electronic billboards under the proposed Program would include the placement of billboards along U.S. 101. Each billboard would be required to be separated by 2,000 feet. The future placement of electronic billboards would not physically divide the surrounding community since the proposed signs would not obstruct or in any way change access to the existing community. The operation of electronic billboards would not physically impact any roadways or traffic circulation patterns within the existing community. Electronic billboards installed under the proposed Program would not create any barriers to access to a community or require removal of any housing. As such, the proposed Program would have no impact.

## References

Coffman Associates, Inc. 2004. Airport Master Plan for Oxnard Airport. Available at:  
[https://vcportal.ventura.org/AIRPORTS/docs/document\\_library/Master\\_Plan\\_OXR\\_2004.pdf](https://vcportal.ventura.org/AIRPORTS/docs/document_library/Master_Plan_OXR_2004.pdf). Accessed on February 18, 2022.

### 3.11 Mineral Resources

| <i>Issues:</i>                                                                                                                                                                    | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project result in the loss of availability of a known mineral resource of value to the region or state?                                                              | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated in the 2030 General Plan or other adopted land use plan? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **No Impact.** Based on a review of the City of Oxnard Background Report, the Program area includes areas designated as Mineral Resource Zone (MRZ) MRZ-2 and Non-Designated MRZ-2 Zone. The MRZ-2 Zone includes areas where there is adequate information that indicates significant mineral deposits are present. Although the Program area could include significant mineral deposits, there are no mining activities within the Program area and the existing urban development within the Program area impedes the potential to economically mine in this area. Therefore, the proposed Program would not result in the loss of availability of important mineral resources. No impacts to mineral resources would occur with the implementation of the proposed Program.
- b) **No Impact.** The Program area is not designated as a locally-important mineral resource or a mineral resource recovery area (City of Oxnard, 2014). Therefore, the implementation of the Program would not impact a locally-important mineral resource recovery site.

### References

City of Oxnard. 2014. City of Oxnard 2030 General Plan Map. Available at:  
<https://www.oxnard.org/wp-content/uploads/2016/03/203020GENERAL20PLAN2030x402009.14V3-1.pdf>. Accessed on February 22, 2022.

### 3.12 Noise

| <i>Issues:</i>                                                                                                                                                                                                                                   | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project generate or expose persons to noise levels exceeding standards established in the Oxnard 2030 General Plan or Noise Ordinance, or applicable standards of other agencies?                                                   | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| b) Would the project generate or expose persons to excessive groundborne vibration or groundborne noise levels?                                                                                                                                  | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| c) Would the project generate a substantial temporary or periodic increase in ambient noise in the project vicinity above levels existing without the project?                                                                                   | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| d) Would the project generate a substantial permanent increase in ambient noise in the project vicinity above levels existing without the project?                                                                                               | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| e) For a project located within the airport land use plan for Oxnard Airport or within two miles of Naval Base, Ventura County at Point Mugu, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| f) Would the project expose non-human species to excessive noise?                                                                                                                                                                                | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                    | <input type="checkbox"/>            |

### Discussion

- a) **Less than Significant Impact.** Sound can be described as the mechanical energy of a vibrating object transmitted by pressure waves through a liquid or gaseous medium (e.g., air). Noise is generally defined as unwanted sound (i.e., loud, unexpected, or annoying sound). Acoustics is defined as the physics of sound. In acoustics, the fundamental scientific model consists of a sound (or noise) source, a receiver, and the propagation path between the two. The loudness of the noise source and obstructions, or atmospheric factors affecting the propagation path to the receiver determines the sound level and characteristics of the noise perceived by the receiver. Acoustics addresses primarily the propagation and control of sound.

Sound, traveling in the form of waves from a source, exerts a sound pressure level (referred to as sound level) that is measured in decibels (dB), which is the standard unit of sound amplitude measurement. The dB scale is a logarithmic scale that describes the physical intensity of the pressure vibrations that make up any sound, with 0 dB corresponding roughly to the threshold of human hearing and 120 to 140 dB corresponding to the threshold of pain. Pressure waves traveling through air exert a force registered by the human ear as sound.

Sound pressure fluctuations can be measured in units of hertz (Hz), which correspond to the frequency of a particular sound. Typically, sound does not consist of a single frequency, but rather a broad band of frequencies varying in levels of magnitude, with audible frequencies of the sound spectrum ranging from 20 to 20,000 Hz. The sound pressure level, therefore, constitutes the additive force exerted by a sound corresponding to the sound frequency/sound power level spectrum. The typical human ear is not equally sensitive to this frequency range. As a consequence, when assessing potential noise impacts, sound is measured using an electronic



filter that deemphasizes the frequencies below 1,000 Hz and above 5,000 Hz in a manner corresponding to the human ear's decreased sensitivity to these extremely low and extremely high frequencies. This method of frequency filtering, or weighting, is referred to as A-weighting, expressed in units of A-weighted decibels (dBA), which is typically applied to community noise measurements.

An individual's noise exposure is a measure of noise over a period of time; a noise level is a measure of noise at a given instant in time. However, noise levels rarely persist at one level over a long period of time. Rather, community noise varies continuously over a period of time with respect to the sound sources contributing to the community noise environment. Community noise is primarily the product of many distant noise sources, which constitute a relatively stable background noise exposure, with many of the individual contributors unidentifiable. The background noise level changes throughout a typical day, but does so gradually, corresponding with the addition and subtraction of distant noise sources, such as changes in traffic volume. What makes community noise variable throughout a day, besides the slowly changing background noise, is the addition of short-duration, single-event noise sources (e.g., aircraft flyovers, motor vehicles, sirens), which are readily identifiable to the individual.

These successive additions of sound to the community noise environment change the community noise level from instant to instant, requiring the noise exposure to be measured over periods of time to legitimately characterize a community noise environment and evaluate cumulative noise impacts. The following noise descriptors are used to characterize environmental noise levels over time, which are applicable to the Project.

**L<sub>eq</sub>:** The equivalent sound level, is used to describe noise over a specified period of time in terms of a single numerical value; the L<sub>eq</sub> of a time-varying signal and that of a steady signal are the same if they deliver the same acoustic energy over a given time. The L<sub>eq</sub> may also be referred to as the average sound level.

**L<sub>max</sub>:** The maximum, instantaneous noise level experienced during a given period of time.

**L<sub>min</sub>:** The minimum, instantaneous noise level experienced during a given period of time.

**L<sub>x</sub>:** The noise level exceeded a percentage of a specified time period. For instance, L<sub>50</sub> and L<sub>90</sub> represent the noise levels that are exceeded 50 percent and 90 percent of the time, respectively.

**L<sub>dn</sub>:** The average A-weighted noise level during a 24-hour day, obtained after an addition of 10 dBA to measured noise levels between the hours of 10 p.m. to 7 a.m. to account nighttime noise sensitivity. The L<sub>dn</sub> is also termed the day-night average noise level (DNL).

**CNEL:** The Community Noise Equivalent Level (CNEL) is the average A-weighted noise level during a 24-hour day that is obtained after an addition of 5 dBA to measured noise levels between the hours of 7 p.m. to 10 p.m. and after an addition of 10 dBA to noise levels between the hours of 10 p.m. to 7 a.m. to account for noise sensitivity in the evening and nighttime, respectively. CNEL and L<sub>dn</sub> are close to each other, with CNEL being more stringent and generally 1 dBA higher than L<sub>dn</sub>.

Noise is generally loud, unpleasant, unexpected, or undesired sound that is typically associated with human activity that is a nuisance or disruptive. Although exposure to high noise levels has been demonstrated to cause physical and physiological effects, the principal human responses to typical environmental noise exposure are related to subjective effects and interference with activities.

With regard to the subjective effects, the responses of individuals to similar noise events are diverse and influenced by many factors, including the type of noise, the perceived importance of the noise, the appropriateness of the noise to the setting, the duration of the noise, the time of day and the type of activity during which the noise occurs, and individual noise sensitivity. Overall, there is no completely satisfactory way to measure the subjective effects of noise, or the corresponding reactions of annoyance and dissatisfaction on people. A wide variation in individual thresholds of annoyance exists, and different tolerances to noise tend to develop based on an individual's past experiences with noise. Thus, an important way of predicting a human reaction to a new noise environment is the way it compares to the existing environment to which one has adapted (i.e., comparison to the ambient noise environment). In general, the more a new noise level exceeds the previously existing ambient noise level, the less acceptable the new noise level will be judged by those hearing it. With regard to increases in A-weighted noise level, the following relationships generally occur (Caltrans, 2013):

- Except in carefully controlled laboratory experiments, a change of 1 dBA in ambient noise levels cannot be perceived.
- Outside of the laboratory, a 3 dBA change in ambient noise levels is considered to be a barely perceivable difference.
- A change in ambient noise levels of 5 dBA is considered to be a readily perceivable difference.
- A change in ambient noise levels of 10 dBA is subjectively heard as doubling of the perceived loudness.

These relationships occur in part because of the logarithmic nature of sound and the dB scale. The human ear perceives sound in a non-linear fashion; therefore, the dBA scale was developed. Because the dBA scale is based on logarithms, two noise sources do not combine in a simple additive fashion, but rather logarithmically. Under the dBA scale, a doubling of sound energy corresponds to a 3 dBA increase. In other words, when two sources are each producing sound of the same loudness, the resulting sound level at a given distance would be approximately 3 dBA higher than one of the sources under the same conditions.

When noise propagates over a distance, the noise level decreases with distance depending on the type of noise source and the propagation path. Noise from a localized source (i.e., point source) propagates uniformly outward in a spherical pattern, referred to as “spherical spreading.” Stationary point sources of noise, including stationary mobile sources such as idling vehicles, attenuate (i.e., reduce) at a rate between 6 dBA, for acoustically “hard” sites, and 7.5 dBA for “soft” sites for each doubling of distance from the reference measurement, as the noise energy is continuously spread out over a spherical surface (e.g., for hard surfaces, 80 dBA at 50 feet attenuates to 74 at 100 feet, 68 dBA at 200 feet). Hard sites are those with

a reflective surface between the source and the receiver, such as asphalt or concrete surfaces, or smooth bodies of water. No excess ground attenuation is assumed for hard sites and the reduction in noise levels with distance (drop-off rate) is simply the geometric spreading of the noise from the source. Soft sites have an absorptive ground surface, such as soft dirt, grass, or scattered bushes and trees, provides an additional ground attenuation value of 1.5 dBA (per doubling distance), a geometric spreading (Caltrans, 2013).

Existing noise sensitive uses in the immediate vicinity of future electronic billboard locations include residential school uses. Construction and operational activities associated with the proposed Program would result in increases in noise levels.

Future implementation of an individual electronic billboard would be required to comply with the City's noise ordinance and the applicable 2030 General Plan goals and policies. The applicable Noise Ordinance requirement and 2030 General Plan goals and policies include:

**Section 7-188 of the City's Municipal Code:** Sound sources associated with or created by construction, repair, remodeling or grading of any real property are exempt, provided the activities occur between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, including Saturday.

**Goal SH-5:** A quiet and safe residential and working environment in terms of exposure to and/or generation of noise.

**Policy SH-5.2:** Continue to enforce State Noise Insulation Standards for projects in high noise environments and require developers to comply with noise mitigation measures, designed by an acoustical engineer.

**Policy SH-5.3:** Promote, where feasible, alternative sound attenuation measures such as berms, heavy landscaping, resurfacing of noise walls to promote noise absorption as well as deflection, berms and landscaping, or location of buildings away from the roadway or other noise sources.

**Goal SH-6:** Consideration of noise levels and impacts in the land use planning and development process.

**Policy SH-6.1:** Provide best practices guidelines to developers for reducing potential noise impacts on surrounding land uses.

**Policy SH-6.2:** Continue to limit construction activities to the hours of 7 am to 7pm, Monday through Saturday. No construction shall occur after hours, on Sundays, or national holidays without permission from the City.

**Policy SH-6.3:** Require noise buffering and/or other construction treatments in development located near major streets, highways, the airport, railroad tracks, or other significant noise sources as recommended by a noise analysis.

**Policy SH-6.4:** Require that proposed development projects not generate more noise than that classified as “satisfactory” based on CEQA Thresholds of significance on nearby property.

**Policy SH-6.5:** Encourage non-noise sensitive land uses to locate in areas that are permanently committed to noise producing land uses, such as transportation corridors and industrial zones.

**Policy SH-6.9:** Prohibit the development of new commercial, industrial, or other noise generating land uses adjacent to existing residential uses, and other sensitive noise receptors such as schools, child and daycare facilities, health care facilities, libraries, and churches if noise levels are expected to exceed 70 dBA.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the City of Oxnard Noise Ordinance and the General Plan goals and policies identified above would reduce the Program’s potential noise impact on sensitive uses to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

b) **Less than Significant Impact.** Vibration refers to groundborne noise and perceptible motion. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors. The motion may be discernible outdoors, but without the effects associated with the shaking of a building, there is less adverse reaction. Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Building vibration may be perceived by the occupants as the motion of building surfaces, the rattling of items moving on shelves or hanging on walls, or as a low-frequency rumbling noise. The rumbling noise is caused by the vibrating walls, floors, and ceilings that are radiating sound waves.

Typical sources of groundborne vibration are construction activities (e.g., blasting, pile driving, and operating heavy-duty earth-moving equipment), steel-wheeled trains, and occasional traffic on rough roads. Problems with groundborne vibration and noise from these sources are usually localized.

Groundborne vibration has the potential to disturb people as well as to damage buildings. Although it is very rare for mobile source-induced groundborne vibration to cause even cosmetic building damage, it is not uncommon for construction processes such as blasting and the pile driving to cause vibration of sufficient amplitudes to damage nearby buildings. Groundborne vibration is usually measured in terms of vibration velocity such as peak particle velocity (PPV).

Factors that influence groundborne vibration and noise include the following:

- **Vibration Source:** Vehicle/equipment suspension, wheel types and condition, track/roadway surface, track support system, speed, transit structure, and depth of vibration source
- **Vibration Path:** Soil type, rock layers, soil layering, depth to water table, and frost depth
- **Vibration Receiver:** Foundation type, building construction, and acoustical absorption

Among the factors listed above, there are significant differences in the vibration characteristics when the source is underground compared to at the ground surface. In addition, soil conditions are known to have a strong influence on the levels of groundborne vibration. Among the most important factors are the stiffness and internal damping of the soil and the depth to bedrock.

Experience with groundborne vibration shows that vibration propagation is more efficient in stiff clay soils than in loose sandy soils, and shallow rock seems to concentrate the vibration energy close to the surface, resulting in groundborne vibration problems at large distances from the source. Factors such as layering of the soil and depth to water table can have significant effects on the propagation of groundborne vibration. Soft, loose, sandy soils tend to attenuate more vibration energy than hard, rocky materials. Vibration propagation through groundwater is more efficient than through sandy soils.

Construction equipment generates ground vibration. Operational activities associated with the Program would generate ground vibration with vehicles traveling on roadways.

The City of Oxnard does not have vibration criteria standards; however, Caltrans has established criteria for damage of structures as shown in Table 1.

**TABLE 1**  
**CONSTRUCTION VIBRATION DAMAGE CRITERIA**

| Human Response                                                 | Maximum PPV (in/sec) |                                          |
|----------------------------------------------------------------|----------------------|------------------------------------------|
|                                                                | Transient Sources    | Continuous/Frequent Intermittent Sources |
| Extremely fragile historic buildings, ruins, ancient monuments | 0.12                 | 0.08                                     |
| Fragile buildings                                              | 0.2                  | 0.1                                      |
| Historic and some old buildings                                | 0.5                  | 0.25                                     |
| Older residential structures                                   | 0.5                  | 0.3                                      |
| New residential structures                                     | 1.0                  | 0.5                                      |
| Modern industrial/commercial buildings                         | 2.0                  | 0.5                                      |
| NOTES: PPV = peak particle velocity                            |                      |                                          |
| SOURCE: Caltrans, 2020                                         |                      |                                          |

Human annoyance generally occurs within buildings with windows rattling and ground shaking. Receivers in an outdoor setting usually are less sensitive to vibration effects. Caltrans has identified a human response to noise vibration within the *Transportation and Construction Vibration Guidance Manual* (Caltrans, 2020). The human annoyance criteria are identified in Table 2.

**TABLE 2**  
**HUMAN RESPONSE TO VIBRATION**

| Human Response         | Maximum PPV (in/sec) |                                          |
|------------------------|----------------------|------------------------------------------|
|                        | Transient Sources    | Continuous/Frequent Intermittent Sources |
| Barely Perceptible     | 0.04                 | 0.01                                     |
| Distinctly Perceptible | 0.25                 | 0.04                                     |
| Strongly perceptible   | 0.9                  | 0.10                                     |
| Severe                 | 2.0                  | 0.4                                      |

NOTES: PPV = peak particle velocity  
SOURCE: Caltrans, 2020

Future implementation of an individual electronic billboard would be required to comply with the above vibration criteria. Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the above vibration criteria would reduce the Program's potential vibration impact to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

Long-term maintenance activities would result in periodic trucks accessing an electronic billboard site within the Program area; however, trucks accessing a site would result in nominal increases in the typical vibration levels that are experienced from daily vehicles traveling along adjacent roadways. Therefore, long-term vibration impacts associated with construction activities of an individual electronic billboard would be less than significant.

- c) **Less than Significant Impact.** The implementation of the proposed Program would result in temporary and periodic increases in noise levels. As discussed above, temporary noise levels would occur during construction activities associated with an individual electronic billboard.

Future implementation of an individual electronic billboard would be required to comply with the City's noise ordinance and the applicable 2030 General Plan goals and policies. The applicable Noise Ordinance requirement and 2030 General Plan goals and policies include:

**Section 7-188 of the City's Municipal Code:** Sound sources associated with or created by construction, repair, remodeling or grading of any real property are exempt, provided the activities occur between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, including Saturday.

**Goal SH-5:** A quiet and safe residential and working environment in terms of exposure to and/or generation of noise.

**Policy SH-5.3:** Promote, where feasible, alternative sound attenuation measures such as berms, heavy landscaping, resurfacing of noise walls to promote noise absorption as well as deflection, berms and landscaping, or location of buildings away from the roadway or other noise sources.

**Goal SH-6:** Consideration of noise levels and impacts in the land use planning and development process.

**Policy SH-6.1:** Provide best practices guidelines to developers for reducing potential noise impacts on surrounding land uses.

**Policy SH-6.2:** Continue to limit construction activities to the hours of 7 am to 7pm, Monday through Saturday. No construction shall occur after hours, on Sundays, or national holidays without permission from the City.

**Policy SH-6.3:** Require noise buffering and/or other construction treatments in development located near major streets, highways, the airport, railroad tracks, or other significant noise sources as recommended by a noise analysis.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the City of Oxnard Noise Ordinance and the General Plan goals and policies identified above would reduce the Program's potential temporary and periodic noise impacts during construction activities on sensitive uses to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- d) **No Impact.** Operation of an individual electronic billboard would not generate permanent noise. Therefore, the implementation of individual electronic billboards under the proposed Program would result in no long-term permanent noise impact.
- e) **No Impact.** The proposed Program area is located approximately 2.2 miles from the Oxnard Airport, but is located 0.8 mile from the Camarillo Airport. Because the implementation of individual electronic billboards under the proposed Program would not include people residing at a proposed electronic billboard site, the Program would not expose people to excessive airport noise levels. Therefore, no impact would occur.
- f) **Less than Significant with Mitigation Incorporated.** The Program area includes various trees that could provide adequate nesting opportunities for bird species. While no special-status species are expected to use the Program area, all native bird species that occur adjacent to or surrounding the Program area are protected from 'take' by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGF). Construction noise associated with the



installation of individual electronic billboards in accordance with the proposed ordinance has the potential to affect nesting birds.

Future implementation of an individual electronic billboard would be required to comply with the applicable 2030 General Plan goal and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

**Goal SH-6:** Consideration of noise levels and impacts in the land use planning and development process.

**Policy SH-6.1:** Provide best practices guidelines to developers for reducing potential noise impacts on surrounding land uses.

**Policy SH-6.2:** Continue to limit construction activities to the hours of 7 am to 7pm, Monday through Saturday. No construction shall occur after hours, on Sundays, or national holidays without permission from the City.

Compliance with the above General Plan goal and policies as well as the standards identified in the proposed Ordinance would reduce potential noise effects on nesting birds; however, potential construction noise effects could remain significant.

### Mitigation Measures

The following mitigation measures are required to reduce potential noise impacts on nesting birds.

Implementation of Mitigation Measures BIO-1 and BIO-2 is required.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the applicable General Plan goal and policies and the design standards proposed within the Ordinance, and the implementation of the above mitigation measures would reduce the Program's potential construction noise effects on nesting birds to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

### References

California Department of Transportation (Caltrans). 2013. *Technical Noise Supplement (TeNS)* (September 2013).

Caltrans. 2020. Transportation and Construction Vibration Guidance Manual. Available at: <https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tcvgm-apr2020-a11y.pdf>. Accessed on May 26, 2022.

Ventura County. 2010. Airport Master Plan Draft Final for Camarillo Airport. Available at:  
[http://vcportal.ventura.org/AIRPORTS/docs/document\\_library/Camarillo\\_Airport\\_Master\\_Plan\\_\(Draft\\_Final\).pdf](http://vcportal.ventura.org/AIRPORTS/docs/document_library/Camarillo_Airport_Master_Plan_(Draft_Final).pdf). Accessed on April 3, 2022.

---

### 3.13 Population, Education, and Housing

| <i>Issues:</i>                                                                                                                                                                                                                                                                  | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project involve a General Plan amendment that could result in an increase in population beyond that projected in the 2030 General Plan that may result in one or more significant physical environmental effects?                                                  | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Would the project induce substantial growth on the project site or surrounding area, resulting in one or more significant physical environmental effects?                                                                                                                    | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| c) Would the project result in a substantial (15 single-family or 25 multi-family dwelling units – about one-half block) net loss of housing units through demolition, conversion, or other means that may necessitate the development of replacement housing?                  | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| d) Would the project result in a net loss of existing housing units affordable to very low- or low-income households (as defined by federal and/or City standards), through demolition, conversion, or other means that may necessitate the development of replacement housing? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| e) Would the project cause an increase in enrollment at local public schools that would exceed capacity and necessitate the construction of new or expanded facilities?                                                                                                         | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| f) Would the project directly or indirect interfere with the operation of an existing or planned school?                                                                                                                                                                        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **No Impact.** The proposed Program includes the installation of individual electronic billboards within the Program area. The billboards are required to be located within any non-residential zone (City of Oxnard, 2014). The placement of an electronic billboard within a non-residential zone does not require a general plan amendment and would not increase population beyond that projected in the 2030 General Plan. Therefore, the proposed Program would result in no impact on population.
- b) **No Impact.** The proposed Program includes the installation of individual electronic billboards. The operation of an electronic billboard would not result in the inducement of growth within the Program area or surrounding area because the operation would not require an onsite employee to operate the billboard.
- c) **No Impact.** The implementation of individual electronic billboards would not occur on a site that currently contains housing. Therefore, the implementation of the proposed Program would result in no impact on existing housing.
- d) **No Impact.** As stated above, the implementation of individual electronic billboards would occur on a site that does not contain any existing housing. Therefore, the implementation of the proposed Program would result in no impact on existing housing, including existing affordable housing units.

- e) **No Impact.** Because the proposed Program would not result in new housing or employment opportunities, the implementation of the Program would not impact enrollment at local public schools.
  
- f) **No Impact.** The nearest existing schools to the Program area are the Rio Real Elementary School located northwest of the U.S. 101 and Rose/Santa Clara Avenue interchange (approximately 350 feet) and the Rio Linda Elementary School located southeast of the U.S. 101 and Rose/Santa Clara Avenue interchange (approximately 550 feet). The installation of the electronic billboards would not directly or indirectly interfere with the operation of an existing or planned school because an individual billboard would not be located within the school boundaries and would only require periodic maintenance activities that would not impact access to the schools. Therefore, the proposed Program would not impact the operation of schools.

## References

City of Oxnard. 2014. City of Oxnard 2030 General Plan Map. Available at: <https://www.oxnard.org/wp-content/uploads/2016/03/203020GENERAL20PLAN2030x402009.14V3-1.pdf>. Accessed on February 28, 2022.

---

### 3.14 Public Services and Recreation

| <i>Issues:</i>                                                                                                                                                                                                                                                | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project increase demand for fire protection service such that new or expanded facilities would be needed to maintain acceptable service levels, the construction of which may have significant environmental effects?                            | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Would the project increase demand for law enforcement service such that new or expanded facilities would be needed to maintain acceptable service levels, the construction of which may have significant environmental effects?                            | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| c) Would the project increase the use of existing park facilities such that substantial physical deterioration of the facilities would occur or be accelerated or that new or expanded park facilities would be needed to maintain acceptable service levels? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| d) Would the project increase the need for or use of existing library or other community facilities such that substantial physical deterioration of the facilities would occur or be accelerated?                                                             | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **No Impact.** The operation of individual electronic billboards under the proposed Program would add a structure at each site location that would be served by the City of Oxnard Fire Department. Station 7 is located approximately 1.6 miles from the far western portion of the Program area and Station 5 is located approximately 3 miles from the far eastern portion of the Program area (City of Oxnard, 2022a). No employees would be located at each of the individual electronic billboard sites, and therefore, the addition of the proposed billboards would not require the addition of a new fire station or modifications to an existing fire station to serve the individual sites. Therefore, the proposed Program would have no impact on fire protection services.
- b) **No Impact.** The Program area is located approximately 3 to 9 miles from the City of Oxnard Police Department and located within Neighborhood Policing Beats 12 and 14 (City of Oxnard, 2022b). The proposed Program includes electronic billboards that would not result in a demand for police protection services because there are no employees that would be located on each individual site. Therefore, the proposed Program would have no impact on police protection services.
- c) **No Impact.** The proposed Program would not generate employees and would not increase the use of existing park facilities. Therefore, the Program would not result in the physical deterioration of existing park facilities.
- d) **No Impact.** The proposed Program would not generate employees and would not increase the use of existing libraries or other community facilities. Therefore, the Program would not impact libraries or community facilities.

## References

City of Oxnard. 2022a. City of Oxnard Fire Department, Fire Station Locations. Available at: <https://www.oxnard.org/fire-station-locations-fire-department/>. Accessed on February 28, 2022.

City of Oxnard. 2022b. Oxnard Police Department, Neighborhood Policing Beat Coordinator Map. Available at: <https://sites.google.com/oxnardpd.org/2020-beat-map/police-beat-map> Accessed on February 28, 2022.

---

### 3.15 Transportation and Circulation

| <i>Issues:</i>                                                                                                                                                                     | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?           | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?                                                                            | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| d) Would the project result in inadequate emergency access?                                                                                                                        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **Less than Significant Impact.** Construction of individual electronic billboards under the proposed Program would generate a nominal number of construction vehicle trips for the activities to place an electronic billboard on an individual site. This nominal number of trips would not conflict with the circulation system and result in less than significant impacts. In addition, long-term activities associated with the proposed Program include periodic visits to each individual electronic billboard site for maintenance. These periodic visits would also result in less than significant impacts to the surrounding circulation system.
- b) **No Impact.** The proposed Program would include periodic maintenance vehicle trips to each individual electronic billboard site and would not require daily vehicle trips to each site for operation of the electronic billboard. Therefore, the Program would have no impact on vehicle miles traveled.
- c) **Less than Significant Impact.** The proposed Program includes the placement of individual electronic billboards adjacent to U.S. 101. The proposed billboards would be oriented for viewing primarily from U.S. 101. The proposed billboards are required to comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5. The individual billboards would include different images, and in accordance with the Ordinance standards, each image will be displayed for at least eight seconds and the images would not move or present the appearance of motion and would not flash or blink or any other means that does not provide a constant illumination. These features associated with each individual electronic billboard would not substantially increase hazards to drivers along U.S. 101 and less than significant impacts would occur.
- d) **No Impact.** The implementation of electronic billboards under the proposed Program would not cause inadequate emergency access in the Program area vicinity because the placement of the electronic signs does not include changes to the roadway network, and there would be no



employees at each of the electronic billboard sites. Therefore, the Program would not impact access.

## References

No references.

---

### 3.16 Utilities and Energy

| <i>Issues:</i>                                                                                                                                                | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project need new or expanded water supply entitlements that are not anticipated in the current Urban Water Management Plan?                      | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Would the project require additional wastewater conveyance or treatment capacity to serve project demand and existing commitments?                         | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| c) Would the project generate solid waste that would exceed the permitted capacity of a landfill serving the City?                                            | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| d) Would the project conflict with federal, state, or local statutes or regulations related to solid waste?                                                   | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| e) Would the project involve wasteful, inefficient, or unnecessary consumption of energy during project construction, operation, maintenance, and/or removal? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| f) Would the project require additional energy facilities, the provision of which may have a significant effect on the environment?                           | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| g) Would the project be inconsistent with existing energy standards?                                                                                          | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| h) Would the project preempt future energy development or future energy conservation, or inhibit the future use of renewable energy or energy storage?        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **No Impact.** The operational activities associated with electronic billboards implemented in accordance with the proposed Program would not require the use of water, and therefore, the Program would not require new or expanded water supply entitlements. Therefore, the Program would have no impact.
- b) **No Impact.** The proposed Program would not result in wastewater generation, and therefore would not result in a need for wastewater treatment. Therefore, the Program would not impact the capacity of the existing wastewater treatment facilities servicing the City of Oxnard.
- c) **No Impact.** The proposed electronic billboards installed in accordance with the proposed Program would not include any employees and would not generate solid waste. Temporary construction waste would be hauled off site in accordance with all Federal, State, and local regulations. The Program would not exceed current permitted capacities of landfills because the Program would not generate operational waste. As such, the proposed Program would have no impact.
- d) **No Impact.** As discussed above, temporary construction waste would be generated during installation of individual electronic billboards under the proposed Program. However, the construction waste would be hauled off site in accordance with all Federal, State, and local regulations, and therefore, would not conflict with these regulations.

- e) **Less than Significant Impact.** Individual electronic billboards implemented under the proposed Program would consume energy during construction activities, primarily from on- and off-road vehicle fuel consumption in the form of diesel and gasoline, necessary to install a typical billboard.

Operations of the individual electronic billboards under the proposed Program would consume energy in the form of purchased electricity to power the lighting. Electricity in the region (Ventura County) is provided by Southern California Edison (SCE). SCE is required to commit to the use of renewable energy sources for compliance with the Renewable Portfolio Standards (RPS). SCE has already met its requirement to procure at least 33 percent of its energy portfolio from renewable sources by 2020 with approximately 33.1 percent of its 2020 electric supply power mix from renewable power (SCE 2020). With the passage of SB 100 in September 2018, SCE will be required to update its long-term plans to demonstrate compliance including providing 60 percent of its energy portfolio from renewable sources by December 31, 2030, and ultimately planning for 100 percent eligible renewable energy resources and zero-carbon resources by December 31, 2045.

Future implementation of an individual electronic billboard would be required to comply with State law, the applicable 2030 General Plan goal and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goal and policies include:

**Goal ICS-17:** Adequate and efficient public utilities that meet the needs of residents of the City.

**Policy ICS-17.1:** Ensure that electric facilities (such as the Southern California Edison generating facilities located within the City) services and facilities are built in accordance with the California Public Utilities Commission and meet demonstrated need and incorporate feasible solar, wind, and other renewable sources of energy.

**Policy ICS-17.4:** Coordinate with gas and electricity providers for the extension of gas and electrical facilities.

**Policy ICS-17.5:** Require undergrounding of utility lines in new development, except where it is not feasible due to electrical transmission load or other operational issues.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with State law and the General Plan goal and policies identified above would reduce the Program's potential energy impact so that the Program would not involve wasteful, inefficient, or unnecessary consumption of energy and result in a less than significant energy impact. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- f) **No Impact.** Implementation of individual electronic billboards under the proposed Program would not require additional energy facilities, beyond potential extensions of electricity lines to nearby existing electricity lines, to serve the proposed Program. Therefore, the Program would result in no impact.
- g) **Less than Significant Impact.** Construction and operational activities associated with the implementation of the proposed Program would utilize energy in the forms of electricity for lighting of the individual electronic billboards and fuel for construction and long-term maintenance vehicles.

Future implementation of an individual electronic billboard would be required to comply with State law, the applicable 2030 General Plan goals and policies as well as the standards identified within the proposed Freeway Adjacent Digital Display Billboard Ordinance. The applicable 2030 General Plan goals and policies include:

**Goal SC-3:** Energy efficiency performance standards and generation from renewable sources.

**Policy SC-3.6:** As part of the City EAP, meet or exceed state targets for zero-emission fuel vehicle miles traveled within the City by supporting the use of zero-emission vehicles (low speed “neighborhood electric vehicles”, utility low-range battery electric vehicles, mid-range “city electric vehicles”, full function battery electric vehicles, and fuel cell vehicles) within City departments and divisions.

**Policy SC-3.8:** As part of the City and Community EAP’s, require the use of passive energy conservation by building material massing, orientation, landscape shading, materials, and other techniques as part of the design of local buildings, where feasible.

**Policy SC-3.9:** Promote voluntary participation in incentive programs to increase the use of solar photovoltaic systems in new and existing residential, commercial, institutional and public buildings, including continued participation in the Ventura County Regional Energy Alliance (VCREA).

**Goal SC-4:** Implementation of the California Green Building Code.

**Policy SC-4.1:** Implement the 2010 California Green Building Code (CALGREEN) and consider recommending and/or requiring certain developments to incorporate Tier I and Tier II voluntary standards under certain conditions to be developed by the Development Services Director.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with State law and the General Plan goals and policies identified above would reduce the Program’s potential energy impact and would result in consistency with existing energy standards. Less than significant impacts related to energy standards would result with the implementation of

the proposed Program. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- h) **No Impact.** The implementation of electronic billboards under the proposed Program would not preempt energy development or future energy conservation, or inhibit the future use of renewable energy or energy storage due to the individual electronic billboard's limited use of energy resources.

## References

Southern California Edison. 2020, 2020 Power Content Label, Southern California Edison.

### 3.17 Wildfire

| <i>Issues:</i>                                                                                                                                                                                                                                                     | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|--------------------------|
| If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:                                                                                                                                   |                                               |                                                                       |                                             |                          |
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan?                                                                                                                                                                           | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?                                                       | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?                                                                            | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |

### Discussion

a - d) **Less than Significant Impact.** Individual electronic billboards installed under the proposed Program would be located along U.S. 101 within the City of Oxnard. Based on a review of the fire hazards severity zones prepared as part of the CalFire fire and resource assessment program, the Program area is not located within or near an area that is designated as a very high fire hazard severity zone (VHFHSZ) (Calfire, 2020). The nearest VHFHSZ designated in a Local Responsibility Area and within a State Responsibility Area is approximately 3 miles northeast of the easternmost portion of the Program area. Due to the distance from a VHFHSZ, the implementation of the individual electronic billboards under the proposed Program would result in less than significant impacts related to wildfires.

### References

CalFire. 2020. FHSZ Viewer. Available at: [egis.fire.ca.gov/FHSZ/](https://egis.fire.ca.gov/FHSZ/). Accessed on March 2, 2022.

### 3.18 Mandatory Findings of Significance

| <i>Issues:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|--------------------------|
| a) Would the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                    | <input type="checkbox"/> |
| b) Would the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?                                                                                                                                       | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                    | <input type="checkbox"/> |
| c) Would the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |

### Discussion

- a) **Less than Significant with Mitigation Incorporated.** The implementation of the Program could cause impacts to sensitive vegetation communities and sensitive wildlife as well as nesting birds. The implementation of Mitigation Measures AES-1 through AES-3, BIO-1 and BIO-2 would reduce these potential impacts to biological resources to less than significant. In addition, the proposed Program could result in significant impacts to historic, archaeological, and tribal cultural resources. The implementation of Mitigation Measures CUL-1 and CUL-3 would reduce these potential resource impacts to less than significant.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with State law and the General Plan goals and policies identified within Sections 3.4 (Biological Resources) and 3.6 (Cultural Resources and Tribal Cultural Resources), and the implementation of the above mitigation measures would reduce the Program's potential impact on wildlife species and cultural and tribal cultural resources to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- b) **Less than Significant with Mitigation Incorporated.** The potential for cumulative impacts occur when the impacts of a project are combined with impacts from related development projects and result in impacts that are greater than the impacts of a project alone. Because the proposed Program could be implemented over many years, it is reasonable to use growth projected for the City of Oxnard. According to the U.S. Census Bureau, the City had a population of 202,063 people and 51,020 housing units in 2020 (U.S. Census Bureau, 2020). According to the Southern California Association of Governments (SCAG), the City of

Oxnard had a projected amount of 64,000 employment opportunities (SCAG, 2012). According to the current SCAG growth projections, the City of Oxnard is projected to have 237,300 people, 60,100 housing units, and 79,200 employment opportunities (SCAG, 2016). Based on these socioeconomic estimates, the projected cumulative growth to occur within the City between 2020 and 2040 is estimated to be 35,237 people, 9,080 housing units, and 15,200 employment opportunities.

This cumulative growth within the City could result in significant cumulative impacts in a number of environmental issue areas. The proposed Program could result in potential significant impacts prior to the implementation of mitigation measures related to five environmental issues including aesthetics (lighting), air quality, biological resources, cultural resources and tribal cultural resources, and noise.

### Mitigation Measures

Implementation of Mitigation Measures AES-1, AES-2, AES-3, AQ-1, BIO-1, BIO-2, CUL-1, CUL-2, and CUL-3 is required.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with State law and the General Plan goals and policies identified within Sections 3.1 (Aesthetics and Urban Design), 3.3 (Air Quality), 3.4 (Biological Resources), 3.6 (Cultural Resources and Tribal Cultural Resources), and 3.12 (Noise) above and the implementation of the mitigation measures above would reduce the Program's potential cumulative impact to less than cumulatively considerable. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

- c) **Less than Significant.** The implementation of the proposed Program would result in increases in ambient noise levels during construction activities associated with individual electronic billboards that could impact human beings.

Because specific electronic billboard projects throughout the Program area are not known at this time, project-level environmental effects cannot be assessed. The proposed Ordinance is addressed in this environmental evaluation at a Program level. Therefore, compliance with the City of Oxnard Noise Ordinance and the General Plan goals and policies identified in Section 3.12 (Noise) above would reduce the Program's potential noise impact on human beings to less than significant. As each individual electronic billboard project is proposed, a project-level environmental evaluation will be required.

### References

Southern California Association of Governments. 2012. 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy. Available at: <https://www.mwdh2o.com/media/19239/appendix-growth-forecast.pdf>. Accessed on April 3, 2022.



Southern California Association of Governments. 2016. 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy. Available at:  
[https://scag.ca.gov/sites/main/files/file-attachments/f2016rtpscs\\_demographicsgrowthforecast.pdf?1606073557](https://scag.ca.gov/sites/main/files/file-attachments/f2016rtpscs_demographicsgrowthforecast.pdf?1606073557). Accessed on April 3, 2022.

U.S. Census Bureau. 2020. QuickFacts for Oxnard City, California. Available at:  
<https://www.census.gov/quickfacts/oxnardcitycalifornia>. Accessed on April 3, 2022.

Appendix A  
**Freeway Adjacent Digital  
Display Billboards Draft  
Ordinance**



**DRAFT dated 10-7-2020**

**City of Oxnard**

**Freeway Adjacent Digital Display Billboards DRAFT Ordinance**

**Section I.** The following definitions in Section 16-596(A) of Division 1 of Article IX of the Oxnard City Code are hereby added or amended to read as follows (new text underlined; deletions in red strikethrough):

~~FLASHING SIGN~~ ANIMATED SIGN – Any sign ~~containing or illuminated by lights which are intermittently on and off, change in intensity, or create the illusion of flashing in any manner;~~ designed to attract attention through movement or the semblance of movement of the whole or any part, including, but not limited to, signs which swing, twirl, revolve, move back and forth or up and down; or signs which can change color or shades of color; or any other method or device which suggests movement, but not including flags, banner signs, or Freeway Adjacent Digital Display Billboards.

DIGITAL DISPLAY - A sign face that displays images through the use of grid lights, cathode-ray projections, light-emitting diodes (LEDs), plasma screens, liquid-crystal displays (LCDs), fiber optics, or other electronic media or functionally equivalent technology.

FREEWAY ADJACENT DIGITAL DISPLAY BILLBOARD - A pole sign or changeable message sign, which features a Digital Display, erected and/or maintained for advertising, in whole or in part, a business, activity, service or product not sold or produced on the premises upon which the sign is placed, which is located in any parcel in a commercial, industrial, or public facilities zone within four hundred (400) feet of the freeway right-of-way for US Highway 101. This definition does not include an Outdoor Advertising Sign.

OUTDOOR ADVERTISING SIGN - Any sign painted on or affixed to any structure, or erected as a free-standing sign, which advertises a person, product or service not located on the same parcel of record as the sign. This definition includes such terms as “off-site sign” and “non-accessory sign.” This definition does not include subdivision tract directional signs. This definition does not include a Freeway Adjacent Digital Display Billboard.

**Section II.** Section 16-608, subsection (G) of the Oxnard City Code is hereby amended to read as follows (new text underlined; deletions in red strikethrough):

**SEC. 16-608. SIGNS IN GENERAL COMMERCIAL AND INDUSTRIAL ZONES.**

Only the following signs are permitted in the C-2, C-P-D, CBD, C-M, M-L, M-1, M-2, BRP and M-P-D zones, with or without planned development additive zones:

[. . .]

(G) Off-site advertising signs with no Digital Displays, also known as Outdoor Advertising Signs ~~billboards and outdoor advertising~~, where conditionally permitted by this ~~chapter~~ Article IX, may be approved, subject to the ~~following provisions~~ requirements below. This subsection (G) does not apply to Freeway Adjacent Digital Display Billboards, which are governed by Section 16-609.

[. . .]

(K) Freeway Adjacent Digital Display Billboards shall be permitted as provided in Section 16-609.

**Section III.** Section 16-609 of Division 3, of Article IX of the Oxnard City Code is hereby added to read as follows (new text underlined):

**SEC. 16-609. FREEWAY ADJACENT DIGITAL DISPLAY BILLBOARDS.**

(A) Before a Freeway Adjacent Digital Display Billboard may be installed within the City, the applicant must first obtain a Special Use Permit (SUP) granted in accordance with Sections 16-530 to 16-553 and enter into a statutory Development Agreement with the City that addresses the terms and conditions of any approved Freeway Adjacent Digital Display Billboard, including but not limited to message cycling, light intensity, and any annual payments, if any, to be paid to the City. Both the SUP and the Development Agreement are subject to the approval of the City Council, following a recommendation by the Commission.

(B) In addition to the findings required by the Oxnard City Code for granting a SUP, Freeway Adjacent Digital Display Billboards approved pursuant to this Section 16-609 shall be subject to the following limitations:

1. **Location.**

A. Freeway Adjacent Digital Display Billboards may only be erected on City of Oxnard owned property or Right of Way, in any non-residential zones located within four hundred (400) feet of the freeway right-of-way for US Highway 101; or

B. Freeway Adjacent Digital Display Billboards may only be erected on non-residentially zoned private property on the north side of US Highway 101 between Paseo Mercado and the westerly extent of the Rice / Santa Clara interchange located within four hundred (400) feet of the freeway right-of-way for US Highway 101.

2. **Distance from residential uses.** No Freeway Adjacent Digital Display Billboard may be placed at a distance of less than 100 feet from the property line of any residentially zoned parcel, as measured from the border of the Digital Display billboard face, or the base of the digital display billboard structure, whichever is closest to the residentially zoned parcel.

3. **Height.** The maximum height of any Freeway Adjacent Digital Display Billboard shall not exceed fifty-five (55) feet as measured from the pavement level of US Highway 101 to the bottom of the digital display.

4. **Size and Spacing.** The maximum size of each Freeway Adjacent Digital Display Billboard face display area shall be Fourteen (14) feet in height and forty-eight (48) feet in width, with the area of each face not to exceed

an overall maximum amount of eight hundred and fifty (850) square feet, including border and trim. Each Freeway Adjacent Digital Display Billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet.

5. **Design.** All freeway adjacent digital display billboards shall either be double faced or include covered backs or facings. All interior equipment shall be screened from public view.
6. **Orientation.** Each Freeway Adjacent Digital Display Billboard must be oriented primarily for viewing from the adjacent freeway.
7. **Brightness.** All Freeway Adjacent Digital Display Billboards will not exceed 0.3 foot-candles over ambient levels at a distance of 250 feet in any direction. Illuminance can be measured by using a foot-candle meter held at a height of approximately five feet and aimed toward a sign consistent with the sign-to-viewer distance. All Freeway Adjacent Digital Display Billboards shall comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5.
8. **Display cycle.** A Freeway Adjacent Digital Display Billboard may show a series of still images, each displayed for at least eight (8) seconds. The still images may not move or present the appearance of motion and may not use flashing or blinking lights or any other means not providing constant illumination. Transition or blank screen time between one still image and the next may not exceed one (1) second.
9. **Compliance with law.** The owner of the Freeway Adjacent Digital Display Billboard must comply with all applicable federal, state, and local laws, including the Highway Beautification Act of 1965 (23 United States Code Section 131), the Outdoor Advertising Act (California Business and Professions Code Section 5200 *et seq.*), and this Article IX, when constructing, operating, improving, maintaining, repairing, and removing the Freeway Adjacent Digital Display Billboard.
10. **Required Finding of Public benefit.** In approving a Development Agreement for any Freeway Adjacent Digital Display Billboard, the City Council must find that the Development Agreement will confer substantial public benefit to the City and to the general public. Such public benefits may include, without limitation, the removal of legal non-conforming billboards, advertising of City events and public service announcements, and/or annual financial contributions to the City.
11. **Required Findings.** In addition to the finding required for granting a SUP under section 16-531, in approving a Special Use Permit for a Freeway Adjacent Digital Display Billboard, the decision maker must also find that it:

- a. Complies with the requirements of Section 16-609 and this Chapter;
- b. Will not create a significant traffic or other public safety hazard;
- c. Will be of appropriate size, scale, and design for the area in which it will be located; and
- d. Will be of high quality in appearance, design, and construction, and will be subject to conditions, as appropriate, governing its design and operation.

**Section IV.** Section 16-610 of Division 4, of Article IX of the Oxnard City Code is hereby amended to read as follows (new text underlined; deletions in red strikethrough):

**SEC. 16-610. GENERAL RESTRICTIONS.**

(A) General requirements and limitations for signs in all zones, except Freeway Adjacent Digital Display Billboards which are governed exclusively by Section 16-609, are as follows: [ . . . ]

# Appendix B

## **Assembly Bill 52 Native American Notification**





COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION  
214 SOUTH C STREET  
OXNARD, CALIFORNIA 93030  
(805)385-7858  
Fax (805) 385-7417



November 23, 2021

Julie Tumamait-Stenslie, Chairperson  
Barbareño/Ventureño Band of Mission Indians  
365 North Poli Avenue  
Ojai, California 93023

RE: Tribal Cultural Resources under the California Environmental Quality Act, AB 52 (Gatto, 2014).  
Formal Notification of determination that a Project Application is Complete or Decision to Undertake  
a Project, and Notification of Consultation Opportunity, pursuant to Public Resources Code §  
21080.3.1 (hereafter PRC).

Dear Chairperson Tumamait-Stenslie

The City of Oxnard has decided to undertake the following project: Oxnard Freeway Oriented Electronic Billboards Ordinance.

Below please find a description of the proposed project, a map showing the project location, and the name of our project point of contact, pursuant to PRC § 21080.3.1 (d).

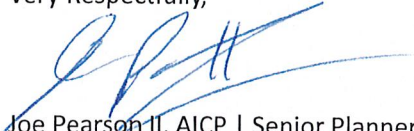
The City of Oxnard (City) is preparing an Initial Study-Mitigated Negative Declaration (IS-MND) for an Ordinance Amendment to Chapter 16 of Oxnard City Code (Amendment). The Amendment will create standards for the development of Freeway Oriented Electronic Billboards within the City (project). The Amendment will also identify processing requirements for newly proposed Freeway Oriented Electronic Billboards within the City. The new ordinance will apply city wide. The project is subject to the California Environmental Quality Act (CEQA) and the City of Oxnard is the lead agency under CEQA.

The proposed project must comply with California Public Resources Code § 21080.3.1 (Assembly Bill [AB] 52 of 2014), which requires local governments to conduct meaningful consultation with California Native American tribes that have requested to be notified by CEQA lead agencies of proposed projects in the geographic area with which the tribe is traditionally and culturally affiliated.

Your tribe's input is important to the City's planning process. We request that you advise us as early as possible if you wish to consult on the proposed project. Pursuant to PRC § 21080.3.1 (b), you have 30 days from the receipt of this letter to request consultation, in writing, with the City of Oxnard. If you

require any additional information or have any questions, please contact me 805-385-8272 or via e-mail at Joe.Pearson@oxnard.org. Thank you for your assistance.

Very Respectfully,

A handwritten signature in blue ink, appearing to read 'Joe Pearson II', with a long horizontal flourish extending to the right.

Joe Pearson II, AICP | Senior Planner  
Community Development Department  
City of Oxnard

# ATTACHMENT B - City of Oxnard 2030 General Plan Consistency Analysis

## Freeway Adjacent Digital Display Billboards Ordinance

January 19, 2023 Planning Commission

**Level I:** Direct Applicability to a Proposed Policy, Project or Program

**Level II:** Related or Indirect Applicability to the Proposed Policy, Project, or Program

**Level III:** No or Distance Applicability to the Proposed Policy, Project, or Program.

All policies not listed are designated as Level III are deemed consistent with the 2030 General Plan.

General Plan Chapter Abbreviations Chapter:

SC: Sustainable Community 2

CD: Community Development 3

ICS: Infrastructure and Community Services 4

ER: Environmental Resources 5

SH: Safety and Hazards 6

MC: Military Compatibility 7

HE: 2021-2029 Housing Element 8

| 2030 General Plan    |                                                                                                                                                                                                                                                  | Level I | Level II | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy CD-3.1</b> | <b><i>Neighborhood Preservation</i></b><br>Protect existing residential neighborhoods from the encroachment of incompatible activities and land uses as determined through environmental review and/or determination by the Planning Commission. | X       |          | The ordinance would only allow the proposed signs within the U.S. Highway 101 corridor, which is generally characterized by urban or high density development, as well as other similar large scale signage such as the existing auto center, collection, and esplanade signs. In addition to these signs there are numerous larger freeway signs along the corridor. The allowance of these new sign types would be consistent with the overall nature of the corridor. Where signage would abut existing development, mitigation has been incorporated, in particular lighting mitigation, which would mitigate impacts on existing development. These include separation requirements from residential uses and limitations on illumination |
| <b>Policy CD-4.1</b> | <b><i>Mitigate Land Use Conflicts</i></b><br>Mitigate conflicts between commercial and other land uses, especially residential and recreational uses.                                                                                            | X       |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

|                      |                                                                                                                                                                                                                                                                                                         |   |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                      |                                                                                                                                                                                                                                                                                                         |   |   | levels which would require applicants to demonstrate that light trespass illuminance of 0.5 fc or greater for urban areas and 0.2 fc or greater for natural areas is not exceeded. With the implementation of these measures we can anticipate that future potential conflicts would be mitigated. Also, in addition to these existing mitigations, future projects would be subject to a site specific analysis, which may produce additional mitigations, if warranted.       |
| <b>Policy CD-8.5</b> | <b>Impact Mitigation</b><br>Ensure that new development avoids or mitigates impacts on air quality, traffic congestion, noise, and environmental resources to the maximum extent feasible.                                                                                                              | X |   | All mitigation measures from the MND will be included as conditions of approval on future developments. Future projects would be subject to a site specific analysis which would ensure mitigation of any impacts to the maximum extent feasible.                                                                                                                                                                                                                               |
| <b>Policy CD-9.1</b> | <b>Neighborhood Identity</b><br>Recognize, preserve, and improve the visual identity and character of existing neighborhoods. Infill development shall respect historic structures and be of compatible scale and character with historic areas.                                                        |   | X | The proposed site is located within a designated Urban Village which contains other urban uses compatible with large scale advertisement. Also, as the sign is located along the U.S. Highway 101 corridor which contains other similar signage including the Collection sign, the Auto Center sign, and the Esplanade sign as well as large freeway informational signs. As a result, the new proposed sign type would be consistent with the existing neighborhood character. |
| <b>Policy CD-9.3</b> | <b>Gateway Enhancement</b><br>Designate major entryways as gateways into the City. The City shall use landscaping, decorative lighting, signage and/or other streetscape design techniques to enhance the City's identity, sense of place, and provide visual emphasis to the streetscapes to the City. |   | X | As proposed the signs would be limited to a total of 5 maximum and they are required to be at least 2,000 apart from each other. Given these limitations, the development of the signs would not have a significant impact on the overall view corridor. The development of these signs will not preclude the development of gateway enhancement efforts, particularly as people exit the highway and enter into the City.                                                      |

|                       |                                                                                                                                                                                                                                                                                                                                                                                |  |   |                                                                                                                                                                                                                                                                  |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy CD-9.4</b>  | <b>View Corridor Preservation</b><br>Ensure all public and private investments positively contribute to the overall character of the City by minimizing impacts on important view corridors by creating edge treatments along greenbelt areas and a landscaped buffer corridor of at least 30 feet along designated scenic corridors and other major transportation corridors. |  | X |                                                                                                                                                                                                                                                                  |
| <b>Policy CD-11.3</b> | <b>Protect and Enhance Cultural Resources</b><br>Ensure that new public and private investment protects and enhances Oxnard's existing cultural resources, traditional neighborhoods, and historic districts, to the extent feasible.                                                                                                                                          |  | X | The project includes mitigations, which have been included in the conditions, to protect potential cultural resources. Future projects would be subject to a site specific analysis which would ensure mitigation of any impacts to the maximum extent feasible. |

|                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |   |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy ER-1.1</b> | <b>Protect Oxnard's Natural and Cultural Resources</b><br>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.                                                                                                | X |  | Due to the possible placement of signs near sensitive resources, such as the Santa Clara River, mitigations have been incorporated. The illuminance impacts on natural areas were based on recommendations from the International Commission on Illumination (CIE). The CIE identifies impacts on natural areas as an illuminance of 0.2 foot-candle (fc) or greater (CIE, 2003). Therefore, a significant light impact on adjacent natural areas and associated species would occur if light levels are 0.2 fc or greater. |
| <b>Policy ER-2.2</b> | <b>Designation and Protection of Sensitive Habitat Areas</b><br>Evaluate existing and potential sensitive habitat areas (Environmentally Sensitive Habitat Area in the Coastal Zone – ESHA) as resource protection or open space land uses, including but not limited to: 1) Ormond Beach wetlands and upland areas, 2) Santa Clara River estuary and riverbed, 3) Edison Canal and harbor-related habitat areas, and 4) various dune habitat areas. | X |  | Lastly, with regard to construction noise impacts. Mitigations have been incorporated to require pre construction nesting bird surveys if construction takes place during nesting season.                                                                                                                                                                                                                                                                                                                                   |

|                      |                                                                                                                                                                                                                                                                                                                                                                                  |   |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy ER-2.4</b> | <b>Design Review Process</b><br>Use the environmental and design review process to protect designated sensitive habitat, and promote open space.                                                                                                                                                                                                                                 | X |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Policy ER-3.1</b> | <b>Preservation of Riparian Habitat</b><br>Require the preservation and enhancement of the riparian habitat along the Santa Clara River, Edison Canal, the McGrath Lake vicinity, and within the Ormond Beach wetlands.                                                                                                                                                          |   | X |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Policy ER-3.2</b> | <b>Review of Development Proposals</b><br>Review development proposals in accordance with applicable Federal, State, and local statutes protecting special-status species and jurisdictional wetlands and be open to requiring greater protection.                                                                                                                               | X |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Policy ER-4.5</b> | <b>Planning in Sensitive Areas</b><br>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.                                                                                                                                                       | X |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Policy ER-6.1</b> | <b>Incorporate Views in New Development</b><br>Preserve important public views and viewsheds by ensuring that the scale, bulk and setback of new development does not significantly impede or disrupt them and ensure that important vistas and view corridors are enhanced. Require development to provide physical breaks to allow views into these vistas and view corridors. |   | X | This policy includes the incorporation of views in new development. This policy requires development to provide physical breaks to allow views into scenic vistas and view corridors. Future projects would generally include the development of mono pole structure with the elevated sign face, so there would be a minimal impact on views at the freeway level. However, future projects would be subject to a site specific analysis which would ensure mitigation of any impacts to the maximum extent feasible, including any possible visual impacts. Therefore, the Project would be consistent with this policy. |
| <b>Policy ER-6.2</b> | <b>Protect and Enhance Major Scenic Resources</b><br>Protect and enhance the scenic resources of the beaches, Channel Island Harbor, windrows, farmland, the Channel Islands, and surrounding mountains.                                                                                                                                                                         | X |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                    |   |   |                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy ER-6.5</b>  | <b><i>Control of Lighting and Glare</i></b><br>Require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward and, where public safety would not be compromised, encourage the use of low-pressure sodium lighting for all outdoor light fixtures.                                      | X |   | The proposed electronic billboard would require a California Department of Transportation Outdoor Advertising Act Permit from Caltrans. The proposed billboard would comply with the brightness requirements outlined in the Outdoor Advertising Act and the City regulations and mitigation, in that the illumination shall not be of such brilliance or so positioned as to cause a hazardous condition on adjacent highways. |
| <b>Policy ER-11.1</b> | <b><i>Archaeological Resource Surveys</i></b><br>Continue to require a qualified archaeologist to perform a cultural resources study prior to project approval. Inspection for surface evidence of archaeological deposits, and archaeological monitoring during grading should be required in areas where significant cultural resources have been identified or are expected to occur.                                           | X |   | Once future sites are determined a survey shall be completed, if one has not already been completed. Future projects would be subject to a site specific analysis which would ensure mitigation of any impacts to the maximum extent feasible.                                                                                                                                                                                  |
| <b>Policy ER-11.2</b> | <b><i>Mitigating the Impact of New Development on Cultural Resources</i></b><br>Ensure that alternatives are considered, including planning construction to avoid archeological sites, deeding archaeological sites into permanent conservation easements, and planning parks, greenspace or other open space to incorporate archaeological sites in the event that development threatens significant archaeological resources.    | X |   |                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Policy ER-11.3</b> | <b><i>Development Applicants to Conduct Research</i></b><br>Continue to require project applicants to have a qualified archaeologist conduct a record search at the South Central Coast Information Center located at California State University Fullerton and other appropriate historical repositories, conduct field surveys where appropriate, and prepare technical reports, where appropriate, meeting California Office of |   | X |                                                                                                                                                                                                                                                                                                                                                                                                                                 |



|                        |                                                                                                                                                                                                                                                                                                                                                                             |   |   |                                                                                                                                                                                                                                                                                            |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                        | Historic Preservation Standards (Archaeological Resource Management Reports) prior to project approval.                                                                                                                                                                                                                                                                     |   |   |                                                                                                                                                                                                                                                                                            |
| <b>Policy ER-11.6</b>  | <b>Identification of Archaeological Resources</b><br>In the event that archaeological/paleontological resources are discovered during site excavation, continue to require that grading and construction work on the project site is suspended until the significance of the features can be determined by a qualified archaeologist/paleontologist.                        | X |   |                                                                                                                                                                                                                                                                                            |
| <b>Policy ER-14.12</b> | <b>Use VCAPCD Air Quality Assessment Guidelines</b><br>Use the VCAPCD Air Quality Assessment Guidelines and recommended analytical tools for determining and mitigating project air quality impacts and related thresholds of significance for use in environmental documents. The City shall continue to cooperate with the VCAPCD in the review of development proposals. |   | X | Project environmental analysis was prepared in compliance with APCD guidelines. Comments from APCD have been incorporated into the final IS/MND. Future projects would be subject to a site specific analysis which would ensure mitigation of any impacts to the maximum extent feasible. |
| <b>Policy SH-1.1</b>   | <b>Minimize Liquefaction Risk</b><br>Ensure that structures for human occupancy are only constructed or placed on a potential liquefaction site if the approved geological report shows that an acceptable hazard risk would be created and/or required mitigation measures are met.                                                                                        |   | X | The future projects would be developed in compliance with all applicable state and local building codes.                                                                                                                                                                                   |
| <b>Policy SH-1.3</b>   | <b>Building Code Standards</b><br>Require that all new buildings and alterations to existing buildings be built according to the seismic requirements adopted within the most current City of Oxnard Building Code, or its adopted equivalent.                                                                                                                              | X |   |                                                                                                                                                                                                                                                                                            |

|                      |                                                                                                                                                                                                                                                                                                                                    |   |   |  |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|--|
| <b>Policy SH-1.4</b> | <b>Soil, Geologic, and Structural Evaluation Reports</b><br>Require that adequate soils, and geologic and structural evaluation reports be prepared by registered soils engineers, engineering geologists, and/or structural engineers, as appropriate, for applicable development.                                                | X |   |  |
| <b>Policy SH-1.5</b> | <b>Required Geologic Reports</b><br>Continue to require the submission of a geological report for proposed development located in a potential liquefaction area.                                                                                                                                                                   |   | X |  |
| <b>Policy SH-1.7</b> | <b>Soil Investigations</b><br>Continue to require a complete site-specific soils investigation that addresses liquefaction and compressible soil characteristics and identifies construction techniques or other mitigation measures to prevent significant impacts upon the proposed development.                                 |   | X |  |
| <b>Policy SH-1.8</b> | <b>Mitigating Seismic Hazards</b><br>Where necessary, utilize the expert mitigation measures such as those identified in Special Publication 117: Guidelines for Analyzing and Mitigating Seismic Hazards in California (prepared by the Southern California Earthquake Center) to minimize risk associated with seismic activity. |   | X |  |

# **ATTACHMENT C**

**DRAFT PLANNING COMMISSION RESOLUTION RECOMMENDING  
ADOPTION OF MITIGATED NEGATIVE DECLARATION (MND) 22-01**

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL ADOPT A MITIGATED NEGATIVE DECLARATION 22-01 TO AMEND OXNARD CITY CODE (OCC) CHAPTER 16 (ZONING CODE) PERTAINING TO THE PERMITTING AND DEVELOPMENT REQUIREMENTS RELATED TO FREEWAY ADJACENT DIGITAL DISPLAY BILLBOARDS TO OCC CHAPTER 16, ARTICLE II, SECTIONS 16-596 (SIGN DEFINITIONS), SEC. 16-608. SIGNS IN GENERAL COMMERCIAL AND INDUSTRIAL ZONES, SEC. 16-609. FREEWAY ADJACENT DIGITAL DISPLAY BILLBOARDS, AND SEC. 16-610. GENERAL RESTRICTIONS. FILED BY THE CITY OF OXNARD, COMMUNITY DEVELOPMENT DEPARTMENT, 214 SOUTH C STREET, OXNARD, CALIFORNIA 93030.

WHEREAS, the Planning Commission of the City of Oxnard has considered Zone Text Amendment (ZTA) PZ No. 20-580-06, filed by the City of Oxnard Community Development Department, to amend Chapter 16 of the Oxnard City Code (OCC) pertaining to permitting Freeway Adjacent Digital Display Billboards on parcels designated as commercial, industrial, or public facilities within 400 feet of the U.S. 101 right-of-way within the City of Oxnard. The installation and operation of individual electronic billboards would require approval of a Special Use Permit and Development Agreement. No Freeway Adjacent Digital Billboard may be placed at a distance of less than 100 feet from the property line of any residentially zoned parcel. All Freeway Adjacent Digital Display Billboards would have a maximum face display area of 14 feet in height and 48 feet in width, would be oriented primarily for viewing from the adjacent freeway, and would have a maximum height of 55 feet as measured from the pavement level of the adjacent freeway to the bottom of the digital display or 80 feet to the top of the sign. Each Freeway Adjacent Digital Display Billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet with a maximum of five (5) allowed in the City. to OCC Chapter 16, Article II, Sections 16-596 (Sign Definitions), Sec. 16-608. Signs In General Commercial and Industrial Zones, Sec. 16-609. Freeway Adjacent Digital Display Billboards, and Sec. 16-610. General Restrictions (“Project”); and

WHEREAS, the City is the lead agency for purposes of the project pursuant to Public Resources Code section 21067; and

WHEREAS, the City determined that the Project and its associated actions are subject to the environmental review requirements of the California Environmental Quality Act (“CEQA”); and

WHEREAS, Pursuant to provisions of the California Environmental Quality Act and CEQA Guidelines, Section 15063, and following an Initial Study and environmental assessment of possible adverse impacts, the project will not have a significant effect on the environment because of the inclusion of certain mitigation measures for which lessened potential adverse impacts to a level of less than significant. Therefore, the Planning Division has prepared a Mitigated Negative Declaration with mitigation measures and monitoring program in accordance with the provisions of CEQA, including, without limitation CEQA Guidelines Sections 15070, 15071, 15072, and 15073, which have been incorporated as conditions; and

WHEREAS, a Notice of Intent to Adopt an Initial Study and Draft Mitigated Negative Declaration (IS-MND) for the Project was published and posted on June 30, 2022, at the State Office of Planning and Research (OPR) website and at the Ventura County Recorder's Office pursuant to CEQA Guidelines Sections 15072 and 15073; and

WHEREAS, the public comment period on the DEIR ran for thirty (30) days commencing on June 30, 2022 and ending on July 29, 2022; and

WHEREAS, after the close of the comment period on the IS/MND, the IS/MND was modified as set forth in Chapter 4 of the Response to Comment document; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, the City has prepared Final IS/MND 22-01 containing all comments received on the Draft IS/MND 22-01, written responses to all substantive comments, and necessary changes to the text of the Draft IS/MND 22-01; and

WHEREAS, on January 19, 2023, the Planning Commission of the City of Oxnard conducted a duly noticed public hearing, and received and reviewed all written and oral evidence related to the Final IS/MND 22-01; and

WHEREAS, the Planning Commission finds after due study and deliberation that the public interest and general welfare require the adoption of the Final IS/MND 22-01; and

WHEREAS, the comments of the Commissioners, agencies, interested groups, and members of the public have received adequate responses; and

WHEREAS, the Applicant agrees as a condition of this Resolution that at its own expense, to indemnify and defend the City of Oxnard and its agents, officers and employees from and against any claims, actions or proceedings to attack, set aside, void or annul the approval of this Resolution or any actions or proceedings, acts or determinations taken, done or made before the approval of this Resolution that were part of the approval process.

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

**SECTION 1.** The Recitals above are true and correct and incorporated herein by this reference.

**SECTION 2.** The Final IS/MND has been completed in compliance with the California Environmental Quality Act (California Public Resources Code Section 21000 – 21189).

**SECTION 3.** The Final IS/MND was presented to the Planning Commission, which, at a hearing before the public, reviewed and considered the information contained in the Mitigated Negative Declaration/Initial Study prior to making a recommendation to the City Council regarding the Project and its associated development entitlements.

**SECTION 4.** 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 pursuant to CEQA Guidelines §15074, the Final MND reflects the City's independent judgment and analysis. The Planning Commission has independently reviewed and analyzed the Final IS/MND 22-01 prepared for the Project. The Final IS/MND 22-01 is an accurate and complete statement of the potential environmental impacts of the project. The Final IS/MND 22-01 was prepared under the direction of the City of Oxnard Planning Division and reflects its independent judgment and analysis of the environmental impacts.

**SECTION 5.** The Planning Commission hereby adopts and recommends to the City Council the adoption of the Final IS/MND 22-01, set forth attached hereto and incorporated herein by reference, and based thereon and on the Record as a whole, the Planning Commission hereby finds and recommends that the City Council find that all potentially significant environmental effects of the Project its associated development entitlement actions have been reduced to a less-than-significant level in that all significant environmental effects have been eliminated or substantially lessened as set forth in the IS-MND. Based upon the foregoing, the Planning Commission finds, determines, and recommends that the City Council find and determine that the Project and its associated actions will not have a significant effect upon the environment.

**SECTION 6.** The Planning Commission hereby recommends the City Council adopt the mitigation measures set forth in the Final IS/MND 22-01 and its accompanying Mitigation, Monitoring, and Reporting Program ("MMRP"), pursuant to Public Resources Code Section 21081.6, which is a program design to ensure compliance with the mitigation measures imposed to avoid or substantially lessen the significant effects identified in the Mitigated Negative Declaration/Initial Study and said mitigation measures are described in the MMRP included therein and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends that the City Council adopt an Final IS/MND 22-01, attached to the staff report and incorporated by reference.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 19th day of January, 2023, by the following vote:

---

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 19th day of January, 2023, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

---

Joe Pearson II, Secretary

# **ATTACHMENT D**

**DRAFT PLANNING COMMISSION RESOLUTION RECOMMENDING  
APPROVAL OF PZ PERMIT NO. 20-580-06 (ZONING TEXT  
AMENDMENT)**



## RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING TO THE CITY COUNCIL THE ADOPTION OF ZONE TEXT AMENDMENT NO. PZ 20-580-06 TO AMEND OXNARD CITY CODE (OCC) CHAPTER 16 (ZONING CODE) PERTAINING TO THE PERMITTING AND DEVELOPMENT REQUIREMENTS RELATED TO FREEWAY ADJACENT DIGITAL DISPLAY BILLBOARDS TO OCC CHAPTER 16, ARTICLE II, SECTIONS 16-596 (SIGN DEFINITIONS), SEC. 16-608. SIGNS IN GENERAL COMMERCIAL AND INDUSTRIAL ZONES, SEC. 16-609. FREEWAY ADJACENT DIGITAL DISPLAY BILLBOARDS, AND SEC. 16-610. GENERAL RESTRICTIONS. FILED BY THE CITY OF OXNARD, COMMUNITY DEVELOPMENT DEPARTMENT, 214 SOUTH C STREET, OXNARD, CALIFORNIA 93030.

WHEREAS, the Planning Commission of the City of Oxnard has considered Zone Text Amendment (ZTA) PZ No. 20-580-06, filed by the City of Oxnard Community Development Department, to amend Chapter 16 of the Oxnard City Code (OCC) pertaining to permitting Freeway Adjacent Digital Display Billboards on parcels designated as commercial, industrial, or public facilities within 400 feet of the U.S. 101 right-of-way within the City of Oxnard. The installation and operation of individual electronic billboards would require approval of a Special Use Permit and Development Agreement. No Freeway Adjacent Digital Billboard may be placed at a distance of less than 100 feet from the property line of any residentially zoned parcel. All Freeway Adjacent Digital Display Billboards would have a maximum face display area of 14 feet in height and 48 feet in width, would be oriented primarily for viewing from the adjacent freeway, and would have a maximum height of 55 feet as measured from the pavement level of the adjacent freeway to the bottom of the digital display or 80 feet to the top of the sign. Each Freeway Adjacent Digital Display Billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet with a maximum of five (5) allowed in the City. to OCC Chapter 16, Article II, Sections 16-596 (Sign Definitions), Sec. 16-608. Signs In General Commercial and Industrial Zones, Sec. 16-609. Freeway Adjacent Digital Display Billboards, and Sec. 16-610. General Restrictions (“Project”); and

WHEREAS, on January 19, 2023, the Planning Commission of the City of Oxnard (“Planning Commission”) conducted a duly noticed public hearing where written and oral comments were received and reviewed to consider an application for a Zoning Text Amendment (PZ 20-580-06) in accordance with the Oxnard City Code; and

WHEREAS, the Planning Commission finds that the proposed zone text amendment serves the public interest and general welfare by encouraging the orderly development of electronic billboards which will provide a public benefit of the City of Oxnard; and

WHEREAS, the proposed Zoning Text Amendment is in the public interest and reflects the input from residents, decision-makers, and other stakeholders in the community. There are no changes recommended under the proposed zoning text amendments that would reduce or compromise existing standards that protect the health, safety or general welfare of the City; and

WHEREAS, the proposed Zone Text Amendment does not involve any direct physical changes to the environment. There are no changes in landforms or land uses are proposed as a part of the proposed Zone Text Amendment and all public services for existing land uses will remain as-is, with no changes and no diminishment of service or safety; and

WHEREAS, the adoption of Zone Text Amendment would be a reasonable exercise of the City's police powers to ensure the continued health, safety, and welfare of the public by establishing regulations related to the siting, permitting, and operation of Freeway Adjacent Digital Display Billboards within the City of Oxnard; and

WHEREAS, the City of Oxnard as the Lead Agency, prepared a Mitigated Negative Declaration (MND) in accordance with CEQA and the CEQA Guidelines. The MND identified and discussed potential impacts, mitigation measures, monitoring requirements, and residual impacts for identified subject areas. The MND found that the implementation of the proposed Project would result in potentially significant impacts associated with biological resources, cultural resources, and noise on wildlife species. Mitigation measures have been required to reduce each potentially significant impact to less than significant. The mitigation measures that have been required within the MND would reduce potential significant impacts. These measures include: (AES-1 through AES-3) regulating light trespass, including an operating mechanism for electronic billboard malfunctions or failures, conducting a third party test for the installed electronic billboard, (AQ-1) demonstrating that the electronic billboard would not exceed Ventura County Air Pollution Control District thresholds of significance, (BIO-1 and BIO-2) conducting a pre-construction survey for active bird nests and conducting protocol focused survey for least Bell's vireo, and (CUL-1 through CUL-3) monitoring and collecting, if necessary, any discovered historical, archaeological, paleontological, and tribal cultural resources. After the implementation of the required mitigation measures, the potential significant impacts would be reduced to less than significant. No remaining significant impacts would occur; and

WHEREAS, pursuant to CEQA Guidelines §15074, the Final MND reflects the City's independent judgment and analysis. The Planning Commission has independently reviewed and analyzed the Final IS/MND 22-01 prepared for the Project. The Final IS/MND 22-01 is an accurate and complete statement of the potential environmental impacts of the project. The Final IS/MND 22-01 was prepared under the direction of the City of Oxnard Planning Division and reflects its independent judgment and analysis of the environmental impacts.

WHEREAS, the Commission considered Final IS/MND 22-01 prior to making recommendations on the Project; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the proposed Development Agreement and Lease of Property is consistent with the 2030 General Plan; and

WHEREAS, the proposed ZTA to Chapter 16 of the OCC, herein attached as Exhibit 1, would establish specific provisions consistent with the 2030 General Plan; and

WHEREAS, it is in the public interest, consistent with the 2030 General Plan and will further protect the public health, safety, and general welfare to establish special zoning regulations governing firearm and ammunition sales and firearm ranges.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council adoption of the ordinance attached hereto as Exhibit 1.

**SECTION 1.** The foregoing recitals are true and correct and are hereby incorporated into the operative provisions of this Resolution.

**SECTION 2.** In recommending adoption of this ordinance for the text amendment to allow for the billboards, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act because Final MND No. 22-01 was considered by the Planning Commission at the public hearing for the Development Agreement. The Final MND No. 22-01 was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA, Public resources Code §§ 21000, et seq.), the regulations promulgated thereunder (14 California Code of Regulations, §15000, et seq., CEQA Guidelines), and the City's Environmental Review Guidelines. The City of Oxnard is the Lead Agency. With implementation of the MND No. 22-01 mitigation measures, there is no substantial evidence that the proposed project will have a significant effect upon the environment.

**SECTION 3.** The Planning Commission, based on the findings set forth herein, recommends that the City Council of the City of Oxnard adopt PZ No. 20-580-06 attached hereto as Exhibit 1 and incorporated herein by this reference to this Resolution.

**SECTION 4.** The Planning Commission hereby recommends that the City Council adopt the ordinance approving the ordinance amendment.

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

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 19th day of January 2023 by the following vote:

---

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 on the 19th day of January, 2023, and carried by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioners:

---

Joe Pearson II, Secretary

## EXHIBIT A

### FREEWAY ADJACENT DIGITAL DISPLAY BILLBOARDS ORDINANCE

**Section I.** The following definitions in Section 16-596(A) of Division 1 of Article IX of the Oxnard City Code are hereby added or amended to read as follows (new text underlined; deletions in red strikethrough):

~~FLASHING SIGN~~ ANIMATED SIGN – Any sign ~~containing or illuminated by lights which are intermittently on and off, change in intensity, or create the illusion of flashing in any manner.~~ designed to attract attention through movement or the semblance of movement of the whole or any part, including, but not limited to, signs which swing, swirl, revolve, move back and forth or up and down; or signs which can change color or shades of color; or any other method or device which suggests movement, but not including flags, banner signs, or Freeway Adjacent Digital Display Billboards.

DIGITAL DISPLAY - A sign face that displays images through the use of grid lights, cathode-ray projections, light-emitting diodes (LEDs), plasma screens, liquid-crystal displays (LCDs), fiber optics, or other electronic media or functionally equivalent technology.

FREEWAY ADJACENT DIGITAL DISPLAY BILLBOARD - A pole sign or changeable message sign, which features a Digital Display, erected and/or maintained for advertising, in whole or in part, a business, activity, service or product not sold or produced on the premises upon which the sign is placed, which is located in any parcel in a commercial, industrial, or public facilities zone within four hundred (400) feet of the freeway right-of-way for US Highway 101. This definition does not include an Outdoor Advertising Sign.

OUTDOOR ADVERTISING SIGN - Any sign painted on or affixed to any structure, or erected as a free-standing sign, which advertises a person, product or service not located on the same parcel of record as the sign. This definition includes such terms as “off-site sign” and “non-accessory sign.” This definition does not include subdivision tract directional signs. This definition does not include a Freeway Adjacent Digital Display Billboard.

**Section II.** Section 16-608, subsection (G) of the Oxnard City Code is hereby amended to read as follows (new text underlined; deletions in red strikethrough):

#### **SEC. 16-608. SIGNS IN GENERAL COMMERCIAL AND INDUSTRIAL ZONES.**

Only the following signs are permitted in the C-2, C-P-D, CBD, C-M, M-L, M-1, M-2, BRP and M-P-D zones, with or without planned development additive zones:

[. . .]

(G) Off-site advertising signs with no Digital Displays, also known as Outdoor Advertising Signs~~billboards and outdoor advertising~~, where conditionally permitted by this ~~chapter~~ Article IX, may be approved, subject to the ~~following provisions~~ requirements below. This subsection (G) does not apply to Freeway Adjacent Digital Display Billboards, which are governed by Section 16-609.

[. . .]

(K) Freeway Adjacent Digital Display Billboards shall be permitted as provided in Section 16-609.

**Section III.** Section 16-609 of Division 3, of Article IX of the Oxnard City Code is hereby added to read as follows (new text underlined):

**SEC. 16-609. FREEWAY ADJACENT DIGITAL DISPLAY BILLBOARDS.**

(A) Before a Freeway Adjacent Digital Display Billboard may be installed within the City, the applicant must first obtain a Special Use Permit (SUP) granted in accordance with Sections 16-530 to 16-553 and enter into a statutory Development Agreement with the City that addresses the terms and conditions of any approved Freeway Adjacent Digital Display Billboard, including but not limited to message cycling, light intensity, and any annual payments, if any, to be paid to the City. Both the SUP and the Development Agreement are subject to the approval of the City Council, following a recommendation by the Commission.

(B) In addition to the findings required by the Oxnard City Code for granting a SUP, Freeway Adjacent Digital Display Billboards approved pursuant to this Section 16-609 shall be subject to the following limitations:

1. **Location.** Freeway Adjacent Digital Display Billboards may only be erected on City of Oxnard owned property or Right of Way, in any non-residential zones located within four hundred (400) feet of the freeway right-of-way for US Highway 101. The total number of Freeway Adjacent Digital Display Billboard shall not exceed a total of five (5) within the City.
2. **Distance from residential uses.** No Freeway Adjacent Digital Display Billboard may be placed at a distance of less than 100 feet from the property line of any residentially zoned parcel, as measured from the border of the Digital Display billboard face, or the base of the digital display billboard structure, whichever is closest to the residentially zoned parcel.
3. **Height.** The maximum height of any Freeway Adjacent Digital Display Billboard shall not exceed fifty-five (55) feet as measured from the pavement level of US Highway 101 to the bottom of the digital display. The maximum height to the top of the Freeway Adjacent Digital Display

Billboard shall not exceed eighty (80) feet as measured from the pavement level of US Highway 101.

4. **Size and Spacing.** The maximum size of each Freeway Adjacent Digital Display Billboard face display area shall be Fourteen (14) feet in height and forty-eight (48) feet in width, with the area of each face not to exceed an overall maximum amount of eight hundred and fifty (850) square feet, including border and trim. Each Freeway Adjacent Digital Display Billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet.
5. **Design.** All freeway adjacent digital display billboards shall either be double faced or include covered backs or facings. All interior equipment shall be screened from public view.
6. **Orientation.** Each Freeway Adjacent Digital Display Billboard must be oriented primarily for viewing from the adjacent freeway.
7. **Brightness.** All Freeway Adjacent Digital Display Billboards will not exceed 0.3 foot-candles over ambient levels at a distance of 250 feet in any direction. Illuminance can be measured by using a foot-candle meter held at a height of approximately five feet and aimed toward a sign consistent with the sign-to-viewer distance. All Freeway Adjacent Digital Display Billboards shall comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5.
8. **Display cycle.** A Freeway Adjacent Digital Display Billboard may show a series of still images, each displayed for at least eight (8) seconds. The still images may not move or present the appearance of motion and may not use flashing or blinking lights or any other means not providing constant illumination. Transition or blank screen time between one still image and the next may not exceed one (1) second.
9. **Compliance with law.** The owner of the Freeway Adjacent Digital Display Billboard must comply with all applicable federal, state, and local laws, including the Highway Beautification Act of 1965 (23 United States Code Section 131), the Outdoor Advertising Act (California Business and Professions Code Section 5200 *et seq.*), and this Article IX, when constructing, operating, improving, maintaining, repairing, and removing the Freeway Adjacent Digital Display Billboard.
10. **Required Finding of Public benefit.** In approving a Development Agreement for any Freeway Adjacent Digital Display Billboard, the City Council must find that the Development Agreement will confer substantial public benefit to the City and to the general public. Such public benefits may include, without limitation, the removal of legal non-conforming

billboards, advertising of City events and public service announcements, and/or annual financial contributions to the City.

11. **Required Findings.** In addition to the finding required for granting a SUP under section 16-531, in approving a Special Use Permit for a Freeway Adjacent Digital Display Billboard, the decision maker must also find that it:
- a. Complies with the requirements of Section 16-609 and this Chapter;
  - b. Will not create a significant traffic or other public safety hazard;
  - c. Will be of appropriate size, scale, and design for the area in which it will be located; and
  - d. Will be of high quality in appearance, design, and construction, and will be subject to conditions, as appropriate, governing its design and operation.

**Section IV.** Section 16-610 of Division 4, of Article IX of the Oxnard City Code is hereby amended to read as follows (new text underlined; deletions in red strikethrough):

**SEC. 16-610. GENERAL RESTRICTIONS.**

(A) General requirements and limitations for signs in all zones, except Freeway Adjacent Digital Display Billboards which are governed exclusively by Section 16-609, are as follows: [ . . . ]



# **ATTACHMENT E**

## **STAFF PRESENTATION**

# Freeway Adjacent Digital Display Billboards Ordinance

Planning & Zoning Permit No. 20-580-06 (Ordinance Amendment)

Joe Pearson II, Planning Manager

Planning Commission  
January 19, 2023



# Project Description

- A request to allow for amendments to Article IX. Advertising Signs of the Oxnard City Code to permit Freeway Adjacent Digital Display Billboards on parcels designated as commercial, industrial, or public facilities within 400 feet of the U.S. 101 right-of-way within the City of Oxnard.

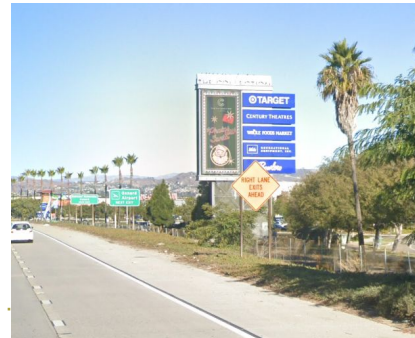


# Background - Exclusive Negotiation Agreements (ENA)

- On June 18, 2019, the City Council approved and authorized the Mayor to execute Exclusive Negotiation Agreements (ENAs) with Clear Channel Outdoor, LLC and another with Outfront Foster Interstate, LLC -- both for potential digital billboard sites.
- Under the terms of the ENAs, both companies were given the exclusive right to negotiate with the City for an initial six-month period, and two additional six-month terms if the projects were being diligently pursued by the parties.
- On June 7, 2022, the City Council determined that significant enough progress had been made to amend the ENAs, to grant another 6 months (until June 2023), as well as provided the City Manager with authority to extend the ENAs for two additional six-month terms if the projects are being diligently pursued by the parties.

# Background - Existing Billboard Regulations

- The City currently allows for billboards in the form of Off-site advertising signs throughout the City in General Commercial (C-2), Commercial Manufacturing (C-M), Limited Manufacturing (M-L), Light Manufacturing (M-I), and Heavy Manufacturing (M-2) zones pursuant to OCC 16-608.
- In addition to the existing off-site advertising signs the City has previously allowed two digital signs at the Collection and the Oxnard Auto Center. These signs are generally limited to the display of businesses located with the Collection or the Oxnard Auto Center. They were both permitted under their respective Specific Plans.



# Proposed Ordinance

- Freeway Adjacent Digital Display Billboards may only be erected on City of Oxnard owned property or Right of Way, in any non-residential zones located within four hundred (400) feet of the freeway and no more than five (5) are allowed within the City.
- No Freeway Adjacent Digital Display Billboard may be placed at a distance of less than 100 feet from the property line of any residentially zoned parcel.
- The maximum height of any Freeway Adjacent Digital Display Billboard shall not exceed fifty-five (55) feet as measured from the pavement level of US Highway 101 to the bottom of the digital display.
- The maximum size of each Freeway Adjacent Digital Display Billboard face display area shall be Fourteen (14) feet in height and forty-eight (48) feet in width. Each billboard shall be separated from every other billboard by at least 2,000 feet.



# Proposed Ordinance (Cont.)

- All freeway adjacent digital display billboards shall either be double faced or include covered backs or facings.
- Each Freeway Adjacent Digital Display Billboard must be oriented primarily for viewing from the adjacent freeway.
- All Freeway Adjacent Digital Display Billboards will not exceed 0.3 foot-candles over ambient levels at a distance of 250 feet in any direction. All Freeway Adjacent Digital Display Billboards shall comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5.
- A Freeway Adjacent Digital Display Billboard may show a series of still images, each displayed for at least eight (8) seconds. The still images may not move or present the appearance of motion and may not use flashing or blinking lights or any other means not providing constant illumination. Transition or blank screen time between one still image and the next may not exceed one (1) second.

# Proposed Ordinance (Cont.)

- The owner of the Freeway Adjacent Digital Display Billboard must comply with all applicable federal, state, and local laws, including the Highway Beautification Act of 1965 (23 United States Code Section 131), the Outdoor Advertising Act (California Business and Professions Code Section 5200 et seq.), and this Article IX, when constructing, operating, improving, maintaining, repairing, and removing the Freeway Adjacent Digital Display Billboard.
- In approving a Development Agreement for any Freeway Adjacent Digital Display Billboard, the City Council must find that the Development Agreement will confer substantial public benefit to the City and to the general public.



# Applicable General Plan Policies

- Many policies are directly or indirectly applicable to the proposed project. Some of the key policies are:
  - Community Development Policy 3.1 & 4.1 - Land Use Conflicts
  - Community Development Policy 9.1, 9.3, & 9.4 - Neighborhood Identity Gateway Enhancement/View Corridor Preservation
  - Environmental Resource Policies 6.1, 6.2, and 6.5 - Views in New Development/Scenic Resources, Lighting and Glare
  - Community Development Policy 8.5 - Impact Mitigation

# Environmental Review

- An environmental consultant, under the supervision of Planning Division staff, prepared IS/MND which evaluated potential environmental impacts of the proposed Project. The IS/MND was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA).
- City prepared a Mitigated Negative Declaration (MND):
  - a. MND review period for 30 days (30 days required)
  - b. City received four comment letters
  - c. Comments and responses included in MND
  - d. Changes made to Draft MND for Final MND based on comments
- Final IS/MND includes a Mitigation Monitoring and Reporting Program:
  - a. Details process to implement required mitigation measures
  - b. After implementation of conditions and mitigation measures, all potentially significant impacts reduced to less than significant levels

# Environmental Review

- Final IS/MND identified the following:
  - Class 2 impacts (potentially significant by mitigable, mitigation required)
    - Aesthetics
    - Air Quality
    - Biological Resources
    - Cultural and Tribal Cultural Resources
    - Noise
  - All other impact area were identified as Class 3 (less than significant)
- Staff determined that there is no substantial evidence that the Project will have a significant effect on the environment.

# Public Notice

- Discussed at Community Workshop held on December 20, 2021
  - Public notice signs were posted onsite.
  - Notifications were mailed to the RiverPark Neighborhood.
- Notice of PC hearing was provided:
  - Newspaper
- To date, no public comments have been received.

# Staff Recommendation

## **Recommendation:** That the Planning Commission:

- a) Adopt a resolution recommending that the City Council adopt a Mitigated Negative Declaration (MND) 22-01; and
- b) Adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 20-580-06 (Zoning Text Amendment).





## **PLANNING COMMISSION STAFF REPORT**

**TO:** Planning Commission

**FROM:** Joe Pearson II, Planning Manager

**DATE:** January 19, 2023

**SUBJECT:** **Project Name: Riverpark Boulevard Electronic Billboard Project;** Planning and Zoning Permit Nos. 20-500-07 (Special Use Permit), 20-670-06 (Development Agreement), and 20-630-02 (Specific Plan Amendment); Located on an approximately 0.25-acre undeveloped site located between the U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue in the northern portion of the City of Oxnard. APN: 132-0-311-075.

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

- a)** Adopt Resolution 2023-XX recommending that the City Council adopt a Mitigated Negative Declaration (MND) 22-02; and
- b)** Adopt Resolution 2023-XX recommending that the City Council approve Planning and Zoning Permit No. 20-670-06 (Development Agreement), and
- c)** Adopt Resolution 2023-XX recommending City Council approval of Planning and Zoning Permit No. 20-630-02 (Amendment to The RiverPark Specific Plan), subject to certain findings, and
- d)** Adopt Resolution 2023-XX Approving Planning and Zoning Permit No. 20-500-07 (Special Use Permit), subject to certain findings and conditions.

**2) Project Description and Applicant:** The applicant requests a Special Use Permit, Development Agreement, and Specific Plan Amendment to allow for the installation and operation of an electronic billboard on an approximately 0.25 acre undeveloped site located between the U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue in the northern portion of the City of Oxnard. The Special Use Permit allows for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products. The top of the billboard would be approximately 60 feet in height above the ground, and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width. The Special Use Permit will also include minor landscape improvements within the adjacent Caltrans right of way. These will include the removal of the existing eucalyptus trees and the planting of alternatives, subject to Caltrans approval. The proposed Development Agreement will allow for the use of City

property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development. The proposed Specific Plan Amendment would amend the RiverPark Specific Plan to allow for Freeway Adjacent Digital Display Billboards within the RiverPark Specific Plan.

The request includes adoption of the proposed Final Initial Study/Mitigated Negative Declaration (IS-MND) and adoption of the Mitigation Monitoring and Reporting Program (MMRP) which has been prepared pursuant to provisions of the California Environmental Quality Act (CEQA) Guidelines, Section 15063. The Project site is located within the RiverPark Specific Plan and designated as Public Facilities. The 2030 General Plan land use designation is Commercial Regional. For purposes of this staff report, the foregoing project description shall be referred to as the “Project.” Filed by Lars Skugstad, 1111 Broadway, Suite 1515, Oakland, CA 94607 (the “Applicant”) on behalf of the City of Oxnard (the “Property Owner”).

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

- 3) Existing & Surrounding Land Uses:** The Project site is currently undeveloped City owned property located within the RPSP area. The area surrounding the Project site consists of a mix of residential and commercial land uses. To the west and south of the Project site, across U.S. 101, is the Esplanade Commercial Shopping Center. To the southeast are retail commercial uses adjacent to Vineyard Avenue. These commercial and retail land uses are zoned as RiverPark Specific Plan. On the northeast side of Riverpark Boulevard is a place of worship and single family residences that are part of the El Rio West neighborhood and zoned as a Multiple-Family Residential Planned Development and Single-Family Residential Planned Development. To the north are the two and three story Paseo Del Rio Apartments, which are also a part of the RiverPark Specific Plan Area. Further to northeast within the RiverPark Specific Plan area are additional apartments that are three stories and beyond the apartments is the Collection shopping center. The following table summarizes the land uses and zoning designation of the Project site and adjacent properties, which are also illustrated in Attachment A:

**Table 1**  
Existing and Surrounding Land Uses

| LOCATION     | GENERAL PLAN        | ZONING                                          | EXISTING LAND USE |
|--------------|---------------------|-------------------------------------------------|-------------------|
| Project Site | Commercial Regional | The RiverPark Specific Plan (Public Facilities) | Vacant            |
| North        | Commercial Regional | The RiverPark Specific Plan (Public             | Vacant/Apartments |



|       |                                 |                                                                       |                                              |
|-------|---------------------------------|-----------------------------------------------------------------------|----------------------------------------------|
|       |                                 | Facilities and Residential: High)                                     |                                              |
| South | Highway 101/Regional Commercial | Highway 101/General Commercial                                        | Highway 101/The Esplanade Shopping Center    |
| East  | Commercial Regional             | The RiverPark Specific Plan (Public Facilities and Commercial Retail) | Vacant/Fast food Restaurant and Retail Store |
| West  | Highway 101/Easement            | Highway 101                                                           | Highway 101                                  |

**4) Background Information:**

- a) On June 18, 2019, the City Council approved and authorized the Mayor to execute Exclusive Negotiation Agreements (ENAs) with Clear Channel Outdoor, LLC and another with Outfront Foster Interstate, LLC -- both for potential digital billboard sites. Under the terms of the ENAs, both companies were given the exclusive right to negotiate with the City for an initial six-month period, and two additional six-month terms if the projects were being diligently pursued by the parties. On November 17, 2020 Council amended the ENAs to allow for an additional 6 months (until June 2021), as well as provided the City Manager with authority to extend the ENAs for two additional six-month terms if the projects are being diligently pursued by the parties. On June 7, 2022, the City Council determined that significant enough progress had been made to amend the ENAs, to grant another 6 months (until June 2023), as well as provided the City Manager with authority to extend the ENAs for two additional six-month terms if the projects are being diligently pursued by the parties.
- b) Concurrent with the process of this Project the City is processing amendments to Article IX. Advertising Signs of the Oxnard City Code to permit Freeway Adjacent Digital Display Billboards on parcels designated as commercial, industrial, or public facilities within 400 feet of the U.S. 101 right-of-way within the City of Oxnard and a amendment to the RiverPark Specific Plan to allow the sign in accordance with the Oxnard City Code. The installation and operation of individual electronic billboards would require approval of a Special Use Permit and Development Agreement. No Freeway Adjacent Digital Billboard may be placed at a distance of less than 100 feet from the property line of any residentially zoned parcel. All Freeway Adjacent Digital Display Billboards would have a maximum face display area of 14 feet in height and 48 feet in width, would be oriented primarily for viewing from the adjacent freeway, and would have a maximum height of 55 feet as measured from the pavement level of the adjacent freeway to the bottom of the digital display or 80 feet to the top of the sign. Each Freeway Adjacent

Digital Display Billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet with a maximum of five (5) allowed in the City.

- c) The RPSP was adopted by the City Council on September 10, 2002, together with the General Plan Amendment, Zone Change, Annexation, Development Agreement, and EIR certification related to the RPSP approval. The original RPSP allowed for the phased development of 2,805 dwelling units and 2,485,000 square feet of commercial development (including approximately 221,000 square feet of existing office development that was approved under the Oxnard Town Center Specific Plan, prior to the adoption of the RPSP). The original RPSP was developed following the design principles of the New Urbanism and Smart Growth movements, which emphasized the importance of mixed land uses in close proximity, communities scaled for pedestrian walkability; limiting the need for automobile usage; higher density development, and the importance of physical design.

Seven previous amendments to the RPSP have been approved.

1. The Council approved the first amendment request (PZ 02-630-05) on October 22, 2002, which amended the new RPSP to include regulations for temporary uses.
2. The Council approved the second amendment request (PZ 03-630-03) on July 27, 2004, allowing a minor change in the land use designation on a small parcel from Open Space to Commercial.
3. The Council approved the third amendment request (PZ 09-630-09) on April 14, 2009, allowing a freeway-oriented pylon sign subject to approval of a Design Development Review permit (DDR) by the Development Services Director.
4. The fourth amendment (PZ 10-630-02), was approved by the City Council on June 14, 2011, and allows three freeway oriented monument signs subject to approval of a DDR, and an electronic digital display panel for the pylon sign, subject to subsequent approval of a Special Use Permit.
5. The fifth amendment (PZ 09-630-03), was approved by the City Council on June 5, 2012. The fifth amendment increased the maximum number of dwelling units from 2,805 to 3,043 units, and reduced the maximum amount of commercial development from 2,485,000 to 2,098,000 square feet. The additional units were to be located in District D of the RPSP.
6. The sixth amendment (PZ 18-630-01), was approved by the City Council on February 19, 2019, to amend the text of the RPSP to allow two (2) monument signs in Planning Districts C, subject to subsequent approval of a DDR.
7. The seventh amendment (PZ 20-630-01), was approved by the City Council on March 15, 2022. This amendment allowed development of up to 1,025 additional residential units under the RPSP, in exchange for a reduction of up to approximately 562,457 square feet of non-residential development potential in accordance with specified development scenarios.

**5) Environmental Determination:** Pursuant to the California Environmental Quality Act (CEQA) Section 15060, the City of Oxnard as the Lead Agency, prepared a Mitigated Negative Declaration (MND) in accordance with CEQA and the CEQA Guidelines. The MND identified and discussed potential impacts, mitigation measures, monitoring requirements, and residual impacts for identified subject areas. The MND found that the implementation of the proposed Project would result in potentially significant impacts associated with biological resources, cultural resources, and noise on wildlife species. Mitigation measures have been required to reduce each potentially significant impact to less than significant. The mitigation measures that have been required within the MND would reduce potential significant impacts. These measures include (BIO-1) conducting a pre-construction survey for active bird nests, and (CUL-1 and CUL-2) monitoring and collecting, if necessary, any discovered archaeological and paleontological resources. After the implementation of the required mitigation measures, the potential significant impacts would be reduced to less than significant. After the implementation of the required mitigation measures, the potential significant impacts would be reduced to less than significant. No remaining significant impacts would occur. With respect to Aesthetics, although less than significant lighting impacts would occur, the MND includes mitigation measures that are recommended to further reduce less than significant light impacts. These measures include: (AES-1 and AES-2) allowing for remote shut off in the event of malfunction and conducting illumination level verification tests.

The MND was available for public review from June 30, 2022, and ended on July 29, 2022. The City of Oxnard received four comment letters on the Draft MND. The comment letters and responses to each comment have been prepared and included in the Final IS/MND. Comments provided will be considered by the decision-making body in accordance with CEQA Guidelines, Section 15074(b).

With the inclusion of the mitigations for the areas noted above, the Project will not have a significant effect on the environment. Therefore, a Mitigated Negative Declaration (MND) was prepared with mitigation measures and monitoring program in accordance with the provisions of CEQA (Attachment C).

**6) Project Analysis:**

**a) General Discussion:** Pursuant to Oxnard City Code (OCC) Section 2-95, the Planning Commission is an advisory body which provides land use recommendations to the City Council on items such as General Plan Amendments, Specific Plans, Ordinance Amendments and Development Agreements. The Planning Commission is the decision maker for Special Use Permit pursuant to OCC Section 16-531.

The applicant requests a Special Use Permit, Development Agreement, and Specific plan Amendment to allow for the installation and operation of an electronic billboard on an

approximately 0.25-acre undeveloped site (APN: 132-0-311-075) located between the U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue in the northern portion of the City of Oxnard. The following is a summary of the requested revisions.

#### Special Use Permit

The electronic billboard would include a digital display of advertisements of various businesses, activities, services or products. The proposed billboard would be supported by a pole that ranges in diameter from approximately 7 feet to 3 feet. The pole would extend approximately 40 feet below ground and approximately 45.5 feet above ground. The portion of the pole above ground would be painted primarily gray except for the upper 10.5 feet that would be painted black. The top of the billboard would be 60 feet in height above the ground and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width. The existing ground level is at approximately the same elevation as the travel lanes along U.S. 101 and Riverpark Boulevard. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width.

Lighting levels on the digital sign will not exceed 0.3 foot candles above ambient light from a distance of 250 feet, as measured according to standards of the Outdoor Advertising Association of America. Brightness shall not exceed 300 nits (nits) or candela per square meter from sunset to sunrise. At all other times, brightness will not exceed 7,500 nits. Illumination shall be directed such that minimal light spill will occur on either side or the top or bottom of the sign face. A light sensor will be installed with the sign to measure ambient light levels and adjust light intensity and brightness based on ambient conditions. The electronic sign will not display any moving, flashing, scrolling, fading, brightening or animated text or video. The signage will be controlled remotely and include remote maintenance software. LED lighting has a directional nature, focused toward the freeway. Louvers will be located above each row of lights to prevent light from projecting upward into the sky.

Eight existing eucalyptus located on the north side of U.S. 101 are proposed to be removed which would require Caltrans approval because the trees are located within the U.S. 101 right-of-way. In addition, the Project includes removal of all dead wood located in the vicinity of the existing eucalyptus trees. The Project includes the placement of small multi-trunk accent trees with a maximum height of 15 feet along with low groundcover and shrubs.

#### Development Agreement

The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard. The agreement would also outline the required public benefits to be provided by the future development, including fiscal benefits to the City, such as revenue sharing. No other physical improvements are

allowed or required by the development agreement.

**Street Vacation**

The proposed Project will require an amendment to the RiverPark Specific Plan. The amendment would include the addition of Freeway Adjacent Digital Display Billboards within the Commercial Master Plan of the RiverPark Specific Plan. The specific revisions to the Specific Plan text. The proposed revisions identify minimum and maximum lot dimensions as well as size and spacing of the billboards. These revisions would be consistent with the proposed Freeway Adjacent Digital Display Billboards Ordinance that is required to be approved prior to approval of the proposed Project.

- b) ***General Plan Consistency:*** The City's 2030 General Plan land use designation for the subject site is Commercial Regional (CR) uses which allows retail, commercial, government and residential uses. The proposed use is Commercial. Consistency with the 2030 General Plan is defined by the relationship between 2030 General Plan policies and the proposed Project. The proposed Project does not conflict with General Plan land use, goals and policies. The proposed SPA to the RPSP and foreseeable development is consistent with the 2030 General Plan and the property's land use designations. RiverPark is located within the North Oxnard Transit Enhancement District (NOTED) Urban Village as defined in the 2030 General Plan. The NOTED area includes the area north of the Oxnard Boulevard/Vineyard Avenue intersection generally between Ventura Road and Vineyard Avenue including the Esplanade shopping center, The Village Specific Plan, and the RiverPark Specific Plan. As an urban area, the allowance of Electronic Billboards is appropriate and consistent with the 2030 General Plan. The proposed DA allows for the use of City property and outlines the required public benefits to be provided by future development. No other physical improvements are allowed or required by the development agreement, and therefore it does not conflict with General Plan land use, goals and policies. The project's consistency review with General Plan policies is included as Attachment D. The proposed Project has been determined to be consistent with the General Plan and the property's land use designation.
- c) ***Conformance with Zoning Code Development Standards:*** As noted above the City is concurrently processing an Ordinance Amendment (PZ 20-580-06) to allow for Freeway Adjacent Digital Display Billboards, as currently being proposed. The proposed ordinance amendment includes development standards which will be applicable to all Freeway Adjacent Digital Display Billboards developed within the City. As shown in Attachment E, the proposed Project has been designed to be consistent with the proposed ordinance. As a condition, the approval of this Project is contingent upon the City's adoption of the proposed Freeway Adjacent Digital Display Billboards ordinance. Additionally, the Project must comply with the final ordinance as adopted, therefore, if any changes occur to the proposed development standards the Project would be required to be amended, to bring it into compliance.

- d) **Site Design, Circulation, and Parking:** The project is located on an approximately 0.25-acre undeveloped site located between the U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue in the northern portion of the City of Oxnard. The proposed site improvements include the installation of an electronic sign. City staff has reviewed the proposed sign, and determined it would not have a significant impact on the future development of the City owned parcels in the area, should they be developed in the future. As the sign is controlled remotely, no parking is required. In the rare event onsite work is required, there is sufficient space onsite.
  - e) **Sign Design:** The pole would extend approximately 40 feet below ground and approximately 45.5 feet above ground. The portion of the pole above ground would be painted primarily gray except for the upper 10.5 feet that would be painted black. The pole design has been kept simple with the gray color, to minimize the visual impact of the pole itself. The top of the billboard would be approximately 60 feet in height above the ground and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width.
- 7) **Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed the proposed Project on November 18, 2020. The comments from the DAC have been incorporated into the Project, including the studies, and MND.
- 8) **Community Workshop and Public Input:** A Community Workshop on the Project was held on December 20, 2021. Public notice signs were posted onsite. Notifications were mailed to the RiverPark Neighborhood. Approximately 2,000 notices were mailed. The meeting was held online. Eight members of the community attended this meeting, and two people spoke on the items. The video from the online workshop was also posted on the City's website for members of the public to view separately. The primary concern identified at the Community Workshop was related to general allowance of electronic billboards and lighting impacts. Both aesthetics and lighting impacts were analyzed in the environmental document and it was determined that with the implementation of the project mitigations the impacts would be less than significant. There was also a request for an additional site rendering showing the sign from the adjacent side of the freeway, which was prepared and has been included in Attachment B.
- Consistent with public noticing requirements, the Planning Commission Hearing was advertised with on-site postings and a newspaper notice and a mailed notice to property owners within 300 feet of the Project site.
- 9) **Appeal Procedure:** The action of the Planning Commission on the Special Use Permit is final unless appealed in writing to the City Council no later than eighteen (18) days after the decision date (Section 16-545) of the Oxnard City Code. Appeal forms may be obtained from

the City Clerk (300 West Third Street, Fourth Floor) and must be submitted with the appropriate fees before the end of the appeal period. The action of the Planning Commission on the Development Agreement and Specific Plan Amendment is a recommendation of either approval or denial to the City Council. All aspects of this Project shall not become effective unless and until the City Council approves the Development Agreement and Street Vacation.

**Attachments:**

- A. Maps (Vicinity, General Plan, Zoning, Aerial)
- B. Reduced Project Plans
- C. Final IS-MND (December 2022)
- D. General Plan Consistency Chart
- E. Zoning Compliance Table
- F. Draft Planning Commission Resolution Recommending Adoption of Mitigated Negative Declaration (MND) 22-02
- G. Draft Planning Commission Resolution Recommending Approval of PZ Permit No. 20-670-06 (Development Agreement)
- H. Draft Planning Commission Resolution Recommending Approval of PZ Permit No. 20-630-02 (Specific Plan Amendment)
- I. Draft Planning Commission Resolution Approving PZ Permit No. 20-500-07 (Special Use Permit)
- J. Staff Presentation

# **ATTACHMENT**

## **A**

### **MAPS**

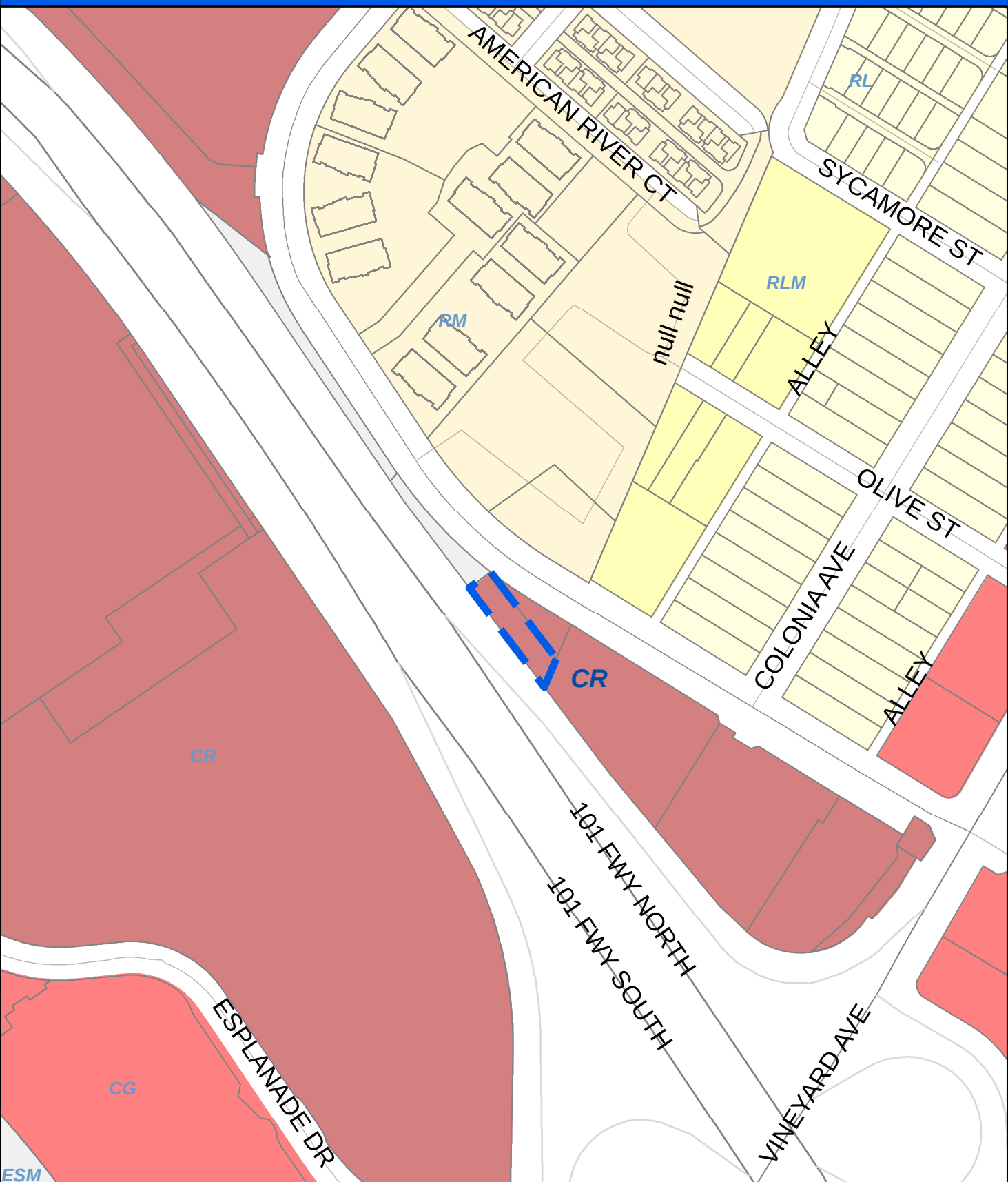
**(VICINITY, GENERAL PLAN, ZONING, AERIAL)**



# Vicinity Map



# 2030 General Plan Land Use Map



Oxnard Planning  
November 17, 2022

PZ 20-500-07, 20-670-06, 20-630-02  
Location:  
APN: 11420010345, 1420021010  
Riverpark Blvd Billboard

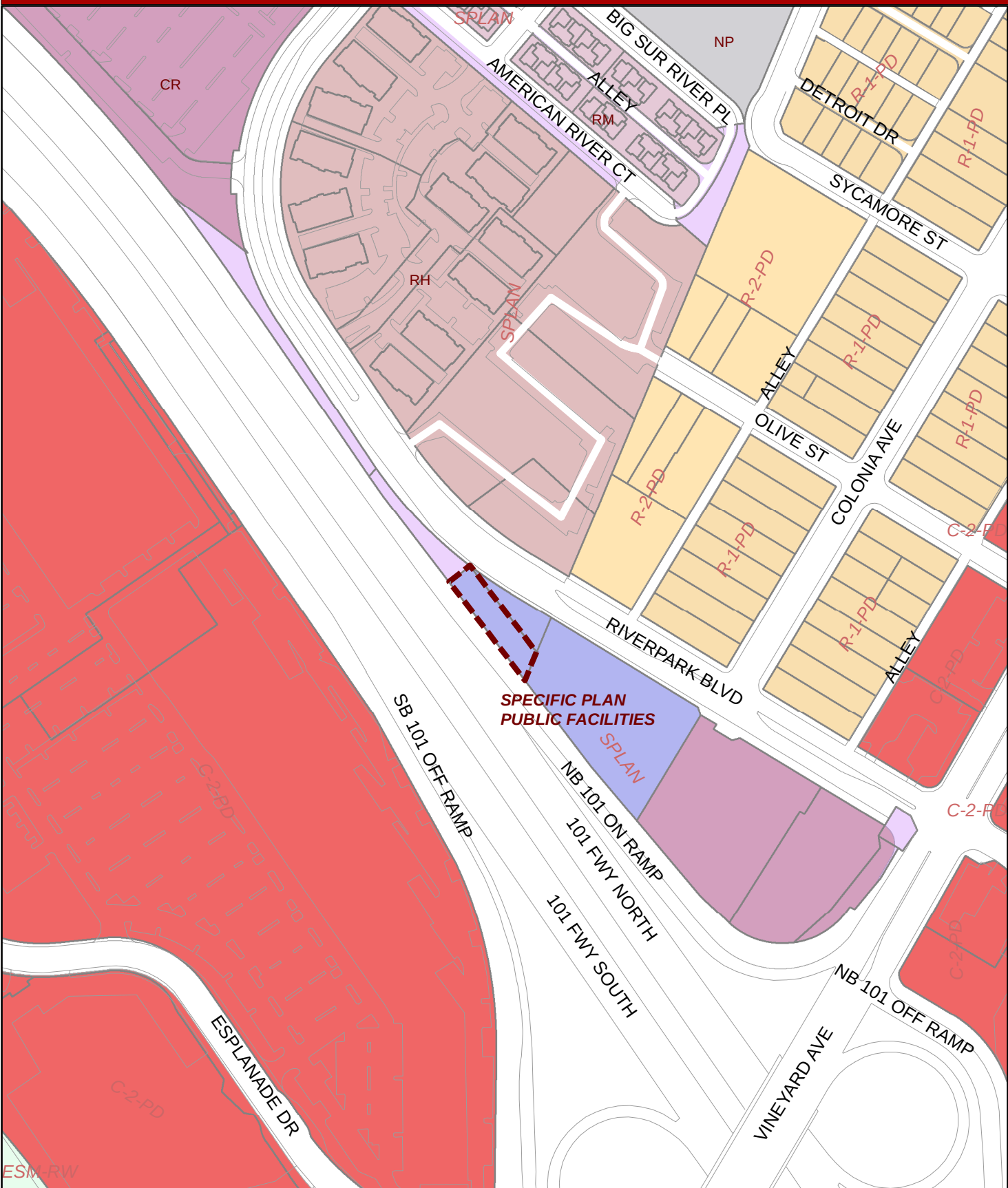
0 75 150 300 Feet

2030 General Plan Land Use Map



1:3,000

# Zoning/Specific Plan Map









# **ATTACHMENT B**

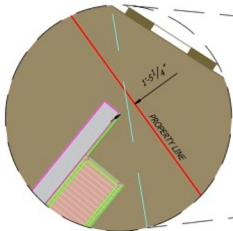
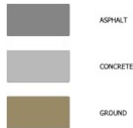
## **REDUCED PROJECT PLANS**



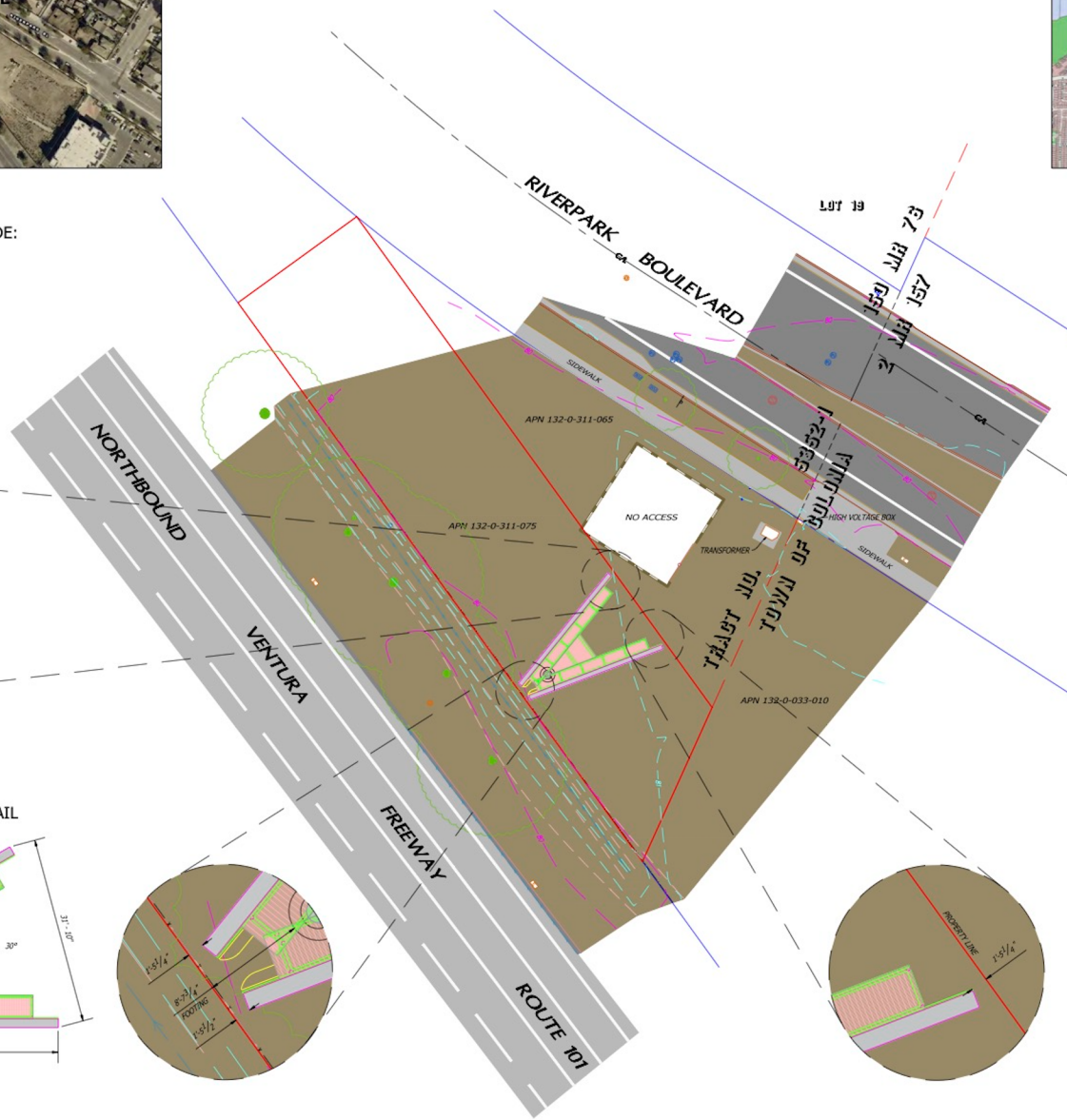
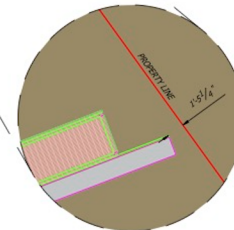
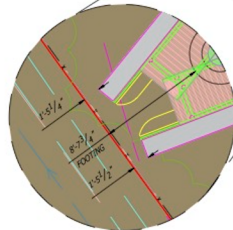
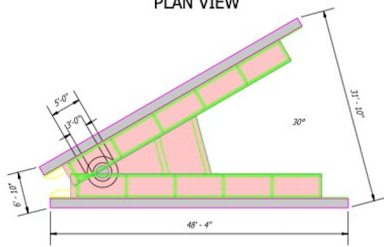
# SITE 2



## TERRAIN COLOR CODE:



## DIGITAL BILLBOARD DETAIL PLAN VIEW



## NOTE:

- BOUNDARY SHOWN HEREON IS BASED ON FOUND MONUMENTS PER COUNTY PUBLIC WORKS FIELD BOOKS, TRACT NO. 5852-1, 150 MR 76, AND CALIFORNIA R/W MAP NO. F 2232-5 07-VEN-101-22.2.
- LANDSCAPING AND LANDSCAPE IRRIGATION DEVICES MAY EXIST WITHIN THE PROPERTY AND ARE NOT SHOWN.
- TREE LINE CANOPIES ARE PICTORIAL, AND MAY NOT REFLECT TRUE DRIP LINES.
- ROAD STRIPING IS PICTORIAL AND REPRESENTS ONLY APPROXIMATE, RELATIVE LOCATIONS.
- DIGITAL BILLBOARD AND PROPOSED LOCATION PROVIDED BY CLIENT.
- IF RETAINING WALLS OR SIMILAR STRUCTURES ARE TO BE DESIGNED FROM TOPOGRAPHY SHOWN HEREON, THE ELEVATIONS OF CRITICAL POINTS CONTROLLING THE DESIGN MUST BE VERIFIED PRIOR TO ADOPTION OF FINAL DESIGN.
- THIS MAP WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. EXISTING EASEMENTS (IF ANY) ARE NOT SHOWN HEREON.
- ATTENTION: IF THIS MAP IS PROVIDED IN AN ELECTRONIC FORMAT (IE: CAD) AS A COURTESY TO A CLIENT, THE DELIVERY OF THE ELECTRONIC FILE DOES NOT CONSTITUTE THE DELIVERY OF OUR PROFESSIONAL WORK PRODUCT. ONLY THE SURVEYOR'S SIGNED AND SEALED PAPER PRINT OR PDF FORMATTED DRAWING CONSTITUTES OUR PROFESSIONAL WORK PRODUCT. IN THE EVENT THAT THE ELECTRONIC FILE IS ALTERED, THE SURVEYOR'S SIGNED AND SEALED PRINT OR PDF FORMATTED DRAWING MUST BE REFERRED TO FOR THE ORIGINAL AND CORRECT SURVEY INFORMATION. CHRIS NELSON AND ASSOCIATES, INC., SHALL NOT BE RESPONSIBLE FOR ANY MODIFICATION MADE TO THE PROVIDED CAD FILE, OR FOR ANY PRODUCTS THAT HAVE BEEN DERIVED FROM THE CAD FILE, WHICH ARE NOT REVIEWED, SIGNED AND SEALED BY US.

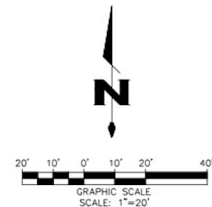
## BENCH MARK:

B.M. NO. 110-8 VCPD 494 NAVD 1988 COUNTY OF VENTURA DATUM

AT THE NORTHWESTERLY CORNER OF THE INTERSECTION OF VINEYARD AVENUE AND MYRTLE STREET.

ELEVATION = 87.3196 FEET (26.615 METERS) (VENTURA COUNTY ADJ PUB 1989)

## LEGEND:



DATED: 12/6/2019

## REVISION NOTES

| DATE    | DESCRIPTION                | BY  |
|---------|----------------------------|-----|
| 12/6/19 | CHANGED OVERALL AESTHETICS | CND |
|         |                            |     |
|         |                            |     |

PREPARED BY:  
**Chris Nelson & Associates, Inc.**  
31228 Via Colinas Suite H, Westlake Village, CA 91362  
Voice: 818.991.1040 Fax: 818.991.0514

PREPARED FOR:  
**FOSTER INTERSTATE MEDIA, INC.**  
1111 BROADWAY, SUITE 1515  
OAKLAND, CA 94607

**TOPOGRAPHIC SURVEY**  
PORTION OF CALIFORNIA R/W MAP NO.  
F 2232-5 07-VEN-101-22.2  
CITY OF OXWARD, COUNTY OF VENTURA

JOB NO. 19-5125

SCALE: 1" = 20'

DATE: OCT. 2019

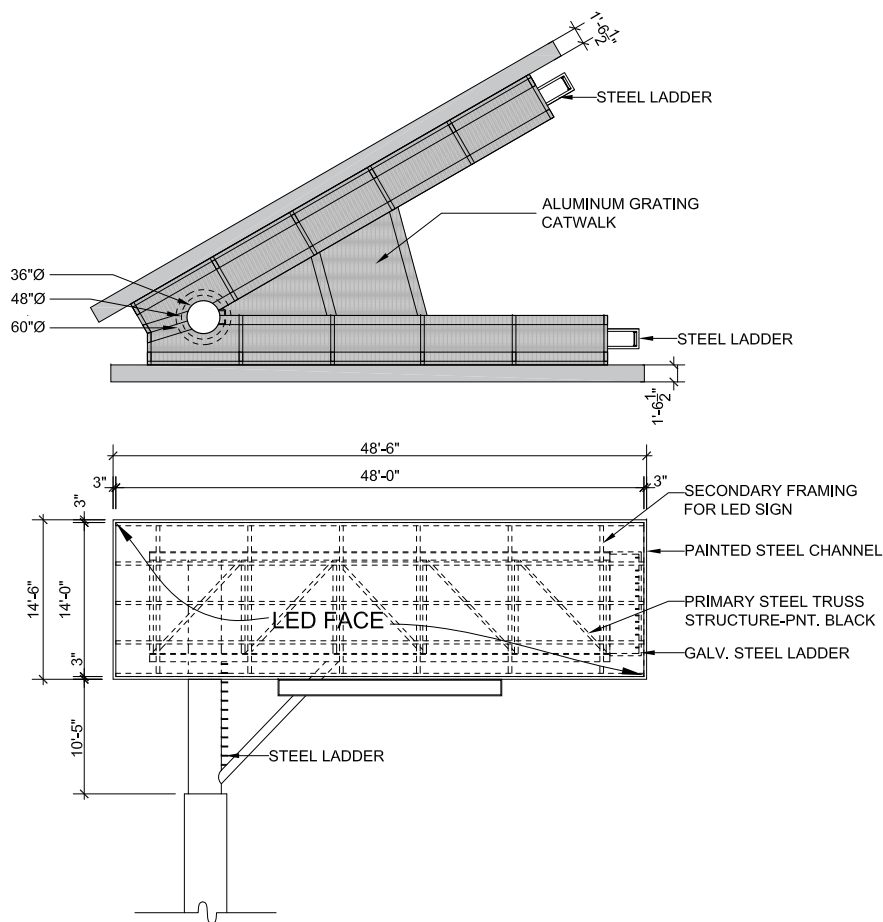
DRAFTED: SJN

SHEET NO.

1

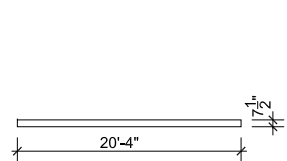
OF 1 SHEET





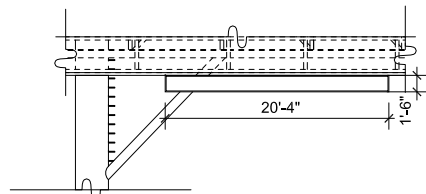
5 Face Elevation

SCALE - 3/16" : 1"



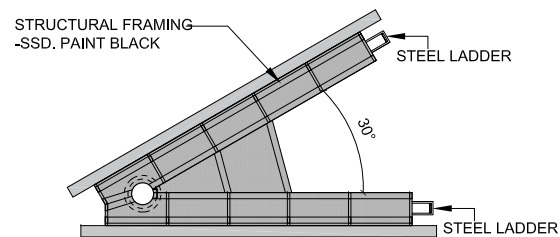
4 Logo Cabinet Plan

SCALE - 3/16" : 1"



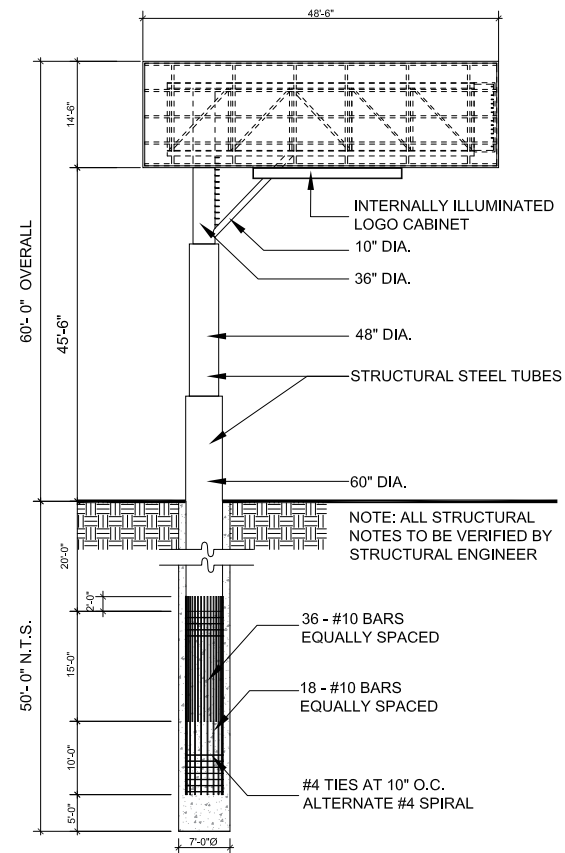
3 Logo Cabinet Elevation

SCALE - 3/16" : 1"



2 Plan View

SCALE - 1/8" : 1"

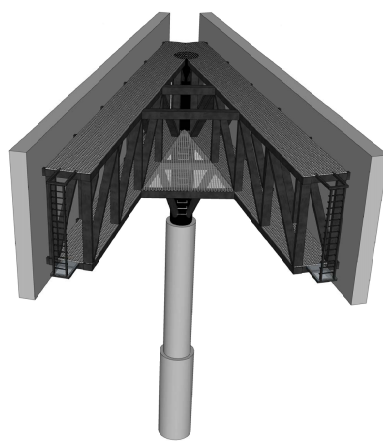


1 Overall Elevation

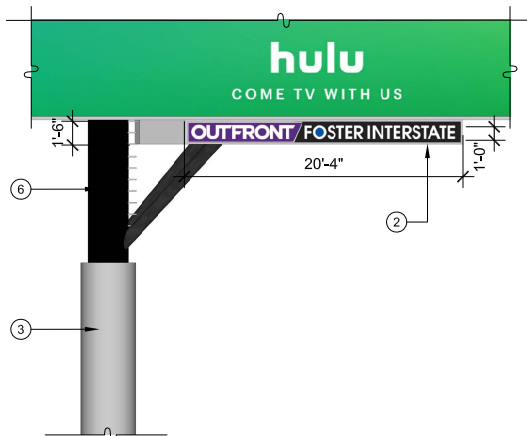
SCALE - 1/8" : 1"

(See A-3.0 For Color Scheme)





2 Perspective View 2 NTS



1 Perspective View 1 NTS

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | CONTRACTOR TO PROVIDE ENGINEERING DRAWINGS, CALCULATIONS, TYPE 2 ENERGY DOCUMENTATION AND CONSTRUCTION OF NEW AND RETROFIT OF EXISTING POWER, SIGNAL, LIGHTING, ALARMS, AND LIFE SAFETY SYSTEMS.             |
| 11.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | CONTRACTOR TO SUBMIT ENGINEERING DRAWINGS TO THE CITY OF OXFORD BUILDING AUTHORITIES AND OBTAIN ALL REQUIRED BUILDING PERMITS.                                                                               |
| 12.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | CONTRACTOR TO SUBMIT ENGINEERING DRAWINGS, CALCULATIONS, TYPE 2 ENERGY DOCUMENTATION, AND CUT SHEET OF ALL EQUIPMENT, LIGHTING, SWITCHES, COVER PLATES, ETC. TO ARCHITECT FOR REVIEW BY ARCHITECT AND OWNER. |
| 13.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | CONTRACTOR SHALL COORDINATE ALL WORK REQUIREMENTS OF DESKTOP/BUILD LOCAL JURISDICTIONS.                                                                                                                      |
| 14.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | CONSTRUCTION HOURS AND WORK IN THE CITY PUBLIC RIGHT-OF-WAY ARE LIMITED, SEE LOCAL JURISDICTION REQUIREMENTS.                                                                                                |
| <p>ANY OTHER CONDITIONS THAT REQUIRE WORK TO BE PERFORMED BEFORE THE SCOPE OF THE BUILDING PERMIT SHALL BE INCLUDED IN THESE PLANS MAY REQUIRE FURTHER CITY APPROVAL INCLUDING REVIEW BY THE PLANNING COMMISSION, THE BUILDING OWNER, PROJECT DESIGNER, AND/OR CONTRACTOR MUST SUBMIT A RESOLUTION TO THE CITY FOR ANY WORK NOT GRAPHICALLY ILLUSTRATED ON THE JOB COPY OF THE PLANS PRIOR TO PERFORMING ANY WORK. THE CITY OF OXFORD MAY REQUIRE FURTHER REVIEW OF ANY PLANS THAT MAY BE REQUIRED FOR SHORING AS REQUIRED BY 2019 IBC, CHAPTER 31 REGARDING THE PROTECTION OF ADJACENT PROPERTY AND REQUIREMENTS FOR SHORING.</p> <p>SUMMS OF EXCAVATIONS SHALL BE PROPERLY SHORED PRIOR TO CONSTRUCTION ACTIVITY, WHERE TEMPORARY SHORING IS NEEDED A COMPETENT CONTRACTOR SHALL BE CONSULTED FOR RECOMMENDATIONS AND DESIGN OF THE SHORING SCHEME FOR THE EXCAVATION, THE RECOMMENDED DESIGN AND TYPE OF SHORING SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL OR SOLE ENGINEER SHALL BE GRANTED TO DESIGN.</p> |                                                                                                                                                                                                              |

- ALL APPROPRIATE GUIDELINES OF OSHA SHALL BE INCORPORATED INTO THE SHORING DESIGN AND IMPLEMENTED BY THE CONTRACTOR. WHERE BRACE FRAMES, TEMPORARY CONSTRUCTION SLOPES MAY BE USED INSTEAD OF SHORING. THE FOLLOWING MINIMUM REQUIREMENTS MUST BE MET: (SEE FIGURE 1) FEET; BEYOND THAT HORIZONTAL BENCHES OF 5 FEET WIDE WILL BE REQUIRED. TEMPORARY SHOULDS NOT EXCEED 1 TO 1 HORIZONTAL TO VERTICAL IN SOME AREAS DUO TO HIGH MOISTURE CONTENT WATER TABLE. ALL TEMPORARY WALLS MAY BE REINFORCED WITH STEEL PILING OR SHIELDING.
- IF SHORINGS IS REQUIRED, THE PLANS WILL SPECIFY THE LICENSED DESIGN PROFESSIONAL THAT HAS SOLE RESPONSIBILITY TO DESIGN AND PROVIDE ADEQUATE SHORING, BRACING, FORMWORK, ETC., AS REQUIRED FOR PROPER USE AND LIFE OF THE SHORING.
- SHORING PLANS SHALL BE WELL-STAMPED AND SIGNED BY THE ENGINEER/ARCHITECT AND SUBMITTED TO THE CITY FOR REVIEW PRIOR TO CONSTRUCTION. IF APPLICABLE, INCLUDE SURCHARGE RECORD FROM ADJACENT STRUCTURES TO DETERMINE THE ZONE OF SURCHARGE LOADS UP THE SLOPE FROM THE BASE OF THE EXCAVATION) AND /OR DRIVEWAY SURCHARGE.
- AN OSHA PERMIT WILL BE OBTAINED IF NEEDED PER CAL OSHA REQUIREMENTS, SEE THE CAL OSHA HANDBOOK AT [HTTP://WWW.DIR.CA.GOV/OSHA-COMP/FFBBSHSGENRAGE.pdf](http://www.dir.ca.gov/OSHA-COMP/FFBBSHSGENRAGE.pdf). CONSTRUCTION SAFETY COURSES - CHAPTER 4, ARTICLE 9, SECTION 6.
- A GRADING PERMIT WILL BE OBTAINED FROM THE DEPARTMENT OF PUBLIC WORKS IF REQUIRED.
- PLANS SUBMITTED FOR BUILDING CODE PLAN CHECK WILL INCLUDE A COMPLETE UNDERGROUND PUMPING PLAN INCLUDING DETAILS FOR THE LOCATION OF ALL REQUIRED OD, INTERCEPTORS AND CITY-REQUIRED BACKWATER VALVES.



All drawings and written material appearing herein constitute the original and unpublished work of the designer and the same may not be duplicated, used, or disclosed without the written consent of the designer.

© Wolters Kluwer 2020



2 View From Northbound On U.S.101



1 View From Southbound On U.S.101

**ib+a**  
architecture

177 Post Street,  
Suite 920  
San Francisco,  
CA 94108

tel: (415) 512-9660  
fax: (415) 512-9663  
www.ibadesign.com

PROJECT NAME

**OXNARD  
SIGNAGE  
PROJECT**

APN 132-0-311-075

Oxnard,  
California

CLIENT

**OUTFRONT  
FOSTER  
INTERSTATE**

FOR SITE PERMIT ONLY

REV DATE ISSUE



SHEET DESCRIPTION

**RENDERINGS**

DATE 8/6/2020

SCALE

DRAWN BY

CHECKED BY

JOB NO. 1814

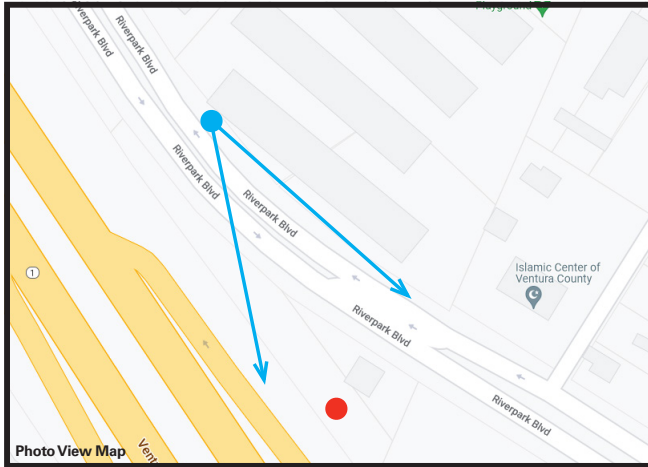
**A-4.0**

SHEET NO.

All drawings and written material appearing  
herein constitute the original and unpublished  
work of the designer and the same may not be  
reproduced, copied, or otherwise used without the  
written consent of the designer.

© Ibbotson & Associates 2020





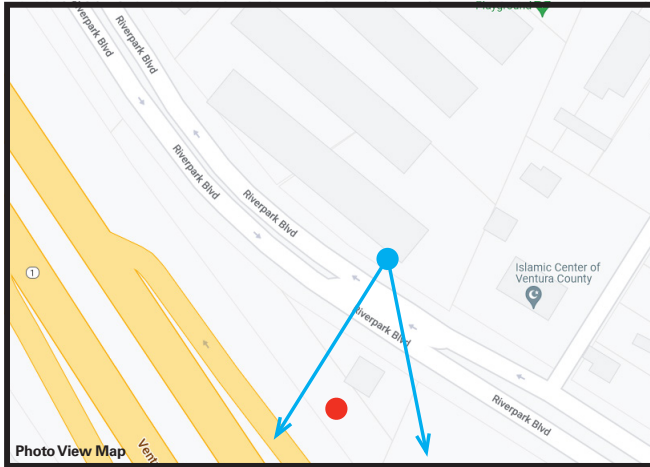
**OUTFRONT FOSTER INTERSTATE**

14'h x 48'w, Double-Sided Digital "V" Display

**Site 2: View from North-West End of 210 Riverpark Blvd**

Working Draft - For Discussion Purposes Only. \*Please note, design, placement of structures and elevation details are preliminary and subject to change. The positioning of each sign in this rendering and the perspective of each sign vis-a-vis the overall view is for illustration purposes only and is not exact.





**OUTFRONT FOSTER INTERSTATE**

14'h x 48'w, Double-Sided Digital "V" Display

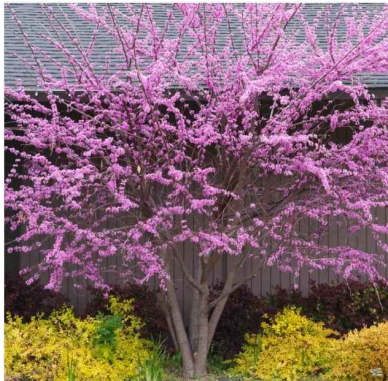
**Site 2: View from South-East End of 210 Riverpark Blvd**

Working Draft - For Discussion Purposes Only. \*Please note, design, placement of structures and elevation details are preliminary and subject to change. The positioning of each sign in this rendering and the perspective of each sign view-axis the overall view is for illustration purposes only and is not exact.





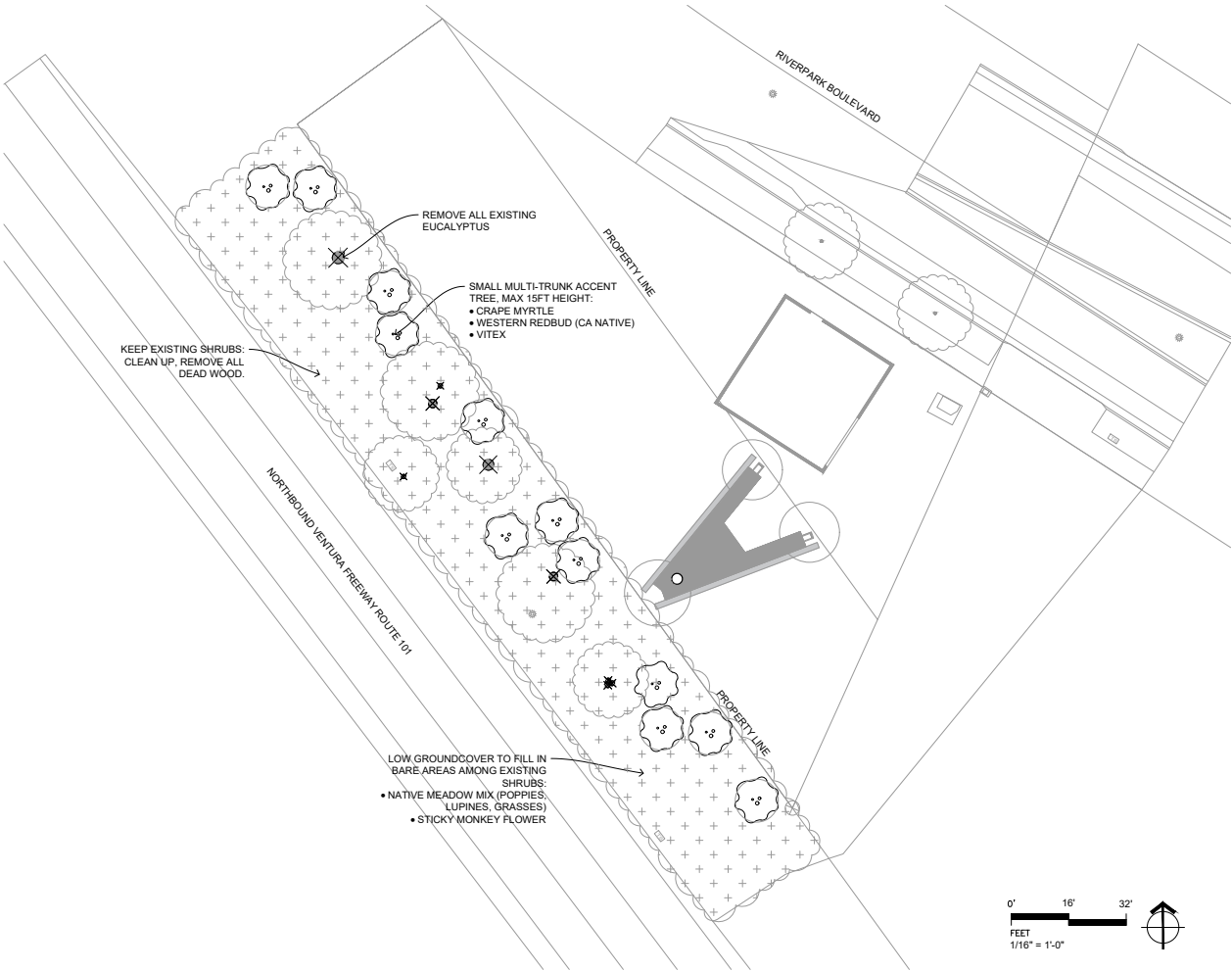
CRAPPE MYRTLE: MANY SMALL VARIETIES ARE AVAILABLE



WESTERN REDBUD: CALIFORNIA NATIVE



VITEX: FRAGRANT LAVANDAR FLOWERS ATTRACT BUTTERFLIES



#### LANDSCAPE DESIGN INTENT

THE LANDSCAPE DESIGN IS SIMPLE, NATURALISTIC, WATER CONSERVING AND LOW MAINTENANCE. IT IS IN CONTEXT WITH THE ADJACENT HIGHWAY, THE NEIGHBORING URBAN AREA AND WITH THE LOCAL ENVIRONMENT.

SMALL FLOWERING TREES DRIFT ALONG THE INSIDE EDGE, ADDING COLOR AND SOFTENING THE STRUCTURE.

THE UNDERSTORY RETAINS THE EXISTING LOW EVERGREEN SHRUBS AND FILLS IN THE BARE AREAS WITH A NATIVE MEADOW WHICH IS COMPOSED OF TOUGH LOW GROUNDCOVERS. ADDITIONAL WOODY SHRUBS ARE AVOIDED DUE TO THE POTENTIAL FIRE HAZARD OF THEIR FLAMMABLE INTERIORS.

THE DESIGN COMPLIES WITH THE WATER EFFICIENT LANDSCAPE ORDINANCE. IT INCORPORATES SUSTAINABLE PRINCIPLES AND BEST MANAGEMENT PRACTICES. SPECIES ARE CAREFULLY SELECTED AND COMBINED BASED ON SIMILAR WATER NEEDS AND HORTICULTURAL REQUIREMENTS. PLANTING AND IRRIGATION ARE COORDINATED SO THAT WATER USE IS MINIMIZED AND ENVIRONMENTAL BENEFITS ARE MAXIMIZED.

THIS LANDSCAPE PLAN IS CONCEPTUAL. FURTHER DESIGN IS REQUIRED TO DEVELOP IT TO CONSTRUCTION READY PLANS.



STICKY MONKEY FLOWER: NATIVE



NATIVE MEADOW

# **ATTACHMENT C**

**FINAL IS-MND 22-02 (DECEMBER 2022)**

# RIVERPARK BOULEVARD ELECTRONIC BILLBOARD

Response to Comments on Public Review Draft  
Initial Study/Mitigated Negative Declaration  
State Clearinghouse Number 2022060706

Prepared for  
City of Oxnard  
Community Development Department

October 2022







# RIVERPARK BOULEVARD ELECTRONIC BILLBOARD

## Response to Comments on Public Review Draft Initial Study/Mitigated Negative Declaration

Prepared for  
City of Oxnard  
Community Development Department  
214 South C Street  
Oxnard, California 93030  
805.385.8272

October 2022

16755 Von Karman Avenue  
Suite 200  
Irvine, CA 92606  
949.753.7001  
esassoc.com



|              |               |          |
|--------------|---------------|----------|
| Bend         | Orlando       | San Jose |
| Camarillo    | Pasadena      | Sarasota |
| Delray Beach | Petaluma      | Seattle  |
| Destin       | Portland      | Tampa    |
| Irvine       | Sacramento    |          |
| Los Angeles  | San Diego     |          |
| Oakland      | San Francisco |          |

**OUR COMMITMENT TO SUSTAINABILITY** | ESA helps a variety of public and private sector clients plan and prepare for climate change and emerging regulations that limit GHG emissions. ESA is a registered assessor with the California Climate Action Registry, a Climate Leader, and founding reporter for the Climate Registry. ESA is also a corporate member of the U.S. Green Building Council and the Business Council on Climate Change (BC3). Internally, ESA has adopted a Sustainability Vision and Policy Statement and a plan to reduce waste and energy within our operations. This document was produced using recycled paper.

# TABLE OF CONTENTS

---

## Riverpark Boulevard Electronic Billboard: Response to Comments on Public Review Draft Initial Study/Mitigated Negative Declaration

|            |                                                          |            |
|------------|----------------------------------------------------------|------------|
| <b>1.0</b> | <b>Introduction.....</b>                                 | <b>1-1</b> |
| 1.1        | CEQA Requirements.....                                   | 1-1        |
| 1.2        | CEQA Process .....                                       | 1-2        |
| <b>2.0</b> | <b>Comment Letters .....</b>                             | <b>2-1</b> |
| <b>3.0</b> | <b>Responses to Comments .....</b>                       | <b>3-1</b> |
| <b>4.0</b> | <b>Errata .....</b>                                      | <b>4-1</b> |
| <b>5.0</b> | <b>Mitigation Monitoring and Reporting Program .....</b> | <b>5-1</b> |

This page intentionally left blank

# CHAPTER 1

---

## Introduction

This Response to Comments document was prepared to respond to comments that were received on the Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND). The Final Initial Study/Mitigated Negative Declaration (Final IS/MND) consists of the Public Review Draft IS/MND and this Response to Comments document. The Final IS/MND has been prepared in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code Section 21000 et seq.) and *CEQA Guidelines* (California Administrative Code Section 15000 et seq.). Documents relating to this Final IS/MND were cited and incorporated. All documents are available for review at the City of Oxnard website: <https://www.oxnard.org/city-department/community-development/planning/environmental-documents/>.

### 1.1 CEQA Requirements

Before the City of Oxnard may approve the project, it must certify that the Final IS/MND: a) has been completed in compliance with CEQA; b) was presented to the Oxnard City Council who reviewed and considered it prior to approving the project; and c) reflects the City's independent judgment and analysis.

*CEQA Guidelines* Section 15074 states that prior to approving a project, the decision-making body of the lead agency shall consider the proposed mitigated negative declaration together with any comments received during the public review process. Therefore, the decision making body will be considering the following documents that constitute the Final IS/MND prior to making a decision on the project.

- The Public Review Draft IS/MND
- Response to Comment Document which includes:
  - Comments and recommendations received on the Public Review Draft IS/MND;
  - A list of persons, organizations, and public agencies commenting on the Public Review Draft IS/MND;
  - The response of the Lead Agency to substantive environmental points raised in the review and consultation process.

This Response to Comments document for the Riverpark Boulevard Electronic Billboard presents the following chapters:

- Chapter 1: Introduction – this chapter includes an introduction to the Response to Comments and the CEQA process and requirements
- Chapter 2: Comment Letters – this chapter includes a list of persons, organizations, and public agencies commenting on the Public Review Draft IS/MND
- Chapter 3: Response to Comments – this chapter includes the written comments received on the Public Review Draft IS/MND as well as the written responses to each comment
- Chapter 4: Errata – this chapter includes any revisions made to the Public Review Draft IS/MND in response to comments received or initiated by the Lead Agency
- Chapter 5: Mitigation and Monitoring Program (MMRP) – this chapter includes a list of the mitigation measures, identification of the responsible implementation agency, agency responsible for monitoring, timing of implementation, and date of compliance for each mitigation measure

## 1.2 CEQA Process

### Public Participation Process

#### Notice of Intent of the Public Review Draft IS/MND

The Notice of Intent (NOI) of the Public Review Draft IS/MND was posted on June 30, 2022 with the Ventura County Clerk Recorder. The Public Review Draft IS/MND was circulated for a 30-day public review until July 29, 2022. The NOI for the Public Review Draft IS/MND was circulated to state and local agencies and interested parties requesting a copy of the NOI. Copies of the Public Review Draft IS/MND were made available for review at the City of Oxnard Community Development Department located at 214 S. C Street, Oxnard, California, 93030 and at the Oxnard Public Library, 251 South “A” Street. The document was also available at the City of Oxnard website: <https://www.oxnard.org/city-department/community-development/planning/environmental-documents/>.

### Evaluation and Response to Comments

In accordance with Article 6 of the *CEQA Guidelines*, the City of Oxnard, as the Lead Agency, was required to evaluate substantive environmental comments received on the Public Review Draft IS/MND. This Response to Comments document provides written responses to each comment received on the Public Review Draft IS/MND.

## Final IS/MND Approval

As the Lead Agency, the City of Oxnard is required to determine the adequacy of the Final IS/MND (Public Review Draft IS/MND and Response to Comments). The City can adopt the Final IS/MND if they find on the basis of the whole record before it (including the Public Review Draft IS/MND and Response to Comments) that there is no substantial evidence that the project will have a significant effect on the environment and that the Final IS/MND reflects the City's independent judgment and analysis.

## Notice of Determination

Pursuant to Section 15094 of the *CEQA Guidelines*, the City of Oxnard will file a Notice of Determination (NOD) with the Ventura County Clerk Recorder within five working days of project approval.



This page intentionally left blank

## CHAPTER 2

---

### Comment Letters

The Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND) for the Riverpark Boulevard Electronic Billboard was circulated for public review for 30 days (June 30, 2022 through July 29, 2022). The City of Oxnard received four comment letters from public agencies and an individual during the public review period, as listed in the table below. Each comment letter has been assigned an alphabetical designation (A through D). Each comment within each letter has been assigned a numerical designation so that each comment could be cross-referenced with an individual response. The comments and responses are provided in Chapter 3.

#### COMMENT LETTERS RECEIVED

| Comment No. | Commenting Agency                                               | Date of Comment |
|-------------|-----------------------------------------------------------------|-----------------|
| A           | California Highway Patrol                                       | July 27, 2022   |
| B           | Ventura County Air Pollution Control District                   | July 26, 2022   |
| C           | County of Ventura Resource Management Agency, Planning Division | July 29, 2022   |
| D           | Darron Baida                                                    | July 15, 2022   |

This page intentionally left blank

## CHAPTER 3

---

### Responses to Comments

Following are the comment letters and the written responses to each of the comments that were received during the public review period of the Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND). In some instances, in response to the comment, the City of Oxnard has made additions or deletions to the text of the Public Review Draft IS/MND; additions are included as underlined text and deletions are shown as ~~stricken text~~.



## Comment Letter A

Pearson II, Joe &lt;joe.pearson@oxnard.org&gt;

**RE: Environmental Impact Report (SCH # 2022060706)**

1 message

**Primicerio, Jarod@CHP** <JPrimicerio@chp.ca.gov>

Wed, Jul 27, 2022 at 12:41 PM

To: "Joe.Pearson@Oxnard.org" &lt;Joe.Pearson@oxnard.org&gt;

Cc: CHP-701\_AA\_Desk &lt;701\_AA\_Desk@chp.ca.gov&gt;, CHP-EIR &lt;EIR@chp.ca.gov&gt;, "state.clearinghouse@opr.ca.gov" &lt;state.clearinghouse@opr.ca.gov&gt;

The California Highway Patrol's (CHP) Ventura Area office received an Environmental Impact Report (SCH # 2022060706) for a proposed digital billboard adjacent to the US-101 Freeway, located within the City of Oxnard. The CHP Ventura Area was requested to evaluate the proposal; specifically, in regard to the potential impact it may have on departmental operations, public safety, increased calls to the communications center/dispatch, increased response times, and traffic congestion.

This proposed digital billboard, coupled with the two additional proposed digital billboards (SCH # 2022060700 and SCH # 2022060701), all adjacent to the US-101 Freeway within the City of Oxnard, will likely cause a drastic increase to traffic congestion already severely impacted in the region. There are currently two digital billboards adjacent to the US-101 Freeway within the City of Oxnard, thus adding three additional, there would be a total of five digital billboards within less than a four mile stretch along this portion of the Freeway. The magnitude of the project may place a greater strain on limited public safety resources with an expected increase in vehicular traffic on US-101. A potential delay of emergency response due to extended response times places the public at risk. The potential increase in traffic may cause an increase in motor services, crashes, and injuries to motorists. Consequently, these incidents will cause an increase in calls to the CHP Ventura Communications Center and dispatchers. The proposed area is currently experiencing significant growth with the construction of retail and residential properties. The digital sign(s) will exacerbate the traffic congestion and may create long-term detrimental impact to the residents, visitors, and first responders within the Ventura Area.

A-1

Should you have any questions, please contact Lieutenant Sergio Perez or myself at (805) 662-2640.

Sincerely,

Jarod Primicerio



**CONFIDENTIALITY NOTICE:** This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

## **Comment Letter A: California Highway Patrol – July 27, 2022**

### **Comment A-1**

The comment asserts that the proposed Riverpark Boulevard Electronic Billboard along with the Ventura Road Electronic Billboard and potential additional electronic billboards implemented under the proposed Freeway Adjacent Digital Display Billboards Ordinance could cause a drastic increase in traffic congestion along U.S. 101 within the City of Oxnard. The comment further states that the increase in traffic volumes and congestion on U.S. 101 would result in a potential delay on emergency response and could result in an increase in motor services, crashes, and injuries.

### **Response to Comment A-1**

The implementation of the proposed electronic billboard along Riverpark Boulevard as well as additional electronic billboards including the Ventura Road Electronic Billboard and electronic billboards implemented under the Freeway Adjacent Digital Display Billboards Ordinance would not result in a substantial amount of traffic. The proposed Riverpark Electronic Billboard would not generate any employment growth or population growth as discussed in Section 3.13 of the Public Review Draft IS/MND. The implementation of cumulative electronic billboards would not increase operational traffic volumes along U.S. 101. As discussed in Section 3.15 of the Public Review Draft IS/MND, construction activities would generate a nominal number of construction vehicular trips over an approximately two-week construction period.

The concerns raised in this comment do not appear to be a direct result of implementing electronic billboards, but may result from cumulative development throughout the City of Oxnard. Because the Project would not result in an increase in daily or weekly operational traffic volumes, the Project would not contribute to potential cumulative traffic volume increases along U.S. 101 that would contribute to increases in motor services, crashes, and injuries to motorists.

As discussed in Section 3.15 c) in the Public Review Draft IS/MND, the proposed billboard as well as future billboards implemented under the Freeway Adjacent Digital Display Billboards Ordinance would be required to comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5. The billboard proposes to include different images, but each image will be displayed for at least eight seconds and the images would not move or present the appearance of motion and would not flash or blink or any other means that does not provide a constant illumination. These features associated with the proposed electronic billboard would not substantially increase hazards to drivers along U.S. 101, and less than significant impacts would occur. Furthermore, the Project will require an Outdoor Advertising Act Permit from the California Department of Transportation to ensure that the proposed electronic billboard does not represent a danger to motorists traveling along U.S. 101.



**VENTURA COUNTY  
AIR POLLUTION CONTROL DISTRICT**  
Memorandum

TO: Joe Pearson II, Sr. Planner, City of Oxnard

DATE: July 26, 2022

FROM: Nicole Collazo, Air Quality Specialist, Planning Division 

SUBJECT: Draft Mitigated Negative Declaration for the Riverpark Boulevard Electronic Billboard (RMA 22-019)

Air Pollution Control District (APCD) staff have reviewed the subject mitigated negative declaration (MND) of the Riverpark Boulevard Electronic Billboard project (project). The proposed project includes a request for approval of a Special Use Permit for the installation and operation of an LED electronic billboard. The electronic billboard would include a digital display of advertisements of various businesses, activities, services or products. The Lead Agency is the City of Oxnard. APCD submits the following comments for the project's MND.

**GENERAL COMMENTS**

*Air Quality Section*

1) Item a, Page 18. VCOG is no longer responsible for developing the AQMP. This is language contained in our 2003 Ventura County Air Quality Assessment Guidelines and no longer applies. The AQMP is developed by the APCD using SCAG's population growth forecasts in its air quality modeling and forecasting. We recommend amending this section. We also note that our 2022 AQMP is currently in development and scheduled to be adopted at the end of 2022.

Thank you for the opportunity to comment on the project's MND. If you have any questions, you may contact me at [nicole@vcapcd.org](mailto:nicole@vcapcd.org).

B-1

## **Comment Letter B: Ventura County Air Pollution Control District – July 26, 2022**

### **Comment B-1**

This comment states that the Ventura Council of Governments (VCOG) no longer responsible for developing the Ventura County Air Quality Management Plan (VCAQMP) but Ventura County APCD is responsible.

### **Response to Comment B-1**

The City of Oxnard thanks the Ventura County Air Pollution Control District in clarifying that the VCOG no longer provides forecasted regional population, housing, and employment for the VCAQMP.

The fourth sentence of the first paragraph on page 18 of the Public Review Draft IS/MND is revised as follows:

~~VCOG and the Ventura Council Association of Governments (VCOG)~~ is responsible for preparing the air quality management plan (AQMP), which addresses federal and state Clean Air Act (CAA) requirements.

The second paragraph on page 18 of the Public Review Draft IS/MND is revised as follows:

The proposed Project is located within the Ventura County portion of the SCCAB, which is under the jurisdiction of the VCAPCD for air quality planning and control. As such, VCAPCD's 2016 AQMP is the applicable air quality plan for the proposed Project. Projects that are consistent with the regional population, housing, and employment forecasts identified by the VCAPCD ~~VCOG~~ are deemed consistent with the AQMP growth projections, since the forecast assumptions by VCAPCD ~~VCOG~~ forms the basis of the land use and transportation control portions of the AQMP. Additionally, because VCAPCD's ~~VCOG's~~ regional growth forecasts are based upon, among other things, land uses designated in general plans, a project that is consistent with the land use designated in a general plan would also be consistent with the VCAPCD's ~~VCOG's~~ regional forecast projections, and thus also with the AQMP growth projections.





## Comment Letter C

July 29, 2022

Joe Pearson II, AICP  
Community Development Department, Planning Division  
City of Oxnard  
214 South C Street  
Oxnard, CA 93030

**SUBJECT: Response to Notice of Intent to Adopt a Mitigated Negative Declaration (MND) for the Proposed Freeway Adjacent Digital Display Billboards Ordinance, a Notice of Intent to Adopt the Proposed Riverpark Boulevard Electronic Billboard MND and the proposed Notice of Intent to Adopt the Ventura Road Electronic Billboard MND**

Dear Joe Pearson,

Thank you for providing the Ventura County Planning Division with the opportunity to comment regarding the following Mitigated Negative Declarations:

1. City of Oxnard (City) Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND) for the Proposed Freeway Adjacent Digital Display Billboards Ordinance project (proposed ordinance).
2. City of Oxnard NOI to adopt an MND for the Ventura Road Electronic Billboard project
3. City of Oxnard NOI to adopt an MND for the Riverpark Boulevard Electronic Billboard project.

The proposed Freeway Adjacent Billboards ordinance would permit the siting of digital display billboards within 400 feet of the U.S. 101 right-of-way, on the City's property or in its right-of-way, and in non-residential zones. No digital display billboards may be sited less than 100 feet from the property line of any residential zoned parcel. The proposed development standards would limit billboards to a maximum face display area of 14 feet in height and 48 feet in width, require orientation primarily for viewing from the freeway, and the maximum height of the entire structure cannot exceed 55 feet as measured from the pavement level of the adjacent freeway to the bottom of each display. Each digital display billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet. The permitting path process would be a Special Use Permit. Section 16-530 of the Oxnard Municipal Code describes that a Special Use Permit is authorized by the Planning Commission.

C-1

The County has calculated the distance of the proposed ordinance planning area in relationship with unincorporated area of the County. Calculating the stretch of Highway U.S. 101 from the easternmost portion of the proposed ordinance project area to the westernmost portion, the total length of the project area was estimated at 4.09 miles. Using this estimate, the total of length of unincorporated area in the ordinance planning area totaled approximately 1.3 miles or 30% of the total project planning area distance along the Highway U.S. 101. This calculation represents a significant portion of unincorporated area that may be impacted by the proposed ordinance, particularly along unincorporated areas of El Rio/ Del Norte and Nyeland Acres.

C-1  
(Cont)

The project area for the proposed ordinance is located adjacent to portions of the El Rio/ Del Norte and Nyeland Acres unincorporated communities. There are also two billboards proposed. The Riverpark Boulevard Electronic Billboard project would be located approximately 1,800 feet from an unincorporated zone for residential high-density development (RHD-20 du/ac). The Ventura Road Electronic Billboard would be located near a wildlife habitat corridor that lies in the Santa Clara Riverbed. Based on these circumstances, the proposed projects may have direct and cumulative impacts on existing development and sensitive habitat in the County's jurisdiction.

Since it is difficult to evaluate cumulative impacts due to the three separate MND's for these projects; prior to taking any action on the proposed projects, the City should consolidate its review of potential environmental impacts of the Ordinance MND, Ventura Road and RiverPark project MND's into one environmental analysis and document. Given that these projects are being processed concurrently, and the fact that Ventura Road and RiverPark projects cannot be adopted until the billboard ordinance is adopted, consolidation of the three MND's will enable to the County to understand direct, indirect and cumulative environmental impacts of the ordinance programmatic and billboard projects.

C-2

The revised analysis should evaluate potential environmental impacts for the unincorporated areas adjacent to and in the vicinity of the proposed projects; , particularly residential areas in the El Rio/Del Norte and Nyeland Acres communities. Specific issue area to consider are neighborhood compatibility, scenic resources, and biological resource issues areas discussed below.

### **Impacts to Neighborhood Compatibility**

The MNDs evaluate aesthetic impacts, and the Ordinance MND states that, "because specific electronic billboard projects are not known at this time, project-level environmental impacts cannot be assessed. As each individual electronic billboard project is proposed, a project level environmental evaluation will be required" (MND Chapter 3, Aesthetics and Urban Design). However, there are MNDs for two proposed billboards within the proposed ordinance planning area. As stated above, for adequate CEQA review, these projects should be combined onto one study and the projects should be processed in accordance with the proposed ordinance.

C-3

The proposed ordinance should require projects to be designed to meet development standards that reduce or eliminate potential impacts without deferring to an evaluation for consistency with lighting and other standards until after the billboards are authorized and built. Please consider the following amendments to the draft ordinance to reduce potential impacts:

- Clarify that setback distances to residential zones also apply to unincorporated residential zones.
- Clarify how height is measured and require height to be measured from the adjacent average grade.
- Limit the number of billboards that can be sited within the planning area.
- Clarify how the ordinance will benefit disadvantaged communities.

C-3  
(Cont)

Setbacks: The ordinance should be revised to consider residential zoned unincorporated properties located adjacent to the proposed ordinance planning area where electronic billboards could be sited (see circled areas in Figure 1 below). As drafted, the ordinance could allow billboards to be sited within a few feet of residential zones in the unincorporated area.

It would be helpful if the proposed Ordinance MND, Figures 2, 2b, and 2d accurately delineate unincorporated areas relative to the planning area. As of now, the program location areas do not display the difference between the separate jurisdictional boundaries, specifically the City of Oxnard and unincorporated community planning areas and therefore potential impacts cannot be adequately evaluated. The City should update the program location index images in the proposed ordinance MND to accurately reflect the location of planning area boundaries in relation to unincorporated County boundaries.

C-4

Height: As stated in the proposed Ordinance MND, the “maximum height of any Freeway Adjacent Digital Display Billboard shall not exceed 55 feet as measured from the pavement level of the adjacent freeway to the bottom of the digital display” (MND Page 9). The height standards of electronic billboards in the Ordinance MND should be clarified so the public can understand maximum heights of the billboards from the top of the billboard to ground level, as slope and topography changes will site billboards lower or higher in relation to adjacent land uses and cause impacts that were not evaluated in the Ordinance MND. For example, the proposed Riverpark Boulevard Electronic Billboard (MND No.22-03) has a proposed height of 80 feet measured from the top of the billboard to the ground. This height standard used in this specific proposal is more accurate than the method of measurement proposed in the ordinance and could be inconsistent with the ordinance. One method of measurement is needed that evaluates the maximum height as measured from the adjacent grade to the top of the billboard itself. The County requests that you please verify in the Response to Comments that the height in the ordinance for billboards will not exceed 55 feet as measured from the pavement level of the adjacent freeway to the bottom of the digital display for any proposed billboard projects. If this height assumption is inaccurate, please verify the maximum height that any billboard can be pursuant to the ordinance.

C-5

Limit the Number of Billboards: Another potential cumulative impact on unincorporated areas is there are no maximum quantity of allowable digital billboard displays identified in the proposed ordinance. As of now, the Ordinance MND makes no indication for a maximum allowable number throughout the entirety of the planning area. There should be calculations to understand the potential maximum number of digital display billboards, taking into consideration that they must be placed 2,000 feet away from one another. The proposed ordinance should include reference that existing digital display billboards must comply with the all development standards, including setbacks set forth in the Caltrans Outdoor Advertising Act and Regulations.

C-6

Community Benefits: El Rio/ Del Norte and Nyeland Acres communities are identified in the County General Plan as designated disadvantaged communities. The City should take into consideration how the ordinance and billboards would affect these disadvantaged communities and update the Required Findings of Public Benefit section of the proposed Ordinance MND (page 10) to describe how public benefits will be provided to affected disadvantaged communities that could be adversely affected by the proliferation of digital display billboards.

C-7

The City and digital display billboard applicants should also meet with the El Rio/ Del Norte Municipal Advisory Council to further clarify potential public benefits and impacts from the proposed ordinance and XX project and XX project . Furthermore, the El Rio/Del Norte Area Plan includes the following policy that encourages the City to present proposed ordinances and discretionary projects to the Council for review and comment (*italics added for emphasis*):

**Policy, ED-21.1- Public Review Authority**

The El Rio/Del Norte Municipal Advisory Council shall continue to be the Board of Supervisors' recognized public review group for the El Rio/Del Norte area. All County *and city applications for discretionary permits* and all environmental documents for projects which would affect the El Rio/Del Norte area shall be sent to the Board of Supervisors' Office for transmittal to the El Rio/Del Norte Municipal Advisory Council as early in the process as possible.

C-8

**Scenic Resources**

To address concerns with light pollution, light trespass illuminance standards were discussed in the proposed Ordinance MND. However, there are still concerns with glare and light pollution, specifically in the evening with respect to the nearby residential communities. The analysis within Chapter 3 of the proposed Ordinance MND did not evaluate potential impacts from public viewing locations such as roadways in the unincorporated area of Ventura County, particularly the El Rio and Nyeland Acres communities. Since there is no numerical limit on the proliferation of billboards under the proposed ordinance, the Ordinance MND should also evaluate cumulative impacts from glare and illuminance from the perspective of public roads and hiking trails in the hillside areas with views of the Oxnard Plain.

C-9

When assessing the distance from Digital Billboard Display's to residential parcels, Los Angeles County's zoning code, Section 22.114.070 prescribes standards for outdoor advertising signs, and states that such signs shall not be permitted within 200 feet of a residential zone located on the same side of the street or highway. The City should adopt the same or greater 200-foot setback requirement from residential zones (including unincorporated residential zones) rather than the proposed 100-foot setback. The City should also include the following standard from Los Angeles County zoning code Section 22.114.050 in the MNDs and conditions of approval for light protection to surrounding premises, with the additional reference added for applicability to unincorporated areas in parenthesis:

- In no case shall a lighted sign or lighting device thereof be so placed or directed so as to permit the beams and illumination therefrom to be directed or beamed upon a public street, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.

The proposed Ordinance MND states that, "light pollution or obtrusive light is highly subjective. To address concerns with light pollution, recommendations to limit light trespass onto adjacent properties from the International Commission on Illumination (CIE) were reviewed. The CIE identifies a light trespass illuminance of 0.5 fc or greater for light-sensitive urban areas such as residential areas and 0.2 fc or greater for natural areas such as the Santa Clara River Basin" (MND page 19). The Ordinance MND should also include references to compliance with the Caltrans Outdoor Advertising Act and Regulations and ensure compliance with California Vehicle Code Section 21466.5 for enforcing sign brightness and reads as follows:

- No person shall place or maintain or display, upon or in view of any highway, any light of any color of such brilliance as to impair the vision of drivers upon the highway. A light source shall be considered vision impairing when its brilliance exceeds the values listed below.
- The brightness reading of an objectionable light source shall be measured with a 11/2-degree photoelectric brightness meter placed at the driver's point of view. The maximum measured brightness of the light source within 10 degrees from the driver's normal line of sight shall not be more than 1,000 times the minimum measured brightness in the driver's field of view, except that when the minimum measured brightness in the field of view is 10 foot-lamberts or less, the measured brightness of the light source in foot-lambert shall not exceed 500 plus 100 times the angle, in degrees, between the driver's line of sight and the light source.

Lastly, Federal Highway Administration guidance on off-premise changeable message signs recommend adjusting brightness in response to changes in light levels so that signs are not unreasonably bright for the safety of the motoring public. Brightness should be adjusted accordingly and if a billboard has the potential to illuminate uses in unincorporated residential zones, an evening time shut off period should be required for mitigation of potential brightness and illumination light spill.

The City should include mitigation measures and comparable brightness standards for the intensity of lighting identified in the City of Ventura's Auto Center Specific Plan Amendments for the Final Initial Study Mitigated Negative Declaration that was approved in 2017 as either mitigation measures in the Ordinance MND or development standards in the Billboard Ordinance. The City of Ventura's Auto Center electronic billboard display is routinely turned off at 10 p.m. to mitigate light emittance and nuisance in the evening time. The following measures from the Auto Center Specific Plan should also be included in the proposed ordinance, and digital display billboard projects should be conditioned as follows:

Mitigation Measure AES-1: Electronic Sign Brightness. The Auto Center Specific Plan shall include the following standards for the Auto Center freeway sign and Auto Center entry sign:

- Lighting levels on the digital sign shall not exceed 0.3 foot candles above ambient light from a distance of 250 feet, as measured according to standards of the Outdoor Advertising Association of America.
- Brightness shall not exceed 800 nits (candela per square meter) from sunset to sunrise. At all other times, brightness will not exceed 7500 nits.
- Illumination shall be directed such that minimal light spill will occur on either side or the top or bottom of the sign face.
- A light sensor shall be installed with the sign to measure ambient light levels and to adjust light intensity to respond to such conditions. The light sensor adjusts the sign's brightness in order to compete with ambient light. The darker the surrounding ambient light, the less bright the sign is.
- The sign shall not display any moving, flashing, scrolling, fading, brightening or animated text or video.
- Signage shall be controlled remotely and include remote maintenance software.
- LED lighting has a directional nature, and the projected viewing angle values for this sign shall be  $\pm 30^\circ$  vertically and  $\pm 60^\circ$  horizontally. Louvers shall be located above each row of lights to prevent light from projecting upward into the sky.

Mitigation Measure AES-2: City Approval of Brightness. Within 14 days of the freeway sign being operational, annually, and as required by City staff (after maintenance, malfunctions, multiple complaints) the applicant shall submit to the satisfaction of the Community Development Director, the following information:

- A third-party test conducted after installation to verify that the billboard complies with the requirements not to exceed 0.3 foot-candle above ambient light at 250 feet from the face of the freeway sign. If the value exceeds industry standards, additional lighting output reduction shall be required until the 0.3 foot-candle requirement is satisfied.

## Biological Resources

The proposed Ordinance MND (page 32) evaluates potential impacts to critical habitat, special status plant species and avian species. The electronic billboards could impact wildlife corridor movement due to electronic light displays that deter and disorient wildlife movement. The Santa Clara River riparian area is identified by the County of Ventura as an important Habitat Connectivity and Wildlife Corridor. Without precise mapping that identifies the extent that billboards could be placed closest to the Santa Clara River basin, and the proposed approach to test billboards for impacts after they are built, there is insufficient information to determine whether there will be direct, indirect, or cumulative impacts to wildlife movement. CEQA requires protecting wildlife corridors/movement areas and the proposed ordinance development standards, environmental impact analyses, and project-specific conditions of approval should include measures to conserve the natural state of the habitat wildlife corridor and ensure species can move throughout the region. The City should consider the following mitigation measure in the Ordinance MND for impacts to biological resources. This mitigation measure should also apply to the Riverpark Boulevard MND and as needed to future digital billboard projects' conditions of approval:

AES-2: City Approval of Brightness. Within 14 days of the freeway sign being operational, annually, and as required by City staff (after maintenance, malfunctions, multiple complaints) the applicant shall submit to the satisfaction of the Community Development Director, the following information:

- A third-party test conducted after installation to verify that the billboard complies with the requirements not to exceed 0.2 foot-candle above ambient light at 250 feet from the face of the freeway sign, as measured from within the Habitat Corridor. If the value exceeds industry standards, additional lighting output reduction shall be required until the 0.2 foot-candle requirement is satisfied.

The Santa Clara River is the longest continuous river system in Southern California and runs over 100 miles in length, originating from the San Gabriel Mountains in Los Angeles County and traverses throughout Ventura County to reach the Pacific Ocean. Extensive patches of high-quality riparian habitat are present along the length of the river and its tributaries. Numerous state and federally listed species have been found in and nearby the undeveloped areas (e.g., least bell's vireo (*Vireo bellii pusillus*), mesa horkelia (*Horkelia cuneata*), California legless lizard (*Anniella pulchra*), Lyon's pentachaeta (*Pentachaeta lyonia*), and coastal California gnatcatcher (*Poliophtila californica californica*). Please see Figure 2 below for a map of the Habitat Connectivity and Wildlife Corridor in the South Coast Ventura County region. The proposed Ordinance MND should be revised to adequately analyze the impacts to the wildlife corridor and include additional mitigation measures as appropriate. Lastly, the following El Rio Area Plan Goals and Policies should be considered for standards in the proposed ordinance, and as a basis for biological mitigation measures to offset environmental impacts:

C-9  
(Cont)

Goal, ED-32: To protect the biological resources of the Santa Clara River and adjoining natural habitat areas including significant stands of Southern Willow within the Santa Clara River bounding the El Rio/Del Norte area.

Goal, ED-33: To encourage revegetation or landscaping in natural habitat areas and the Santa Clara River that incorporates native plant species in order to restore habitat in already disturbed areas.

C-9  
(Cont)

Policy, ED-33.1: To encourage revegetation or landscaping in natural habitat areas and the Santa Clara River that incorporates native plant species in order to restore habitat in already disturbed areas.

In closing, thank you again for the opportunity to comment on the three MNDs for the proposed ordinance and digital display billboard projects. The County is hopeful that the City will combine these three MND's into one environmental document and recirculate for public review and comment. This action would facilitate meaningful public disclosure of the potential direct, indirect, and cumulative environmental impacts of the Ordinance MND and associated Ventura Road and RiverPark projects on the unincorporated County. If you have any questions about this letter, please contact Joel Hayes at Joel.Hayes@ventura.org or 805.654.2834.

C-10

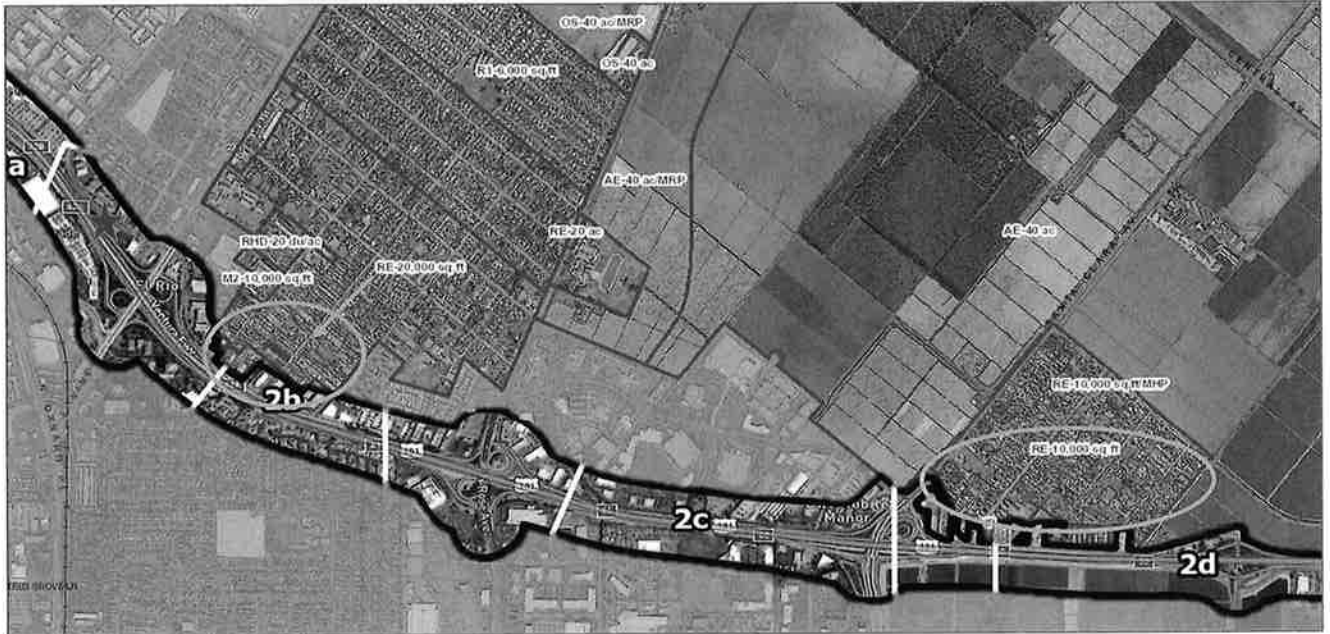
Sincerely,



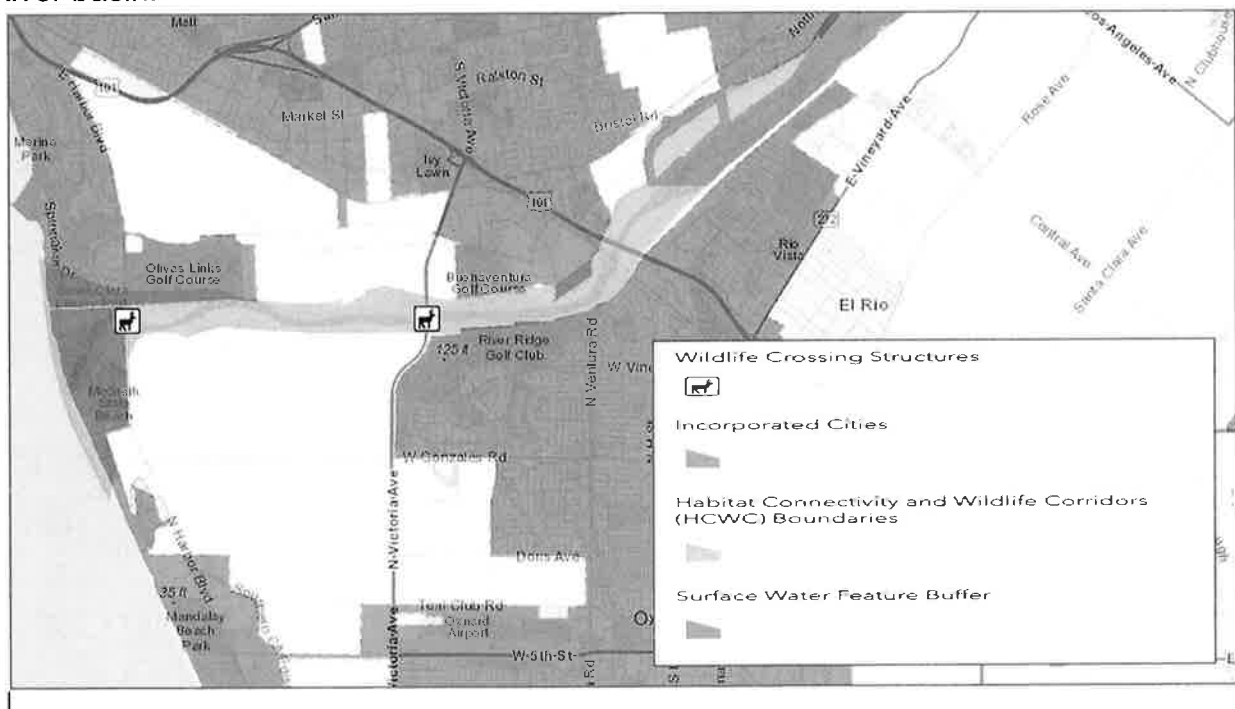
Dave Ward, AICP | Planning Director  
County of Ventura, Planning Division



**Figure 1.** Unincorporated Residential Zones (circled in green) that need to be evaluated for direct, indirect and cumulative impacts due to the proposed ordinance and billboard projects.



**Figure 2.** Map showing Habitat Connectivity and Wildlife Corridors in the Santa Clara River basin.



## **Comment Letter C: County of Ventura Resources Management Agency, Planning Division – July 29, 2022**

### **Comment C-1**

This comment states that the Planning Division reviewed three separate Mitigated Negative Declaration (MNDs) related to the proposed Riverpark Electronic Billboard, potential additional electronic billboards implemented under the proposed Freeway Adjacent Digital Display Billboards Ordinance and Ventura Road Electronic Billboard. The comment specifically states that the proposed Riverpark Electronic Billboard would be located approximately 1,800 feet from an unincorporated zone for residential high-density development. The comment asserts that the proposed Project may have direct and cumulative impacts on existing development and sensitive habitat in the County's jurisdiction.

### **Response to Comment C-1**

The potential Riverpark Boulevard Electronic Billboard Project would increase impacts to residential areas in the immediate vicinity of the site; however, nominal impacts to residents located approximately 1,800 feet from the Project site would occur due to distance. As discussed in Section 3.18 b) in the Public Review Draft IS/MND, the proposed Riverpark Electronic Billboard could result in potential significant impacts related to biological resources, cultural resources, and noise on wildlife species prior to the implementation of mitigation measures. With the implementation of Mitigation Measures BIO-1, CR-1, and CR-2, the potential impacts associated with the Project would be reduced to less than significant. Given that the potential related electronic billboard projects would need to occur at least 2,000 feet from the Project site and the Project impacts to biological resources, cultural resources, and noise on wildlife species are site specific and would not combine with potential impacts associated with other electronic billboards implemented along U.S. 101, the Project's contribution to cumulative impacts would be considered less than cumulatively considerable and less than significant.

### **Comment C-2**

This comment asserts that evaluating the cumulative impacts of the three projects that are addressed within the three separate Public Review Draft IS/MNDs is difficult and recommends that the City consolidates its review into one environmental document.

### **Response to Comment C-2**

The potential effects resulting from the Freeway Adjacent Digital Display Billboards Ordinance is evaluated at a Program-level and as each individual electronic billboard project is proposed, a project-level environmental evaluation will be required. The Riverpark Boulevard and Ventura Road Electronic Billboard Projects are evaluated at a Project-level, and specific impacts and applicable mitigation measures are provided in their respective Public Review Draft IS/MND. A discussion of cumulative impacts is provided for each Public Review Draft IS/MND in Section

3.18 b). The City thanks the County for their input, but will proceed with the separate IS/MNDs for the program and two specific projects.

### **Comment C-3**

This comment states that an analysis of potential environmental impacts to unincorporated areas such as the El Rio/Del Norte and Nyeland Acres communities and sensitive biological resources adjacent to and in the vicinity of the proposed Project should be evaluated.

The comment also requests amendments to the draft Freeway Adjacent Digital Display Billboards Ordinance.

### **Response to Comment C-3**

The Riverpark Boulevard Electronic Billboard Project is located approximately 1,000 feet from the El Rio/Del Norte community but located approximately two miles from the Nyeland Acres community. As discussed in Chapter 3 of the Public Review Draft IS/MND, the proposed Riverpark Electronic Billboard could result in potential significant impacts related to biological resources, cultural resources, and noise on wildlife species prior to the implementation of mitigation measures. With the implementation of Mitigation Measures BIO-1, CR-1, and CR-2, the potential impacts associated with the Project would be reduced to less than significant. Additional potential impacts on residents and motorists such as views, light, glare, and noise from the implementation of the proposed Riverpark Boulevard Electronic Billboard could occur, but the impacts would be less than significant as discussed in Chapter 3 of the Public Review Draft IS/MND.

Given that the potential related billboard projects (i.e., Ventura Road Electronic Billboard and additional electronic billboards implemented as part of the Freeway Adjacent Digital Display Billboards Ordinance) would need to occur at least 2,000 feet from the Project site and the Project impacts to biological resources, cultural resources, and noise on wildlife species are site specific and would not combine with potential impacts associated with other electronic billboards implemented along U.S. 101, the Project's contribution to cumulative impacts would be considered less than cumulatively considerable and less than significant.

Because the Project site is located approximately 1,000 feet from the El Rio/Del Norte unincorporated community, the request for amendments to the Ordinance is not applicable to the Riverpark Boulevard Electronic Billboard Project. The Project's specific potential impacts are evaluated in the Public Review Draft IS/MND.

### **Comment C-4**

This comment references the proposed Ordinance and requests setbacks.

#### **Response to Comment C-4**

Because this comment references the proposed Ordinance, it does not provide a specific comment on the Riverpark Boulevard Electronic Billboard Public Review Draft IS/MND.

#### **Comment C-5**

This comment references the proposed Ordinance and requests more specific information on maximum heights.

#### **Response to Comment C-5**

Because this comment references the proposed Ordinance, it does not provide a specific comment on the Riverpark Boulevard Electronic Billboard Public Review Draft IS/MND.

#### **Comment C-6**

This comment references the proposed Ordinance and requests more specific information on limiting the number of billboards.

#### **Response to Comment C-6**

Because this comment references the proposed Ordinance, it does not provide a specific comment on the Riverpark Boulevard Electronic Billboard Public Review Draft IS/MND.

#### **Comment C-7**

This comment asserts that the City should take into consideration how the ordinance and proposed billboards would affect disadvantage communities and how public benefits will be provided to affected disadvantage communities.

#### **Response to Comment C-7**

The El Rio/Del Norte and Nyeland Acres communities are within the jurisdiction of the County of Ventura. These communities are outside of the City of Oxnard. Potential impacts associated with the construction and operation of the Riverpark Boulevard Electronic Billboard Project would impact residents that are in close proximity to the Project site; however, less than significant impacts would occur to these residents as well as residents of the El Rio/Del Norte community. The Project would not impact the residents of the Nyeland Acres community because the Project site is located more than 3 miles to this unincorporated community.

#### **Comment C-8**

This comment asserts that all County and City applications for discretionary permits and all environmental documents for Projects should be sent to the Board of Supervisor's Office for transmittal to the El Rio/Del Norte Municipal Advisory Council.

**Response to Comment C-8**

A Notice of Intent to Adopt a Mitigated Negative Declaration was mailed to the County of Ventura for distribution. Potential impacts associated with the construction and operation of the Riverpark Boulevard Electronic Billboard Project would not result in significant impacts to the residents of the El Rio/Del Norte community as discussed in Chapter 3 of the Public Review Draft IS/MND.

**Comment C-9**

This comment addresses evaluations of scenic resources and biological resources provided in the Freeway Adjacent Digital Display Billboards Ordinance Public Review Draft IS/MND.

**Response to Comment C-9**

This comment does not address contents within the Riverpark Boulevard Electronic Billboard Public Review Draft IS/MND. Therefore, no further response is required.

**Comment C-10**

This comment thanks the City for providing an opportunity to comment on the three Public Review Draft IS/MNDs for the proposed Ordinance and the electronic billboard projects. The County reiterated the request to provide the environmental documentation for the IS/MNDs into one environmental document.

**Response to Comment C-10**

As discussed in Response to Comment C-2, the potential effects resulting from the Freeway Adjacent Digital Display Billboards Ordinance is evaluated at a Program-level and as each individual electronic billboard project is proposed, a project-level environmental evaluation will be required. The Riverpark Boulevard and Ventura Road Electronic Billboard Projects are evaluated at a Project-level, and specific impacts and applicable mitigation measures are provided in their respective Public Review Draft IS/MND. The City thanks the County for their input, but will proceed with the separate IS/MNDs for the program and two specific projects.



## Comment Letter D

Pearson II, Joe &lt;joe.pearson@oxnard.org&gt;

**Re: Notice of Intent to Adopt MND - Riverpark Boulevard Electronic Billboard**

1 message

**Darron B** <darronbaida@gmail.com>

Fri, Jul 15, 2022 at 2:41 PM

To: "Pearson II, Joe" &lt;joe.pearson@oxnard.org&gt;

Mr. Pearson,

Were there any additional hearings on the electronic billboards since December 2021? Being on the interest list and not hearing anything since then, I assumed the proposal was abandoned. Was a migratory bird study performed as they may be impacted by the new light pollution?

Are there any ways to stop the ordinance from being changed and these being built? It's an incredibly bad idea for Oxnard that I'm willing to go to bat for. I appreciate any suggestions you have.

Thank you.

Darron Baida

D-1

On Thu, Jun 30, 2022 at 8:37 AM Pearson II, Joe &lt;joe.pearson@oxnard.org&gt; wrote:

Hello,

Please see attached Notice of Intent to Adopt a Mitigated Negative Declaration (MND) for the Riverpark Boulevard Electronic Billboard Project.

**The public review period begins June 30, 2022, and ends July 29, 2022.** All comments should be provided in writing and received before 5:00 p.m. on July 29, 2022. Inquiries should be directed to Joe Pearson, Principal Planner, at (805) 385-8272 or Joe.Pearson@oxnard.org. Comments provided will be considered by the decision-making body in accordance with CEQA Guidelines, Section 15074(b).

Best,

**Joe Pearson II, AICP | Principal Planner**  
**Community Development Department**

214 S C Street | Oxnard, CA 93030

O: 805-385-8272

Joe.Pearson@Oxnard.org

www.oxnard.org

Online services are available through our online portal at [www.oxnard.org/planning](http://www.oxnard.org/planning)

- General inquiries should be sent via email to [Planning@oxnard.org](mailto:Planning@oxnard.org).
- For new applications, email us at [planning@oxnard.org](mailto:planning@oxnard.org). Large projects can be shipped with prior authorization. Smaller projects may be submitted via email.
- For existing applications, contact your assigned Case Planner by direct email.

The Community Development service counter has reopened to the public from 8:00 a.m. to 4:00 p.m., Monday through Thursday and 9 a.m.-4 p.m. on alternating Fridays.

When visiting the Service Center, please follow masking protocols as established by the County of Ventura. Information regarding mask wearing guidelines can be found here: <https://www.venturacountyrecovers.org/>

## **Comment Letter D: Darron Baida – July 15, 2022**

### **Comment D-1**

This comment asks if there were hearings on the proposed electronic billboard since December 2021. In addition, the comment asserts that the proposed Freeway Adjacent Digital Display Billboards Ordinance is a bad idea.

### **Response to Comment D-1**

No public hearings have occurred on the Riverpark Boulevard Electronic Billboard Project. The public hearing to deliberate the approval of the Project will be noticed to the public in accordance with the City's public hearing notice requirements. The comment regarding the Freeway Adjacent Digital Display Billboards Ordinance is an opinion and not a comment on the contents of the Public Review Draft IS/MND.

This page intentionally left blank



# CHAPTER 4

---

## Errata

The following text changes are made to the Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND) and incorporated as part of the Final Initial Study/Mitigated Negative Declaration (Final IS/MND). These changes are minor and do not alter the conclusions of the Public Review Draft IS/MND. Changes to the text are noted with underline (for added text) or ~~strikeout~~ (for deleted text).

### Page 18, fourth sentence of the first paragraph

~~VCAPCD and the Ventura Council Association of Governments (VCOG) are~~ is responsible for preparing the air quality management plan (AQMP), which addresses federal and state Clean Air Act (CAA) requirements.

### Page 18, second paragraph

The proposed Project is located within the Ventura County portion of the SCCAB, which is under the jurisdiction of the VCAPCD for air quality planning and control. As such, VCAPCD's 2016 AQMP is the applicable air quality plan for the proposed Project. Projects that are consistent with the regional population, housing, and employment forecasts identified by the VCAPCD ~~VCOG~~ are deemed consistent with the AQMP growth projections, since the forecast assumptions by VCAPCD ~~VCOG~~ forms the basis of the land use and transportation control portions of the AQMP. Additionally, because VCAPCD's ~~VCOG's~~ regional growth forecasts are based upon, among other things, land uses designated in general plans, a project that is consistent with the land use designated in a general plan would also be consistent with the VCAPCD's ~~VCOG's~~ regional forecast projections, and thus also with the AQMP growth projections.

### Page 27, second and third paragraphs

**Mitigation Measure BIO-1:** Construction activities involving vegetation removal as well as installation of the proposed billboard shall be conducted between September 16 and ~~December~~ January 31, outside the ~~typical~~ nesting season for birds and raptors in the region. If vegetation removal or installation must occur during the ~~typical~~ nesting season (~~January February 1 – September 15~~ August 31), a qualified biologist shall conduct a pre-construction survey for active nests within areas that will be subject to vegetation removal, construction noise, and/or ground disturbances, including a ~~100 to 3~~ 500-foot buffer around existing trees and landscaped areas, to identify any potential active nests

within seven days prior to work activities. Buffer distances can be adjusted at the discretion of the biologist based on the location of the nest, species, and surrounding land uses. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds.

If an active nest is observed during the pre-construction clearance survey, an adequate buffer determined by the City-approved qualified biologist shall be established around the active nest depending on sensitivity of the species and proximity to construction activity and impact areas. Onsite construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest or nesting activities. Construction activities shall be avoided within the buffer, unless otherwise approved by the City-approved monitoring biologist (e.g., vehicles could pass through buffer areas while jackhammering would be restricted). Buffers shall be clearly marked and defined to restrict certain activities where they could result in nest failure, and shall remain in place until nests are no longer active, as determined by the City-approved monitoring biologist.

## CHAPTER 5

### Mitigation Monitoring and Reporting Program

| Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Timing                                                          | Responsible for Implementation                                    | Responsible for Enforcement      | Date of Compliance |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|-------------------------------------------------------------------|----------------------------------|--------------------|
| <b>AES-1:</b> The proposed light emitting diode (LED) billboard shall include an operating mechanism (hardware or software controlled) that turns off the display or turns it to all black in the event of a malfunction or failure in any system or subsystem that results in the display wholly or partly appearing to flash..                                                                                                                                                                                                                                                                                                                                                                                 | Prior to construction completion                                | Project Construction Contractor                                   | Community Development Department |                    |
| <b>AES-2:</b> Within 14 days of the proposed electronic billboard being operational, annually, and as required by City staff (i.e., after maintenance, malfunctions, multiple complaints), the Applicant shall submit to the satisfaction of the Community Development Director the following information: <ul style="list-style-type: none"> <li>A third party test conducted after installation to verify that the electronic billboard complies with the requirements not to exceed 0.3 foot-candle above ambient light at 250 feet from the face of the electronic billboard or exceed the 0.5 foot-candle at any residential uses or 0.2 fc at natural areas.</li> </ul>                                    | Ongoing                                                         | Applicant                                                         | Community Development Department |                    |
| <b>BIO-1:</b> Construction activities involving vegetation removal as well as installation of the proposed billboard shall be conducted between September 16 and December 31, outside the nesting season for birds in the region. If vegetation removal or installation must occur during the nesting season (January 1 – September 15), a qualified biologist shall conduct a pre-construction survey for active nests within areas that will be subject to vegetation removal, construction noise, and/or ground disturbances, including a 500-foot buffer around existing trees and landscaped areas, to identify any potential active nests within seven days prior to work activities. Buffer distances can | Survey prior to construction and monitoring during construction | Applicant, Project Construction Contractor, and Project Biologist | Community Development Department |                    |

| Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Timing                                                                                                                                                            | Responsible for Implementation                                       | Responsible for Enforcement             | Date of Compliance |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|-----------------------------------------|--------------------|
| <p>be adjusted at the discretion of the biologist based on the location of the nest, species, and surrounding land uses. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds.</p> <p>If an active nest is observed during the pre-construction clearance survey, an adequate buffer determined by the City-approved qualified biologist shall be established around the active nest depending on sensitivity of the species and proximity to construction activity and impact areas. Onsite construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest or nesting activities. Construction activities shall be avoided within the buffer, unless otherwise approved by the City-approved monitoring biologist (e.g., vehicles could pass through buffer areas while jackhammering would be restricted). Buffers shall be clearly marked and defined to restrict certain activities where they could result in nest failure, and shall remain in place until nests are no longer active, as determined by the City-approved monitoring biologist.</p>                                                                                                                                                                             |                                                                                                                                                                   |                                                                      |                                         |                    |
| <p><b>CUL-1:</b> Prior to ground disturbance, the applicant is required to retain a City-approved archaeologist and Native American Monitor. In the event that historic or archaeological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer of at least 50 feet shall be established around the find where construction activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside the buffer area. All historic and archaeological resources unearthed by construction activities associated with the proposed Program shall be evaluated by a qualified professional archaeologist who meets the U.S. Secretary of Interior's Professional Qualifications and Standards. Should the newly discovered artifacts be determined to be historic, Native American Tribes/Individuals shall be contacted and consulted and Native American construction monitoring shall be initiated. The Applicant and the City shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. The plan may include implementation of</p> | <p>Retain Archaeologist and Native American Monitor prior to ground disturbance and halt or divert activities if resources are found until they are evaluated</p> | <p>Applicant, Project Archaeologist, and Native American Monitor</p> | <p>Community Development Department</p> |                    |

| Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Timing                                                                                                                          | Responsible for Implementation       | Responsible for Enforcement      | Date of Compliance |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------|--------------------|
| archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis.                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                 |                                      |                                  |                    |
| <b>CUL-2:</b> Prior to ground disturbance, the applicant is required to retain a paleontologist for monitoring of ground disturbing activities. In the event that paleontological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find until it is assessed for scientific significance and collected. Monitoring shall include matrix screening for the presence of microfossils; however, monitoring is largely a visual inspection of sediment. | Retain Paleontologist prior to ground disturbance and halt or divert activities if resources are found until they are evaluated | Applicant and Project Paleontologist | Community Development Department |                    |

# RIVERPARK BOULEVARD ELECTRONIC BILLBOARD

## Initial Study/Mitigated Negative Declaration

Prepared for  
City of Oxnard  
Community Development Department

June 2022





# RIVERPARK BOULEVARD ELECTRONIC BILLBOARD

## Initial Study/Mitigated Negative Declaration

Prepared for  
City of Oxnard  
Community Development Department  
214 South C Street  
Oxnard, California 93030  
805.385.8272

June 2022

16755 Von Karman Avenue, Suite 200  
Irvine, California 92606  
949.753.7001  
[www.esassoc.com](http://www.esassoc.com)



|             |                |
|-------------|----------------|
| Irvine      | Sacramento     |
| Los Angeles | San Diego      |
| Oakland     | San Francisco  |
| Orlando     | Santa Monica   |
| Pasadena    | Seattle        |
| Petaluma    | Tampa          |
| Portland    | Woodland Hills |

202000387.01



**OUR COMMITMENT TO SUSTAINABILITY** | ESA helps a variety of public and private sector clients plan and prepare for climate change and emerging regulations that limit GHG emissions. ESA is a registered assessor with the California Climate Action Registry, a Climate Leader, and founding reporter for the Climate Registry. ESA is also a corporate member of the U.S. Green Building Council and the Business Council on Climate Change (BCC3). Internally, ESA has adopted a Sustainability Vision and Policy Statement and a plan to reduce waste and energy within our operations. This document was produced using recycled paper.

# TABLE OF CONTENTS

---

## Riverpark Boulevard Electronic Billboard Initial Study/Mitigated Negative Declaration

|                                                            | <u>Page</u> |
|------------------------------------------------------------|-------------|
| <b>Initial Study.....</b>                                  | <b>1</b>    |
| 1.0 Project Information.....                               | 1           |
| 2.0 Environmental Factors Potentially Affected.....        | 9           |
| 3.0 Environmental Checklist.....                           | 11          |
| 3.1 Aesthetics and Urban Design.....                       | 11          |
| 3.2 Agricultural Resources.....                            | 17          |
| 3.3 Air Quality .....                                      | 18          |
| 3.4 Biological Resources .....                             | 26          |
| 3.5 Climate Change and Greenhouse Gas Emissions.....       | 29          |
| 3.6 Cultural Resources and Tribal Cultural Resources ..... | 38          |
| 3.7 Geology and Soils.....                                 | 42          |
| 3.8 Hazards and Hazardous Materials .....                  | 45          |
| 3.9 Hydrology and Water Quality.....                       | 47          |
| 3.10 Land Use and Planning.....                            | 50          |
| 3.11 Mineral Resources .....                               | 52          |
| 3.12 Noise .....                                           | 53          |
| 3.13 Population, Education, and Housing .....              | 58          |
| 3.14 Public Services and Recreation.....                   | 60          |
| 3.15 Transportation and Circulation.....                   | 62          |
| 3.16 Utilities and Energy .....                            | 64          |
| 3.17 Wildfire.....                                         | 69          |
| 3.18 Mandatory Findings of Significance.....               | 70          |

### Appendices

- A Project Plans
- B Proposed RiverPark Specific Plan Amendment Text Revisions
- C Native American Assembly Bill 52 Notification
- D Photometric Analysis
- E Air Quality Assumptions and Modeling
- F Greenhouse Gas Assumptions and Modeling
- G Energy Assumptions and Modeling

**List of Figures**

|          |                                                    |   |
|----------|----------------------------------------------------|---|
| Figure 1 | Project Vicinity Map .....                         | 4 |
| Figure 2 | Project Site Location Map .....                    | 5 |
| Figure 3 | Project Site Plan.....                             | 6 |
| Figure 4 | Electronic Billboard Elevation and Plan Views..... | 7 |
| Figure 5 | Landscape Plan .....                               | 8 |

**List of Tables**

|             |                                                                                                    |    |
|-------------|----------------------------------------------------------------------------------------------------|----|
| Table AQ-1  | Construction Schedule and Equipment.....                                                           | 21 |
| Table AQ-2  | Maximum Daily Total Construction Emissions .....                                                   | 22 |
| Table GHG-1 | GHG Emissions from Project Construction.....                                                       | 32 |
| Table GHG-2 | GHG Emissions from Project Operations.....                                                         | 33 |
| Table GHG-3 | Project Compliance with Applicable 2017 Climate Change Scoping<br>Plan Actions and Strategies..... | 34 |
| Table N-1   | Construction Noise Level .....                                                                     | 54 |
| Table UE-1  | Summary of Fuel Consumption During Installation of the Proposed<br>Electronic Billboard.....       | 65 |

## ENVIRONMENTAL CHECKLIST

---

### Initial Study

#### 1.0 Project Information

1. **Project Title:** Riverpark Boulevard Electronic Billboard
2. **City of Oxnard Contact Person and Phone Number and Address:**

City of Oxnard  
Community Development Department  
Planning Division  
214 South C Street  
Oxnard, California 93030  
Joe Pearson, II, Senior Planner  
805-385-8272
3. **Project Location:**

The Project is located on a 0.25-acre site in the northern portion of the City of Oxnard (**Figure 1**). Specifically, the site is located between the U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue, approximately 65 feet south of Riverpark Boulevard, and approximately 1-foot and 4 inches from the U.S. 101 right-of-way (**Figure 2**). The Project site is currently undeveloped.
4. **Project Sponsor's Name and Address:**

Foster Interstate Media, Inc.  
1111 Broadway, Suite 1515  
Oakland, CA 94607  
T: 510-832-7070 x 1103  
F: 510-832-7071  
C: 415.385.1781
5. **General Plan Designation(s):**

The Project site is designated under the City of Oxnard 2030 General Plan as Regional Commercial, according to the General Plan Land Use Map. The proposed Project conforms to the 2030 General Plan land use designation.

**6. City Zoning:**

The zoning designation of the proposed Project is RiverPark Specific Plan with a Public Facilities Land Use.

**7. Description of Project:**

The Riverpark Boulevard Electronic Billboard is located between U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue. The Project site is located within the RiverPark Specific Plan “A” and was assessed as Public Facilities as part of the 2009 Addendum 8 to the RiverPark Specific Plan Final EIR. The implementation of the proposed Riverpark Boulevard Electronic Billboard would require the approval of a Special Use Permit, Amendment to the RiverPark Specific Plan, and a Development Agreement. The Project plans are provided in **Appendix A**.

**Special Use Permit**

The proposed Project includes a request for approval of a Special Use Permit for the installation and operation of an electronic billboard (**Figure 3**). The electronic billboard would include a digital display of advertisements of various businesses, activities, services or products. The proposed billboard would be supported by a pole that ranges in diameter from approximately 7 feet to 3 feet. The pole would extend approximately 40 feet below ground and approximately 45.5 feet above ground. The portion of the pole above ground would be painted primarily gray except for the upper 10.5 feet that would be painted black. The top of the billboard would be 60 feet in height above the ground and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width (**Figure 4**). The existing ground level is at approximately the same elevation as the travel lanes along U.S. 101 and Riverpark Boulevard. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width.

Electricity for the electronic billboard will be provided by electrical service located immediately adjacent to the Project site and require approximately 40 feet of trenching for the electrical connection. The average electricity use is approximately 150 kilowatt hour (kwh) per day and approximately 54,000 kwh per year. Lighting levels on the digital sign will not exceed 0.3 foot candles above ambient light from a distance of 250 feet, as measured according to standards of the Outdoor Advertising Association of America. Brightness shall not exceed 300 nitere (nits) or candela per square meter from sunset to sunrise. At all other times, brightness will not exceed 7,500 nits. Illumination shall be directed such that minimal light spill will occur on either side or the top or bottom of the sign face. A light sensor will be installed with the sign to measure ambient light levels and adjust light intensity and brightness based on ambient conditions. The electronic sign will not display any moving, flashing, scrolling, fading, brightening or animated text or video. The signage will be controlled remotely and include remote maintenance software. LED lighting has a directional nature, and the projected viewing angle values for the proposed sign will be +14.9°/-34.6° vertically and ±45° horizontally. Louvers will be located above each row of lights to prevent light from projecting upward into the sky.

Construction activities would occur in approximately four days over a two-week period. Eight existing eucalyptus located on the north side of U.S. 101 are proposed to be removed which would require Caltrans approval because the trees are located within the U.S. 101 right-of-way. In addition, the Project includes removal of all dead wood located in the vicinity of the existing eucalyptus trees. The Project includes the placement of small multi-trunk accent trees with a maximum height of 15 feet along with low groundcover and shrubs (**Figure 5**). Up to two days will be required to drill the footing and haul/dispose of excess dirt and pour concrete to set the column. After the concrete sets, the structure is built. Finally, the digital displays are built and set.

### Specific Plan Amendment

The proposed Project will require an amendment to the RiverPark Specific Plan. The amendment would include the addition of Freeway Adjacent Digital Display Billboards within the Commercial Master Plan of the RiverPark Specific Plan. The specific revisions to the Specific Plan text is provided in **Appendix B**. The proposed revisions identify minimum and maximum lot dimensions as well as size and spacing of the billboards. These revisions would be consistent with the proposed Freeway Adjacent Digital Display Billboards Ordinance that is required to be approved prior to approval of the proposed Project.

### Development Agreement

The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard. The agreement would also outline the required public benefits to be provided by the future development, including fiscal benefits to the City, such as revenue sharing. No other physical improvements are allowed or required by the development agreement.

## 8. Surrounding Land Uses and Setting

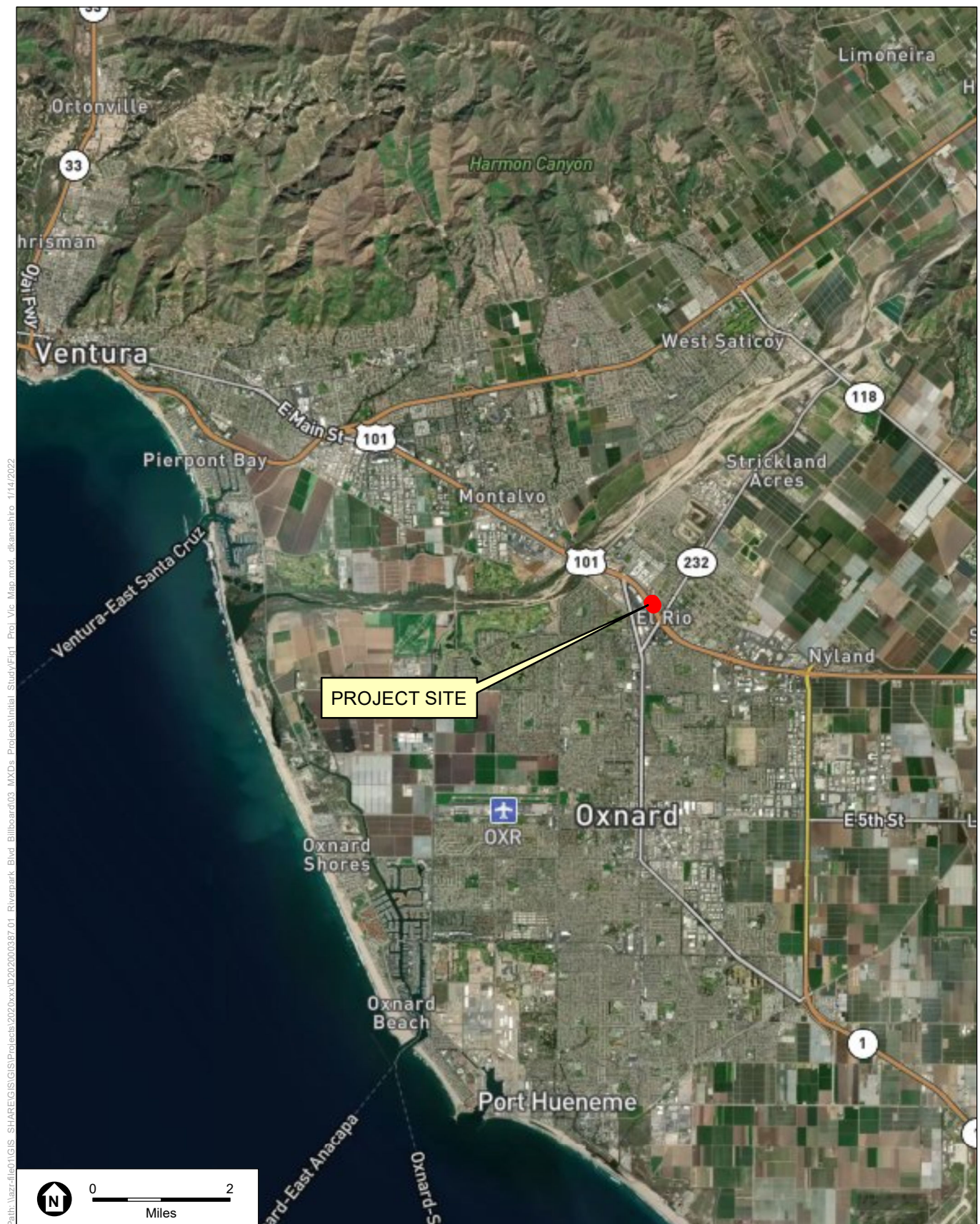
The area surrounding the Project site consists of a mix of residential and commercial land uses. To the west and south of the Project site, across U.S. 101, is the Esplanade Commercial Shopping Center. To the southeast are retail commercial uses adjacent to Vineyard Avenue. These commercial and retail land uses are zoned as RiverPark Specific Plan. On the northeast side of Riverpark Boulevard is a place of worship and single family residences that are part of the El Rio West neighborhood and zoned as a Multiple-Family Residential Planned Development and Single-Family Residential Planned Development. To the north are the two and three story Paseo Del Rio Apartments, which are also a part of the RiverPark Specific Plan Area. Further to northeast within the RiverPark Specific Plan area are additional apartments that are three stories and beyond the apartments is the Collection shopping center.

## 9. Other public agencies whose approval is required

The proposed Project will require two separate permits from the California Department of Transportation (Caltrans). Because the Project includes the removal of existing landscaping and the installation of new landscaping within the right-of-way of U.S. 101, an encroachment permit from Caltrans will be required. In addition, the proposed Project will require an Outdoor Advertising Act Permit from Caltrans to ensure the proposed electronic sign does not represent a danger to motorists traveling along U.S. 101. No additional permits, financing approval or participation agreement will be required from other public agencies.

## 10. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

The City of Oxnard sent a notification letter on November 23, 2021 to the Native American tribe that is on the City's Assembly Bill (AB) 52 list (**Appendix C**). This list includes only one tribe, Barbareno/Ventureno Band of Mission Indians, that has requested notification of projects within the City in accordance with AB 52. The Barbareno/Ventureno Band of Mission Indians did not request consultation with the City of Oxnard regarding the proposed Project.

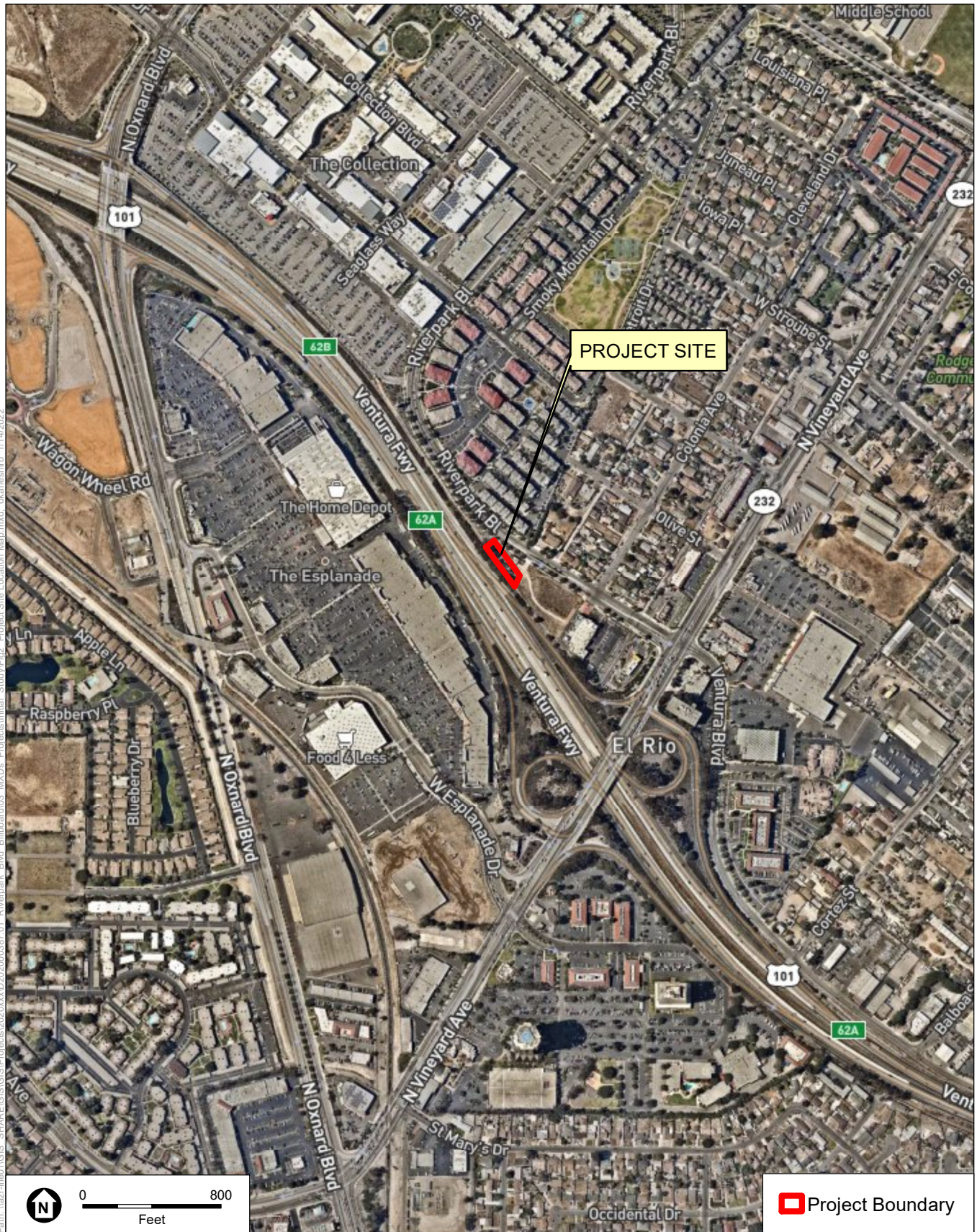


SOURCE: OpenStreetMap, 2022

Riverpark Boulevard Electronic Billboard Project

**Figure 1**  
Project Vicinity Map





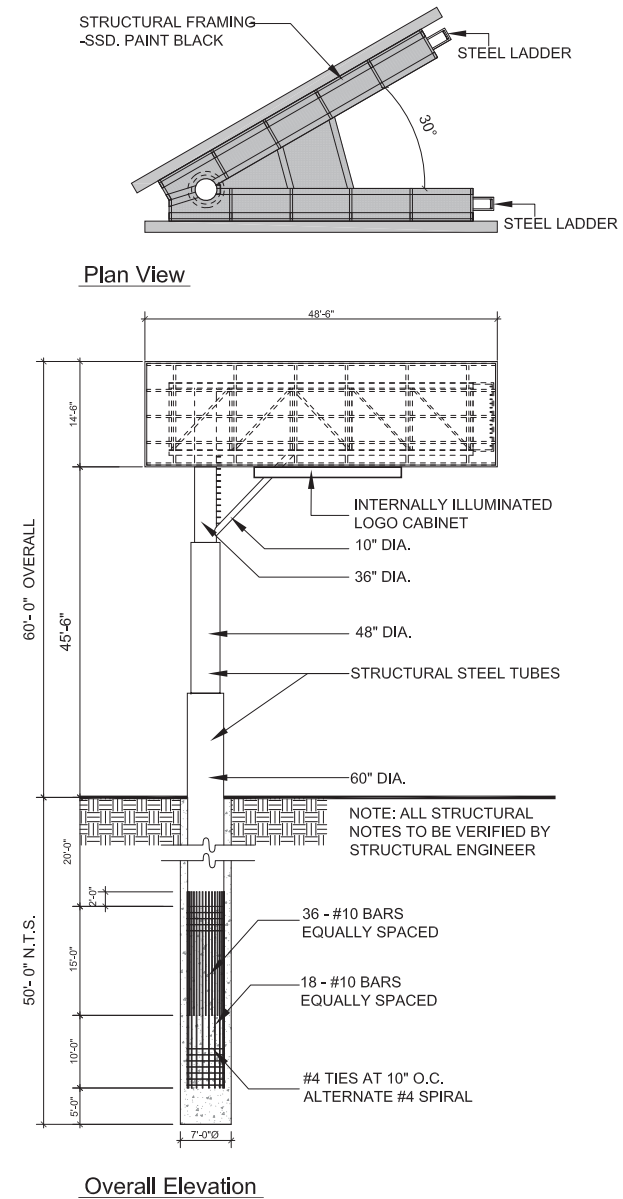
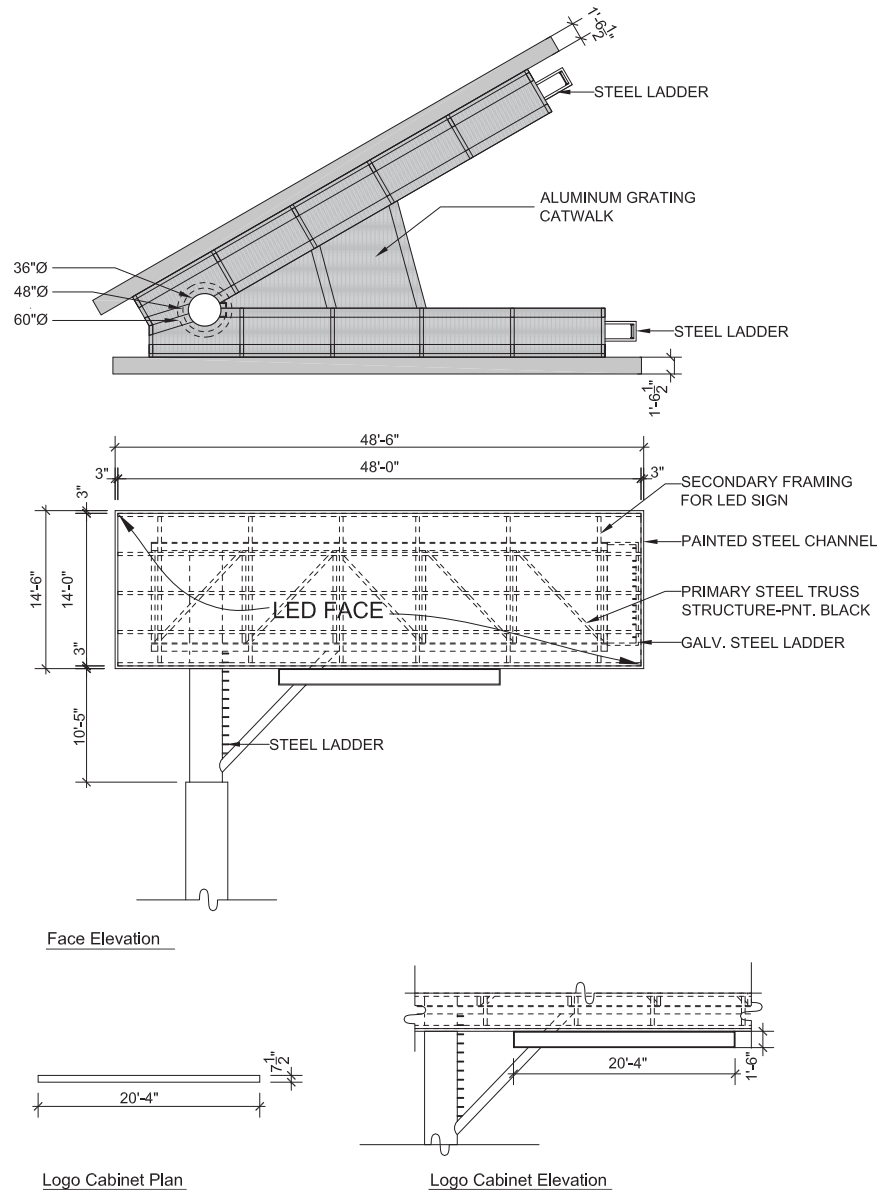
SOURCE: OpenStreetMap, 2022

Riverpark Boulevard Electronic Billboard Project

**Figure 2**  
Project Site Location Map







SOURCE: ib+a architecture, 2020

Ventura Road Electronic Billboard Project

**Figure 4**  
Electronic Billboard Elevation and Plan Views



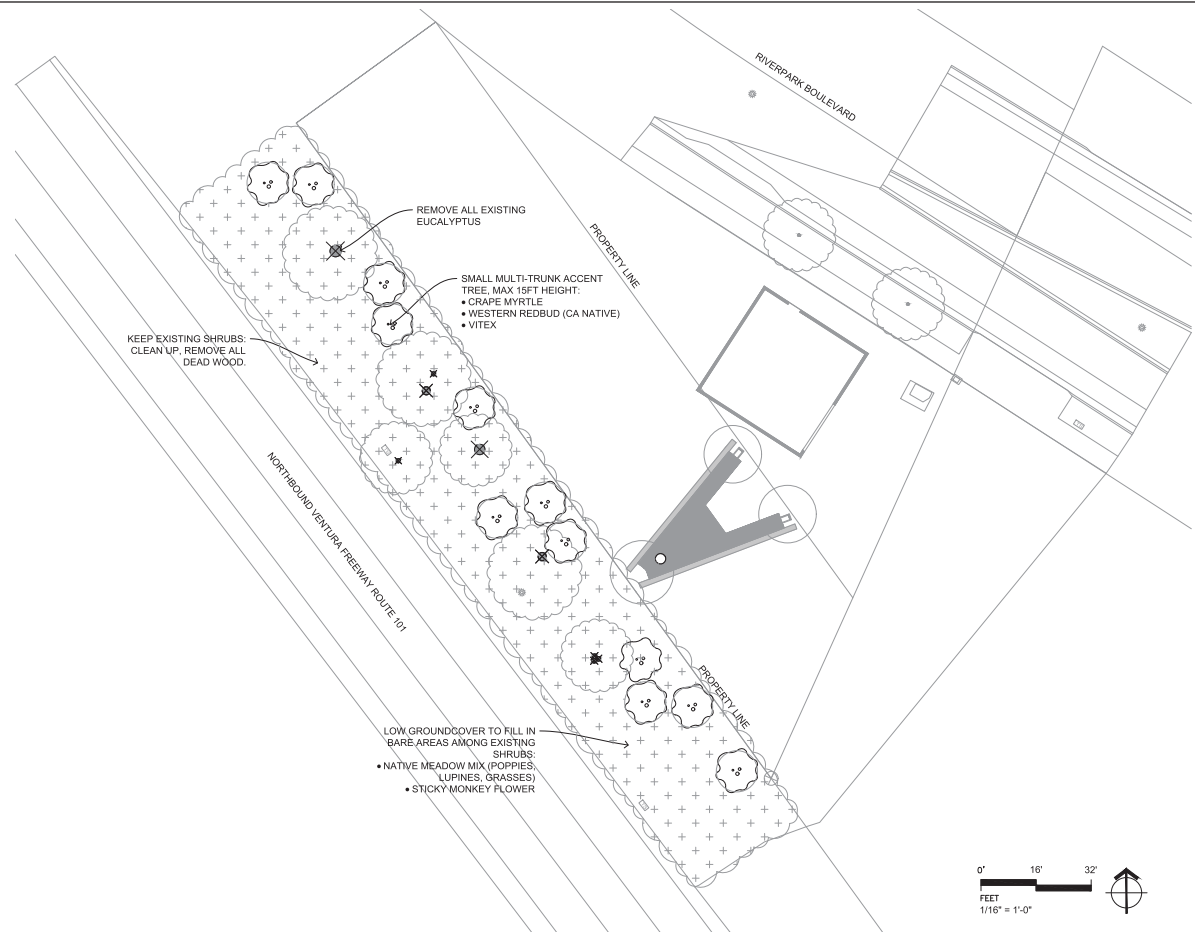
CRAPE MYRTLE: MANY SMALL VARIETIES ARE AVAILABLE



WESTERN REDBUD: CALIFORNIA NATIVE



VITEX: FRAGRANT LAVENDER FLOWERS ATTRACT BUTTERFLIES



#### LANDSCAPE DESIGN INTENT

THE LANDSCAPE DESIGN IS SIMPLE, NATURALISTIC, WATER CONSERVING AND LOW MAINTENANCE. IT IS IN CONTEXT WITH THE ADJACENT HIGHWAY, THE NEIGHBORING URBAN AREA AND WITH THE LOCAL ENVIRONMENT.

SMALL FLOWERING TREES DRIFT ALONG THE INSIDE EDGE, ADDING COLOR AND SOFTENING THE STRUCTURE.

THE UNDERSTORY RETAINS THE EXISTING LOW EVERGREEN SHRUBS AND FILLS IN THE BARE AREAS WITH A NATIVE MEADOW WHICH IS COMPOSED OF TOUGH LOW GROUNDCOVERS. ADDITIONAL WOODY SHRUBS ARE AVOIDED DUE TO THE POTENTIAL FIRE HAZARD OF THEIR FLAMMABLE INTERIORS.

THE DESIGN COMPLIES WITH THE WATER EFFICIENT LANDSCAPE ORDINANCE. IT INCORPORATES SUSTAINABLE PRINCIPLES AND BEST MANAGEMENT PRACTICES. SPECIES ARE CAREFULLY SELECTED AND COMBINED BASED ON SIMILAR WATER NEEDS AND HORTICULTURAL REQUIREMENTS. PLANTING AND IRRIGATION ARE COORDINATED SO THAT WATER USE IS MINIMIZED AND ENVIRONMENTAL BENEFITS ARE MAXIMIZED.

THIS LANDSCAPE PLAN IS CONCEPTUAL. FURTHER DESIGN IS REQUIRED TO DEVELOP IT TO CONSTRUCTION READY PLANS.



STICKY MONKEY FLOWER: NATIVE



NATIVE MEADOW

## 2.0 Environmental Factors Potentially Affected

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

- |                                                                      |                                                                                      |                                                             |                                                                        |
|----------------------------------------------------------------------|--------------------------------------------------------------------------------------|-------------------------------------------------------------|------------------------------------------------------------------------|
| <input type="checkbox"/> Aesthetics and Urban Design                 | <input checked="" type="checkbox"/> Cultural Resources and Tribal Cultural Resources | <input type="checkbox"/> Mineral Resources                  | <input type="checkbox"/> Utilities and Energy                          |
| <input type="checkbox"/> Agricultural Resources                      | <input type="checkbox"/> Geology and Soils                                           | <input checked="" type="checkbox"/> Noise                   | <input type="checkbox"/> Wildfire                                      |
| <input type="checkbox"/> Air Quality                                 | <input type="checkbox"/> Hazards and Hazardous Materials                             | <input type="checkbox"/> Population, Education, and Housing | <input checked="" type="checkbox"/> Mandatory Findings of Significance |
| <input checked="" type="checkbox"/> Biological Resources             | <input type="checkbox"/> Hydrology and Water Quality                                 | <input type="checkbox"/> Public Services and Recreation     |                                                                        |
| <input type="checkbox"/> Climate Change and Greenhouse Gas Emissions | <input type="checkbox"/> Land Use and Planning                                       | <input type="checkbox"/> Transportation and Circulation     |                                                                        |

### DETERMINATION:

On the basis of this initial study:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

---

---

Printed Name

For

---

---

### 3.0 Environmental Checklist

#### 3.1 Aesthetics and Urban Design

| <i>Issues:</i>                                                                                                                                                                                                                                                                                                                                              | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|--------------------------|
| a) Would the project have a substantial adverse effect on a scenic vista such as an ocean or mountain view from an important view corridor or location as identified in the 2030 General Plan or other City planning documents?                                                                                                                             | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, or route identified as scenic by the County of Ventura or City of Oxnard?                                                                                                        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| c) Would the project substantially degrade the existing visual character or quality of the site or its surroundings such as by creating new development or other physical changes that are visually incompatible with surrounding areas or that conflict with visual resource policies contained in the 2030 General Plan or other City planning documents? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| d) Would the project add to or compound an existing negative visual character associated with the project site?                                                                                                                                                                                                                                             | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| e) Would the project create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?                                                                                                                                                                                                                 | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |

#### Discussion

- a) **Less than Significant Impact.** Based on a review of the Oxnard General Plan Background Report (City of Oxnard, 2006), there are scenic areas and view corridors within the City of Oxnard. The scenic areas and view corridors include local waterways, agricultural open space, beaches and coastline, scenic highways/roadways, and urban landscapes that maintain original historic architectural features and contain park/plaza features.

The proposed Project is located adjacent to U.S. 101 that is identified as part of the City's Scenic Highway System along the entire length of U.S. 101 from the eastern city limits to the western city limits. The current views from U.S. 101 in the vicinity of the Project site include urban development such as commercial and residential uses. The view from motorists traveling northbound on U.S. 101 from Vineyard Avenue includes eucalyptus trees on both sides of the freeway, urban development on both sides of the freeway and a background view of the Coastal Mountain Range. The view from motorists traveling southbound on U.S. 101 from Oxnard Boulevard includes urban development (commercial and residential uses) on both sides of the freeway with landscaping providing partial obstruction of structures in some areas. This view also includes Caltrans signs and private commercial billboards associated with the RiverPark Specific Plan development. Background views from the southbound lanes include a small portion of the hills of Point Mugu State Park that bound the southeastern portion of the City of Oxnard.

The implementation of the proposed amendment to the RiverPark Specific Plan, Development Agreement and placement of the proposed electronic billboard on the Project site would result in the removal of six existing eucalyptus trees located on the north side of the U.S. 101 right-of-way, and the placement of a 60-foot high pole with an electronic billboard that would be 14.5 feet in height and 48.5 feet in width. No landscaping is proposed on the Project site. A visual simulation of the proposed electronic billboard is provided in the Project Plans located in Appendix A. The implementation of the Project would result in an impact on motorist views traveling along U.S. 101; however, this impact would not be considered a substantial adverse effect on a scenic vista since the views of the Project area from U.S. 101 consist of urban development and the views of the proposed electronic billboard would add another typical view of an urban landscape (i.e., billboards and Caltrans signs) that occurs along U.S. 101. Northbound motorists' background views would be minimally impacted because existing views include partial distant views of the Coastal Mountain Range. Southbound motorists' background view will also be minimally impacted because existing views include partial distant views of the hills of Point Mugu State Park. Therefore, implementation of the proposed electronic billboard along with the removal of the existing eucalyptus trees adjacent to the Project site would result in less than significant effects on a scenic vista.

- b) **Less than Significant Impact.** The Project site is located along the north side of U.S. 101. Currently, U.S. 101 is an eligible State scenic highway; however, it is not an official State-designated scenic highway (Caltrans, 2019). The nearest officially State-designated highway is State Route 33 located approximately 8 miles west of the Project site. Oxnard Boulevard is also an eligible State scenic highway as well as a City-designated scenic highway to U.S. 101. However, Oxnard Boulevard is approximately 0.3 to 0.5 mile west of the Project site and due to existing terrain as well as existing development, very limited views of the upper elevations of the proposed electronic billboard would be viewable. These limited views would not substantially alter the characteristics of existing views from Oxnard Boulevard.

As described above, U.S. 101 is identified as a City of Oxnard scenic highway. As discussed, potential visual impacts from the implementation of the proposed electronic billboard would result in less than significant visual impacts in the existing urban area. Based on a review of the Oxnard General Plan Background Report (City of Oxnard, 2006), there are no historic resources in the vicinity of the Project site. In addition, based on a site visit, there are no areas of rock outcroppings. The Project will remove six eucalyptus trees located along the north side of U.S. 101; however, these trees would be replaced with trees that will mature with lower heights (i.e., 15 feet). The Project also includes the planting of shrubs along U.S. 101 adjacent to the Project site. Less than significant visual impacts would occur with the removal of the existing vegetation within the U.S. 101 right-of-way.

- c) **Less than Significant Impact.** As discussed above, the Project would add a structure to motorists' view along the U.S. 101. The addition of the proposed electronic billboard would alter the existing visual characteristics along U.S. 101; however, because the area contains urban development and the proposed electronic billboard provides a typical view

of an urban landscape (i.e., billboards and Caltrans signs) that occurs along U.S. 101, the visual alteration caused by the Project would not be considered a substantial change. Therefore, potential impacts from the visual alteration of adding the proposed electronic billboard to the visual landscape would be less than significant.

The City of Oxnard 2030 General Plan includes aesthetic policies to protect and enhance natural setting and scenic resources. A discussion of the Project's consistency with the applicable aesthetic policies is provided below.

Policy ER-6.1 includes the incorporation of views in new development. This policy requires development to provide physical breaks to allow views into scenic vistas and view corridors. Because the proposed Project includes a free-standing electronic billboard, the implementation of the Project would not conflict with this policy because motorists would briefly view the proposed billboard as they travel along U.S. 101. Therefore, the Project would be consistent with this policy.

Policy ER-6.2 includes the protection and enhancement of major scenic resources including the surrounding mountains. As discussed above, motorists traveling northbound along U.S. 101 would have a background view of the Coastal Mountain Range; however, this background view would be bordered by foreground urban development. Therefore, the addition of the proposed electronic billboard would not substantially impact these background views of the mountain and thus would not conflict with this policy. Therefore, the Project would be consistent with this policy.

Policy ER-6.5 includes the control of light and glare. The policy requires advertising displays and billboards to use low-energy, shielded light fixtures which direct light downward and, where public safety would not be compromised, encourage the use of low-pressure sodium lighting for all outdoor fixtures. The proposed electronic billboard would utilize energy efficient light emitting diode (LED) technology, which is recognized by the U.S. Department of Energy as the most energy efficient lighting technology. The lighting of the proposed electronic billboard would be designed to allow the message on the display visible to passing motorists. The digital LED billboard technology allows sign brightness to be adjusted automatically depending on ambient weather conditions. The display, for example, would be brighter in the daytime than at night-time and responds to changes in the ambient light conditions. The proposed electronic billboard would require a California Department of Transportation Outdoor Advertising Act Permit from Caltrans. The proposed billboard would comply with the brightness requirements outlined in the Outdoor Advertising Act in that the illumination shall not be of such brilliance or so positioned as to cause a hazardous condition on adjacent highways. The implementation of the proposed electronic billboard would not conflict with this policy. Therefore, the Project would be consistent with this policy.

Based on a review of the existing City of Oxnard sign regulations within the City of Oxnard Municipal Code, the proposed electronic billboard is not currently an allowed use within the City of Oxnard. However, as discussed above, the implementation of the proposed



electronic billboard would result in less than significant impact to scenic vistas, scenic resources, and scenic highways, and the Project would result in a less than significant visual alteration of the existing visual characteristics as well as less than significant light and glare.

- d) **Less than Significant Impact.** Currently, the Project site includes non-native grasses and disturbed areas as well as landscaping located along U.S. 101. The Project site is undeveloped and does not represent an existing negative view from the surrounding areas. The addition of the proposed electronic billboard would alter the existing visual characteristics of the Project area; however, as discussed above, this alteration would be considered less than significant. Therefore, the addition of the proposed electronic billboard would not add to or compound to an existing negative view of the Project site, and as a result the Project's impact would be less than significant.
- e) **Less than Significant Impact.** The operation of the proposed Project would increase nighttime lighting in the Project vicinity. Currently, the City of Oxnard does not have a quantitative exterior light standard. Typically, lighting is quantified using foot-candle (fc) which is the unit of measure expressing the quantity of light received on a surface. One foot-candle is the illuminance produced by a candle on a surface one-foot square from a distance of one foot.

Light pollution or obtrusive light is highly subjective. To address concerns with light pollution, recommendations to limit light trespass onto adjacent properties from the International Commission on Illumination (CIE) were reviewed. The CIE identifies a light trespass illuminance of 0.5 fc or greater for urban areas such as the Project site (CIE, 2003). Therefore, due to the absence of a current local light pollution standard, a significant light impact on the adjacent residents would occur if light levels are 0.5 fc or greater.

The lighting associated with the proposed electronic billboard was evaluated within a Photometric Analysis provided in **Appendix D**. Lighting from the billboard would be directed toward the travel lanes along U.S. 101. Louvers will be located above each row of lights to prevent light from projecting upward into the sky. As discussed above, the digital LED billboard technology allows sign brightness to be adjusted automatically depending on ambient weather conditions. The display, for example, would be brighter in the daytime than at night-time and responds to changes in the ambient light conditions.

The nearest residences to the Project site are located approximately 150 feet to the north and northeast. Based on the Photometric Analysis provided in Appendix D, the light levels at the residential areas north and northeast of the site and east of Riverpark Boulevard would be less than 0.2 fc. Because the light level would be less than 0.5 fc, the Project would result in a less than significant lighting impact on the adjacent residential uses.

To ensure that the images on the electronic billboard do not cause hazardous conditions to motorists, the billboard may show a series of still images, each displayed for at least eight seconds. The still images may not move or present the appearance of motion and may not use flashing or blinking lights or any other means not providing constant

illumination. Transition or blank screen time between one still image and the next may not exceed one second. The implementation of these design features as well as complying with all applicable federal, state, and local laws, including the Highway Beautification Act of 1965 (23 United States Code Section 131) and the Outdoor Advertising Act (California Business and Professions Code Section 5200 et seq.), when constructing, operating, improving, maintaining, and repairing the proposed billboard would reduce potential light and glare impacts from the proposed electronic billboard to less than significant.

Lighting from the proposed billboard would be primarily directed towards the travel lanes along U.S. 101. The proposed billboard will be angled as shown in Figure 4 so that lighting onto adjacent land uses (i.e., the residences north and northeast of the site) would be minimized. Based on the photometric analysis provided in Appendix D, lighting levels at the adjacent residences would be minimized and would be less than 0.5 fc. Therefore, the operation of the proposed electronic billboard would not result in a substantial light increase and would result in a less than significant impact on daytime or nighttime views.

Although less than significant lighting impacts would occur, the following mitigation measures are recommended to further reduce less than significant light impacts.

**Mitigation Measure AES-1:** The proposed light emitting diode (LED) billboard shall include an operating mechanism (hardware or software controlled) that turns off the display or turns it to all black in the event of a malfunction or failure in any system or subsystem that results in the display wholly or partly appearing to flash.

**Mitigation Measure AES-2:** Within 14 days of the proposed electronic billboard being operational, annually, and as required by City staff (i.e., after maintenance, malfunctions, multiple complaints), the Applicant shall submit to the satisfaction of the Community Development Director thereafter as, of the freeway sign being operational, annually, and as required by City staff (after maintenance, malfunctions, multiple complaints) the applicant shall submit to the satisfaction of the Community Development Director the following information:

- A third party test conducted after installation to verify that the electronic billboard complies with the requirements not to exceed 0.3 foot-candle above ambient light at 250 feet from the face of the electronic billboard or exceed 0.5 foot-candle at any residential uses.

As identified above, the implementation of the above mitigation measures would further reduce a less than significant impact.

## References

Caltrans. 2019. California State Scenic Highways. Available at: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed on February 10, 2022.

City of Oxnard. City of Oxnard General Plan Background Report. Available at:  
[https://www.oxnard.org/wp-content/uploads/2016/08/OxnardDraftBackgroundReport2006\\_04.21.06.pdf](https://www.oxnard.org/wp-content/uploads/2016/08/OxnardDraftBackgroundReport2006_04.21.06.pdf). Accessed on February 10, 2022.

exp. 2020. Photometric Analysis. October 23. Appendix D of this IS/MND.

International Commission on Illumination (CIE). 2003. Guide on the Illumination of the Effects of Obtrusive Light from Outdoor Lighting Installations.

---

### 3.2 Agricultural Resources

| <i>Issues:</i>                                                                                                                                                                         | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?                                                             | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?                                                                                 | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| c) Would the project involve other changes in the existing environment that, due to their location or nature, could result in conversion of off-site farmland to non-agricultural use? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **No Impact.** The Project site is currently identified as Urban and Built-Up Land and not designated as Prime Farmland, Unique Farmland, Farmland, or Statewide Importance based on a review of the California Department of Conservation's California Important Farmland Finder (CDC, 2016). Therefore, the implementation of the proposed Project would not convert farmland to an urban use, and no impact to farmland would occur.
- b) **No Impact.** Williamson Act contracts are formed between a county or city and a landowner for the purposes of restricting specific parcels of land to agricultural preserve areas. The Project site does not contain any agricultural uses. It is currently zoned for Specific Plan with a Public Facilities land use. Because there are no active Williamson Act contracts associated with the Project site, the Project would not conflict with existing agricultural zoning or a Williamson Act contract. No Project impact would occur.
- c) **No Impact.** Because there are no agricultural or forest lands located in the immediate vicinity of the Project site, the construction and operation of the proposed electronic billboard would not involve other changes in the existing environment that would result in the conversion of agricultural or forest lands. No impacts would occur.

### References

California Department of Conservation (CDC), 2016. Available at: California Important Farmland Finder <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed on February 10, 2022.

### 3.3 Air Quality

| <i>Issues:</i>                                                                                                                                                                                           | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|--------------------------|
| a) Would the project conflict with or obstruct implementation of the Ventura County AQMP?                                                                                                                | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| b) Would the project result in a cumulatively considerable net increase of any criteria pollutant in excess of quantitative thresholds recommended by the VCAPCD?                                        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| c) Would the project expose sensitive receptors to substantial pollutant concentrations exceeding state or federal standards or in excess of applicable health risk criteria for toxic air contaminants? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| d) Would the project create objectionable odors affecting a substantial number of people?                                                                                                                | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |

### Discussion

- a) **Less than Significant Impact.** Ventura County Air Pollution Control District (VCAPCD) is responsible for attaining and maintaining air quality standards in the Ventura County portion of the South Central Coast Air Basin (SCCAB) through a comprehensive program of planning, regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues. The clean air strategy of VCAPCD includes preparation of plans for attainment of ambient air quality standards, adoption and enforcement of rules and regulations concerning sources of air pollution, and issuance of permits for stationary sources of air pollution. The Ventura County portion of the SCCAB is designated as nonattainment for ozone for the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) and for respirable particulate matter 10 micrometers in diameter and smaller (PM10) for the CAAQS. VCAPCD and the Ventura Council Association of Governments (VCOG) are responsible for preparing the air quality management plan (AQMP), which addresses federal and state Clean Air Act (CAA) requirements. The VCAPCD has adopted Air Quality Management Plans (AQMPs) to meet the CAAQS and NAAQS. The VCAPCD Governing Board adopted the 2016 AQMP on February 14, 2017. The goals of the VCAQMP are to ensure that city and county population growth do not interfere with emission reductions and progress in meeting the state and national ambient air quality standards.

The proposed Project is located within the Ventura County portion of the SCCAB, which is under the jurisdiction of the VCAPCD for air quality planning and control. As such, VCAPCD's 2016 AQMP is the applicable air quality plan for the proposed Project. Projects that are consistent with the regional population, housing, and employment forecasts identified by VCOG are deemed consistent with the AQMP growth projections, since the forecast assumptions by VCOG forms the basis of the land use and transportation control portions of the AQMP. Additionally, because VCOG's regional growth forecasts are based upon, among other things, land uses designated in general plans, a project that is consistent with the land use designated in a general plan would also be consistent with the VCOG's regional forecast projections, and thus also with the AQMP growth projections.

The billboard Project would generate temporary emissions that would occur during the construction associated with installation activities. These emissions would be short-term in nature (approximately 4 days of construction for the billboard installation) over a two-week period. The billboard operations would not generate additional employment or population growth or transportation impacts from increased vehicle trips. Ongoing operation of the billboards would require power in the form of purchased electricity and would not generate any direct emissions of criteria pollutants or ozone precursors at the Project site, aside from minimal emissions from occasional site visits for maintenance or repairs.

The VCAPCD Ventura County Air Quality Assessment Guidelines exempts projects with de minimis emissions from Consistency Assessments. According to Section 4.2.1, Projects Exempt from Consistency Assessments, a project that conforms to the applicable General Plan designation and has emissions below two pounds per day of reactive organic compounds (ROC), and below two pounds per day of nitrogen oxides (NO<sub>x</sub>), is not required to assess consistency with the AQMP. According to Section 5.2, Calculating Ozone Precursor Emissions from Project Construction, the VCAPCD does not consider emissions from construction activities towards VCAPCD thresholds since construction emissions are temporary.

The Project would not generate air pollutant emissions during operations, and is thus not required to assess consistency with the AQMP. Further, as discussed above, the billboard operations would not generate additional employment or population growth or transportation impacts from increased vehicle trips. Therefore, the Project would have no impact with respect to conflicts with or obstruction of implementation of the applicable air quality plan.

- b) **Less than Significant Impact.** The City of Oxnard has not developed specific air quality thresholds for air quality impacts. However, as stated in Appendix G of the CEQA Guidelines, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the above determinations. As such, the significance thresholds and analysis methodologies in VCAPCD's CEQA Air Quality Handbook are used in evaluating Project impacts. The VCAPCD's CEQA Air Quality Handbook focuses on reducing ozone precursor emissions, which includes ROCs (also referred to as volatile organic compounds [VOCs]) and NO<sub>x</sub> because emissions of these pollutants could jeopardize attainment of the NAAQS and CAAQS for ozone in Ventura County. The other criteria pollutants of concern include: carbon monoxide (CO), which is a colorless and odorless gas and can cause dizziness, confusion, unconsciousness or even death at high levels; sulfur dioxide (SO<sub>2</sub>), which is also colorless and can cause asthma exacerbation, including bronchoconstriction accompanied by symptoms of respiratory irritation, such as wheezing, shortness of breath and chest tightness; and PM<sub>10</sub> and fine particulate matter 2.5 micrometers or less in diameter (PM<sub>2.5</sub>), which can worsen respiratory diseases, including asthma and chronic obstructive pulmonary disease, leading to hospitalization and emergency department visits and respiratory mortality. The

VCAPCD has not established mass emission significance thresholds for CO, SO<sub>2</sub>, PM<sub>10</sub> or PM<sub>2.5</sub>.

### **Construction**

Construction emissions from projects are considered short term and temporary but could adversely affect air quality. Emissions of ozone precursors and particulate matter are potential concerns in the Ventura County portion of the SCCAB since the area is designated as nonattainment for ozone (NAAQS and CAAQA) and PM<sub>10</sub> (CAAQS). Emissions of ozone precursors ROC and NO<sub>x</sub> are primarily generated from heavy-duty equipment and motor vehicle exhaust and vary as a function of vehicle trips per day associated with soil hauling, delivery of construction materials, and worker commute trips, and the types and number of heavy-duty, off-road equipment used and the intensity and frequency of their operation. Particulate matter (i.e., PM<sub>10</sub> and PM<sub>2.5</sub>) is among the pollutants of greatest localized concern with respect to construction activities given that particulate concentrations tend to be higher near the source of the emissions. Particulate emissions from construction activities can lead to adverse health effects and nuisance concerns, such as reduced visibility and soiling of exposed surfaces. Particulate emissions can result from a variety of construction activities, including drilling/excavation, vehicle travel on paved and unpaved surfaces, and vehicle and equipment exhaust. Construction emissions of PM can vary greatly depending on the level of activity, the specific operations taking place, the number and types of equipment operated, local soil conditions, weather conditions, and the amount of earth disturbance.

Proposed construction activities associated with billboard installations would generate temporary pollutant emissions from the following construction activities: (1) drilling and haul of excavated soil; (2) column set/concrete pour; (3) build and set of the billboard structure; and (4) build & set digital displays. These construction activities would create emissions of dust, fumes, equipment exhaust, and other air contaminants. The daily quantity of emissions generated would vary, depending on the intensity and types of construction activities occurring during each task.

Construction emissions from the proposed billboard Project is estimated to require four days of construction activity. For the purposes of the air quality analysis, the construction activities were modeled for the earliest potential time frame to provide for a conservative analysis. Construction of the Project is assumed to occur in 2022. If construction occurs subsequent to 2022, the emissions presented in this IS/MND would be conservative as emissions occurring in future years would be lower than those calculated for 2022 due to the use of a more energy-efficient and cleaner burning construction vehicle fleet mix, pursuant to State regulations that require vehicle fleet operators to phase-in less polluting heavy-duty equipment. Assumptions, including information on equipment horsepower, hours of operation, vehicle trip distances and the model output, are included in **Appendix E**. CalEEMod version 2020.4.0 was used with Ventura County defaults whenever appropriate to ensure a location specific, but generic emission model that would apply to a range of installation scenarios. **Table AQ-1, Construction Schedule and**

*Equipment*, below summarizes the basic construction schedule, equipment and on-road vehicle types and trips.

**TABLE AQ-1**  
**CONSTRUCTION SCHEDULE AND EQUIPMENT**

|                              | Days | Equipment                                                                       | Daily Haul / Equipment<br>Delivery Trips <sup>a</sup> | Daily Worker<br>Trips <sup>a</sup> |
|------------------------------|------|---------------------------------------------------------------------------------|-------------------------------------------------------|------------------------------------|
| Drilling / Haul Soil         | 1    | Excavator/Drill<br>Skid Steer Loader<br>Dump Trucks                             | 12                                                    | 8                                  |
| Column Set / Concrete Pour   | 1    | Crane<br>Truck mounted Aerial Lift<br>Concrete Pump<br>Concrete Mixers (trucks) | 12                                                    | 10                                 |
| Build & Set Structure        | 1    | Crane<br>Truck Mounted Aerial Lift<br>Air Compressor                            | 8                                                     | 10                                 |
| Build & Set Digital Displays | 1    | Crane<br>Truck Mounted Aerial Lift                                              | 8                                                     | 10                                 |

<sup>a</sup> Haul and construction worker trips are inbound and outbound trips, with one inbound and one outbound trip comprising a roundtrip. Haul and delivery trips are for the export of soil, import of cement and delivery of the billboard columns, display, and associated materials.

SOURCE: City of Oxnard, 2022

It is mandatory for all construction projects in the SCCAB to comply with VCAPCD Rule 55 for controlling fugitive dust. Incorporating Rule 55 into the proposed Project reduces regional PM<sub>10</sub> and PM<sub>2.5</sub> emissions from construction activities. Specific Rule 55 control requirements may include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, covering all trucks hauling soil with a fabric cover and maintaining a freeboard height of 12 inches, and maintaining effective cover over exposed areas. Compliance with Rule 55 was accounted for in the construction emissions modeling.

Ventura County Guidance specifies that construction-related emissions are not counted towards the significance thresholds for the ozone precursors (ROC and NO<sub>x</sub>) since the emissions are temporary. However, they should be mitigated if they are predicted to exceed the threshold level (25 pounds per day of ROC or NO<sub>x</sub> in the Project area).

The VCAPCD has not established a quantitative threshold for fugitive dust emissions, but provides qualitative criteria in its Air Quality Assessment Guidelines.

A project that may be reasonably expected to generate fugitive dust emissions in such quantities as to cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which may endanger the comfort, repose, health, or safety of any such person or the public, or which may cause, or have a natural tendency to cause,



injury or damage to business or property (see California Health and Safety Code, Division 26, §41700) will have a significant adverse air quality impact.

**Table AQ-2, *Maximum Daily Total Construction Emissions***, summarizes the estimated emissions of criteria air pollutants and ozone precursors associated with a typical billboard installation for each individual construction phase (day) along with the maximum daily emissions. These emissions are compared to VCAPCD's daily operational significance threshold for ROG and NO<sub>x</sub> emissions to determine if mitigation should be implemented. As shown, the maximum daily emissions would be below the operational thresholds. Therefore, the proposed Project would not result in any significant construction emission impacts for these nonattainment pollutants, nor require any mitigation measures beyond those incorporated into the Project design (e.g., fugitive dust control according to VCAPCD Rule 55, compliance with state truck regulations).

**TABLE AQ-2**  
**MAXIMUM DAILY TOTAL CONSTRUCTION EMISSIONS**

|                                                               | Maximum Regional Emissions (lbs/day) |                 |            |                 |                  |                   |
|---------------------------------------------------------------|--------------------------------------|-----------------|------------|-----------------|------------------|-------------------|
|                                                               | ROG                                  | NO <sub>x</sub> | CO         | SO <sub>2</sub> | PM <sup>10</sup> | PM <sup>2.5</sup> |
| Drilling / Haul Soil                                          | <1                                   | 5.5             | 6.1        | <1              | <1               | <1                |
| Column Set / Concrete Pour                                    | <1                                   | 8.1             | 5.6        | <1              | <1               | <1                |
| Build & Set Structure                                         | <1                                   | 7.9             | 6.0        | <1              | <1               | <1                |
| Build & Set Digital Displays                                  | <1                                   | 6.0             | 3.6        | <1              | 4                | 4                 |
| <b>Maximum Daily Emissions <sup>a</sup></b>                   | <b>&lt;1</b>                         | <b>8.1</b>      | <b>6.1</b> | <b>&lt;1</b>    | <b>&lt;1</b>     | <b>&lt;1</b>      |
| <i>Operational Significance Thresholds / Screening Levels</i> | 25 <sup>b</sup>                      | 25 <sup>b</sup> | —          | —               | —                | —                 |
| Significant Impact?                                           | No                                   | No              | NA         | NA              | NA               | NA                |

<sup>a</sup> Maximum daily emissions are for each individual pollutant that results in the greatest emissions on a peak day of construction.  
Note: All emissions shown above include VCAPCD Rule 55 fugitive dust reduction measures.

<sup>b</sup> VCAPCD operational significance thresholds.

SOURCE: ESA, 2022

## Operation

Proposed operational activities associated with the operation of the proposed electronic billboard would not generate any direct emissions of criteria pollutant and ozone precursors. Furthermore, the operation of the billboard would not generate any employment or population growth and related emissions nor any additional daily vehicle trips or transportation related emissions of criteria pollutants or ozone precursors (minimal emissions from occasional site visits for maintenance or repairs may occur periodically).

The operation of the billboard would not result in emissions of ozone precursors in excess of the ROG and NO<sub>x</sub> operational significance thresholds, and impacts from these pollutants would be less than significant. Operation of the billboard would also not generate PM10 or PM2.5 emissions from fugitive dust are minimal and would not cause injury, nuisance

or health impacts to a significant number of persons of the public. Therefore, impacts from fugitive dust (PM10 and PM2.5) emissions would be less than significant.

### **Cumulative**

The geographic scope for regional air quality impacts consists of the air basin(s) in which Project emissions would occur. The VCAPCD's approach for assessing cumulative impacts is based on attainment of ambient air quality standards in accordance with the requirements of the CAA and California Clean Air Act. As discussed earlier, the VCAPCD has developed a comprehensive plan, the 2016 AQMP, which addresses the region's cumulative air quality condition. CEQA Guidelines Section 15064(h)(3) provides guidance in determining the significance of cumulative impacts, stating in part that:

*A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem (e.g., water quality control plan, air quality plan, integrated waste management plan) within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency.*

For purposes of the cumulative air quality analysis with respect to CEQA Guidelines Section 15064(h)(3), the proposed Project's incremental contribution to cumulative air quality impacts is determined based on compliance with the VCAPCD's adopted 2016 AQMP. With respect to the Project's short-term construction-related air quality emissions and cumulative conditions, VCAPCD has developed strategies to reduce criteria pollutant emissions outlined in the AQMP pursuant to the federal CAA mandates. Construction of the Project would comply with VCAPCD Rule 55 fugitive dust control requirements and the ATCM to limit heavy duty diesel motor vehicle idling to no more than five minutes at any location. These measures would also be imposed on trucks used for construction in the State, which would include the cumulative projects in the Project area. Additionally, with respect to operational emissions, the Project's emissions would be less than the significance thresholds, and the Project would not conflict with the AQMP. Since the Project's construction and operational emissions would not exceed the VCAPCD's regional significance thresholds, and the proposed Project would not conflict with the AQMP, cumulative construction and operational impacts would be less than significant.

- c) **Less than Significant Impact.** Sensitive receptors are individuals who are considered more sensitive to air pollutants than others. The reasons for greater than average sensitivity may include pre-existing health problems, proximity to emissions sources, or duration of exposure to air pollutants. Schools, hospitals, and convalescent homes are considered as relatively sensitive to poor air quality because children, elderly people, and the infirm are more susceptible to respiratory distress and other air quality-related health problems than

the general public. Residential areas are considered sensitive to poor air quality because people usually stay home for extended periods of time, with associated greater exposure to ambient air quality. Because the installation of the proposed billboard would occur approximately 150 feet from an existing residence, construction air emissions would disperse in the environment and decrease with distance from the source. The limited emissions from construction activities would not cause a significant impact to sensitive receptors as discussed below.

### ***Carbon Monoxide Hotspots***

Emissions of CO are generated in greatest quantities from motor vehicle combustion of fossil fuels and are usually concentrated at or near ground level because they do not readily disperse into the atmosphere, particularly under cool, stable (i.e., low or no wind) atmospheric conditions. Localized areas where ambient concentrations exceed State and/or federal standards are termed CO hotspots. Traffic impacts and the potential for CO hotspots from the operation of motor vehicles related construction of the proposed Project would be minimal as there are less than 20 additional one-way trips per day from construction related haul vehicles and construction worker automobiles combined. In fact, the VCAPCD requires a screening analysis to determine the potential for CO Hotspots for any project with indirect emissions greater than the applicable ozone (ROG and NO<sub>x</sub>) project significance levels as analyzed in Section 3.3 b) above where roadway intersections are currently operating at or are expected to operate at a Level of Service (LOS) of E or F. As indicated in Table AQ-2 above, the proposed Project would be below significance thresholds for ROG and NO<sub>x</sub>, indicating the low potential for Project impacts.

Operation of the billboards would not result in any regular vehicular activity, though there may be the occasional site visit for maintenance or repairs. These would result in negligible emissions and result in a negligible impact on traffic, and impacts would be less than significant.

### ***Localized Air Quality Impacts – TACs***

Project construction would result in short-term emissions of diesel PM, a TAC. Diesel particulate matter poses a carcinogenic health risk that is measured using an exposure period of 70 years for a lifetime exposure or 30 years for a residential exposure. The exhaust of off-road heavy-duty diesel equipment would emit diesel particulate matter from off-road construction vehicles and from on-road cement trucks and haul trucks, delivery tractor trailers during the short construction phase for the proposed billboard. The dose to which receptors are exposed is the primary factor used to determine health risk (i.e., the potential exposure to TACs to be compared to applicable standards). Dose is a function of the concentration of a substance or substances in the environment and the duration of exposure to the substance. Dose is positively correlated with time, meaning that a longer exposure period would result in a higher exposure level for the maximally exposed individual. Thus, the risks estimated for a maximally exposed individual are higher if a fixed exposure occurs over a longer time period. According to the Office of Environmental Health Hazard Assessment (OEHHA), carcinogenic health risk assessments, which

determine the exposure of sensitive receptors to TAC emissions, should be based on a 70-year exposure period for a lifetime exposure or 30 years for a residential exposure; however, such assessments should be limited to the period or duration of activities associated with the proposed Project.

The construction period for the proposed billboard installation is approximately four days in duration over approximately two weeks and would not represent a significant dose. Additionally, the billboard would be located approximately 150 feet from the nearest residence. Given the short duration of the construction activities, and the distance of the sensitive receptors from the Project, the proposed Project would not expose sensitive receptors to substantial pollutant concentrations, and impacts would be less than significant.

Operation of the billboard would not result in any direct emissions, as it would utilize purchased electricity to power for lighting. Further, operation of the billboard would not generate daily vehicle trips or transportation related emissions of criteria pollutants or ozone precursors (minimal emissions from occasional site visits for maintenance or repairs may occur periodically). Therefore, implementation of the proposed electronic billboard would not result in emissions of TACs that would substantially impact sensitive receptors, and the impact would be less than significant.

- d) **Less than Significant Impact.** During installation of billboard, diesel exhaust from diesel trucks and off-road construction equipment construction equipment may emit odors. Such odors would be a temporary source of nuisance to adjacent uses but would not affect a substantial number of people. As odors associated with Project construction would be temporary and intermittent in nature, the odors would not be considered as a significant environmental impact. Therefore, construction activities would result in less than significant impacts with respect to other emissions, including those leading to odors.

There are no direct emissions associated with the operation of the billboard, and operational impacts would not result in any odor impacts and, therefore, would be less than significant with respect to odors. The Project would not generate other emissions that would adversely affect a substantial number of people as discussed in Section 3.3 b) and c) above, and impacts would be less than significant.

## References

City of Oxnard. 2022. Construction Assumptions for Electronic Billboard.

VCAPCD 2003. *Ventura County Air Quality Assessment Guidelines*. October. Available: <http://www.vcapcd.org/environmental-review.htm>.

VCAPCD 2017. *Final 2016 Ventura County Air Quality Management Plan*. February 14. Available: <http://www.vcapcd.org/pubs/Planning/AQMP/2016/Final/Final-2016-Ventura-County-AQMP.pdf>

### 3.4 Biological Resources

| <i>Issues:</i>                                                                                                                                                                                                                                                                                                                                                                                                          | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?                                                                                      | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?                                                                                                                                                   | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| c) Would the project have a substantial adverse effect on federally protected waters of the U.S. as defined by Section 404 of the federal Clean Water Act or protected waters of the state as defined by Section 1600 et seq. of the California Fish and Game Code (including, but not limited to, marshes, vernal pools, coastal wetlands) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?                                                                                                                                                                    | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                    | <input type="checkbox"/>            |
| e) Would the project conflict with any local policies or ordinances protecting biological resources?                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| f) Would the project conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?                                                                                                                                                                                                                                    | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **Less than Significant Impact.** The Project site is located in a highly urbanized area of the City of Oxnard predominantly developed with commercial and residential uses. The Project site has non-native herbaceous and grassland vegetation as the dominant habitat, and the Project site is surrounded by ornamental trees, including eucalyptus. A database review showed that the Project site is not overlain within U.S. Fish and Wildlife Service (USFWS)-designated Critical Habitat for any special-status plant or wildlife species (USFWS 2022a). Additionally, the California Natural Diversity Data Base (CNDDB) and California Native Plant Society (CNPS) Rare Plant Inventory identified 25 special-status species being recorded within the Oxnard USGS 7.5-minute quadrangle (CDFW 2022; CNPS 2022). Of these 25 special-status species, none of the species have potential to occur within or surrounding the Project site as the parcel is disturbed and developed, lacks suitable habitat, is adjacent to Highway 101, and is sparsely vegetated. Therefore, implementation of the Project would result in a less than significant impact on sensitive habitat or sensitive species.

- b) **No Impact.** No riparian or other sensitive communities are known to occur within or surrounding the Project site. Although limited ornamental vegetation is present, the Project site consists of, and is surrounded by, developed and disturbed areas that lack natural vegetation. Therefore, the proposed Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural communities. No impact would occur.
- c) **No Impact.** Wetlands (including swamps, bogs, seasonal wetlands, seeps, marshes, and similar areas) are considered waters of the U.S., and are defined by USACE as “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions” (33 CFR 328.3[b]; 40 CFR 230.3[t]). No wetland features are identified by the National Wetlands Inventory (NWI) as occurring within or surrounding the Project site (USFWS 2022b). Therefore, no impact to wetlands would occur as a result of the proposed Project.
- d) **Less than Significant with Mitigation Incorporated.** As mentioned above in Sections 3.4 b) and 3.4 c), no surface water bodies, streams, or waterways occur within or surrounding the Project site making it unsuitable for migratory fish. Additionally, the Project site is highly disturbed and surrounded by commercial development making it unsuitable for wildlife to use as a migratory corridor or nursery site. Therefore, no impacts would occur.

While no special-status avian species are expected to nest within the Project site, all native bird species that occur within the Project site are protected from ‘take’ by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGF). Limited suitable avian nesting habitat is present within or surrounding the Project site. However, many avian species are known to nest within ornamental shrubs and trees planted as part of existing landscaping and man-made structures and buildings. Therefore, the proposed Project may affect nesting birds as suitable habitat occurs for tree, shrub, and cavity-nesting birds within and surrounding the Project site. This potential effect is considered significant.

**Mitigation Measure BIO-1:** Vegetation removal shall be conducted between September 1 and January 31, outside the typical nesting season for birds in the region. If vegetation removal must occur during the typical nesting season (February 1 – August 31), a City-approved qualified biologist shall conduct a pre-construction survey for active nests within areas that will be subject to vegetation removal, construction noise, and/or ground disturbances, including a 100 to 300-foot buffer around existing trees and landscaped areas, to identify any potential active nests. Buffer distances can be adjusted at the discretion of the biologist based on the location of the nest, species, and surrounding land uses. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds.

If an active nest is observed during the pre-construction clearance survey, an adequate buffer determined by the City-approved qualified biologist shall be established around the active nest depending on sensitivity of the species and proximity to construction activity and impact areas. Onsite construction

monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest or nesting activities. Construction activities shall be avoided within the buffer, unless otherwise approved by the monitoring biologist (e.g., vehicles could pass through buffer areas while jackhammering would be restricted). Buffers shall be clearly marked and defined to restrict certain activities where they could result in nest failure, and shall remain in place until nests are no longer active, as determined by the City-approved monitoring biologist.

Implementation of Mitigation Measure BIO-1 would reduce potentially significant impacts to nesting birds during construction to less than significant.

- e) **No Impact.** The Project includes the removal of existing eucalyptus trees along U.S. 101 and the planting of drought tolerant tree species, including carpe myrtle, western redbud, and vitex. The removal of the existing eucalyptus trees within the U.S. 101 right-of-way will require approval of an encroachment permit from Caltrans. No trees or shrubs exist on the Project site and would not be removed as a result of implementing the proposed electronic billboard. Therefore, there are no applicable local (City of Oxnard) policies or ordinances protecting biological resources associated with the proposed Project. As a result, no impact would occur.
- f) **No Impact.** The Project site does not occur within any habitat conservation plan or natural community conservation plan areas. Therefore, the proposed Project would not conflict with provisions of an adopted natural community conservation plan or other approved local, regional, or state habitat conservation plan, and no impact would occur.

## References

- California Department of Fish and Wildlife (CDFW). 2022. California Natural Diversity Database (CNDDB) RareFind 5. CDFW's Electronic database, Sacramento, California. Accessed on February 22, 2022, at <https://www.dfg.ca.gov/biogeodata/cnddb>.
- U.S. Fish and Wildlife Service (USFWS). 2022a. IPAC Information for Planning and Consultation. Accessed on February 22, 2022, at <https://ecos.fws.gov/ipac/>.
- U.S. Fish and Wildlife Services (USFWS). 2022b. National Wetland Inventory (NWI) Data Mapper. Accessed on February 22, 2022, at <https://www.fws.gov/wetlands/Data/Mapper.html>.
-

### 3.5 Climate Change and Greenhouse Gas Emissions

| <i>Issues</i>                                                                                                                                                                                                                                    | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-----------------------------------------------------------|-------------------------------------|--------------------------|
| a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?                                                                                                    | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases or otherwise conflict with the state goal for reducing greenhouse gas emissions in California? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Would the project contribute or be subject to potential secondary effects of climate change (e.g., sea level rise, increase fire hazard)?                                                                                                     | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

#### Discussion

- a, b) **Less than Significant Impact.** State regulated GHGs include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), nitrogen trifluoride (NF<sub>3</sub>), and sulfur hexafluoride (SF<sub>6</sub>). CO<sub>2</sub> is the most abundant GHG in the atmosphere. Not all GHGs exhibit the same ability to induce climate change; as a result, GHG contributions are commonly quantified in equivalent mass of CO<sub>2</sub>, denoted as CO<sub>2</sub>e. Mass emissions are calculated by converting pollutant specific emissions to CO<sub>2</sub>e emissions by applying the proper global warming potential (GWP) value. These GWP ratios are available from the U.S. Environmental Protection Agency (USEPA) and are published in the California Climate Action Registry (CCAR) General Reporting Protocol. By applying the GWP ratios, Project related CO<sub>2</sub>e emissions can be tabulated in metric tons per year.

Neither the City nor the VCAPCD have adopted a numerical significance threshold for assessing impacts related to GHG emissions from a project, and the City has not formally adopted a local plan for reducing GHG emissions. When no guidance exists under CEQA, the lead agency may look to and assess general compliance with comparable regulatory schemes.<sup>1</sup> In its January 2008 CEQA and Climate Change white paper, the California Air Pollution Control Officer's Association (CAPCOA) identified a number of potential approaches for determining the significance of GHG emissions in CEQA documents. In its white paper, CAPCOA suggests making significance determinations on a case-by-case basis when no significance thresholds have been formally adopted by a lead agency.

Amendments to Section 15064.4 of the CEQA Guidelines were adopted to assist lead agencies in determining the significance of the impacts of GHG emissions. Consistent with

<sup>1</sup> See *Protect Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal. App. 4th 1099, 1107 [“[A] lead agency’s use of existing environmental standards in determining the significance of a project’s environmental impacts is an effective means of promoting consistency in significance determinations and integrating CEQA environmental review activities with other environmental program planning and resolution.”]. Lead agencies can, and often do, use regulatory agencies’ performance standards. A project’s compliance with these standards usually is presumed to provide an adequate level of protection for environmental resources. See, e.g., *Cadiz Land Co. v. Rail Cycle* (2000) 83 Cal. App. 4th 74, 99 (upholding use of regulatory agency performance standard).



existing CEQA practice, Section 15064.4 gives lead agencies the discretion to determine whether to assess those emissions quantitatively or qualitatively. If a qualitative analysis is used, in addition to quantification, this section recommends certain qualitative factors that may be used in the determination of significance (i.e., extent to which the project may increase or reduce GHG emissions compared to the existing environment; whether the project exceeds an applicable significance threshold; and extent to which the project complies with regulations or requirements adopted to implement a reduction or mitigation of GHGs). The amendments do not establish a threshold of significance; rather, lead agencies are granted discretion to establish significance thresholds for their respective jurisdictions, including looking to thresholds developed by other public agencies, or suggested by other experts, such as CAPCOA, so long as any threshold chosen is supported by substantial evidence (see Section 15064.7(c)). The California Natural Resources Agency has also clarified that the CEQA Guidelines amendments focus on the effects of GHG emissions as cumulative impacts, and that they should be analyzed in the context of CEQA's requirements for cumulative impact analysis (see Section 15064(h)(3)).<sup>2</sup>

Although GHG emissions can be quantified, CARB, VCAPCD and the City of Oxnard have not adopted project-level significance thresholds for GHG emissions that would be applicable to the Project. The Governor's Office of Planning and Research (OPR) released a technical advisory on CEQA and climate change that provided some guidance on assessing the significance of GHG emissions, and states that "lead agencies may undertake a project-by-project analysis, consistent with available guidance and current CEQA practice," and that while "climate change is ultimately a cumulative impact, not every individual project that emits GHGs must necessarily be found to contribute to a significant cumulative impact on the environment."<sup>3</sup> Furthermore, the technical advisory states that "CEQA authorizes reliance on previously approved plans and mitigation programs that have adequately analyzed and mitigated GHG emissions to a less than significant level as a means to avoid or substantially reduce the cumulative impact of a project."<sup>4</sup>

Per CEQA Guidelines Section 15064(h)(3), a project's incremental contribution to a cumulative impact can be found not cumulatively considerable if the project would comply with an approved plan or mitigation program that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area of the project.<sup>5</sup> To qualify, such a plan or program must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process

<sup>2</sup> See generally California Natural Resources Agency, Final Statement of Reasons for Regulatory Action (December 2009), pp. 11-13, 14, 16. [http://resources.ca.gov/ceqa/docs/Final\\_Statement\\_of\\_Reasons.pdf](http://resources.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf) [http://resources.ca.gov/ceqa/docs/Final\\_Statement\\_of\\_Reasons.pdf](http://resources.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf), accessed November 2019; see also Letter from Cynthia Bryant, Director of the Office of Planning and Research to Mike Chrisman, Secretary for Natural Resources, April 13, 2009. Available at [http://www.valleyair.org/Programs/CCAP/documents/Transmittal\\_LetterOPRApril2009.pdf](http://www.valleyair.org/Programs/CCAP/documents/Transmittal_LetterOPRApril2009.pdf) [http://opr.ca.gov/docs/Transmittal\\_Letter.pdf](http://opr.ca.gov/docs/Transmittal_Letter.pdf), accessed November 2019.

<sup>3</sup> Governor's Office of Planning and Research, Technical Advisory – CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review, (2008).

<sup>4</sup> Governor's Office of Planning and Research, Technical Advisory – CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review, (2008).

<sup>5</sup> 14 CCR § 15064(h)(3).

to implement, interpret, or make specific the law enforced or administered by the public agency.<sup>6</sup> Examples of such programs include a “water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, [and] plans or regulations for the reduction of greenhouse gas emissions.”<sup>7</sup> Thus, CEQA Guidelines Section 15064(h)(3) allows a lead agency to make a finding of non-significance for GHG emissions if a project complies with a program and/or other regulatory schemes to reduce GHG emissions.<sup>8</sup>

In the absence of any adopted, quantitative threshold, the Project would not have a significant effect on the environment if the Project is found to be consistent with the applicable regulatory plans and policies to reduce GHG emissions, including the emissions reduction measures discussed within CARB’s Climate Change Scoping Plan and City of Oxnard’s policies established for the purpose of increasing energy efficiency and reducing GHG emissions. The proposed Project would generate GHG emissions during construction of the Project from the use of off-road construction equipment and on-road trucks and construction worker vehicles. Once fully installed, the Project’s operations would generate GHG emissions from electrical consumption for the billboard lighting. The proposed electronic billboard is estimated to consume an average of approximately 150 kWh per day and approximately 54,000 kWh per year.

### ***Emissions Estimates***

Consistent with calculations in Section 3.3, Air Quality, construction emissions were forecasted by assuming a conservative estimate of construction activities (i.e., assuming all construction occurs at the earliest feasible date) and applying the mobile source emissions factors. The emissions were estimated using the CalEEMod software and EMFAC2017. The output values used in this analysis were adjusted to be Project-specific based on equipment types and the construction schedule. These values were then applied to the same construction phasing assumptions used in the criteria pollutant analysis in Section 3.3, Air Quality, to generate GHG emissions values for the proposed Project (Appendix F includes the assumptions and modeling). Industry standards recommend that construction Project GHG emissions should be “amortized over a 30-year Project lifetime, so that construction GHG emissions are included as part of the operational GHG life cycle. In accordance with

<sup>6</sup> 14 CCR § 15064(h)(3).

<sup>7</sup> 14 CCR § 15064(h)(3).

<sup>8</sup> See, for example, San Joaquin Valley Air Pollution Control District (SJVAPCD), CEQA Determinations of Significance for Projects Subject to ARB’s GHG Cap-and-Trade Regulation, APR-2025 (June 25, 2014), in which the SJVAPCD “determined that GHG emissions increases that are covered under ABR’s Cap-and-Trade regulation cannot constitute significant increases under CEQA...” Furthermore, the SCAQMD has taken this position in CEQA documents it has produced as a lead agency. The SCAQMD has prepared three Negative Declarations and one Draft Environmental Impact Report that demonstrate the SCAQMD has applied its 10,000 MTCO<sub>2</sub>e/yr significance threshold in such a way that GHG emissions covered by the Cap-and-Trade Program do not constitute emissions that must be measured against the threshold. See SCAQMD, Final Negative Declaration for Ultramar Inc. Wilmington Refinery Cogeneration Project, SHC No. 2012041014 (October 2014); SCAQMD Final Negative Declaration for Phillips 99 Los Angeles Refinery Carson Plant—Crude Oil Storage Capacity Project, SCH No. 2013091029 (December 2014); SCAQMD Final Mitigated Negative Declaration for Toxic Air Contaminant Reduction for Compliance with SCAQMD Rules 1420.1 and 1402 at the Exide Technologies Facility in Vernon, CA, SCH No. 2014101040 (December 2014); and SCAQMD Final Environmental Impact Report for the Breitburn Santa Fe Springs Blocks 400/700 Upgrade Project, SCH No. 2014121014 (August 2015).

this, GHG emissions from construction have been amortized over the 30-year lifetime of the Project and are added to the operational emissions for the determination of significance. Total estimated construction-related GHG emissions for the Project are estimated at 1.77 metric tons of CO<sub>2</sub>e (MTCO<sub>2</sub>e) for off-road construction equipment and 1.38 MTCO<sub>2</sub>e per year for on-road vehicles for a total of 3.1 MTCO<sub>2</sub>e. This would equal to approximately 0.1 MTCO<sub>2</sub>e per year after amortization over 30 years. The construction related GHG emissions are summarized in Table GHG-1, GHG Emissions from Project Construction.

Emissions of GHGs were estimated for operation of the proposed electronic billboard from electricity usage in base year 2022 (based on 2021 energy intensity factor where renewable sources are projected to account for approximately 35 percent of SCEs overall energy mix) and were extrapolated for several milestone years (2030 based on 60 percent renewable sources as required by Senate Bill 100 and 2040 based on 85 percent renewable energy sources) based on a linear projection of 100 percent renewable in 2045 as targeted in SB 100. GHG emissions from construction activities are not adjusted for future year GHG reductions that will occur from medium- and heavy-duty emissions regulations at the federal and state level that will phase in lower emitting, and potentially electric-powered, trucks and equipment over time. This analysis conservatively assumed that the construction equipment and on-road vehicles would be diesel fueled in future years. The operational related GHG emissions are summarized in Table GHG-2, GHG Emissions from Project Operations.

**TABLE GHG-1**  
**GHG EMISSIONS FROM PROJECT CONSTRUCTION**

| <b>Single Billboard Installation GHG Emissions (MT CO<sub>2</sub>e/year)</b> |             |             |             |
|------------------------------------------------------------------------------|-------------|-------------|-------------|
| <b>Source</b>                                                                | <b>2022</b> | <b>2030</b> | <b>2040</b> |
| Construction On-Road                                                         | 1.38        | 1.38        | 1.38        |
| Construction (off-Road)                                                      | 1.77        | 1.77        | 1.77        |
| Total Construction                                                           | 3.1         | 3.1         | 3.1         |
| Amortized Construction: <sup>a</sup>                                         | 0.1         | 0.1         | 0.1         |

<sup>a</sup> Construction Emissions are amortized over 30 years  
SOURCE: ESA, 2022

**TABLE GHG-2**  
**GHG EMISSIONS FROM PROJECT OPERATIONS**

| <b>Single Billboard Installation GHG Emissions (MT CO<sub>2</sub>e/year)</b> |             |             |             |
|------------------------------------------------------------------------------|-------------|-------------|-------------|
| <b>Source</b>                                                                | <b>2022</b> | <b>2030</b> | <b>2040</b> |
| Operational (lighting)                                                       | 9.6         | 7.3         | 2.4         |
| Amortized Construction:                                                      | 0.1         | 0.1         | 0.1         |
| Total Project:                                                               | 9.7         | 7.4         | 2.5         |
| SOURCE: ESA, 2022                                                            |             |             |             |

### ***Compliance with Applicable Plans, Policies, or Regulations***

#### **Assembly Bill 32/Senate Bill 32 and Executive Order B-30-15**

In support of Assembly Bill 32 and Senate Bill 32, the state has promulgated specific laws aimed at GHG reductions applicable to the Project. Executive Order B-30-15 sets a goal of Statewide GHG emissions 40 percent less than 1990 levels by 2030 (this goal was codified in Senate Bill 32). In order to achieve the Statewide GHG reduction target, CARB is required to adopt a Climate Change Scoping Plan that outlines GHG reduction strategies.

The Project would generate GHG emissions due to construction and operational activities; however, its annual GHG emissions would be minimized due to the utilization of fuel-efficient equipment consistent with State and federal regulations, such as fuel efficiency regulations in accordance with the California Air Resources Board (CARB) Pavley Phase II standards, the anti-idling regulation in accordance with Section 2485 in Title 13 of the California Code of Regulations, and fuel requirements in accordance with Section 93115 in Title 17 of the California Code of Regulations. The Project would also utilize energy efficient light emitting diode (LED) technology, which is recognized by the U.S. Department of Energy as the most energy efficient lighting technology (U.S. DOE, n.d.). The Project's potential to generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment and conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs is discussed below.

#### **2017 Climate Change Scoping Plan**

According to the CARB 2017 Climate Change Scoping Plan, reductions needed to achieve the 2030 goal are expected to be achieved by targeting specific emission sectors, including those sectors that are not directly controlled or influenced by the Project, but nonetheless contribute to Project-related GHG emissions. Table GHG-3, Project Compliance with Applicable 2017 Climate Change Scoping Plan Actions and Strategies, contains a list of GHG emission reduction actions and strategies from the 2017 Climate Change Scoping Plan that would be applicable and relevant to the Project and describes the Project's compliance with those applicable actions and strategies.

**TABLE GHG-3**  
**PROJECT COMPLIANCE WITH APPLICABLE**  
**2017 CLIMATE CHANGE SCOPING PLAN ACTIONS AND STRATEGIES**

| Actions and Strategies                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Responsible Party(ies)                                | Compliance Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Senate Bill 350 (SB 350):</b></p> <p>The Clean Energy and Pollution Reduction Act of 2015 increases the standards of the California Renewable Portfolio Standard (RPS) program by requiring that the amount of electricity generated and sold to retail customers per year from eligible renewable energy resources be increased to 50 percent by 2030.<sup>a</sup></p> <p>Required measures include:</p> <p>Increase RPS to 50 percent of retail sales by 2030.</p> <p>Establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas end uses by 2030.</p> <p>Reduce GHG emissions in the electricity sector through the implementation of the above measures and other actions as modeled in IRPs to meet GHG emissions reductions planning targets in the IRP process. Load-serving entities and publicly owned utilities meet GHG emissions reductions planning targets through a combination of measures as described in IRPs.</p> | CPUC, CEC, CARB                                       | <p><b>No Conflict.</b> The Project would use electricity provided by Southern California Edison (SCE), which is required to meet the energy performance standard of 60 percent renewable energy by 2030 pursuant to Senate Bill 100 (which was adopted after SB 350 and is a more stringent target). The Project would not conflict with this action and strategy.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p><b>Implement Mobile Source Strategy (Cleaner Technology and Fuels):</b></p> <ul style="list-style-type: none"> <li>Implementation of federal phase 2 standards for medium- and heavy-duty vehicles.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | CARB, CalSTA, SGC, Caltrans, CEC, OPR, Local Agencies | <p><b>No Conflict.</b> In 2011 the U.S. Environmental Protection Agency (USEPA) and National Highway Transportation Safety Administration (NHTSA) announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014–2018. The standards for CO<sub>2</sub> emissions and fuel consumption are tailored to three main vehicle categories: combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles. According to the USEPA, this regulatory program would reduce GHG emissions and fuel consumption for the affected vehicles by 6 to 23 percent over the 2010 baseline. Building on the first phase of standards, in August 2016, the USEPA and NHTSA finalized Phase 2 standards for medium and heavy-duty vehicles through model year 2027 that will improve fuel efficiency and cut carbon pollution. The Phase 2 standards are expected to lower CO<sub>2</sub> emissions by approximately 1.1 billion metric tons.</p> <p>Project-related heavy-duty mobile source GHG emissions would be reduced accordingly as the phase-in of lower emitting trucks occurs in compliance with the regulation. The Project would not conflict with this action and strategy.</p> |

| Actions and Strategies                                                           | Responsible Party(ies) | Compliance Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------------------------------------------------------------------------------|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Adopt a Low Carbon Fuel Standard with a CI reduction of 18 percent.</b>       | CARB                   | <p><b>No Conflict.</b> This regulatory program applies to fuel suppliers, not directly to land use development. GHG emissions related to vehicular travel associated with the Project would benefit from this regulation because fuel used by Project-related vehicles would be required to comply with Low Carbon Fuel Standard (LCFS). Mobile source GHG emissions provided in Table GHG-1 were calculated using CalEEMod and EMFAC. However, CalEEMod and EMFAC do not fully include implementation of the LCFS into mobile source emission factors. Thus, Table GHG-1 provides conservatively estimated GHG emissions.</p> <p>On September 27, 2018, CARB approved an amendment to the LCFS regulation to require a 20 percent reduction in carbon intensity from a 2010 baseline by 2030. Reductions in carbon intensity are phased in starting in 2019 with a reduction of 6.25 percent and increases by 1.25 percent each year. Thus, in 2021, LCFS emissions reductions are 8.75 percent reduced carbon intensity relative to the 2010 baseline. Project-related mobile source GHG emissions would be reduced accordingly, and would increase as LCFS compliance increases to 20 percent reduce carbon intensity by 2030 relative to the 2010 baseline year. The Project would not conflict with this action and strategy.</p> |
| <b>Implement the post-2020 Cap-and-Trade Program with declining annual caps.</b> | CARB                   | <p><b>No Conflict.</b> Assembly Bill 398 (AB 398) was enacted in 2017 to extend and clarify the role of the State's Cap-and-Trade Program from January 1, 2021, through December 31, 2030. As part of AB 398, refinements were made to the Cap-and-Trade program to establish updated protocols and allocation of proceeds to reduce GHG emissions. Under the Cap-and-Trade program, entities such as power generation companies and natural gas processing plants would be required to limit or reduce GHG emissions. While the Project itself is not a regulated entity under the Cap-and-Trade Program, it would result in a reduction of GHG emissions associated with the Project's energy usage, since energy supplied to the Project would be from a regulated entity. As the Project would not impede the Program's progress, the Project is considered compliant. The Project would not conflict with this action and strategy.</p>                                                                                                                                                                                                                                                                                                                                                                                           |

<sup>a</sup> Senate Bill 350 (2015–2016 Regular Session) Stats 2015, Ch. 547.

SOURCE: ESA, 2022

**City of Oxnard 2030 General Plan and Energy Action Plan**

The City of Oxnard adopted its 2030 General Plan in October 2011 and includes amendments through December 2016. The 2030 General Plan includes the following applicable goals and implementing policies aimed to reduce GHG emissions.

- **Goal SC-3 Energy Generation and Increased Efficiency.** Energy efficiency performance standards and generation from renewable sources.
  - **General Plan Policy SC-3.10, Alternatives to Power Plant Generation:** Evaluate the feasibility of incorporating alternative sources of power generation such as wind and tidal power into the regional existing power supply grid to reduce reliance on GHG emission producing public utility and privately-owned power plants.

The Oxnard General Plan Goal SC-3 addresses energy efficiency performance standards and generation from renewable sources and includes Policy SC-3.10, which has the goal of incorporating alternative sources of power generation such as wind and tidal power into the regional existing power supply grid to reduce reliance on GHG emission producing public utility and privately-owned power plants. This policy would support the availability of progressively clean forms of electricity, which would minimize the energy impact and GHG emissions from the Project. The Project would not conflict with this action and strategy.

As discussed above, GHG emissions for the Project have been analyzed and disclosed demonstrating that the Project would not generate GHG emissions that would have a significant impact and that the Project would not conflict with applicable plans, policies, and regulations adopted for the purpose of reducing the emissions of GHGs. Therefore, impacts would be less than significant.

- c) **Less than Significant Impact.** As discussed above, the proposed electronic billboard would result in the annual generation of greenhouse gas emissions that would contribute to potential secondary effects of climate change; however, due to the relatively small amount of annual greenhouse gas emissions (less than 10 MTCO<sub>2</sub>e and progressively reducing in future years as shown in Table GHG-2), the Project's contribution to climate change impacts is nominal and considered less than significant.

**References**

- California Air Pollution Control Officers Association (CAPCOA), 2008. CEQA & Climate Change Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act. <http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA-White-Paper.pdf>.
- California Air Pollution Control Officers Association (CAPCOA), 2010, Model Policies for Greenhouse Gases in General Plans A Resource for Local Government to Incorporate General Plan Policies to Reduce Greenhouse Gas Emissions, <http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA-ModelPolicies-6-12-09-915am.pdf>.

City of Oxnard, 2013, Energy Action Plan, A Component of the Climate Action and Adaptation Plan. <https://www.oxnard.org/wp-content/uploads/2016/04/OxnardEAP4.2013.pdf>.

U.S. Department of Energy, n.d., LED Lighting, <https://www.energy.gov/energysaver/led-lighting>, accessed February 2022.

---



### 3.6 Cultural Resources and Tribal Cultural Resources

| <i>Issues:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Would the project cause a substantial adverse change in the significance of a unique archaeological resource pursuant to State CEQA Guidelines Section 15064.5?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                    | <input type="checkbox"/>            |
| c) Would the project directly destroy a unique paleontological resource or site or unique geologic feature?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                    | <input type="checkbox"/>            |
| d) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| e) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).                                                                                                                                           | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| f) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **No Impact.** The Project site is located within the RiverPark Specific Plan that encompasses 701 acres. An archival and historic records search was conducted as part of the RiverPark Specific Plan EIR that was prepared in 2001. Two prehistoric archaeological sites were identified within one-half mile radius of the 701-acre RiverPark Specific Plan. No archaeological sites were recorded within the 701-acre site. A Phase I Archaeological Survey was conducted in 2000 as part of the RiverPark Specific Plan EIR. In 2000, the ground surface was examined by walking transects across the 701-acre RiverPark Specific Plan site. The transects were spaced at 15-meter intervals to identify artifacts that might be present on the ground surface. No archaeological artifacts were found in the vicinity of the Project site during the Phase I survey, but a mixed scatter of historical debris was found in the extreme southeastern portion of the RiverPark Specific Plan area approximately 300 feet southeast of the Project site. The survey did not find evidence of an intact historical

deposit or site within this area (W&S Consultants, 2000 and Impact Sciences, Inc. 2001). In 2016, the area of the previously known historical debris was developed as a commercial center in 2016.

In 2001, buildings and structures within the RiverPark Specific Plan were also evaluated to determine if they were eligible for the National or the California Registers. There were no buildings or structures in the immediate vicinity of the Project site. Therefore, no impacts to historical resources would occur with Project implementation.

- b) **Less than Significant with Mitigation Incorporated.** As discussed above, no archaeological resources were found in the immediate vicinity of the Project site. Although no known resources were discovered, there could be an inadvertent discovery. Therefore, there is a negligible potential for archaeological resources to be found and if they are found, construction activities could cause significant impacts to the unknown resources.

**Mitigation Measure CUL-1:** Prior to ground disturbance, the applicant is required to retain a City-approved archaeologist and Native American Monitor for monitoring of ground disturbing activities. In the event that archaeological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer of at least 50 feet shall be established around the find where construction activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside the buffer area. All archaeological resources unearthed by Project construction activities shall be evaluated by a qualified professional archaeologist who meets the U.S. Secretary of Interior's Professional Qualifications and Standards. Should the newly discovered artifacts be determined to be historic, Native American Tribes/Individuals shall be contacted and consulted and Native American construction monitoring shall be initiated. The Applicant and the City shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis.

Implementation of the above mitigation measure would reduce the potential impacts on unknown archaeological resources to less than significant.

- c) **Less than Significant with Mitigation Incorporated.** Based on a review of the U.S. Geological Survey map for Oxnard, the Project site is underlain by Holocene alluvial deposits (CDC, 2003). Holocene alluvium is thought to be too young to contain significant paleontological resources. Therefore, near surface grading would result in less than significant impacts to paleontological resources. However, based on the drilling depth of 40 feet for the proposed billboard pole, the Holocene alluvium could be underlain by more sensitive geologic sediment that could have a high potential to contain paleontological resources. Therefore, construction activities associated with the proposed billboard pole, could result in significant impacts to paleontological resources.

**Mitigation Measure CUL-2:** Prior to ground disturbance, the applicant is required to retain a City-approved paleontologist for monitoring of ground disturbing activities. In the event that paleontological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find until it is assessed for scientific significance and collected. Monitoring shall include matrix screening for the presence of microfossils; however, monitoring is largely a visual inspection of sediment.

With the implementation of Mitigation Measure CUL-2, potential impacts on paleontological resources would be reduced to less than significant.

- d) **Less than Significant Impact.** No human remains are known to exist on or in the immediate vicinity of the Project site. If human remains are inadvertently encountered, all work is required to halt, and the Ventura County Coroner is required to be contacted in accordance with California Public Resources Code 5097.98 and Health and Safety Code Section 7050.5. If the coroner determines that the remains are Native American, the California Native American Heritage Commission (NAHC) would be notified in accordance with State law. Compliance with the State law would ensure that potential impacts on human remains would be reduced to less than significant.
- e, f) **No Impact.** The City of Oxnard sent a notification letter on November 23, 2021 to the Native American tribe that is on the City's Assembly Bill (AB) 52 list (Appendix C). This list includes only one tribe, Barbareno/Ventureno Band of Mission Indians, that has requested notification of projects within the City in accordance with AB 52.

The act amended California Public Resources Code (PRC) Section 5097.94, and added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. AB 52 applies specifically to projects for which a NOP or a Notice of Intent to Adopt a Negative Declaration or MND will be filed on or after July 1, 2015. The primary intent of AB 52 was to include California Native American Tribes early in the environmental review process and to establish a new category of resources related to Native Americans that require consideration under the CEQA, known as tribal cultural resources (as defined in PRC Section 21074(a)). On July 30, 2016, the California Natural Resources Agency adopted the final text for tribal cultural resources update to *CEQA Guidelines* Appendix G, which was approved by the Office of Administrative Law on September 27, 2016.

PRC Section 21080.3.1 requires that within 14 days of a lead agency determining that an application for a project is complete, or a decision by a public agency to undertake a project, the lead agency provide formal notification to the designated contact, or a tribal representative, of California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the Project (as defined in PRC Section 21073) and who have requested in writing to be informed by the lead agency (PRC Section 21080.3.1(b)). Tribes interested in consultation must respond in writing within 30 days from receipt of the lead agency's formal notification and the lead agency must begin

consultation within 30 days of receiving the tribe's request for consultation (PRC Sections 21080.3.1(d) and 21080.3.1(e)).

PRC Section 21080.3.2(a) identifies the following as potential consultation discussion topics: the type of environmental review necessary; the significance of tribal cultural resources; the significance of the Project's impacts on the tribal cultural resources; Project alternatives or appropriate measures for preservation; and mitigation measures. Consultation is considered concluded when either: (1) the parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or (2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached (PRC Section 21080.3.2(b)).

If a California Native American tribe has requested consultation pursuant to Section 21080.3.1 and has failed to provide comments to the lead agency, or otherwise failed to engage in the consultation process, or if the lead agency has complied with Section 21080.3.1(d) and the California Native American tribe has failed to request consultation within 30 days, the lead agency may certify an EIR or adopt a Mitigated Negative Declaration (PRC Section 21082.3(d)(2) and (3)).

The Barbareno/Ventureno Band of Mission Indians was notified of the Project, but did not request consultation with the City of Oxnard regarding the proposed Project. There are no known tribal cultural resources located on the Project site, and therefore, no impacts to known tribal cultural resources would occur.

## References

California Department of Conservation (CDC), California Geological Survey. 2003. Geologic Map of the Oxnard 7.5' Quadrangle, Ventura County, California: A Digital Database, Version 1.0.

Impact Sciences, Inc. 2001. RiverPark Specific Plan Draft EIR. Available at: <https://www.oxnard.org/environmental-document-archives/>. Accessed on February 11, 2022.

W&S Consultants. 2000. Phase I Archaeological Survey for the RiverPark Specific Plan Area. December 14.

### 3.7 Geology and Soils

| <i>Issues:</i>                                                                                                                                                                                                                                                                                                                       | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:                                                                                                                                                                                   |                                               |                                                                       |                                             |                                     |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist or based on other substantial evidence of a known fault?                                                                                                                           | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| ii) Strong seismic ground shaking that cannot be addressed through compliance with standard Code requirements?                                                                                                                                                                                                                       | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| b) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse that cannot be addressed through compliance with standard Code requirements? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| c) Would the project be located on expansive soil, creating substantial risk to life or property that cannot be addressed through compliance with standard Code requirements?                                                                                                                                                        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| d) Would the project expose people or structures to inundation by seiche or tsunami?                                                                                                                                                                                                                                                 | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| e) Would the project rely on dredging or other maintenance activity by another agency that is not guaranteed to continue?                                                                                                                                                                                                            | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a.i) **Less than Significant Impact.** A fault is a plane or surface in the earth along which failure has occurred and materials on opposite sides have moved relative to one another in response to the accumulation and release of stress. The U.S. Geological Survey defines active faults as those that have had surface displacements within Holocene time (about the last 11,000 years). Potentially active faults are those that have had surface displacement during Quaternary time, within the last 1.6 million years. Based on a review of the City of Oxnard General Plan Background Report, the most regionally active faults in the vicinity of the City of Oxnard are the Oak Ridge, Pitas Point-Ventura, Red Mountain, Anacapa, and Malibu Coast faults. The nearest active fault to the Project site is the Pitas Point-Ventura fault which is located approximately four miles north of the Project site (Matrix Design Group, Inc., 2006). Due to the distance to the nearest active fault, impacts from a fault rupture at the Project site would be less than significant.
- a.ii) **Less than Significant Impact.** The Project site is located in Southern California, an area that is subject to strong seismic ground shaking. Seismically induced ground acceleration is the shaking motion that is produced by an earthquake. As noted in Section 3.7 a.i) above, there are regionally active faults in the vicinity of the City of Oxnard. Earthquake activity associated with these faults could cause ground shaking at the Project site. The proposed

Project is subject to the seismic design criteria of the most recent California Building Code (CBC) which has been adopted within the Oxnard City Code. The criteria contain seismic safety provisions with the aim of preventing building and structural collapse during an earthquake. Adherence to these criteria would result in less than significant seismic ground shaking impacts on the proposed Project.

- b) **Less than Significant Impact.** Unstable geologic units or soils commonly occur when there are landslides, lateral spreading, subsidence/collapse, or liquefaction.

### ***Landslides***

Because the Project site is located on relatively flat terrain, the Project would not be subject to potential unstable soils due to landslides.

### ***Lateral Spreading***

Lateral spreading movement occurs when a soil mass slides laterally on liquefied soil layers, moving downslope or towards a free face. Based on a review of the RiverPark Specific Plan EIR, the potential for lateral spreading in the Project area appears to be low. Therefore, less than significant lateral spreading impacts would occur on the Project site.

### ***Subsidence/Collapse***

Subsidence or collapse is the sinking of the ground surface caused by the compression of earth materials resulting from manmade activities, such as groundwater or oil and gas withdrawal. The resulting compression typically occurs only once within affected soils and cannot be repeated during fluctuations of the groundwater level or from peat oxidation. Historic groundwater withdrawals have caused some regional subsidence. There are no known active groundwater wells in the immediate vicinity of the Project site, therefore, there is a low potential for subsidence/collapse at the site. As a result, potential effects from land subsidence/collapse would be less than significant. The potential for subsidence/collapse from peat oxidation on the Project site is not likely because of the absence of peat deposits in the borings that were taken as part of the RiverPark Specific Plan. Similarly, subsidence/collapse from oil and gas withdrawal is not likely because there are no known active oil or natural gas wells in the Project vicinity over the past 20 years. Overall, effects from land subsidence/collapse on the Project would be less than significant.

### ***Liquefaction***

Liquefaction is a phenomenon that occurs when soil undergoes transformation from a solid state to a liquefied condition due to the effects of increased pore-water pressure. This typically occurs where susceptible soils (particularly soils in the medium sand to silt range) are located over a high groundwater table. A high groundwater table is described as one within 50 feet of the surface. Because the proposed Project is subject to the seismic design criteria of the most recent California Building Code (CBC) which has been adopted within the Oxnard City Code and the CBC includes provisions to prevent liquefaction impacts, the potential liquefaction impacts to the Project would be less than significant.

- c) **Less than Significant Impact.** Expansive soil is characterized by a clay composition whereby clay particles expand dramatically upon wetting. Structures constructed on expansive soils require special design considerations that are identified within the CBC. Based on a review of the RiverPark Specific Plan EIR, the Specific Plan area generally consists of granular materials (silty sand, well-graded sand, sandy silt, and some clayey silt) that are not expected to be expansive. Conformance with the design criteria within the CBC would prevent substantive expansive soils. Therefore, potential expansive soil impact to the Project would be less than significant.
- d) **No Impact.** Seiches and tsunamis are caused by earthquakes. Seiches are waves caused by large-scale, short-duration oscillation of confined bodies of water (such as reservoirs and lakes) during earthquakes that may damage low-lying adjacent areas, although not as severely as a tsunami. The closest enclosed body of water that could result in earthquake-induced seiche is Lake Piru which is approximately 30 miles northeast of the Project site. Due to the distance of Lake Piru, potential seiches in the lake would not impact the Project site. Tsunamis are earthquake-induced surge waves that can cause severe coastal flooding. Because the Project site is located approximately five miles from the coast and at approximately elevation 80 feet above mean sea level, the Project site is not at risk from a tsunami. Implementation of the Project would not be impacted by seiches or tsunamis.
- e) **No Impact.** The Project is located in a developed area adjacent to U.S. 101, and the Project would be located on a city-owned property. The operation of the Project would not rely on maintenance activities under the purview of other agencies aside from the City of Oxnard. The Project would have no impact.

## References

Matrix Design Group, Inc. 2006. City of Oxnard General Plan Draft Background Report. Available at [https://www.oxnard.org/wp-content/uploads/2016/08/OxnardDraftBackgroundReport2006\\_04.21.06.pdf](https://www.oxnard.org/wp-content/uploads/2016/08/OxnardDraftBackgroundReport2006_04.21.06.pdf). Accessed on February 16, 2022.

---

### 3.8 Hazards and Hazardous Materials

| <i>Issues</i>                                                                                                                                                                                                                                      | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-----------------------------------------------------------|-------------------------------------|-------------------------------------|
| a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?                                                                                          | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment?                                   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Would the project emit hazardous substances or involve handling hazardous or acutely hazardous substances, or waste within one-quarter mile of an existing or proposed school in quantities or a manner that would create a substantial hazard? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?    | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?                                                                                                        | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Discussion

- a) **Less than Significant Impact.** Construction activities required for the proposed electronic billboard would involve site clearing, grading, drilling, trenching to connect to an existing electrical line and other ground-disturbing activities. These construction activities would temporarily require the use of equipment such as trucks, drill, concrete mixer, crane, and other powered equipment, and would use potentially hazardous materials, such as fuels (gasoline and diesel) and lubricants (oil and grease). In addition, construction may use hazardous materials, such as solvents, paints, thinners, or other chemicals. Such materials would be used only in small quantities based on the minimal activities associated with the installation of an electronic billboard. These materials would be transported, handled, stored and disposed of in accordance with applicable laws and regulations and manufacturers' instructions. Compliance with these existing regulations would result in a less than significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials. As such, impacts during construction would be less than significant.

Operation of the proposed electronic billboard would result in periodic maintenance activities of the billboard. These activities may include the limited use of paints, solvents and other chemicals. However, given the periodic nature of maintenance, the potential to create a hazard to the public or the environment through the routine transport, use or disposal of hazardous materials during operational activities would be less than significant.

- b) **Less than Significant Impact.** As stated above, the maintenance activities associated with the proposed new electronic billboard may use a limited quantity of hazardous materials such as paints, solvents and other chemicals. However, because these activities are periodic



and the use of potential hazardous materials is limited, the Project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The Project would result in a less than significant impact.

- c) **Less than Significant Impact.** There are no existing or proposed schools within 0.25-mile of the Project site. The nearest school is Sierra Linda Elementary that is located approximately 0.9-mile southwest of the Project site. Since there are no schools within 0.25-mile of the Project site, construction and operational activities associated with the Project are not expected to cause risk to the public or nearby attendees of schools. Therefore, impacts would be less than significant.
- d) **No Impact.** Government Code Section 65962.5 requires CalEPA to develop and annually update the Hazardous Waste and Substances Sites (Cortese) List. The information contained in the Cortese List is provided by the Department of Toxic Substances Control (DTSC) and other state and local government agencies. A review of the DTSC EnviroStor and State Water Resources Control Board (SWRCB) GeoTracker databases did not indicate any hazardous materials sites within the Project site. A Leaking Underground Storage Tank (LUST) cleanup site was identified approximately 350 feet southeast of the Project site, where existing commercial retail buildings are located. The site was investigated for potential contamination of underlying groundwater due to the accidental release of diesel and the case for the LUST was closed by the Los Angeles Regional Water Quality Control Board (RWQCB) in 1998, indicating that the LUST no longer poses a threat for groundwater contamination (SWRCB 1998). The proposed Project would not require ground disturbing activities in close proximity to the closed LUST cleanup site. Therefore, the proposed Project would not create a significant hazard to the public or the environment. The Project site is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.19. Therefore, the proposed Project would not create a significant hazard to the public or the environment.
- e) **No Impact.** The Project site is located in an undeveloped lot between Riverpark Boulevard and U.S. 101. Project construction and operational activities would occur onsite, and these activities would not result in changes to the transportation circulation, an existing emergency response plan, or evacuation plan. Therefore, no impact would occur.

## References

State Water Resources Control Board (SWRCB), 1998. GeoTracker Database. MacValley/McCaslin Oil (T0611100537). Available at: [http://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=T0611100537](http://geotracker.waterboards.ca.gov/profile_report?global_id=T0611100537). Accessed on February 28, 2022.

---

### 3.9 Hydrology and Water Quality

| <i>Issues:</i>                                                                                                                                                                                                                                                                                                                                                                                                 | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project violate any water quality standards or waste discharge requirements?                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| b) Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in on- or off-site flooding or exceed the capacity of existing or planned stormwater drainage systems?                                                                                                         | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| d) Would the project place new structures within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?                                                                                                                                                                                                                  | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| e) Would the project impede or redirect flood flows such that it would increase on- or off-site flood potential?                                                                                                                                                                                                                                                                                               | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| f) Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?                                                                                                                                                                                                                           | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| g) Would the project be exposed to a substantial risk related to inundation by seiche, tsunami, or mudflow?                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **Less than Significant Impact.** Construction activities associated with the Project could result in short-term surface water quality impacts. These potential impacts could occur from construction-related activities such as drilling for the electronic sign pole foundation and pouring concrete as well as the trenching for the electrical line. Runoff of loose soils and/or construction wastes and fuel during a rainstorm could flow into local storm drains as a result of Project construction. Such contaminated runoff could potentially threaten downstream water resources that receive runoff from the local drainage network. Standard construction BMPs such as silt fencing, storm drain inlet protection, and proper material and waste storage will ensure surface water quality is not substantially degraded during construction. Compliance with the City's standard stormwater runoff provisions for construction activities, such as runoff control and other measures set forth in the City of Oxnard Code Section 22-222 would ensure that the Project does not violate any water quality standards or any waste discharge requirements during construction (City of Oxnard, Nd). Due to the lack of significant grading, earth-moving activities, and paving as part of the Project, the potential water quality impact from construction activities would be less than significant.

Operation activities associated with the electronic billboard would not involve the use of water or the generation of wastewater. Therefore, no violation of any water quality standards or any waste discharge requirements would occur, and thus no water quality impact would result.

- b) **Less than Significant Impact.** The proposed Project includes construction activities to install an electronic billboard, trenching for an electrical line and the placement of landscaping. The proposed billboard would not require water to operate. The Project includes the removal of existing eucalyptus trees along U.S. 101 and the planting of drought tolerant tree species including carpe myrtle, western redbud and vitex. The proposed billboard will include an approximately 7-foot diameter hole for the proposed 5-foot diameter pole that will be set into concrete. The Project also includes trenching for approximately 40 feet to connect the Project to an existing electrical facility. The Project site currently provides little to no infiltration of water into groundwater aquifers. The Project site does not support any groundwater production systems, and construction and operation of the proposed electronic billboard would not interfere with the operation of any production system. The proposed Project would not substantially change the amount of existing impervious surface area and would not have a substantial impact on groundwater recharge. The Project also includes trenching for the proposed electric power line to connect with the existing line and would extend approximately 40 linear feet. The construction of the 7-foot diameter hole that would extend approximately 50 feet into the ground may encounter groundwater that would need to be extracted for construction of the pole location. The extraction of the groundwater would not be substantial because it would be limited for a 7-foot diameter pole. Implementation of the proposed Project would result in less than significant groundwater impacts.
- c) **No Impact.** The Project site is undeveloped and has relatively flat topography. No stream or water resource features occur on the Project site. In addition, the proposed Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of a course, stream or river, or through the addition of impervious surfaces as the installation of the proposed electronic billboard would nominally increase impervious surfaces on the site. As such, no impact would occur.
- d) **No Impact.** Based on a review of the Flood Insurance Rate Map, the Project site is not located in a flood prone area including a 100-year flood zone (FEMA, 2010). Therefore, the Project would not place the pole for the electronic billboard or trench for the proposed electrical line within a flood prone area. No impact would occur.
- e) **No Impact.** The implementation of the Project includes the placement of a 5-foot diameter pole within a 7-foot diameter hole on the Project site and includes approximately 40 linear feet of trenching for the placement of an electrical line. The placement of the pole and electrical line would not impede or redirect existing surface drainage flows from the Project site.

- f) **Less than Significant Impact.** Based on a review of the Ventura County Multi-Hazard Mitigation Plan, the majority of the City of Oxnard including the Project site is within a dam inundation area (AECOM, 2015). Although the Project site is subject to inundation due to a failure of a dam upstream along the Santa Clara River, the probability of dam failure inundation is not known but such an event would likely be the result of an extreme storm. The Division of Safety and Dams periodically checks the conditions of dams so that the likelihood for a dam failure is further reduced. The existing levee along the Santa Clara River is currently being evaluated to reconstruct to provide greater protection for urban uses. There is a potential for a breach of the levee prior to reconstruction of the levee. Because the proposed electronic billboard would be installed with concrete approximately 40 feet below ground surface and the proposed electronic billboard is located approximately 0.8 mile from the levee, a potential breach of the levee would result in a less than significant impact on the proposed electronic billboard. Overall, the potential inundation at the Project site would result in a less than significant impact on the proposed electronic billboard and would not result in exposing people to injury or death.
- g) **No Impact.** Based on a review of the Flood Insurance Rate Map, the Project site is not located in a flood prone area (FEMA, 2010). As discussed in Section 3.9 d) above, the Project site would not be subject to seiches or tsunamis. The Project site and surrounding area contain relatively flat terrain and are not subject to mudflows. Therefore, the Project would not be exposed to substantial risk related to inundation by a seiche, tsunami or mudflow at the Project site.

## References

- AECOM. 2015. Ventura County Multi-Hazard Mitigation Plan. Available at: <https://www.vcfloodinfo.com/pdf/2015%20Ventura%20County%20Multi-Hazard%20Mitigation%20Plan%20and%20Appendices.pdf>. Accessed on February 18, 2022.
- City of Oxnard. Nd. City of Oxnard Code of Ordinances, Section 22-222, Construction Development. Available at: [https://codelibrary.amlegal.com/codes/oxnard/latest/oxnard\\_ca/0-0-0-45944](https://codelibrary.amlegal.com/codes/oxnard/latest/oxnard_ca/0-0-0-45944). Accessed on February 17, 2022.
- Federal Emergency Management Agency. 2010. Flood Insurance Rate Map, Ventura County, California, Panel 910 of 1275, Map Number 06111C0910E. Available at: <https://msc.fema.gov/portal/search?AddressQuery=Riverpark%20Oxnard%20Ca#searchresultsanchor>. Accessed on February 18, 2022.

### 3.10 Land Use and Planning

| <i>Issues:</i>                                                                                                                                                                                                                            | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project conflict with an applicable land use plan, policy or regulation of the City or other agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating a significant environmental effect? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| b) Would the project involve land uses that are not allowed under any applicable airport land use compatibility plan?                                                                                                                     | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| a) Would the project conflict with an applicable habitat conservation plan or natural community conservation plan?                                                                                                                        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Would the project physically divide an established community?                                                                                                                                                                          | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **Less than Significant Impact.** As discussed in Section 3.1 c), based on a review of the existing City of Oxnard sign regulations within the City of Oxnard Municipal Code, the proposed electronic billboard is not currently an allowed use within the City of Oxnard. However, as discussed within Section 3.1, Aesthetics and Urban Design, the implementation of the proposed electronic billboard would result in less than significant impacts to scenic vistas, scenic resources, and scenic highways, and the Project would result a less than significant visual alteration of the existing visual characteristics as well as less than significant light and glare. In addition, the City is currently processing a separate Ordinance amendment to allow electronic billboards prior to approval of the Project, and the Project design complies with the proposed Ordinance regulations. The Project includes an amendment to the RiverPark Specific Plan and a Development Agreement to ensure Project consistency. Therefore, the proposed Project would not conflict with a regulation of the City (i.e., the City of Oxnard Municipal Code or the RiverPark Specific Plan) that was adopted for the purpose of avoiding or mitigating a significant environmental effect.
- b) **Less than Significant Impact.** The Project is located approximately 2.5 miles from the Oxnard Airport. According to the Oxnard Airport Master Plan, obstructions to air navigation in the vicinity of the Project site would occur if structures exceeded 350 feet in elevation (Coffman Associates, Inc., 2004). Because the Project includes an electronic billboard that will include a height of 60 feet above the ground, the implementation of the Project would not impact air navigation.
- c) **No Impact.** According to the City of Oxnard 2030 General Plan EIR, no established or planned Habitat Conservation Plan, Natural community Conservation Plan, or other approved local, regional, or state habitat conservation plan exists within the City of Oxnard (Matrix Design Group, 2009). Therefore, the Project would not result in any impact associated with these plans.

- d) **No Impact.** Construction of the proposed electronic billboard includes the placement of a pole in the ground. The proposed billboard would not physically divide the surrounding community since the proposed sign would not obstruct or in any way change access to the existing community. The Project site is located in an existing undeveloped lot and would not impact any roadways or traffic circulation patterns within the existing community. The proposed electronic billboard Project would not create any barriers to access to a community or require removal of any housing. As such, the proposed Project would have no impact.

## References

Coffman Associates, Inc. 2004. Airport Master Plan for Oxnard Airport. Available at: [https://vcportal.ventura.org/AIRPORTS/docs/document\\_library/Master\\_Plan\\_OXR\\_2004.pdf](https://vcportal.ventura.org/AIRPORTS/docs/document_library/Master_Plan_OXR_2004.pdf). Accessed on February 18, 2022.

Matrix Design Group. 2009. City of Oxnard General Plan Program Environmental Impact Report. Available at: <https://www.oxnard.org/city-department/community-development/planning/2030-general-plan/>. Accessed on February 18, 2022.

---

### 3.11 Mineral Resources

| <i>Issues:</i>                                                                                                                                                                    | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project result in the loss of availability of a known mineral resource of value to the region or state?                                                              | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated in the 2030 General Plan or other adopted land use plan? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **No Impact.** Based on a review of the RiverPark Specific Plan EIR, the Project site is located in an area identified as RiverPark Specific Plan Area ‘A’. The City has designated this area for urban uses since 1986 and mining within this area, including the Project site, would be economically infeasible due to its location and expected poor quality of materials recovered (Impact Sciences, 2001). The proposed Project would not result in the loss of availability of important mineral resources. No impacts to mineral resources would occur with the implementation of the proposed Project.
- b) **No Impact.** Because the Project site has been designated for urban development since 1986 and currently designated Regional Commercial uses, the City of Oxnard General Plan has not designated the Project site as a mineral resource recovery area (City of Oxnard, 2014). Therefore, the implementation of the Project would not impact a locally-important mineral resource recovery site.

### References

City of Oxnard. 2014. City of Oxnard 2030 General Plan Map. Available at: <https://www.oxnard.org/wp-content/uploads/2016/03/203020GENERAL20PLAN2030x402009.14V3-1.pdf>. Accessed on February 22, 2022.

Impact Sciences. RiverPark Specific Plan Draft EIR. 2001. Available at: <https://www.oxnard.org/environmental-document-archives/>. Accessed on February 22, 2022.

### 3.12 Noise

| <i>Issues:</i>                                                                                                                                                                                                                                   | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project generate or expose persons to noise levels exceeding standards established in the Oxnard 2030 General Plan or Noise Ordinance, or applicable standards of other agencies?                                                   | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| b) Would the project generate or expose persons to excessive groundborne vibration or groundborne noise levels?                                                                                                                                  | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| c) Would the project generate a substantial temporary or periodic increase in ambient noise in the project vicinity above levels existing without the project?                                                                                   | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| d) Would the project generate a substantial permanent increase in ambient noise in the project vicinity above levels existing without the project?                                                                                               | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| e) For a project located within the airport land use plan for Oxnard Airport or within two miles of Naval Base, Ventura County at Point Mugu, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| f) Would the project expose non-human species to excessive noise?                                                                                                                                                                                | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                    | <input type="checkbox"/>            |

### Discussion

- a) **Less than Significant Impact.** Implementation of the proposed electronic billboard would result in noise increases during construction activities and noise increases during operation due to periodic maintenance activities.

Construction activities will include the placement of a pole 50 feet into the ground and extension of the pole 60 feet above the ground as well as trenching for the proposed electrical line. The construction activities will also include the removal of the existing eucalyptus trees within the existing U.S. 101 right-of-way and plant replacement trees. The placement of the proposed pole will result in the highest noise levels during construction and would require the following construction equipment for each construction activity:

#### **Drill footing/haul and dispose dirt (1 to 2 days)**

- 48' Flatbed Truck & Trailer
- Caterpillar 262D Skid Steer Loader
- LoDril HT Drill Mounted on a John Deere 270D
- 5 Super 10 Dump Trucks rotating dumps

#### **Column Set/Concrete Pour (1 to 2 days)**

- Link Belt HTC8690 90 Ton Mobile Crane Truck
- Elliott L140 Hireach Crane Truck



- 4 Concrete Mixing Trucks
- Concrete Rock Pump Trailer

#### **Set Top of Column and Build & Set Structure (1 to 2 days)**

- 2 - 48' Flatbed Truck & Trailer
- Grove GMK5275 – 275 Ton Mobile Crane Truck
- Elliott L140 Hireach Crane Truck
- Ingersoll Rand P-1000-W-D Towable Air Compressor

#### **Build and Set Digital Displays (1 to 2 days)**

- 2 - 48' Flatbed Truck & Trailer
- Link Belt HTC8690 90 Ton Crane Mounted on flatbed truck
- Elliott L140 Hireach Crane Truck

As a worst-case evaluation, there is an assumption that the drill footing/haul and dirt disposal as well as the column set/concrete pour activities could occur in one day. **Table N-1** provides estimated construction noise levels at 50 feet, 100 feet and 200 feet.

**TABLE N-1  
CONSTRUCTION NOISE LEVEL<sup>a</sup>**

| <b>Activity</b>                                                   | <b>Noise Level, dBA Leq</b> |
|-------------------------------------------------------------------|-----------------------------|
| Drill Footing/Haul and Dispose Dirt, and Column Set/Concrete Pour |                             |
| At 50 feet                                                        | 82/83                       |
| At 100 feet                                                       | 76/77                       |
| At 200 feet                                                       | 70/71                       |
| <b>Set Top of Column and Build &amp; Set Structure</b>            |                             |
| At 50 feet                                                        | 80                          |
| At 100 feet                                                       | 74                          |
| At 200 feet                                                       | 68                          |
| <b>Build and Set Digital Displays</b>                             |                             |
| At 50 feet                                                        | 79                          |
| At 100 feet                                                       | 73                          |
| At 200 feet                                                       | 67                          |

<sup>a</sup> Based on equipment identified above that was provided by the Project applicant.

SOURCE: Client and ESA 2022

The nearest existing residences to the Project site is approximately 145 feet north of the site. As shown above, the highest construction noise levels at 100 feet would be approximately 77 dBA Leq. These residences are also located approximately 280 feet from

the centerline of U.S. 101. Based on Caltrans peak hour traffic volume information (6,954 automobiles, 207 medium trucks and 139 heavy trucks) adjacent to the Project site, traffic noise levels at approximately 200 feet from the freeway centerline would be 75.6 dBA Leq which is similar to the noise level that would be experienced during construction activities.

Construction noise levels are considered significant if noise levels are not consistent with the City of Oxnard Noise Ordinance or are not consistent with the 2030 General Plan noise policies.

### ***City of Oxnard Noise Ordinance***

In accordance with Section 7-188 of the City's Municipal Code, sound sources associated with or created by construction, repair, remodeling or grading of any real property are exempt, provided the activities occur between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, including Saturday. Because the Project would include construction activities between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, including Saturday, the construction noise levels are considered less than significant.

Operational noise levels would occur during periodic maintenance activities. These activities would be required to repair and maintain the proposed electronic billboard. These maintenance activities would include a nominal number of trucks traveling to the Project site and result in less than significant truck traffic noise. In addition, the repair and maintenance activities that would periodically occur onsite would be considered exempt and result in nominal increases in noise levels to the surrounding uses. These periodic maintenance activities would only occur during the hours of 7:00 a.m. and 6:00 p.m. on weekdays, including Saturday. Therefore, long-term operational activities associated with the proposed electronic billboard would result in less than significant noise impacts.

### ***City of Oxnard Safety & Hazards Element***

The Safety & Hazards Element includes noise policies. The applicable policies are related to construction noise (City of Oxnard, 2016). Because the operational activities would include periodic maintenance activities that would generate nominal noise levels, the operational-related noise policies are not applicable to the Project. The following construction noise policies are applicable to the Project.

**SH-6.1 Construction Noise Control** – Provide best practices guidelines to developers for reducing potential noise impacts on surrounding land uses.

As described above, noise levels associated with construction activities at the nearest residences would be similar to the noise levels associated with freeway traffic along U.S. 101. Therefore, construction activities would not require best practices to reduce anticipated construction noise.

**SH-6.2 Limiting Construction Activities** – Continue to limit construction activities to the hours of 7 am to 7 pm, Monday through Saturday. No construction shall occur after hours, on Sundays, or national holidays without permission from the city.

As also described above, construction activities would be limited to the hours of 7:00 a.m. and 6:00 p.m. on weekdays, including Saturday. Therefore, the Project would be consistent with this goal.

- b) **Less than Significant Impact.** Construction equipment generates ground vibration. Operational activities associated with the Project would generate ground vibration with vehicles traveling on roadways.

The City of Oxnard does not have vibration criteria standards; however, there are federal vibration criteria that have been adopted by the Federal Transit Administration (FTA). The vibration damage criteria for structures in the Project vicinity is 0.5 peak particle velocity (PPV). The vibration criteria for human annoyance is 72 vibration decibels (VdB) (Federal Transit Authority, 2018). Based on the review of the FTA vibration levels by type of equipment, the highest level of vibration from a piece of equipment that would be used during the Project construction activities would occur from a loaded truck that generates 0.076 PPV and 86 VdB at 25 feet. At the nearest residence located at approximately 145 feet north of the Project site, the residence would be exposed to 0.006 PPV and 63 VdB that are less than the 0.5 PPV vibration damage criteria and less than the 72 VdB human annoyance criteria. Therefore, construction activities associated with the Project would result in less than significant vibration impacts.

Long-term maintenance activities would result in periodic trucks accessing the Project site; however, trucks accessing the site would result in nominal increases in the typical vibration levels that are experienced from daily vehicles traveling along Riverpark Boulevard. Therefore, long-term vibration impacts associated with the Project would be less than significant.

- c) **Less than Significant Impact.** The implementation of the Project would result in temporary and periodic increases in noise levels. As discussed above, temporary noise levels would occur during construction activities associated with the electronic billboard. As a worst-case assumption, noise levels at the nearest residence could reach up to 77 dBA Leq while vehicular noise levels from U.S. 101 at the same nearest residence would be approximately 75.5 dBA Leq. This potential increase of 1.5 dBA Leq would not be considered substantial for construction activities. In addition, the City considers construction activities as significant if construction noise does not occur within the Noise Ordinance timing restriction. Because the Project would include construction activities within the allowed times of day, the Project would result in a less than significant temporary noise impact.

As discussed above, long-term maintenance activities associated with the proposed electronic billboard would occur. However, these periodic activities would result in nominal increases in noise and would be considered less than significant.

- d) **No Impact.** Operation of the proposed electronic billboard would not generate permanent noise. Therefore, the implementation of the Project would result in no long-term permanent noise impact.

- e) **No Impact.** There are no public airports or private airstrips within two miles of the Project site. The closest airport is the Oxnard Airport located approximately 2.5 miles southwest of the Project site in the City of Oxnard. The next closest airport is the Camarillo Airport which is located approximately 4.0 miles southeast of the Project site. Because the Project does not include people residing on the site, and the site is over two miles from the nearest airport, the Project would not expose people to excessive airport noise levels. Therefore, no impact would occur.
- f) **Less than Significant with Mitigation Incorporated.** As discussed in Section 3.4 d) above, the implementation of the Project could impact nesting bird species associated with the eucalyptus trees that are proposed to be removed as part of the Project. In addition, trees that are in the Project vicinity could also include nesting birds that could be impacted from the construction-related noise associated with the Project. This increase in noise could result in a significant noise impact to nesting birds.

Implementation of Mitigation Measure BIO-1 from Section 3.4 d) is required.

With the implementation of Mitigation Measure BIO-1 for nesting birds, potential impacts to nesting birds would be reduced to less than significant.

## References

- City of Oxnard. 2016. 2030 General Plan Goals and Policies, Safety & Hazards Element.  
Available at: <https://www.oxnard.org/wp-content/uploads/2017/06/Oxnard-2030-General-Plan-Amend-06.2017-SM.pdf>. Accessed on February 28, 2022.
- Federal Transit Administration. 2018. Transit Noise and Vibration Impact Analysis.

### 3.13 Population, Education, and Housing

| <i>Issues:</i>                                                                                                                                                                                                                                                                  | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project involve a General Plan amendment that could result in an increase in population beyond that projected in the 2030 General Plan that may result in one or more significant physical environmental effects?                                                  | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Would the project induce substantial growth on the project site or surrounding area, resulting in one or more significant physical environmental effects?                                                                                                                    | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| c) Would the project result in a substantial (15 single-family or 25 multi-family dwelling units – about one-half block) net loss of housing units through demolition, conversion, or other means that may necessitate the development of replacement housing?                  | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| d) Would the project result in a net loss of existing housing units affordable to very low- or low-income households (as defined by federal and/or City standards), through demolition, conversion, or other means that may necessitate the development of replacement housing? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| e) Would the project cause an increase in enrollment at local public schools that would exceed capacity and necessitate the construction of new or expanded facilities?                                                                                                         | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| f) Would the project directly or indirect interfere with the operation of an existing or planned school?                                                                                                                                                                        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **No Impact.** The proposed Project includes the installation of a digital electronic billboard on a site that currently is designated Regional Commercial within the 2030 General Plan (City of Oxnard, 2014). The placement of the billboard does not require a general plan amendment and would not increase population beyond that projected in the 2030 General Plan. Therefore, the Project would result in no impact on population.
- b) **No Impact.** The proposed Project includes the installation of a digital electronic billboard. The operation of the billboard would not result in the inducement of growth on the Project site or surrounding area because the operation would not require an onsite employee to operate the billboard.
- c) **No Impact.** The implementation of the electronic billboard is on a site that does not contain any existing housing. Therefore, the implementation of the Project would result in no impact on existing housing.
- d) **No Impact.** As stated above, the implementation of the electronic billboard is on a site that does not contain any existing housing. Therefore, the implementation of the Project would result in no impact on existing housing, including existing affordable housing units.

- e) **No Impact.** Because the Project would not result in new housing or employment opportunities, the implementation of the Project would not impact enrollment at local public schools.
- f) **No Impact.** The nearest school to the Project site is Rio Vista Middle School located approximately 0.5-mile north of the Project site. Construction and operation of the proposed billboard would not directly or indirectly interfere with the operation of a school.

## References

City of Oxnard. 2014. City of Oxnard 2030 General Plan Map. Available at:  
<https://www.oxnard.org/wp-content/uploads/2016/03/203020GENERAL20PLAN2030x402009.14V3-1.pdf>. Accessed on February 28, 2022.

---

### 3.14 Public Services and Recreation

| <i>Issues:</i>                                                                                                                                                                                                                                                | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project increase demand for fire protection service such that new or expanded facilities would be needed to maintain acceptable service levels, the construction of which may have significant environmental effects?                            | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Would the project increase demand for law enforcement service such that new or expanded facilities would be needed to maintain acceptable service levels, the construction of which may have significant environmental effects?                            | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| c) Would the project increase the use of existing park facilities such that substantial physical deterioration of the facilities would occur or be accelerated or that new or expanded park facilities would be needed to maintain acceptable service levels? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| d) Would the project increase the need for or use of existing library or other community facilities such that substantial physical deterioration of the facilities would occur or be accelerated?                                                             | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **No Impact.** The operation of the proposed electronic billboard would add a structure that would be served by the City of Oxnard Fire Department Station 7 that is located approximately one-mile northeast of the Project site (City of Oxnard, 2022a). No employees would be located on the Project site, and therefore, the addition of the proposed billboard would not require the addition of a new fire station or modifications to an existing fire station to serve the Project site. Therefore, the proposed Project would have no impact on fire protection services.
- b) **No Impact.** The Project site is located approximately 2.3 miles north of the City of Oxnard Police Department and located within Neighborhood Policing Beat 14 (City of Oxnard, 2022b). The proposed Project includes an electronic billboard that would not result in a demand for police protection services because there are no employees that would be located on the Project site. Therefore, the Project would have no impact on police protection services.
- c) **No Impact.** The proposed Project would not generate employees and would not increase the use of existing park facilities. Therefore, the Project would not result in the physical deterioration of existing park facilities.
- d) **No Impact.** The proposed Project would not generate employees and would not increase the use of existing libraries or other community facilities. Therefore, the Project would not impact libraries or community facilities.

## References

City of Oxnard. 2022a. City of Oxnard Fire Department, Fire Station Locations. Available at: <https://www.oxnard.org/fire-station-locations-fire-department/>. Accessed on February 28, 2022.

City of Oxnard. 2022b. Oxnard Police Department, Neighborhood Policing Beat Coordinator Map. Available at: <https://sites.google.com/oxnardpd.org/2020-beat-map/police-beat-map> Accessed on February 28, 2022.

---



### 3.15 Transportation and Circulation

| <i>Issues:</i>                                                                                                                                                                     | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?           | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?                                                                            | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| d) Would the project result in inadequate emergency access?                                                                                                                        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **Less than Significant Impact.** Construction of the proposed electronic billboard and trenching for an electrical line would generate a nominal number of construction vehicle trips for the activities to place the electronic billboard on the Project site and trench for approximately 40 feet to the adjacent electrical enclosure that is located south of Riverpark Boulevard. This nominal number of trips would not conflict with the circulation system and result in less than significant impacts. In addition, the trenching for the electrical line would not impact automobile circulation or the pedestrian pathway located along Riverpark Boulevard. In addition, long-term activities associated with the Project include periodic visits to the site for maintenance. These periodic visits would also result in less than significant impacts to the surrounding circulation system.
- b) **No Impact.** The proposed Project would include periodic maintenance vehicle trips to the site, as needed, and would not require daily vehicle trips to the site for operation of the electronic billboard. Therefore, the Project would have no impact on vehicle miles traveled.
- c) **Less than Significant Impact.** The proposed Project includes the placement of an electronic billboard adjacent to U.S. 101. The proposed billboard will be oriented for viewing primarily from U.S. 101. The proposed billboard will comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5. The billboard proposes to include different images, but each image will be displayed for at least eight seconds and the images would not move or present the appearance of motion and would not flash or blink or any other means that does not provide a constant illumination. These features associated with the proposed electronic billboard would not substantially increase hazards to drivers along U.S. 101 and less than significant impacts would occur.
- d) **No Impact.** The implementation of the proposed electronic billboard would not cause inadequate emergency access in the Project vicinity because the placement of the electronic sign does not include employees at the Project site. Therefore, the Project would not impact access.

## References

No references.

---

### 3.16 Utilities and Energy

| <i>Issues:</i>                                                                                                                                                | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project need new or expanded water supply entitlements that are not anticipated in the current Urban Water Management Plan?                      | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Would the project require additional wastewater conveyance or treatment capacity to serve project demand and existing commitments?                         | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| c) Would the project generate solid waste that would exceed the permitted capacity of a landfill serving the City?                                            | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| d) Would the project conflict with federal, state, or local statutes or regulations related to solid waste?                                                   | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| e) Would the project involve wasteful, inefficient, or unnecessary consumption of energy during project construction, operation, maintenance, and/or removal? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| f) Would the project require additional energy facilities, the provision of which may have a significant effect on the environment?                           | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| g) Would the project be inconsistent with existing energy standards?                                                                                          | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| h) Would the project preempt future energy development or future energy conservation, or inhibit the future use of renewable energy or energy storage?        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **No Impact.** The operational activities associated with the proposed electronic billboard would not require the use of water, and therefore, the Project would not require new or expanded water supply entitlements. Therefore, the Project would have no impact.
- b) **No Impact.** The proposed Project would not result in wastewater generation, and therefore, would not result in a need for wastewater treatment. As a result, the Project would not impact the capacity of the existing wastewater treatment facilities servicing the City of Oxnard.
- c) **No Impact.** The proposed electronic billboard would not include any employees and would not generate solid waste. Temporary construction waste would be hauled off site in accordance with all Federal, State, and local regulations. The Project would not exceed current permitted capacities of landfills because the Project would not generate operational waste. As such, the proposed Project would have no long-term impact.
- d) **No Impact.** As discussed above, temporary construction waste would be generated during installation of the proposed billboard, trenching for the electrical line and removal of the existing landscaping along U.S. 101. However, the construction waste would be hauled off site in accordance with all Federal, State, and local regulations, and therefore, would not conflict with these regulations.

- e) **Less than Significant Impact.** As described below, the proposed Project would not involve wasteful, inefficient, or unnecessary consumption of energy.

### **Construction**

The Project would consume energy during construction activities, primarily from on- and off-road vehicle fuel consumption in the form of diesel and gasoline, necessary to install a typical billboard. Construction of a typical billboard is assumed to require up to four workdays, depending on the nature of the soil and the extent of the column footing required. For the purposes of evaluating energy usage, the analysis conservatively assumes a construction scenario of four days of construction. The construction would consist of the following tasks: 1) drilling and haul of excavated soil, 2) column set and concrete pour, 3) building the structure and 4) installation of digital display. These activities would occur over a two-week period with a five to seven-day break between the drilling/column set and the installation to allow for concrete setting.

Energy consumption would occur from the operation of heavy-duty construction equipment, on-road trucks, and from on-road light-duty passenger vehicles from construction workers commuting to and from the Project site. Heavy-duty construction equipment was conservatively assumed to be primarily diesel-fueled. Diesel fuel would also be used for heavy-duty on-road trucks used for hauling of excavated soils, cement delivery, on-road transport of construction equipment and materials (i.e., aerial lift trucks, cranes, and billboard construction materials such as columns and electronic displays). Natural gas and electricity are not anticipated to be used during construction activities in any substantial quantities. A summary of the Project's construction fuel usage is provided in **Table UE-1, Summary of Fuel Consumption During Installation of the Proposed Electronic Billboard**. Energy calculations for fuel consumption are based on the same assumptions used for the Air Quality analysis and used for the CalEEMod Emissions Modeling.

**TABLE UE-1**  
**SUMMARY OF FUEL CONSUMPTION DURING INSTALLATION OF THE**  
**PROPOSED ELECTRONIC BILLBOARD**

| <b>Activity</b>                 | <b>Fuel</b> | <b>Gallons<sup>a</sup></b> |
|---------------------------------|-------------|----------------------------|
| Off-Road Construction Equipment | Diesel      | 203                        |
| Construction Haul Vehicles      | Diesel      | 117                        |
| Construction Worker Commuting   | Gasoline    | 14                         |

<sup>a</sup> Fuel estimates are based on installation of the proposed electronic billboard in 2022.

SOURCE: ESA, 2022

As shown, the estimated total diesel fuel consumed by construction equipment and on-road haul/delivery trucks would be approximately 320 gallons for the installation of the proposed electronic billboard. Transportation fuel from workers traveling to and from the

Project site would be limited and are estimated as less than 15 gallons of gasoline which is considered minimal fuel consumption.

Transportation fuels (gasoline and diesel) are produced from crude oil, which can be domestic or imported from various regions around the world. Based on current proven reserves, crude oil production would be sufficient to meet 50 years of worldwide consumption (BP Global, 2022). Vehicles that would be used by construction workers would comply with Corporate Average Fuel Economy fuel economy standards, which would result in more efficient use of transportation fuels (lower consumption). Vehicles that would be used by construction workers would also comply with Pavley and Low Carbon Fuel Standards which are designed to reduce vehicle GHG emissions, but would also result in fuel savings in addition to compliance with Corporate Average Fuel Economy standards.

Construction of the Project would utilize fuel-efficient equipment consistent with State and federal regulations, such as fuel efficiency regulations in accordance with the California Air Resources Board (CARB) Pavley Phase II standards, the anti-idling regulation in accordance with Section 2485 in Title 13 of the California Code of Regulations, and fuel requirements in accordance with Section 93115 in Title 17 of the California Code of Regulations, and would comply with State measures to reduce the inefficient, wasteful, and unnecessary consumption of energy, such as petroleum-based transportation fuels. While these regulations are intended to reduce construction emissions, compliance with the anti-idling and emissions regulations discussed above would also result in fuel savings from the use of more fuel-efficient engines. Therefore, Project construction would not result in wasteful, inefficient, or unnecessary consumption of energy resources and energy impacts would still be less than significant. Calculation details for fuel and energy consumption are included in **Appendix G**.

### ***Operation***

Operations of the proposed electronic billboard would consume energy in the form of purchased electricity to power the lighting. Electricity in the Project area (Ventura County) is provided by Southern California Edison (SCE). SCE is required to commit to the use of renewable energy sources for compliance with the Renewable Portfolio Standards (RPS). SCE has already met its requirement to procure at least 33 percent of its energy portfolio from renewable sources by 2020 with approximately 33.1 percent of its 2020 electric supply power mix from renewable power (SCE 2020). With the passage of SB 100 in September 2018, SCE will be required to update its long-term plans to demonstrate compliance including providing 60 percent of its energy portfolio from renewable sources by December 31, 2030, and ultimately planning for 100 percent eligible renewable energy resources and zero-carbon resources by December 31, 2045.

Predicted energy use for the proposed electronic billboard is estimated at an average of approximately 150 kilowatt hours (kWh) per day and approximately 54,000 kWh per year.

Based on SCE's 2020 Annual Report, SCE total system sales for 2020 was 85,399 million kWh of electricity (SCE 2021). As such, the Project-related net increase in annual electricity consumption of 54,000 kWh per year would represent less than 0.0001 percent of SCE's total energy sales. The proposed electronic billboard would utilize energy efficient light emitting diode (LED) technology, which is recognized by the U.S. Department of Energy as the most energy efficient lighting technology (U.S. DOE, n.d.). Therefore, Project operations would not result in wasteful, inefficient, or unnecessary consumption of energy resources and energy impacts would still be less than significant.

As discussed above, Project construction would utilize fuel-efficient equipment consistent with State and federal regulations, such as fuel efficiency regulations in accordance with the California Air Resources Board (CARB) Pavley Phase II standards, the anti-idling regulation in accordance with Section 2485 in Title 13 of the California Code of Regulations, and fuel requirements in accordance with Section 93115 in Title 17 of the California Code of Regulations, to reduce the use of petroleum-based transportation fuels. Operation of the Project would utilize energy efficient light emitting diode (LED) technology, which is recognized by the U.S. Department of Energy as the most energy efficient lighting technology (U.S. DOE, n.d.). As a result, the proposed Project would support Statewide efforts to implement fuel saving strategies and utilize energy efficient technologies. Overall, the Project would not be inconsistent with existing energy standards and impacts would be less than significant.

- f) **No Impact.** Implementation of the proposed electronic billboard would include the extension of an electrical line for approximately 40 linear feet to an existing electrical facility located immediately adjacent to the Project site. The electronic billboard would not require additional energy facilities, beyond the proposed extension of an electrical line, to serve the proposed Project. Therefore, the Project would result in no impact.
- g) **Less than Significant Impact.** As discussed above, Project construction would utilize fuel-efficient equipment consistent with State and federal regulations, such as fuel efficiency regulations in accordance with the California Air Resources Board (CARB) Pavley Phase II standards, the anti-idling regulation in accordance with Section 2485 in Title 13 of the California Code of Regulations, and fuel requirements in accordance with Section 93115 in Title 17 of the California Code of Regulations, to reduce the use of petroleum-based transportation fuels. Operation of the Project would utilize energy efficient light emitting diode (LED) technology, which is recognized by the U.S. Department of Energy as the most energy efficient lighting technology (U.S. DOE, nd.). As a result, the proposed Project would support Statewide efforts to implement fuel saving strategies and utilize energy efficient technologies. Overall, the Project would not be inconsistent with existing energy standards and impacts would be less than significant.
- h) **No Impact.** The implementation of the proposed electronic billboard would not preempt energy development or future energy conservation, or inhibit the future use of renewable energy or energy storage due to the Project's limited use of energy resources.

## References

- BP Global. 2022. Oil reserves. Available at: <https://www.bp.com/en/global/corporate/energy-economics/statistical-review-of-world-energy/oil.html>. Accessed February 2022.
- Edison International. 2021. Edison International and Southern California Edison 2020 Annual Report, page 2. Available at: <https://www.edison.com/content/dam/eix/documents/investors/sec-filings-financials/2020-eix-sce-annual-report.pdf>. Accessed February 2022.
- Southern California Edison. 2020, 2020 Power Content Label, Southern California Edison.
- U.S. Department of Energy. nd. LED Lighting. Available at: <https://www.energy.gov/energysaver/led-lighting>. Accessed February 2022.
-

### 3.17 Wildfire

| <i>Issues:</i>                                                                                                                                                                                                                                                     | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|--------------------------|
| If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:                                                                                                                                   |                                               |                                                                       |                                             |                          |
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan?                                                                                                                                                                           | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?                                                        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?                                                                            | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |

### Discussion

- a - d) **Less than Significant Impact.** The proposed digital electronic billboard is located on a lot in an urban area of the City of Oxnard. Based on a review of the fire hazards severity zones prepared as part of the CalFire fire and resource assessment program, the Project site is not located within or near an area that is designated as a very high fire hazard severity zone (VHFHSZ). The nearest VHFHSZ designated in a Local Responsibility Area is approximately 4.5 miles to the northwest and within a State Responsibility Area is approximately 4.3 miles to the northeast. Due to the distance from a VHFHSZ, the Project would result in less than significant impacts related to wildfires.

### References

CalFire. 2020. FHSZ Viewer. Available at: [gis.fire.ca.gov/FHSZ/](https://gis.fire.ca.gov/FHSZ/). Accessed on March 2, 2022.



### 3.18 Mandatory Findings of Significance

| <i>Issues:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-----------------------------------------------------------|-------------------------------------|--------------------------|
| a) Would the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/> |
| b) Would the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?                                                                                                                                       | <input type="checkbox"/>              | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>            | <input type="checkbox"/> |
| c) Would the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Discussion

- a) **Less than Significant with Mitigation Incorporated.** The implementation of the Project would include installation activities for the proposed billboard and electrical line as well as removal of existing eucalyptus trees along U.S. 101 that could provide nesting opportunities for bird species. The installation activities and removal of the eucalyptus trees could result in significant impacts to nesting birds. The implementation of Mitigation Measure BIO-1 would reduce these potential impacts to less than significant. In addition, construction activities for the Project could result in potential significant impacts to archaeological resources. The implementation of Mitigation Measure CUL-1 would reduce these potential impacts to less than significant.
- b) **Less than Significant with Mitigation Incorporated.** The potential for cumulative impacts occur when the impacts of a project are combined with impacts from related development projects and result in impacts that are greater than the impacts of a project alone. The City of Oxnard currently includes an additional electronic billboard proposed at Ventura Road on the northside of U.S. 101. This related project is located approximately 4,600 feet west of the Project site. The City of Oxnard is also contemplating the adoption of an ordinance that would allow additional electronic billboards to be constructed and operate along U.S. 101; however, these billboards would not be allowed to be placed within 2,000 feet of an existing electronic billboard and would be required to be located at least 100 feet from an existing residence. As discussed in Sections 3.1 through 3.17 above, the proposed Project could result in potential significant impacts related to biological resources, cultural resources, and noise on wildlife species prior to the implementation of mitigation measures. With the implementation of Mitigation Measures BIO-1, CR-1, and CR-2, the potential impacts associated with the Project would be reduced to less than significant. Given that the potential related projects would need to occur at least 2,000 feet

from the Project site and the Project impacts to biological resources, cultural resources, and noise on wildlife species are site specific and would not combine with potential impacts associated with other electronic billboards implemented along U.S. 101, the Project's contribution to cumulative impacts would be considered less than cumulatively considerable and less than significant.

- c) **Less than Significant Impact.** The implementation of the proposed electronic billboard includes potential significant impacts to nesting birds and potential archeological and paleontological resources. The Project would result in less than significant direct or indirect impacts on human beings.

## References

No references.

---

This page intentionally left blank

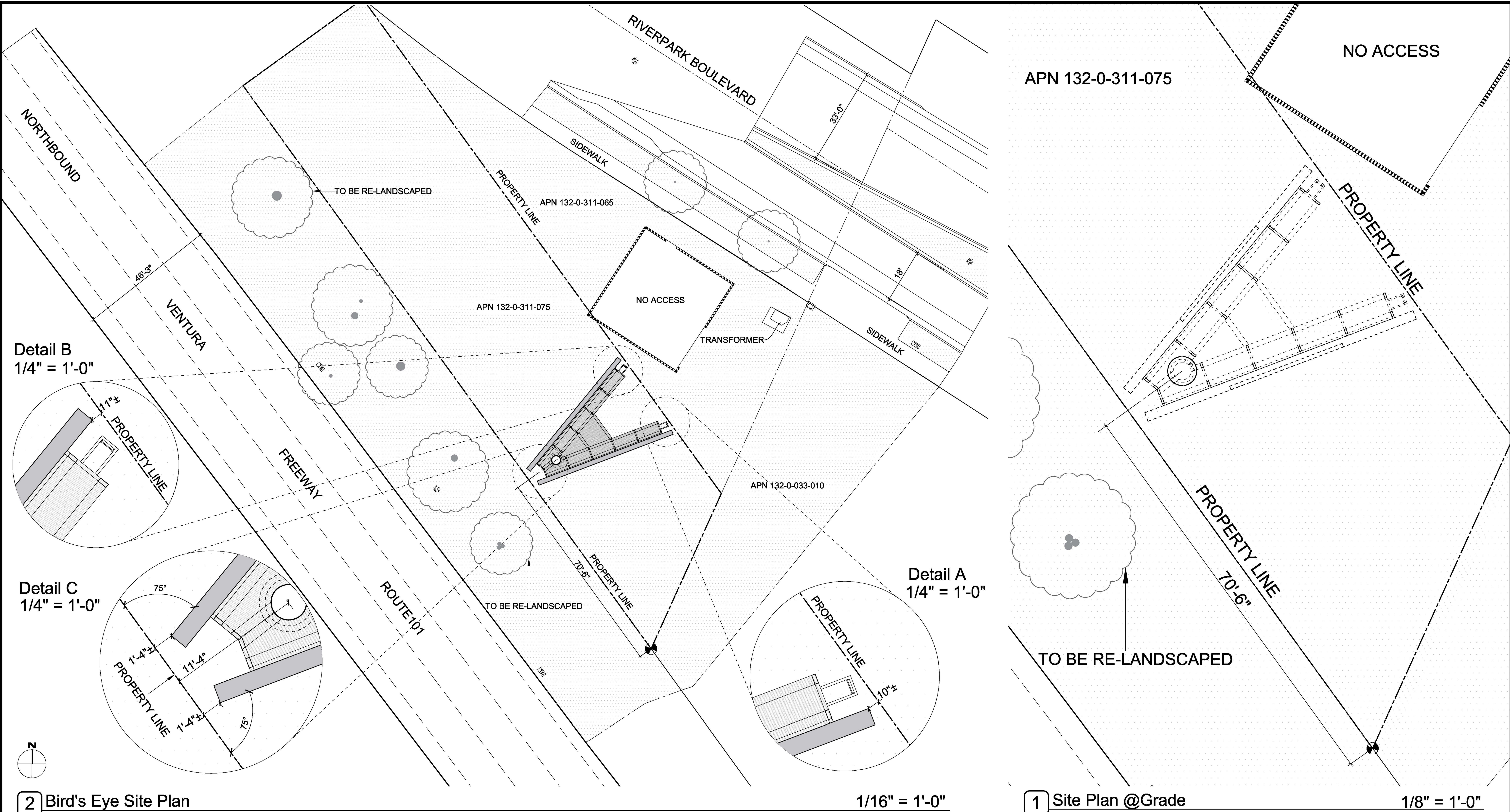
# Appendix A

## **Project Plans**









2 Bird's Eye Site Plan 1/16" = 1'-0" 1 Site Plan @Grade 1/8" = 1'-0"

**LEGEND**

- GROUND
- LIGHT POLE
- TRAFFIC SIGNAL BOX
- TREE LINE

**SHEET NOTES**

- ALL WORK SHALL CONFORM WITH APPLICABLE BUILDING CODES, COMPLETE WITH ALL STATE AND CITY AMENDMENTS AND ORDINANCES WHEREIN THE SPECIFIED DO NOT EXCEED THE REQUIREMENTS OF THE LAWS OR ORDINANCES. THE LAWS OR ORDINANCES SHALL GOVERN. CONTRACTOR TO NOTIFY ARCHITECT OF ALL CONFLICTS.
- DO NOT SCALE DRAWINGS. THE CONTRACTOR SHALL USE DIMENSIONS SHOWN ON THE DRAWINGS AND ACTUAL FIELD MEASUREMENTS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION AND COORDINATION WITH SUB-CONTRACTORS TO ENSURE THEIR WORK IS IN COMPLIANCE WITH DRAWINGS AND SPECIFICATIONS.
- THE WORK, INFORMATION, DESIGNS, CONCEPTS AND IDEAS SHOWN ON THESE DRAWINGS ARE SITE AND PROJECT SPECIFIC, AND ARE INTENDED TO BE USED FOR THIS ONE PROJECT ONLY. NO WARRANTY IS EXPRESSED OR IMPLIED FOR ANY USE OR PURPOSE BEYOND THAT FOR WHICH THESE DRAWINGS WERE CREATED AND INTENDED.
- CONTRACTOR SHALL SECURE AND PAY FOR ALL BUILDING PERMITS PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR SHALL PROVIDE A SCHEDULE SHOWING TIME LINES TO COMPLETE ALL WORK AND INCLUDING A DATE FOR FINAL COMPLETION.
- UPON COMPLETION OF THE WORK CONTRACTOR SHALL PROVIDE TO OWNER A SET OF REPRODUCIBLE "AS-BUILT" DRAWINGS.
- CONTRACTOR SHALL ENSURE ADEQUATE FIRE AND SAFETY PRECAUTIONS ARE MAINTAINED ON SITE AT ALL TIMES. ALL FIRES AND ACCIDENTS SHALL BE IMMEDIATELY REPORTED TO OWNER, BUILDING MANAGEMENT, AND ARCHITECT AND SHALL BE DISCUSSED AT PROJECT MEETING.
- UPON SUBSTANTIAL COMPLETION OF WORK, CONTRACTOR ALONG WITH ARCHITECT AND OWNER SHALL PREPARE A PUNCH LIST TO INCLUDE ALL INCOMPLETE AND/OR CORRECTIVE WORK AND SCHEDULE TO COMPLETE SAID WORK.
- CONTRACTOR TO PROVIDE ENGINEERING DRAWINGS, CALCULATIONS, TITLE 24 ENERGY DOCUMENTATION AND CONSTRUCTION OF NEW AND RETROFIT OF EXISTING POWER, SIGNAL, LIGHTING, ALARM, AND LIFE SAFETY SYSTEMS.
- CONTRACTOR TO SUBMIT ENGINEERING DRAWINGS TO THE CITY OF OXNARD BUILDING AUTHORITIES AND OBTAIN ALL REQUIRED BUILDING PERMITS.
- CONTRACTOR TO SUBMIT ENGINEERING DRAWINGS, CALCULATIONS, TITLE 24 ENERGY DOCUMENTATION, AND CUT SHEETS OF ALL EQUIPMENT, LIGHTING, SWITCHES, COVER PLACES, ETC. TO ARCHITECT FOR REVIEW BY ARCHITECT AND OWNER.
- CONTRACTOR SHALL COORDINATE ALL WORK REQUIREMENTS OF DESIGN-BUILD SUBCONTRACTORS.
- CONSTRUCTION HOURS AND WORK IN THE CITY PUBLIC RIGHT-OF-WAY ARE LIMITED. SEE LOCAL JURISDICTION REQUIREMENTS.
- ANY HIDDEN CONDITIONS THAT REQUIRE WORK TO BE PERFORMED BEYOND THE SCOPE OF THE BUILDING PERMIT ISSUED FOR THESE PLANS MAY REQUIRE FURTHER CITY APPROVALS INCLUDING REVIEW BY THE PLANNING COMMISSION. THE BUILDING OWNER, PROJECT DESIGNER, AND/OR CONTRACTOR MUST SUBMIT A REVISION TO THE CITY FOR ANY WORK NOT GRAPHICALLY ILLUSTRATED ON THE JOB COPY OF THE PLANS PRIOR TO PERFORMING THE WORK. AT THE TIME OF BUILDING PERMIT APPLICATION, WHEN APPLICABLE, PLANS AND ENGINEERING WILL BE SUBMITTED FOR SHORING AS REQUIRED BY 2016 CBC, CHAPTER 31 REGARDING THE PROTECTION OF ADJACENT PROPERTY AND AS REQUIRED BY OSHA. THE FOLLOWING WILL BE ADDRESSED:
- WALLS OF EXCAVATIONS SHALL BE PROPERLY SHORED PRIOR TO CONSTRUCTION ACTIVITY. WHERE TEMPORARY SHORING IS NEEDED A COMPETENT CONTRACTOR SHALL BE CONSULTED FOR RECOMMENDATIONS AND DESIGN OF THE SHORING SCHEME FOR THE EXCAVATION. THE RECOMMENDED DESIGN AND TYPE OF SHORING SHALL BE APPROVED BY THE ENGINEER OF RECORD OR SOILS ENGINEER PRIOR TO USAGE.
- ALL APPROPRIATE GUIDELINES OF OSHA SHALL BE INCORPORATED INTO THE SHORING DESIGN AND IMPLEMENTED BY THE CONTRACTOR. WHERE SPACE PERMITS, TEMPORARY CONSTRUCTION SLOPES MAY BE UTILIZED IN LIEU OF SHORING. MAXIMUM ALLOWABLE VERTICAL CUT FOR THE SUBJECT PROJECT WILL BE FIVE (5) FEET. BEYOND THAT HORIZONTAL BENCHES OF 5 FEET WIDE WILL BE REQUIRED. TEMPORARY SHORES SHALL NOT EXCEED 1 TO 1 (HORIZONTAL TO VERTICAL). IN SOME AREAS DUE TO HIGH MOISTURE CONTENT / WATER TABLE, FLATTER SLOPES MAY BE REQUIRED IF SO RECOMMENDED BY THE SOILS ENGINEER IN THE FIELD.
- IF SHORING IS REQUIRED, THE PLANS WILL SPECIFY THE LICENSED DESIGN PROFESSIONAL THAT HAS SOLE RESPONSIBILITY TO DESIGN AND PROVIDE ADEQUATE SHORING, BRACING, FORMWORK, ETC. AS REQUIRED FOR THE PROTECTION OF LIFE AND PROPERTY DURING CONSTRUCTION OF THE SIGN.
- SHORING PLANS SHALL BE WET-STAMPED AND SIGNED BY THE ENGINEER-OF-RECORD AND SUBMITTED TO THE CITY FOR REVIEW PRIOR TO CONSTRUCTION. IF APPLICABLE, INCLUDE SURCHARGE LOADS FROM ADJACENT STRUCTURES THAT ARE WITHIN THE ZONE OF INFLUENCE (45 DEGREE WEDGE UP THE SLOPE FROM THE BASE OF THE EXCAVATION) AND / OR DRIVEWAY SURCHARGE LOADS.
- AN OSHA PERMIT WILL BE OBTAINED IF NEEDED PER CAL / OSHA REQUIREMENTS. SEE THE CAL / OSHA HANDBOOK AT: [HTTP://WWW.CA-OSHA.COM/PDFPUBS/OSHA%20USERGUIDE.PDF](http://www.ca-osh.com/PDFPUBS/OSHA%20USERGUIDE.PDF) CONSTRUCTION SAFETY ORDERS : CHAPTER 4, SUBCHAPTER 4, ARTICLE 6, SECTION 1541.1.
- A GRADING PERMIT WILL BE OBTAINED FROM THE DEPARTMENT OF PUBLIC WORKS IF REQUIRED.
- PLANS SUBMITTED FOR BUILDING CODE PLAN CHECK WILL INCLUDE A COMPLETE UNDERGROUND PLUMBING PLAN INCLUDING DETAILS FOR THE LOCATION OF ALL REQUIRED OIL INTERCEPTORS AND CITY-REQUIRED BACKWATER PREVENTION DEVICES.

**ib+a**  
architecture

177 Post Street,  
Suite 920  
San Francisco,  
CA 94108

tel: (415) 512-9660  
fax: (415) 512-9663  
[www.ibadesign.com](http://www.ibadesign.com)

PROJECT NAME

**OXNARD  
SIGNAGE  
PROJECT**

APN 132-0-311-075  
Oxnard,  
California

CLIENT

**OUTFRONT  
FOSTER  
INTERSTATE**

FOR SITE PERMIT ONLY

| REV | DATE | ISSUE |
|-----|------|-------|
|     |      |       |

SHEET DESCRIPTION

**SITE PLAN**

DATE 8/6/2020

SCALE 1/16" = 1'-0"

DRAWN BY

CHECKED BY

JOB NO. 1814

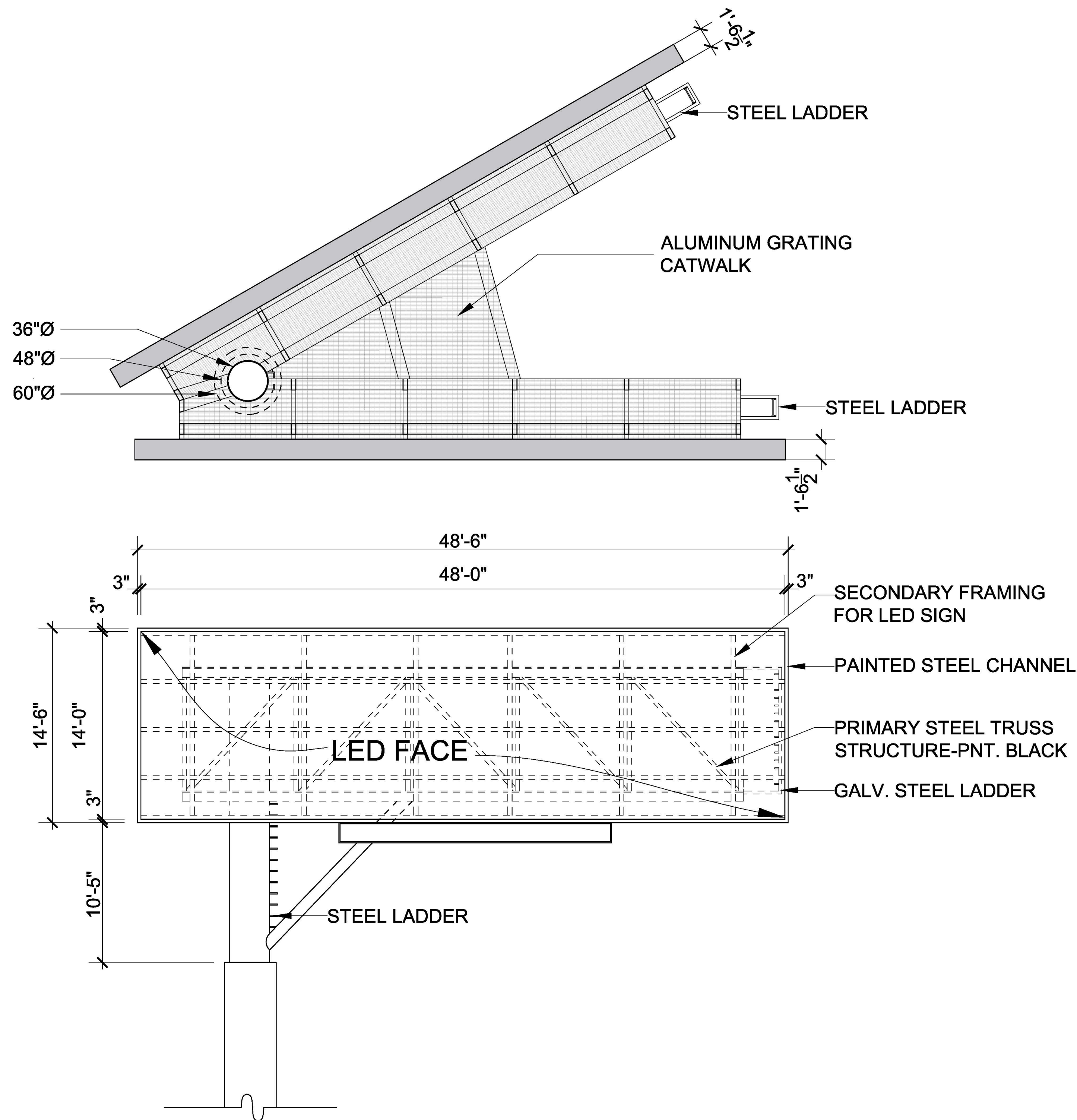
**A-1.0**

SHEET NO.

All drawings and written material appearing herein constitute the original and unpublished work of the designer and the same may not be duplicated, used, or disclosed without the written consent of the designer.

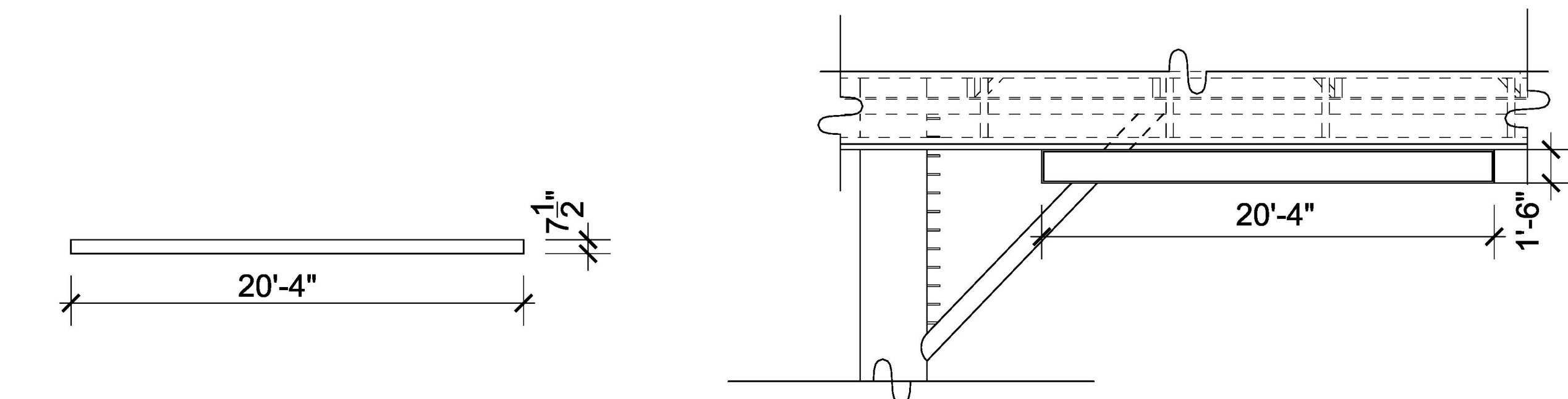
© ianbirchall&associate 2020





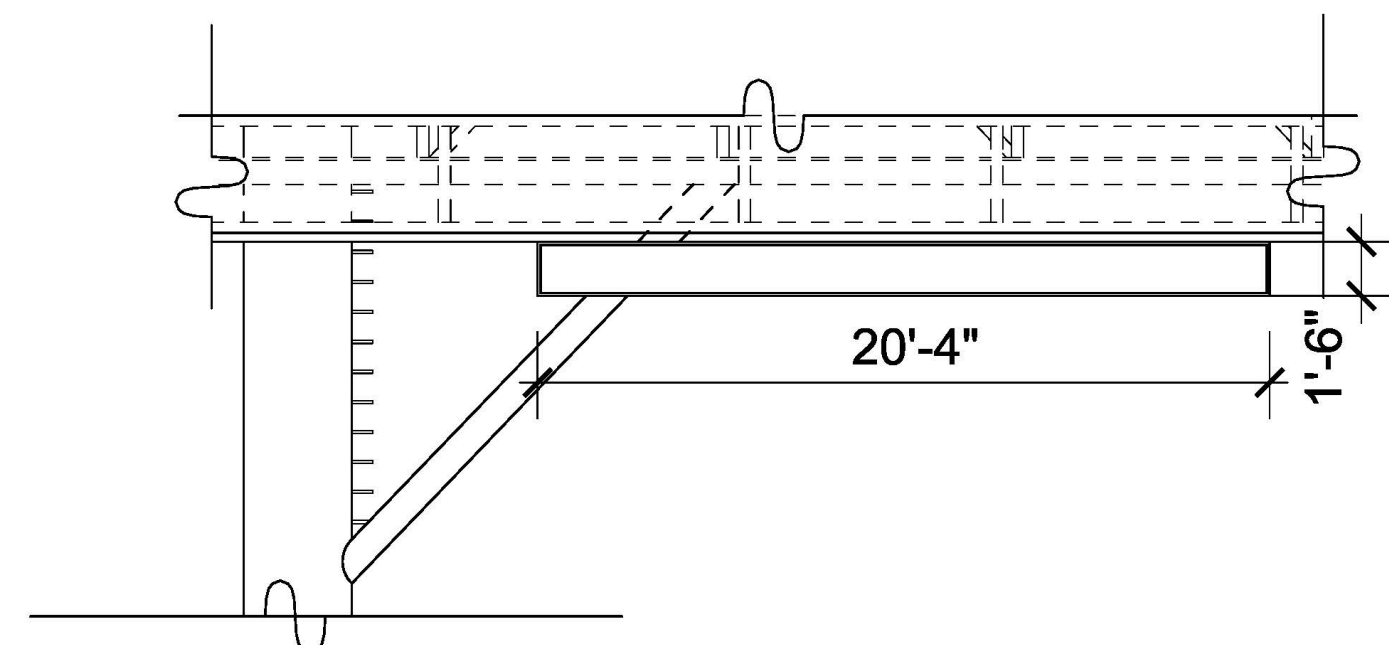
5 Face Elevation

SCALE - 3/16" : 1'0"



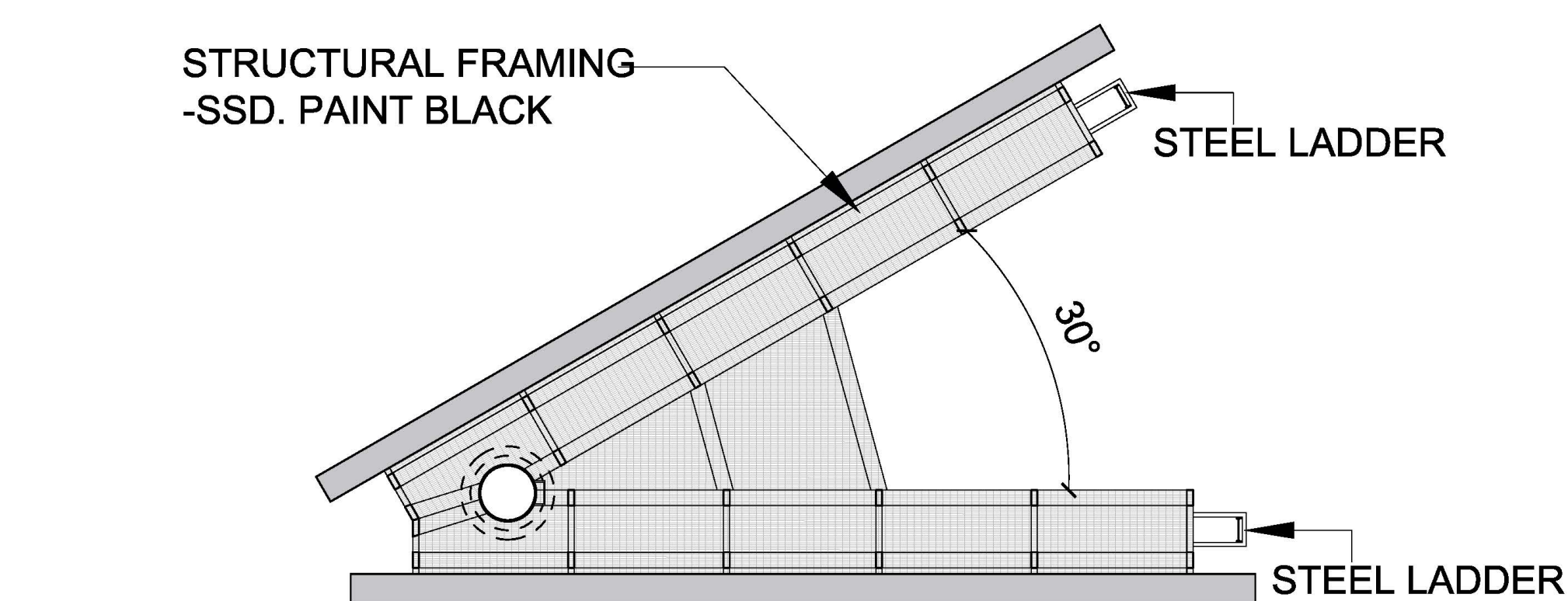
4 Logo Cabinet Plan

SCALE - 3/16" : 1'0"



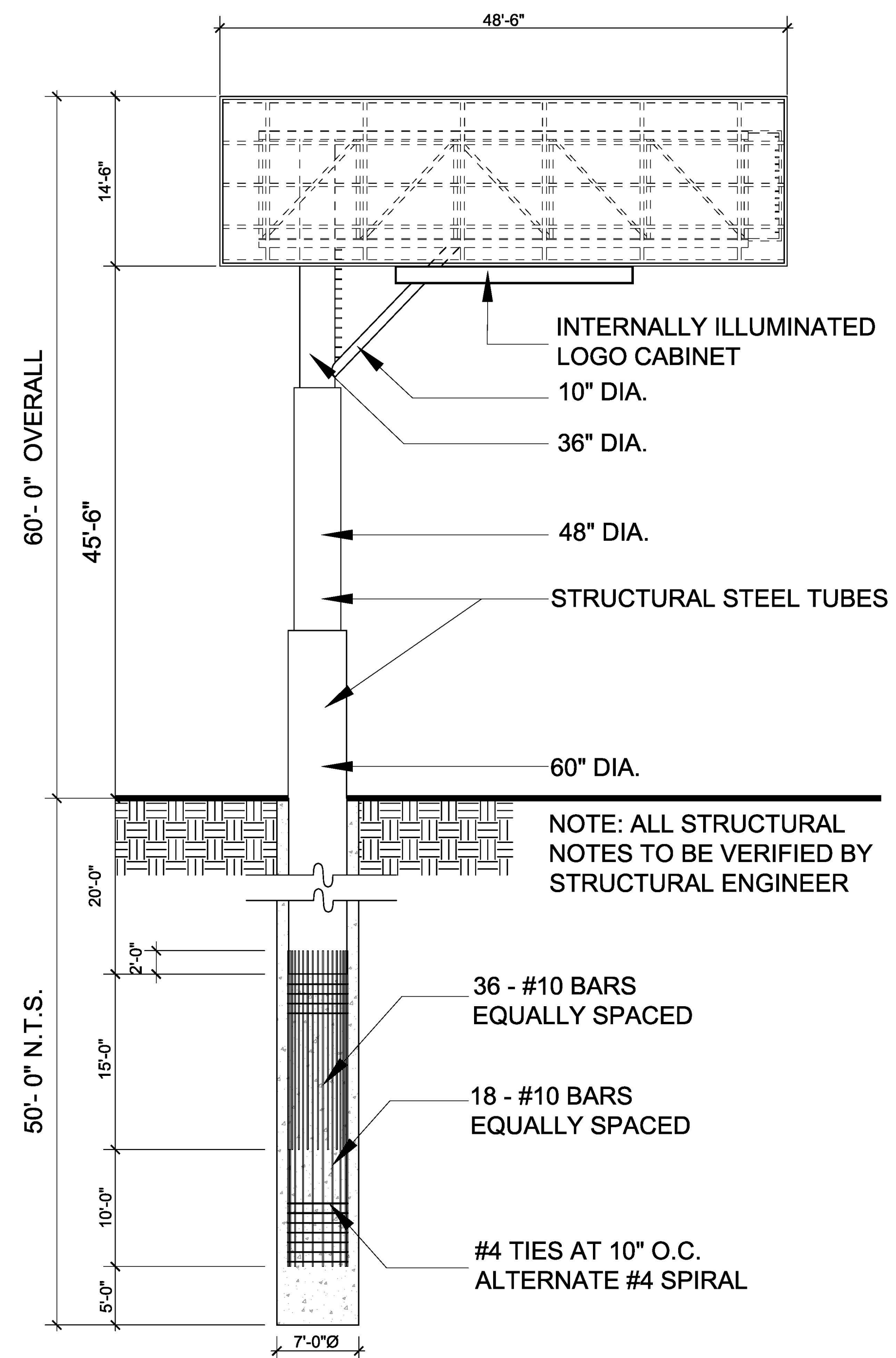
3 Logo Cabinet Elevation

SCALE - 3/16" : 1'0"



2 Plan View

SCALE - 1/8" : 1'0"

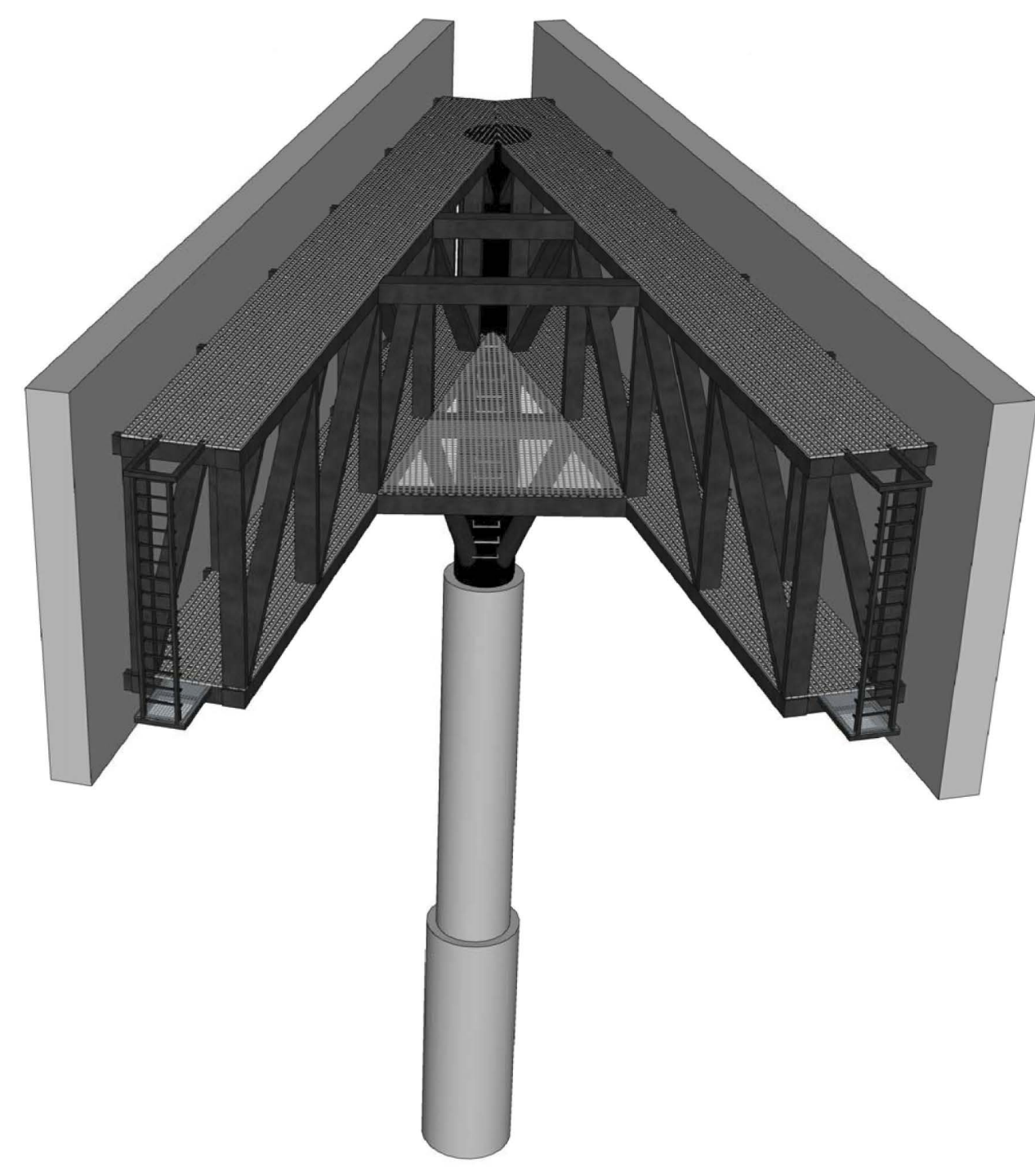
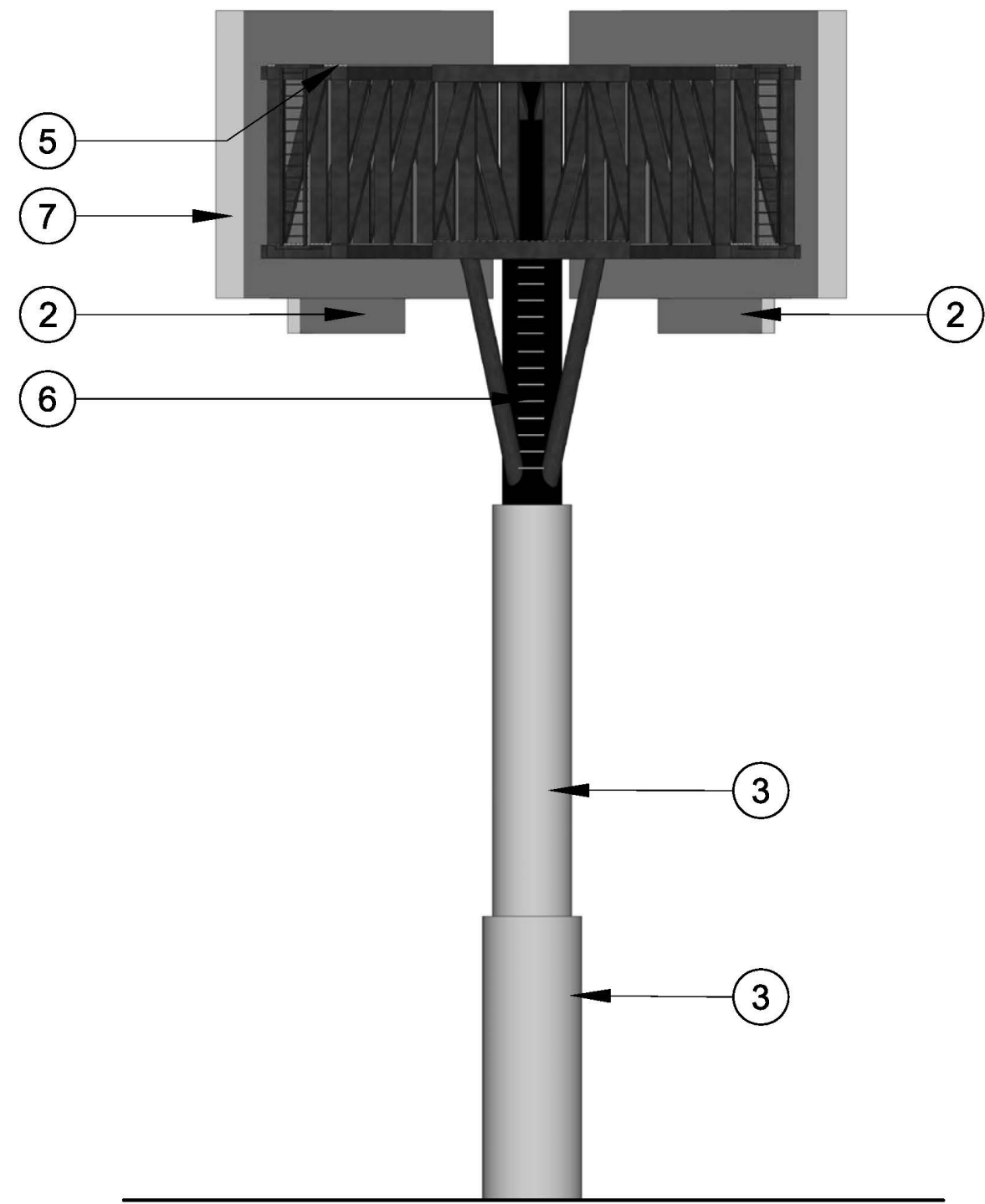
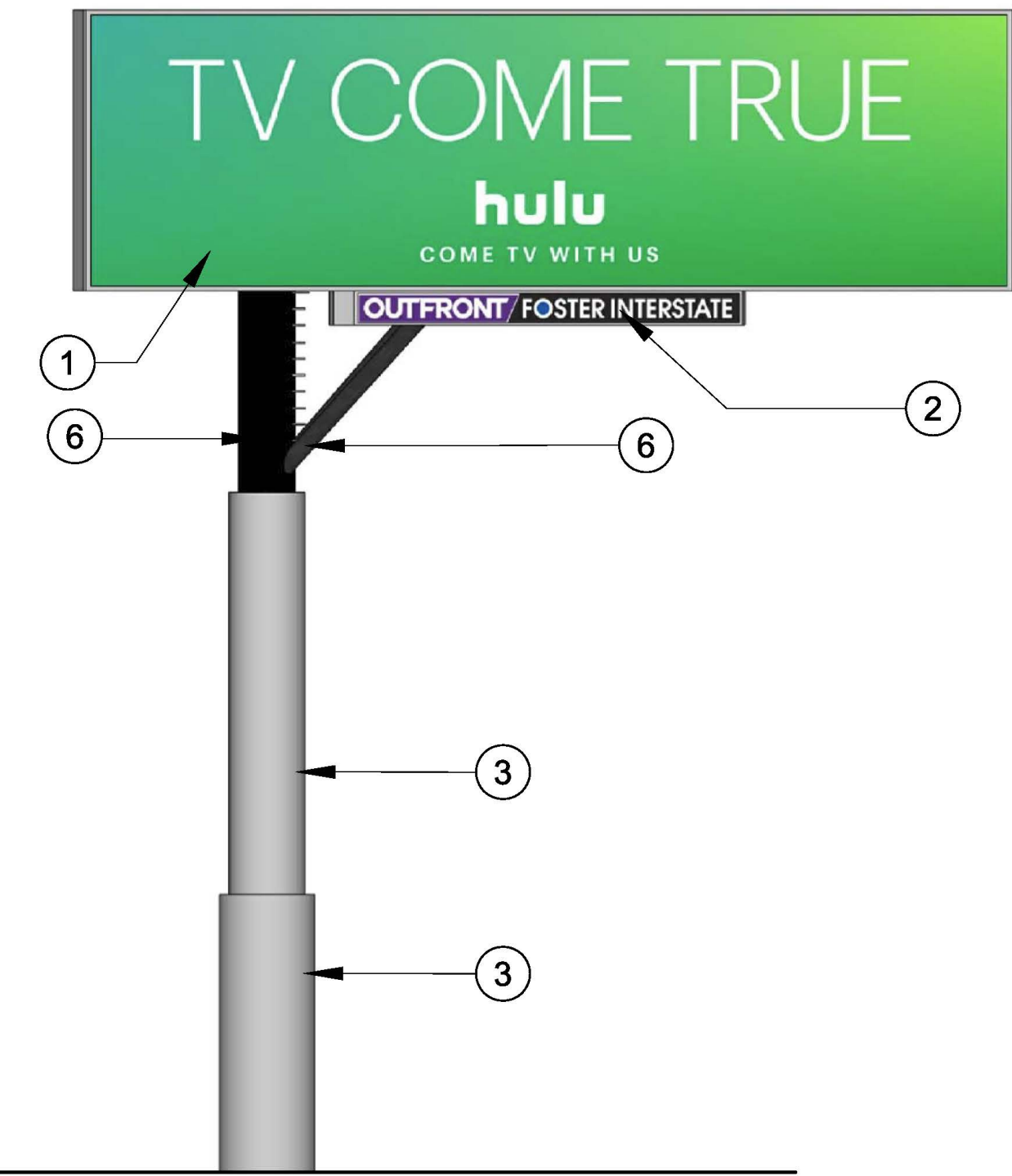
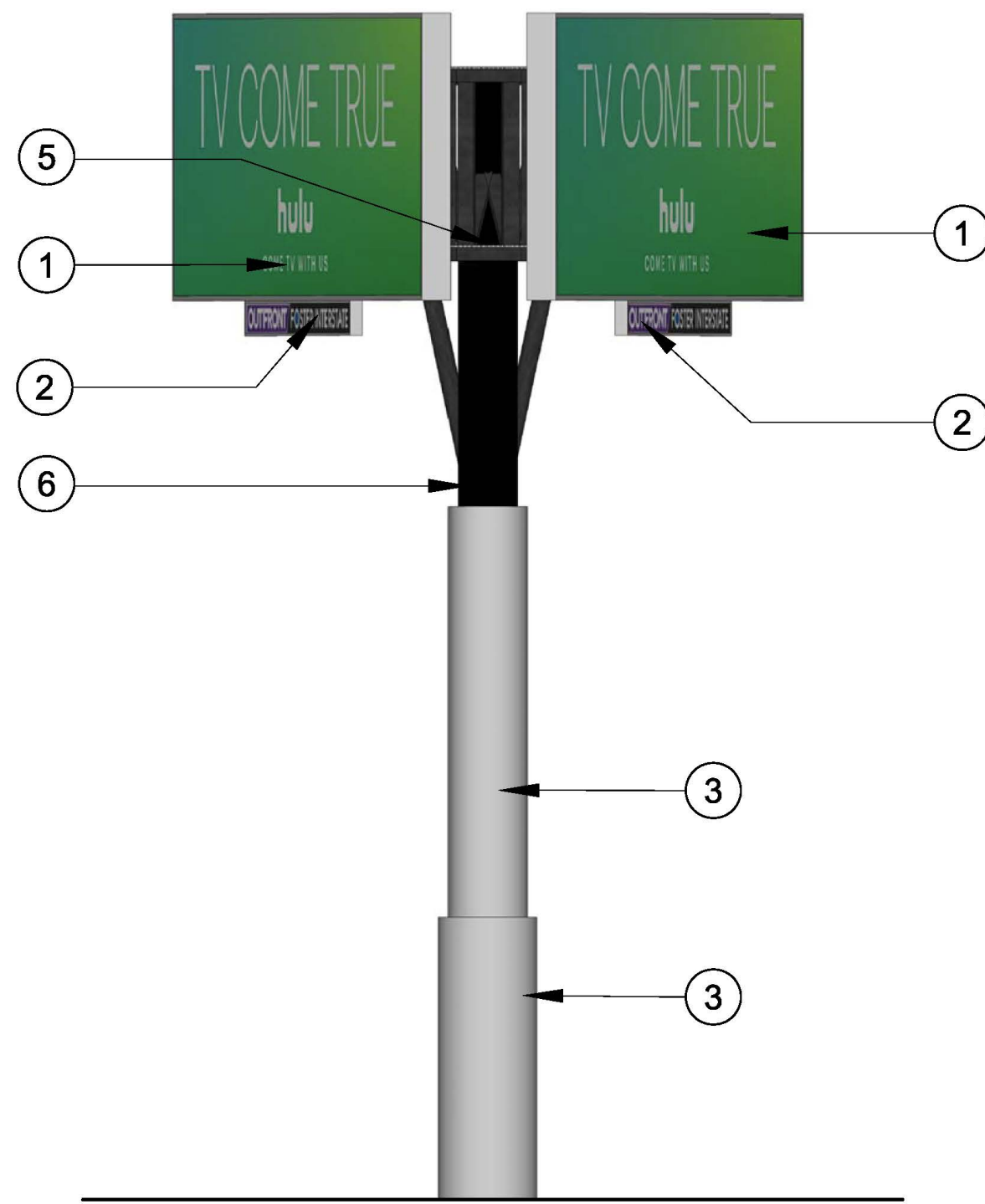


1 Overall Elevation

SCALE - 1/8" : 1'0"

(See A-3.0 For Color Scheme)



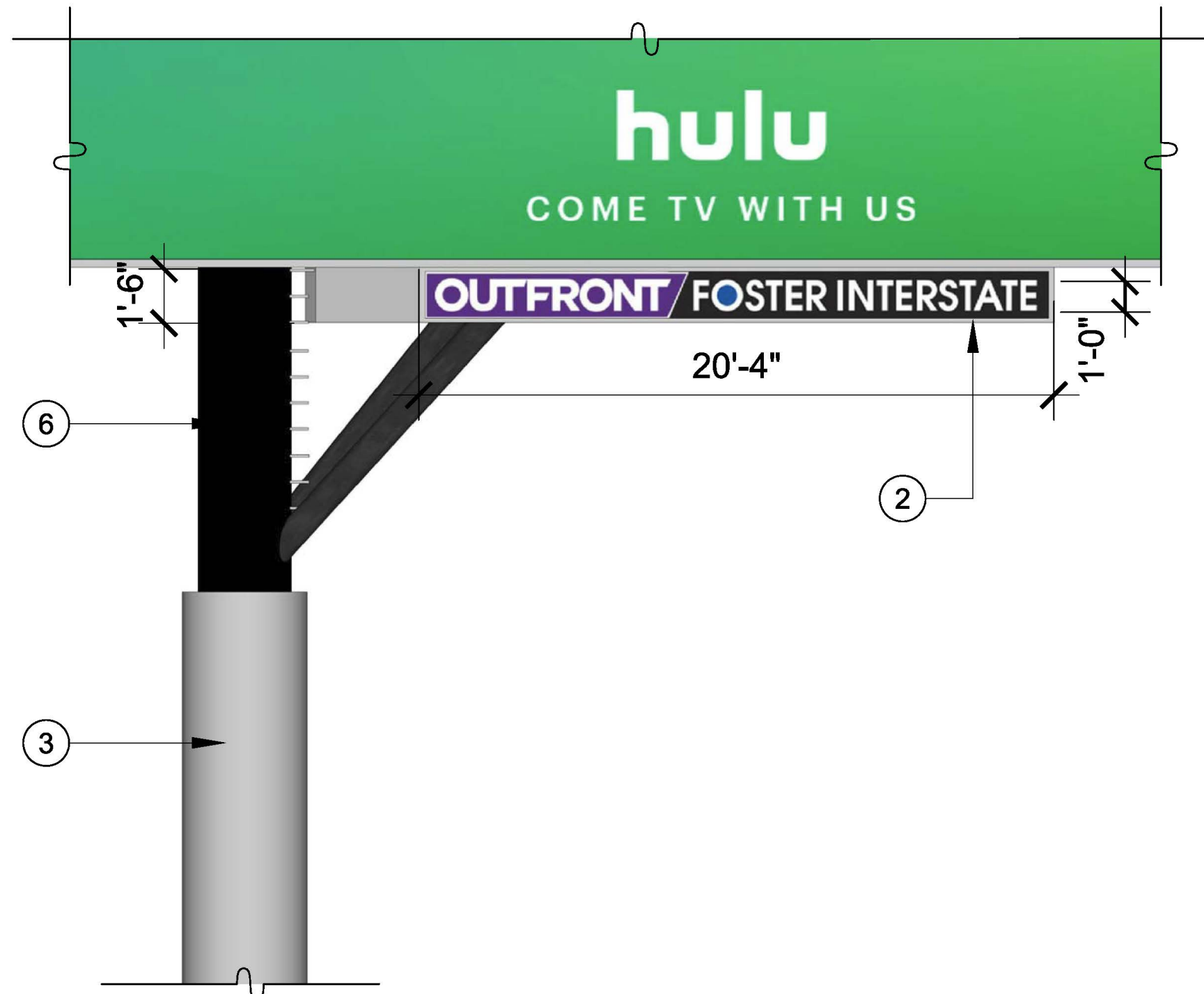
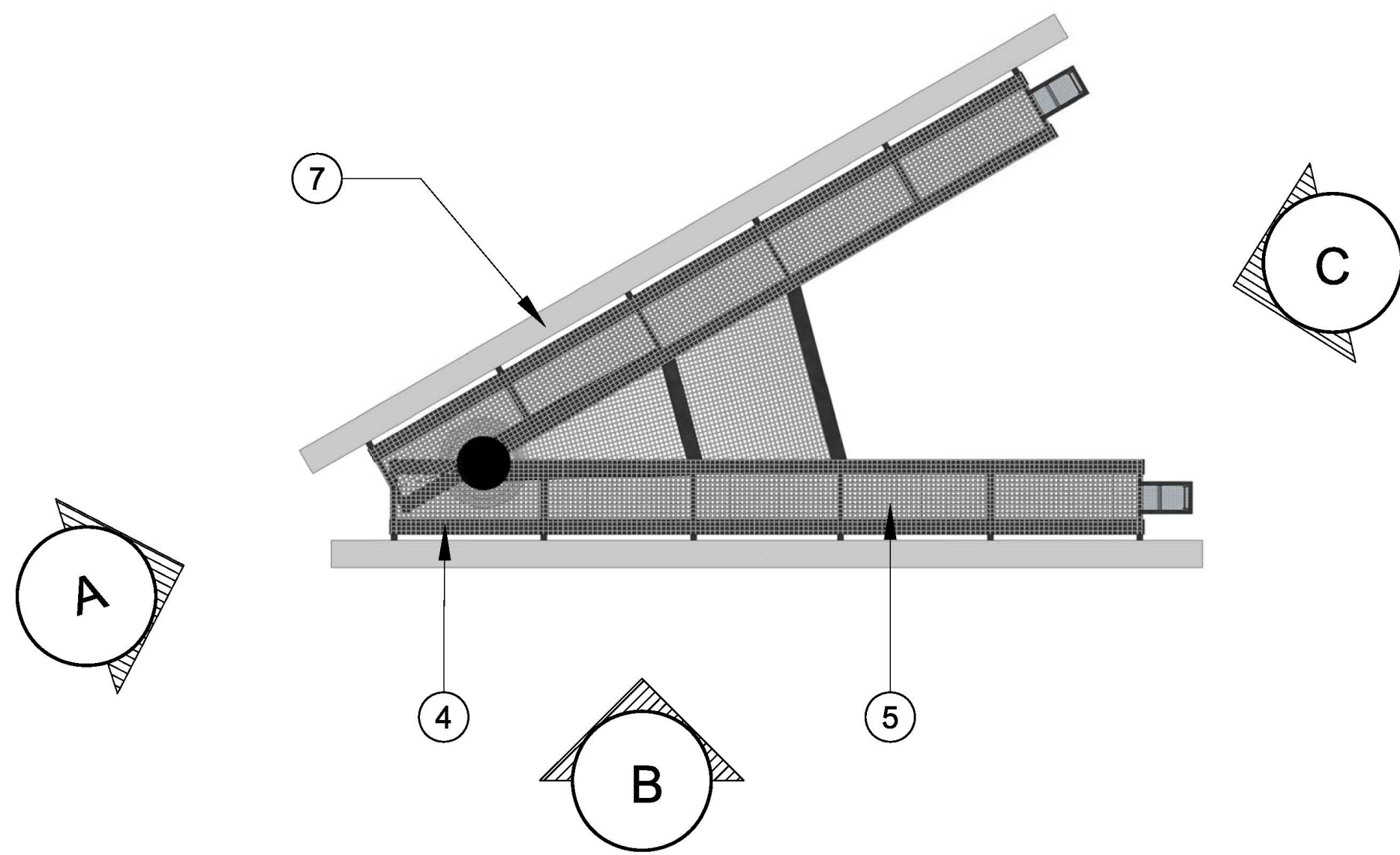


5 Elevation A SCALE - 1/8" : 1'0"

4 Elevation B SCALE - 1/8" : 1'0"

3 Elevation C SCALE - 1/8" : 1'0"

2 Perspective View 2 NTS



6 Plan View SCALE - 1/8" : 1'0"

7 Logo Cabinet Close-up

1 Perspective View 1 NTS

## LEGEND

- ① LED SIGN FACE
- ② INTERNALLY ILLUMINATED ANODIZED ALUMINUM LOGO CABINET
- ③ STEEL TUBE PAINTED GRAY (MATTHEW PAINT TO MATCH PANTONE PMS877C - SATIN)
- ④ STEEL TRUSS PAINTED BLACK (MATTHEW PAINT - MP59647 BLACK IS BACK - SATIN)
- ⑤ ALUMINUM GRATING PLATFORM (NATURAL ANODIZED)
- ⑥ STEEL TUBE PAINTED BLACK (MATTHEW PAINT - MP59647 BLACK IS BACK - SATIN)
- ⑦ PAINTED STEEL CHANNEL (MATTHEW PAINT TO MATCH PANTONE PMS877C - SATIN)

## SHEET NOTES

- ALL WORK SHALL CONFORM WITH APPLICABLE BUILDING CODES, COMPLETE WITH ALL STATE AND CITY AMENDMENTS AND ORDINANCES WHEREIN THE SPECIFIED DO NOT EXCEED THE REQUIREMENTS OF THE LAWS OR ORDINANCES. THE LAWS OR ORDINANCES SHALL GOVERN. CONTRACTOR TO NOTIFY ARCHITECT OF ALL CONFLICTS.
- DO NOT SCALE DRAWINGS. THE CONTRACTOR SHALL USE DIMENSIONS SHOWN ON THE DRAWINGS AND ACTUAL FIELD MEASUREMENTS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION AND COORDINATION WITH SUB-CONTRACTORS TO ENSURE THEIR WORK IS IN COMPLIANCE WITH DRAWINGS AND SPECIFICATIONS.
- THE WORK, INFORMATION, DESIGNS, CONCEPTS AND IDEAS SHOWN ON THESE DRAWINGS ARE SITE AND PROJECT SPECIFIC, AND ARE INTENDED TO BE USED FOR THIS ONE PROJECT ONLY. NO WARRANTY IS EXPRESSED OR IMPLIED FOR ANY USE OR PURPOSE BEYOND THAT FOR WHICH THESE DRAWINGS WERE CREATED AND INTENDED.
- CONTRACTOR SHALL SECURE AND PAY FOR ALL BUILDING PERMITS PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR SHALL PROVIDE A SCHEDULE SHOWING TIME LINES TO COMPLETE ALL WORK AND INCLUDING A DATE FOR FINAL COMPLETION.
- UPON COMPLETION OF THE WORK CONTRACTOR SHALL PROVIDE TO OWNER A SET OF REPRODUCIBLE "AS-BUILT" DRAWINGS.
- CONTRACTOR SHALL ENSURE ADEQUATE FIRE AND SAFETY PRECAUTIONS ARE MAINTAINED ON SITE AT ALL TIMES. ALL FIRES AND ACCIDENTS SHALL BE IMMEDIATELY REPORTED TO OWNER, BUILDING MANAGEMENT, AND ARCHITECT AND SHALL BE DISCUSSED AT PROJECT MEETING.
- UPON SUBSTANTIAL COMPLETION OF WORK, CONTRACTOR ALONG WITH ARCHITECT AND OWNER SHALL PREPARE A PUNCH LIST TO INCLUDE ALL INCOMPLETE AND/OR CORRECTIVE WORK AND SCHEDULE TO COMPLETE SAID WORK.
- CONTRACTOR TO PROVIDE ENGINEERING DRAWINGS, CALCULATIONS, TITLE 24 ENERGY DOCUMENTATION AND CONSTRUCTION OF NEW AND RETROFIT OF EXISTING POWER, SIGNAL, LIGHTING, ALARM, AND LIFE SAFETY SYSTEMS.
- CONTRACTOR TO SUBMIT ENGINEERING DRAWINGS TO THE CITY OF OXNARD BUILDING AUTHORITIES AND OBTAIN ALL REQUIRED BUILDING PERMITS.
- CONTRACTOR TO SUBMIT ENGINEERING DRAWINGS, CALCULATIONS, TITLE 24 ENERGY DOCUMENTATION, AND CUT SHEETS OF ALL EQUIPMENT, LIGHTING, SWITCHES, COVER PLACES, ETC. TO ARCHITECT FOR REVIEW BY ARCHITECT AND OWNER.
- CONTRACTOR SHALL COORDINATE ALL WORK REQUIREMENTS OF DESIGN-BUILD SUBCONTRACTORS.
- CONSTRUCTION HOURS AND WORK IN THE CITY PUBLIC RIGHT-OF-WAY ARE LIMITED. SEE LOCAL JURISDICTION REQUIREMENTS.
- ANY HIDDEN CONDITIONS THAT REQUIRE WORK TO BE PERFORMED BEYOND THE SCOPE OF THE BUILDING PERMIT ISSUED FOR THESE PLANS MAY REQUIRE FURTHER CITY APPROVALS INCLUDING REVIEW BY THE PLANNING COMMISSION. THE BUILDING OWNER, PROJECT DESIGNER, AND/OR CONTRACTOR MUST SUBMIT A REVISION TO THE CITY FOR ANY WORK NOT GRAPHICALLY ILLUSTRATED ON THE JOB COPY OF THE PLANS PRIOR TO PERFORMING THE WORK. AT THE TIME OF BUILDING PERMIT APPLICATION, WHEN APPLICABLE, PLANS AND ENGINEERING WILL BE SUBMITTED FOR SHORING AS REQUIRED BY 2016 CBC, CHAPTER 31 REGARDING THE PROTECTION OF ADJACENT PROPERTY AND AS REQUIRED BY OSHA. THE FOLLOWING WILL BE ADDRESSED:
  - WALLS OF EXCAVATIONS SHALL BE PROPERLY SHORED PRIOR TO CONSTRUCTION ACTIVITY. WHERE TEMPORARY SHORING IS NEEDED A COMPETENT CONTRACTOR SHALL BE CONSULTED FOR RECOMMENDATIONS AND DESIGN OF THE SHORING SCHEME FOR THE EXCAVATION. THE RECOMMENDED DESIGN AND TYPE OF SHORING SHALL BE APPROVED BY THE ENGINEER OF RECORD OR SOILS ENGINEER PRIOR TO USAGE.
- ALL APPROPRIATE GUIDELINES OF OSHA SHALL BE INCORPORATED INTO THE SHORING DESIGN AND IMPLEMENTED BY THE CONTRACTOR. WHERE SPACE PERMITS, TEMPORARY CONSTRUCTION SLOPES MAY BE UTILIZED IN LIEU OF SHORING. MAXIMUM ALLOWABLE VERTICAL CUT FOR THE SUBJECT PROJECT WILL BE FIVE (5) FEET. BEYOND THAT HORIZONTAL BENCHES OF 5 FEET WIDE WILL BE REQUIRED. TEMPORARY SHORES SHALL NOT EXCEED 1 TO 1 (HORIZONTAL TO VERTICAL). IN SOME AREAS DUE TO HIGH MOISTURE CONTENT / WATER TABLE, FLATTER SLOPES MAY BE REQUIRED IF SO RECOMMENDED BY THE SOILS ENGINEER IN THE FIELD.
- IF SHORING IS REQUIRED, THE PLANS WILL SPECIFY THE LICENSED DESIGN PROFESSIONAL THAT HAS SOLE RESPONSIBILITY TO DESIGN AND PROVIDE ADEQUATE SHORING, BRACING, FORMWORK, ETC. AS REQUIRED FOR THE PROTECTION OF LIFE AND PROPERTY DURING CONSTRUCTION OF THE SIGN.
- SHORING PLANS SHALL BE WET-STAMPED AND SIGNED BY THE ENGINEER-OF-RECORD AND SUBMITTED TO THE CITY FOR REVIEW PRIOR TO CONSTRUCTION. IF APPLICABLE, INCLUDE SURCHARGE LOADS FROM ADJACENT STRUCTURES THAT ARE WITHIN THE ZONE OF INFLUENCE (45 DEGREE WEDGE UP THE SLOPE FROM THE BASE OF THE EXCAVATION) AND / OR DRIVEWAY SURCHARGE LOADS.
- AN OSHA PERMIT WILL BE OBTAINED IF NEEDED PER CAL / OSHA REQUIREMENTS. SEE THE CAL / OSHA HANDBOOK AT: [HTTP://WWW.CA-OSHA.COM/PDF/PUBS/OSHA USERGUIDE.PDF](http://www.ca-oshca.com/PDF/PUBS/OSHA%20USERGUIDE.PDF) \* CONSTRUCTION SAFETY ORDERS : CHAPTER 4, SUBCHAPTER 4, ARTICLE 6, SECTION 1541.1.
- A GRADING PERMIT WILL BE OBTAINED FROM THE DEPARTMENT OF PUBLIC WORKS IF REQUIRED.
- PLANS SUBMITTED FOR BUILDING CODE PLAN CHECK WILL INCLUDE A COMPLETE UNDERGROUND PLUMBING PLAN INCLUDING DETAILS FOR THE LOCATION OF ALL REQUIRED OIL INTERCEPTORS AND CITY-REQUIRED BACKWATER PREVENTION DEVICES.

PROJECT NAME

## OXNARD SIGNAGE PROJECT

APN 132-0-311-075

Oxnard,  
California

CLIENT

## OUTFRONT FOSTER INTERSTATE

FOR SITE PERMIT ONLY

REV DATE ISSUE



SHEET DESCRIPTION

## COLORED ELEVATIONS

DATE 8/6/2020

SCALE

DRAWN BY

CHECKED BY

JOB NO. 1814

# A-3.0

SHEET NO.

All drawings and written material appearing herein constitute the original and unpublished work of the designer and the same may not be duplicated, used, or disclosed without the written consent of the designer.

© IanBirchall&Associate 2020





2 View From Northbound On U.S.101



1 View From Southbound On U.S.101

ib+a  
architecture

177 Post Street,  
Suite 920  
San Francisco,  
CA 94108  
tel: (415) 512-9660  
fax: (415) 512-9663  
www.ibadesign.com

PROJECT NAME  
**OXNARD  
SIGNAGE  
PROJECT**  
APN 132-0-311-075  
Oxnard,  
California

CLIENT  
**OUTFRONT  
FOSTER  
INTERSTATE**

FOR SITE PERMIT ONLY

REV DATE ISSUE



SHEET DESCRIPTION  
**RENDERINGS**

DATE 8/6/2020

SCALE

DRAWN BY

CHECKED BY

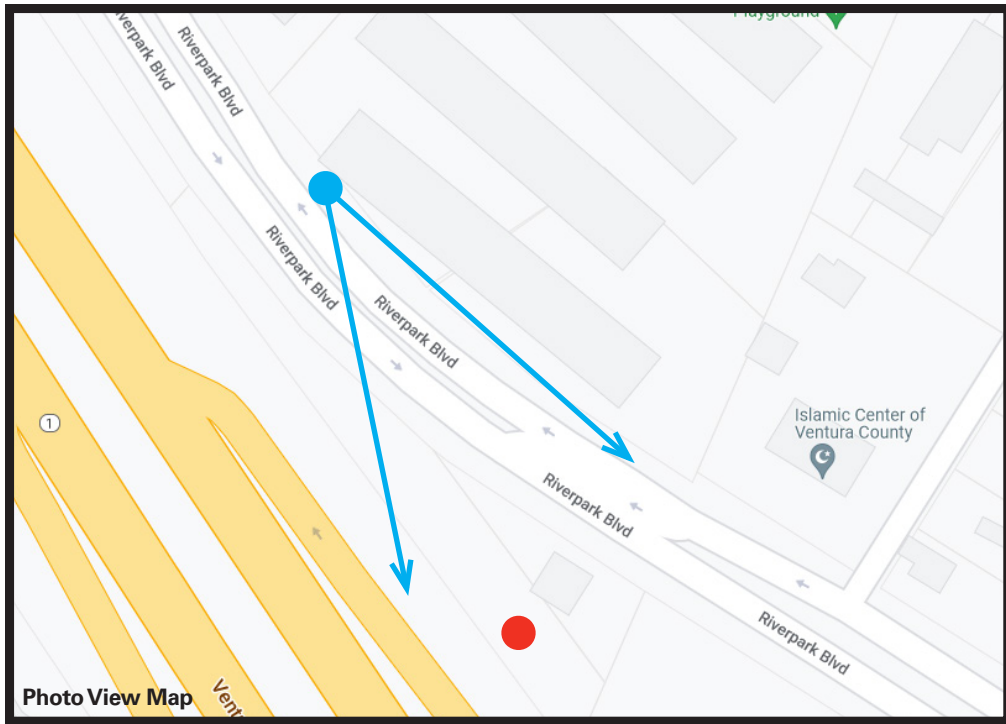
JOB NO. 1814

**A-4.0**

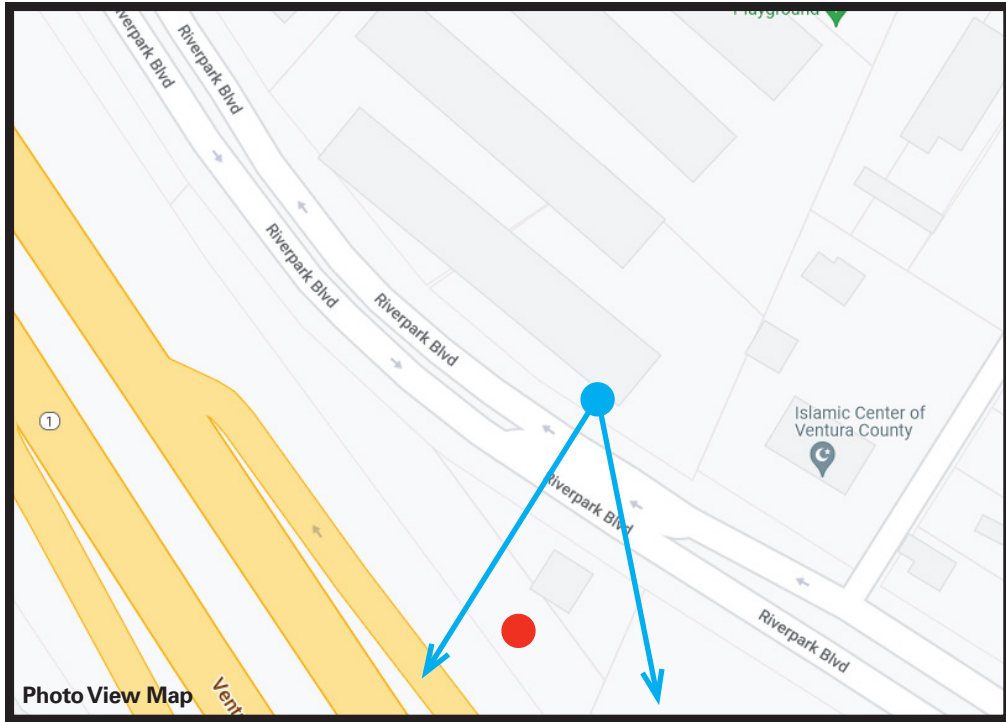
SHEET NO.

All drawings and written material appearing herein constitute the original and unpublished work of the designer and the same may not be duplicated, used, or disclosed without the written consent of the designer.  
© Ian Birchall & Associate 2020











# Appendix B

## **Proposed RiverPark Specific Plan Amendment Text Revisions**





# PROPOSED AMENDMENTS TO CITY OF OXNARD RIVERPARK SPECIFIC PLAN

KEY: **Blue Text** = Proposed Additions  
**Red Strikethrough** = Proposed Deletions

## 3 COMMERCIAL MASTER PLAN

### SECTION 3.5 BUILDING TYPE STANDARDS

#### Section 3.5.2 Standards for Each Building Type

- Type 1-C-A: Large Multistory Anchor
- Type 1-C-B: Large Pad Retail
- Type 1-C-C: Multistory Mini Anchor
- Type 1-C-D: Inline Retail
- Type 1-C-E: Inline Retail With Upper Story Office/Housing
- Type 1-C-F: Pad Restaurant/Retail
- Type 1-C-G: Drive Thru Commercial
- Type 2-C-A: Food and Wine Multistory
- Type 2-C-B: Food and Wine Demo Factory/Outlet Store
- Type 2-C-C: Food and Wine Pavilion/Office Building
- Type 3-C: Office Building
- Type 4-C: Hotel With Retail
- Type 5-C: Stand Alone Kiosk
- Type 6-C: Outparcel Commercial
- **Type 7-C: Freeway Adjacent Digital Display Billboards**

[. . .]

#### **TYPE 7-C: Freeway Adjacent Digital Display Billboards**

The following standards apply to lots for Freeway Adjacent Digital Display Billboards. If the lot contains other building types, the lot must comply with the minimum lot dimension standards required for that building type pursuant to this section, unless otherwise modified. Additional standards pertaining to Freeway Electronic Billboards can be found in Section 5.9 (Signage Standards) and the Oxnard City Code.

#### **LOT DIMENSIONS**

|                  |               |                |
|------------------|---------------|----------------|
| <u>Lot Area</u>  | Min: 1,000 SF | Max: 15,000 SF |
| <u>Lot Width</u> | Min: 10'      | Max: 300'      |
| <u>Lot Depth</u> | Min: 40'      | Max: 100'      |

#### **SIZE AND SPACING**

Billboard Face Display For allowable face size refer to the Oxnard City Code

Sign Height For allowable sign height refer to the Oxnard City Code

[Setbacks](#)

Min: 0' (Freeway Adjacent Digital Display Billboards only)

[Spacing](#)

For minimum spacing requirements refer to the Oxnard City Code

## **5 LANDSCAPE MASTER PLAN**

### **5.5 EDGES AND BUFFERS STANDARDS**

#### **5.5.2 Design Concept for Edges and Buffers**

##### **5.5.2.1 The Ventura Freeway Frontage**

Landscaping of RiverPark's frontage with the Ventura freeway at Planning Districts D, B and E shall be provided in a landscaped buffer zone. Landscaping in this area shall meet the requirements at two distinct scales: the scale of the freeway, and that of slower moving vehicles and pedestrians within RiverPark. Landscaping perceptible from the Ventura freeway will consist of a single row of 30-foot tall Mexican Fan Palms (at 30 feet O.C.) along the freeway frontage. These palms will clearly differentiate and identify RiverPark not only from the freeway but from the southern approach from Oxnard. For slower-moving vehicles and pedestrians, the zone will also be planted with an appropriate mix of native and indigenous grasses, perennials, shrubs, and trees. See Exhibit 5.AA for a typical cross-section. [Alternative landscaping may be approved, under a Special Use Permit.](#)

### **5.9 SIGNAGE STANDARDS**

[. . .]

#### **5.9.3.11 Freeway Adjacent Digital Display Billboards**

[Freeway Adjacent Digital Display Billboards](#), as defined in the Oxnard City Code (OCC) shall be allowed in Planning Districts A and E, subject solely to the applicable regulations and procedures of OCC Chapter 9 Article IX. Advertising Signs.

# Appendix C

## **Native American Assembly Bill 52 Notification**







COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION  
214 SOUTH C STREET  
OXNARD, CALIFORNIA 93030  
(805)385-7858  
Fax (805) 385-7417



November 23, 2021

Julie Tumamait-Stenslie, Chairperson  
Barbareño/Ventureño Band of Mission Indians  
365 North Poli Avenue  
Ojai, California 93023

RE: Tribal Cultural Resources under the California Environmental Quality Act, AB 52 (Gatto, 2014).  
Formal Notification of determination that a Project Application is Complete or Decision to Undertake a Project, and Notification of Consultation Opportunity, pursuant to Public Resources Code § 21080.3.1 (hereafter PRC).

Dear Chair Tumamait-Stenslie

The City of Oxnard has determined that a project application is complete for the Riverpark Boulevard Electronic Billboard Project.

Below please find a description of the proposed project, a map showing the project location, and the name of our project point of contact, pursuant to PRC § 21080.3.1 (d).

The project is a request for a Special Use Permit (PZ 20-500-07), Specific Plan Amendment (PZ 20-630-02), and Development Agreement (PZ 20-670-06) for the construction of a new double sided digital freeway oriented electronic billboard on the North of Hwy 101, South of Riverpark Blvd, and West of N. Vineyard Road. The property is currently a vacant City owned property. The project will require re-landscaping along the Cal-Trans Right-of-Way. The re-landscaping will require the removal of approximately 10 trees and the replanting of native trees and shrubs. The project is subject to the California Environmental Quality Act (CEQA) and the City of Oxnard is the lead agency under CEQA.

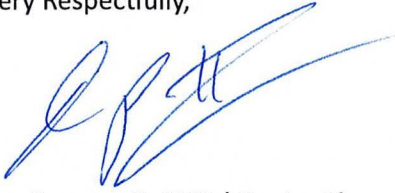
The project is located North of Hwy 101, South of Riverpark Blvd, and West of N. Vineyard Road (APN: 132-0-311-075).

The proposed project must comply with California Public Resources Code § 21080.3.1 (Assembly Bill [AB] 52 of 2014), which requires local governments to conduct meaningful consultation with California Native American tribes that have requested to be notified by CEQA lead agencies of proposed projects in the geographic area with which the tribe is traditionally and culturally affiliated.

Your tribe's input is important to the City's planning process. We request that you advise us as early as possible if you wish to consult on the proposed project. Pursuant to PRC § 21080.3.1 (b), you have 30

days from the receipt of this letter to request consultation, in writing, with the City of Oxnard. If you require any additional information or have any questions, please contact me 805-385-8272 or via e-mail at Joe.Pearson@oxnard.org. Thank you for your assistance.

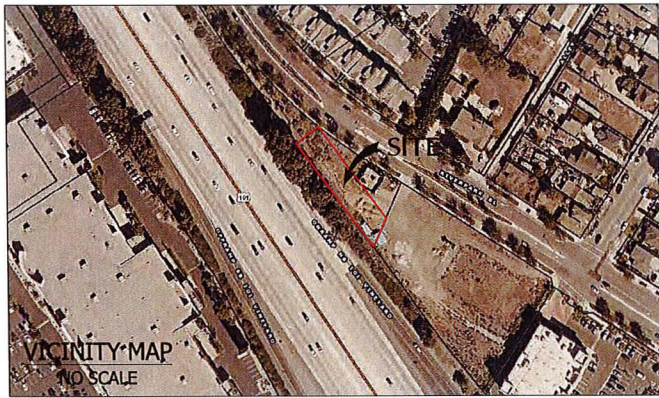
Very Respectfully,

A handwritten signature in blue ink, appearing to read 'Joe Pearson II', with a long, sweeping horizontal line extending to the right.

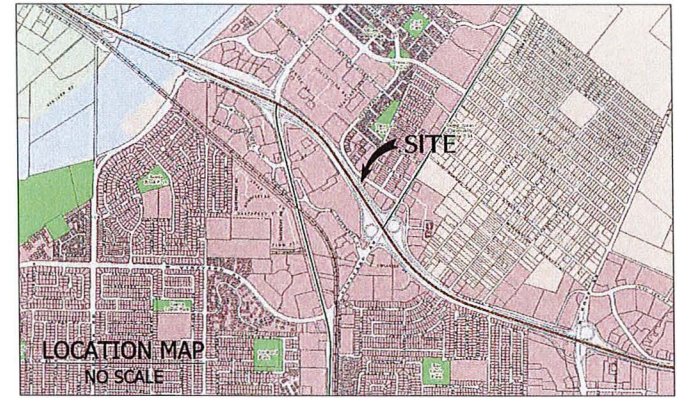
Joe Pearson II, AICP | Senior Planner  
Community Development Department  
City of Oxnard

Enclosed: Project Location Map and Site Plan

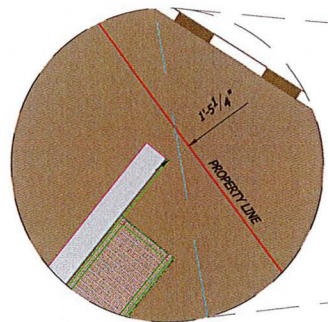
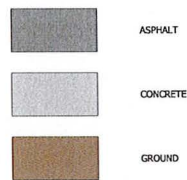




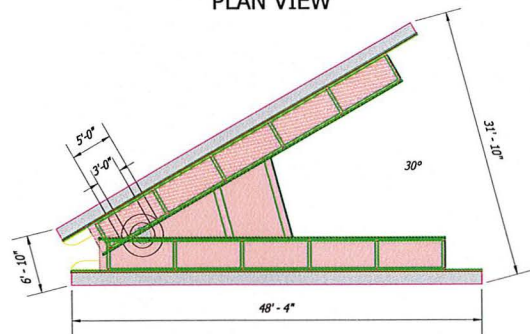
# SITE 2



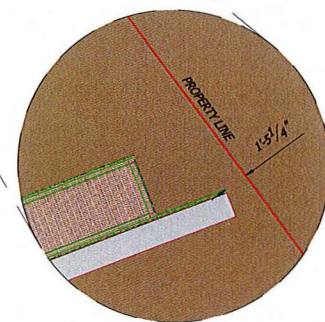
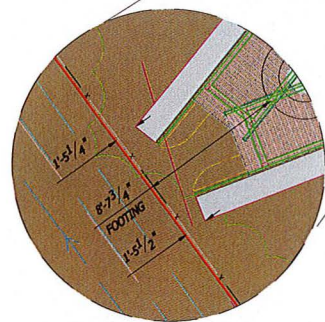
## TERRAIN COLOR CODE:



## DIGITAL BILLBOARD DETAIL PLAN VIEW



SCALE: 1" = 10'



## NOTE:

- BOUNDARY SHOWN HEREON IS BASED ON FOUND MONUMENTS PER COUNTY PUBLIC WORKS FIELD BOOKS, TRACT NO. 5852-1, 150 MR 76, AND CALIFORNIA R/W MAP NO. F 2232-5 07-VEN-101-22.2.
- LANDSCAPING AND LANDSCAPE IRRIGATION DEVICES MAY EXIST WITHIN THE PROPERTY AND ARE NOT SHOWN.
- TREE LINE CANOPIES ARE PICTORIAL, AND MAY NOT REFLECT TRUE DRIP LINES.
- ROAD STRIPING IS PICTORIAL AND REPRESENTS ONLY APPROXIMATE, RELATIVE LOCATIONS.
- DIGITAL BILLBOARD AND PROPOSED LOCATION PROVIDED BY CLIENT.
- IF RETAINING WALLS OR SIMILAR STRUCTURES ARE TO BE DESIGNED FROM TOPOGRAPHY SHOWN HEREON, THE ELEVATIONS OF CRITICAL POINTS CONTROLLING THE DESIGN MUST BE VERIFIED PRIOR TO ADOPTION OF FINAL DESIGN.
- THIS MAP WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. EXISTING EASEMENTS (IF ANY) ARE NOT SHOWN HEREON.
- ATTENTION: IF THIS MAP IS PROVIDED IN AN ELECTRONIC FORMAT (IE: CAD) AS A COURTESY TO A CLIENT, THE DELIVERY OF THE ELECTRONIC FILE DOES NOT CONSTITUTE THE DELIVERY OF OUR PROFESSIONAL WORK PRODUCT. ONLY THE SURVEYOR'S SIGNED AND SEALED PAPER PRINT OR PDF FORMATTED DRAWING CONSTITUTES OUR PROFESSIONAL WORK PRODUCT. IN THE EVENT THAT THE ELECTRONIC FILE IS ALTERED, THE SURVEYOR'S SIGNED AND SEALED PRINT OR PDF FORMATTED DRAWING MUST BE REFERRED TO FOR THE ORIGINAL AND CORRECT SURVEY INFORMATION. CHRIS NELSON AND ASSOCIATES, INC., SHALL NOT BE RESPONSIBLE FOR ANY MODIFICATION MADE TO THE PROVIDED CAD FILE, OR FOR ANY PRODUCTS THAT HAVE BEEN DERIVED FROM THE CAD FILE, WHICH ARE NOT REVIEWED, SIGNED AND SEALED BY US.

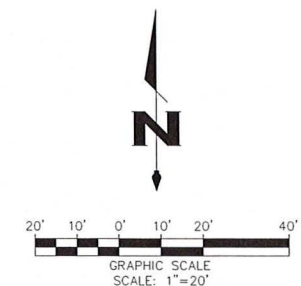
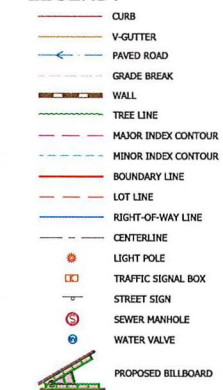
## BENCH MARK:

B.M. NO. 110-8 VCPID 494 NAVD 1988 COUNTY OF VENTURA DATUM

AT THE NORTHWESTERLY CORNER OF THE INTERSECTION OF VINEYARD AVENUE AND MYRTLE STREET.

ELEVATION = 87.3196 FEET (26.615 METERS) (VENTURA COUNTY ADJ PUB 1989)

## LEGEND:



DATED: 12/6/2019

## REVISION NOTES

| DATE    | DESCRIPTION                | BY  |
|---------|----------------------------|-----|
| 12/6/19 | CHANGED OVERALL AESTHETICS | CJD |
|         |                            |     |
|         |                            |     |
|         |                            |     |

PREPARED BY:  
**Chris Nelson**  
& Associates, Inc.  
PROFESSIONAL LAND SURVEYORS  
31238 Via Colinas Suite H, Westlake Village, CA 91362  
Voice: 818.991.1040 Fax: 818.991.0614

PREPARED FOR:  
**FOSTER INTERSTATE MEDIA, INC.**  
1111 BROADWAY, SUITE 1515  
OAKLAND, CA 94607

**TOPOGRAPHIC SURVEY**  
PORTION OF CALIFORNIA R/W MAP NO.  
F 2232-5 07-VEN-101-22.2  
CITY OF OXNARD, COUNTY OF VENTURA

JOB NO. 19-5125  
SCALE: 1" = 20'  
DATE: OCT. 2019  
DRAFTED: SJN

SHEET NO.  
**1**  
OF 1 SHEET





# Appendix D

## **Photometric Analysis**







330 N. Brand Blvd. Suite 950  
Glendale, CA 91203  
818.539.1111 • [www.exp.com](http://www.exp.com)



## **City of Oxnard Ventura County Site # 2**

### **Digital Billboards**

#### **Photometric Analysis**

**Project Number**  
2020239.00

**Prepared By:**  
Michael Schrupp

**Date Submitted**  
23 October, 2020

**TABLE OF CONTENTS**

|            |                                                          |          |
|------------|----------------------------------------------------------|----------|
| <b>1.0</b> | <b>NARRATIVE .....</b>                                   | <b>1</b> |
| <b>2.0</b> | <b>APPENDIX - FOOT-CANDLE LEVEL GRAPHIC SHEETS .....</b> | <b>3</b> |

## 1.0 NARRATIVE

We (exp engineering) have conducted a photometric review of the digital billboards being proposed by Outfront Foster Interstate to be located on Riverpark Blvd near the 101 freeway at Vineyard Ave, in Oxnard, CA.

Using the photometric software AGI32, we studied the screen's output brightness to determine

- a) what if any modifications to the sign would be needed to comply with the OAAA (Outdoor Advertising Association of America) lighting level standards, and
- b) What impact will the sign have at night on the surrounding community.

The photometry is based on the specified Nichia series 336 LED modules, which output light horizontally at 90° and 45° vertically.

The proposed billboard is to be 14'x48' with the top of the sign mounted at +60' above the ground with maximum screen brightness of 300 NITS (300 Candela per Square Meter) in the evening.

Per OAAA guidelines, the proposed sign, displaying a full white image (for maximum brightness) should not exceed .3 footcandles over the surrounding ambient light levels at a distance of 250' in any direction.

As we are unable to determine what the ambient light levels will be at the location, the studies were done assuming the worst-case scenario of no ambient light.

We have included graphical illustrations demonstrating the light levels in footcandles (fc) we expect from the screen.

**Sheet 1** of the attachment is a location plan indicating the 250' boundary overlaid on a map of the proposed site, as well as the projected relative angle of light emanating from the sign

**Sheet 2** shows the photometric calculations at the ground over the entire map area, graphically shown as both footcandle points and as a pseudocolor graph.

**Sheet 3** is a graphic representation of the light levels impacting the area to the north of the NE-facing sign.

**Sheet 4** is a graphic representation of the light levels impacting the adjacent residential area to the east of the signs.

**Sheet 5** is a graphic representation of the light levels impacting the retail areas and HW101 on-ramp to the south-east of the signs.

## **Conclusions**

We see no light levels in excess of .3fc beyond the 250' radius of the signs, nor do we find any significant impact to the neighboring properties provided the sign brightness is reduced after dark to the 300 NIT level.

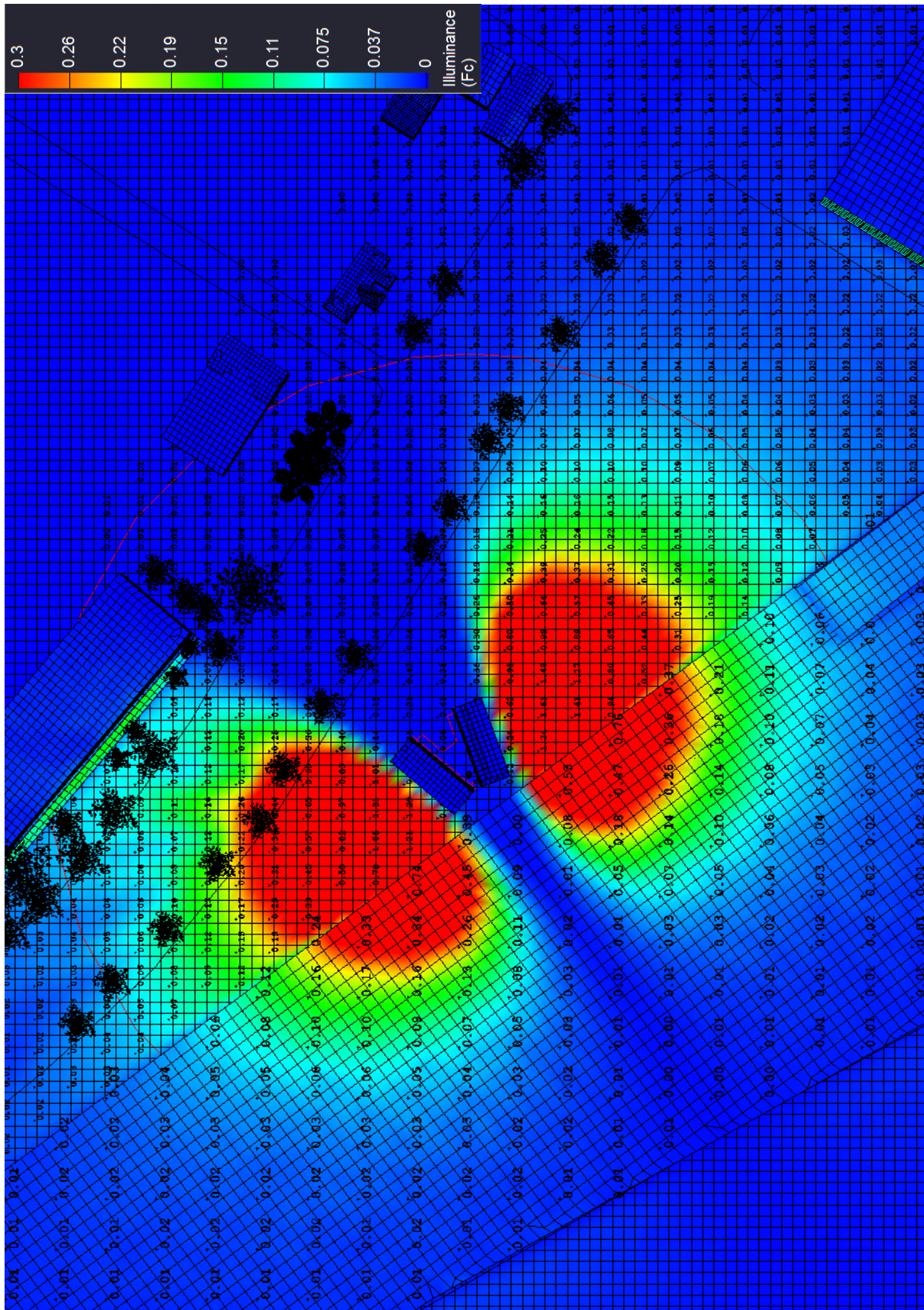
This report, prepared by exp Services Inc., is intended for the exclusive use of the City of Oxnard, Ventura County, and Outfront Foster Interstate Media. Neither exp Services Inc., City of Oxnard, Ventura County, or Outfront Foster Interstate Media assume any liability for the use of this report, or for the use of any information disclosed in the report, or for damages resulting from the use of this report, by other parties.

## ***Appendix***

### ***Foot-candle Level Graphic Sheets***







330 N. Brand Blvd. Suite  
950

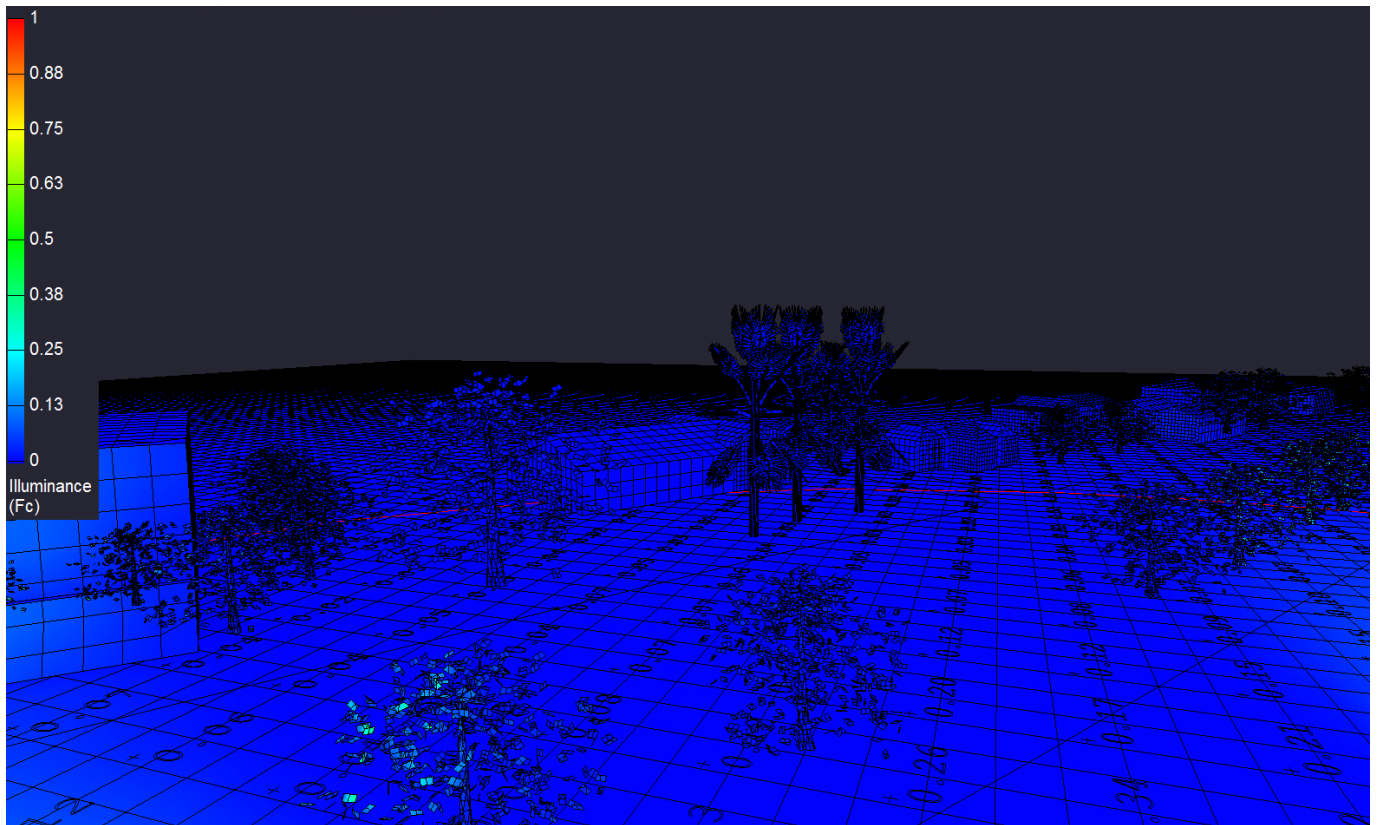
## Outfront Foster Interstate OXNARD BILLBOARD SITE 2

**Riverpark Blvd.**  
Overall Photometry  
w/250' Boundary

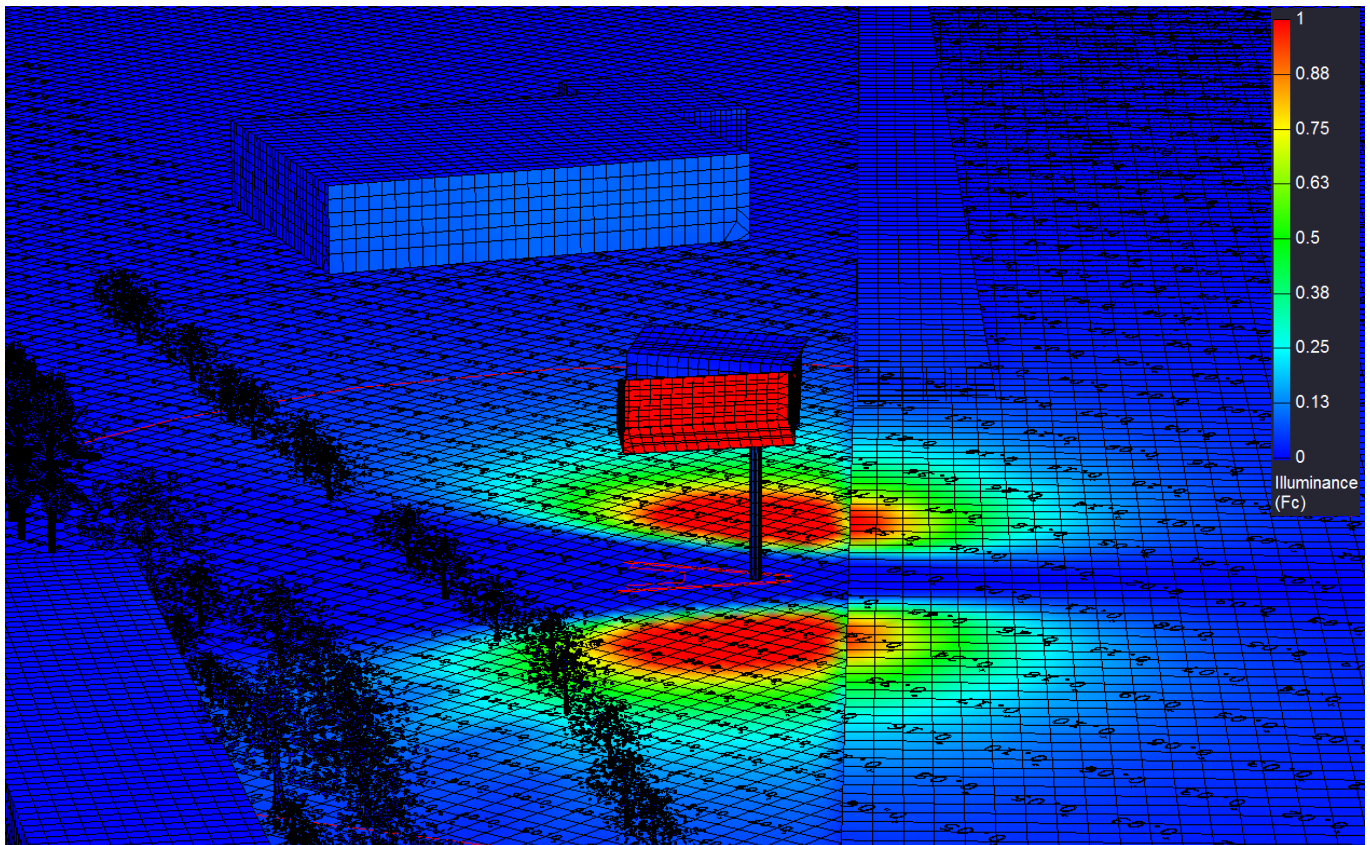
Release: 10/23/2020  
Revision: 0











# Appendix E

## **Air Quality Assumptions and Modeling**





Riverpark Boulevard Electronic Billboard MND  
Air Quality Assumptions and Modeling

Location: Oxnard, Ventura County CA  
CEC Forecasting Climate Zone: 8  
Utility: SCE

Construction Schedule

| Phase                                  | Start Date | Completion Date | Work Days | Notes                                                           | Total Haul Trucks - round trip |
|----------------------------------------|------------|-----------------|-----------|-----------------------------------------------------------------|--------------------------------|
| Drill Footing / Haul & Disposal Dirt   | 6/6/2022   | 6/7/2022        | 1         | 1 flat-bed truck<br>5 super 10 dump                             | 6                              |
| Column Set / Concrete Pour             | 6/6/2022   | 6/7/2022        | 1         | 4 concrete mixing trucks<br>90 ton crane<br>hireach crane truck | 6                              |
| Set Top Column / Build & Set Structure | 6/8/2022   | 6/8/2022        | 1         | 2 48ft flatbed trailer<br>275 ton crane<br>hireach crane truck  | 4                              |
| Build & Set Digital Displays           | 6/9/2022   | 6/9/2022        | 1         | 2 48ft flatbed trailer<br>90 ton crane<br>hireach crane truck   | 4                              |

Construction Trips

| Phase                                  | # Workers/Day <sup>1</sup> | # Worker Trips/Day (one-way) <sup>2</sup> | # Vendor Trips/Day (one-way) | # Haul Truck Trips Total |
|----------------------------------------|----------------------------|-------------------------------------------|------------------------------|--------------------------|
| Drill Footing / Haul & Disposal Dirt   | 4                          | 8                                         | 0                            | 12                       |
| Column Set / Concrete Pour             | 5                          | 10                                        | 0                            | 12                       |
| Set Top Column / Build & Set Structure | 5                          | 10                                        | 0                            | 8                        |
| Build & Set Digital Displays           | 5                          | 10                                        | 0                            | 8                        |



| Construction By SubPhase               |                    |   |           |         |
|----------------------------------------|--------------------|---|-----------|---------|
| Phase                                  | Equipment Type     | # | Engine hp | Hrs/day |
| Drill Footing / Haul & Disposal Dirt   |                    |   |           |         |
|                                        | Excavators         | 1 | 188       | 8       |
|                                        | Skid Steer Loaders | 1 | 405       | 8       |
|                                        | Off-Highway Truck  | 1 | 75        | 2       |
| Column Set / Concrete Pour             |                    |   |           |         |
|                                        | Aerial Lift        | 1 | 63        | 8       |
|                                        | Crane              | 1 | 231       | 8       |
|                                        | Concrete Mixer*    | 1 | 80        | 4       |
|                                        | Concrete Pump      | 1 | 84        | 4       |
| Set Top Column / Build & Set Structure |                    |   |           |         |
|                                        | Aerial Lift        | 1 | 63        | 8       |
|                                        | Crane              | 1 | 231       | 8       |
|                                        | Air Compressor     | 1 | 78        | 8       |
| Build & Set Digital Displays           |                    |   |           |         |
|                                        | Aerial Lift        | 1 | 63        | 8       |
|                                        | Crane              | 2 | 231       | 8       |

All Equipment specified as part of typical construction equipment phasing for projects  
CalEEmod default horsepower and load defaults typical of construction equipment with exception noted below.  
\*Concrete Mixer included to include Hydraulic pump for truck mounted mixer utilizing Power Take-Off mode of concrete trucks during unloading/delivery (1 hr per truck)

| Maximum Daily Construction Emissions |          |        |        |       |               |              |            |                |               |             |          |
|--------------------------------------|----------|--------|--------|-------|---------------|--------------|------------|----------------|---------------|-------------|----------|
| On + Off-Site Construction           | (lb/day) |        |        |       |               |              |            |                |               |             |          |
|                                      | ROG      | NOX    | CO     | SO2   | Fugitive PM10 | Exhaust PM10 | Total PM10 | Fugitive PM2.5 | Exhaust PM2.5 | Total PM2.5 | CO2e     |
|                                      | 0.741    | 8.060  | 6.143  | 0.019 | 0.482         | 0.304        | 0.655      | 0.097          | 0.289         | 0.349       | 1939.197 |
| Phase Emissions (lbs)                |          |        |        |       |               |              |            |                |               |             |          |
| Off-Road Const. Eqpt                 | ROG      | NOX    | CO     | SO2   | Fugitive PM10 | Exhaust PM10 | Total PM10 | Fugitive PM2.5 | Exhaust PM2.5 | Total PM2.5 | CO2e     |
| Drill Footing                        | 0.404    | 3.709  | 5.482  | 0.011 | 0.207         | 0.157        | 0.364      | 0.022          | 0.144         | 0.167       | 1028     |
| Column Set                           | 0.585    | 6.229  | 4.852  | 0.011 | -             | 0.262        | 0.262      | -              | 0.247         | 0.247       | 1039     |
| Build & Set Structure                | 0.682    | 6.623  | 5.404  | 0.011 | -             | 0.293        | 0.293      | -              | 0.278         | 0.278       | 1103     |
| Build & Set Displays                 | 0.409    | 4.745  | 2.986  | 0.007 | -             | 0.184        | 0.184      | -              | 0.169         | 0.169       | 727      |
| total offroad                        | 2.080    | 21.305 | 18.725 | 0.040 | 0.207         | 0.896        | 1.103      | 0.022          | 0.839         | 0.862       | 3898.0   |
| On-Road Mobile                       | ROG      | NOX    | CO     | SO2   | Fugitive PM10 | Exhaust PM10 | Total PM10 | Fugitive PM2.5 | Exhaust PM2.5 | Total PM2.5 | CO2e     |
| Drill Footing                        | 0.067    | 1.827  | 0.661  | 0.008 | 0.275         | 0.016        | 0.291      | 0.075          | 0.015         | 0.090       | 885      |
| Column Set                           | 0.074    | 1.831  | 0.717  | 0.008 | 0.292         | 0.016        | 0.307      | 0.079          | 0.015         | 0.094       | 900      |
| Build & Set Structure                | 0.059    | 1.227  | 0.570  | 0.005 | 0.222         | 0.011        | 0.233      | 0.060          | 0.010         | 0.070       | 625      |
| Build & Set Displays                 | 0.059    | 1.227  | 0.570  | 0.005 | 0.222         | 0.011        | 0.233      | 0.060          | 0.010         | 0.070       | 625      |
| total on-road                        | 0.259    | 6.113  | 2.519  | 0.027 | 1.010         | 0.053        | 1.063      | 0.274          | 0.051         | 0.325       | 3034.5   |
| Total Construction                   | ROG      | NOX    | CO     | SO2   | Fugitive PM10 | Exhaust PM10 | Total PM10 | Fugitive PM2.5 | Exhaust PM2.5 | Total PM2.5 | CO2e     |
| Drill Footing                        | 0.471    | 5.5    | 6.1    | 0.018 | 0.5           | 0.2          | 0.7        | 0.1            | 0.2           | 0.3         | 1913.6   |
| Column Set                           | 0.659    | 8.1    | 5.6    | 0.019 | 0.292         | 0.278        | 0.569      | 0.079          | 0.262         | 0.342       | 1939     |
| Build & Set Structure                | 0.741    | 7.8    | 6.0    | 0.017 | 0.222         | 0.304        | 0.526      | 0.060          | 0.289         | 0.349       | 1728     |
| Build & Set Displays                 | 0.468    | 6.0    | 3.6    | 0.013 | 0.222         | 0.195        | 0.417      | 0.060          | 0.180         | 0.240       | 1352     |
| Project Total (lbs)                  | 2.339    | 27.418 | 21.244 | 0.067 | 1.217         | 0.949        | 2.166      | 0.296          | 0.890         | 1.186       | 6933     |

## Oxnard Billboard MND - Ventura County, Summer

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied****Oxnard Billboard MND****Ventura County, Summer****1.0 Project Characteristics****1.1 Land Usage**

| Land Uses               | Size | Metric            | Lot Acreage | Floor Surface Area | Population |
|-------------------------|------|-------------------|-------------|--------------------|------------|
| User Defined Commercial | 1.00 | User Defined Unit | 0.25        | 1.00               | 0          |

**1.2 Other Project Characteristics**

|                                 |                            |                                 |       |                                  |       |
|---------------------------------|----------------------------|---------------------------------|-------|----------------------------------|-------|
| <b>Urbanization</b>             | Urban                      | <b>Wind Speed (m/s)</b>         | 2.6   | <b>Precipitation Freq (Days)</b> | 31    |
| <b>Climate Zone</b>             | 8                          |                                 |       | <b>Operational Year</b>          | 2022  |
| <b>Utility Company</b>          | Southern California Edison |                                 |       |                                  |       |
| <b>CO2 Intensity (lb/MW hr)</b> | 390.98                     | <b>CH4 Intensity (lb/MW hr)</b> | 0.033 | <b>N2O Intensity (lb/MW hr)</b>  | 0.004 |

**1.3 User Entered Comments & Non-Default Data**

Project Characteristics - Oxnard Billboard Ordinance - MND - Typical Installation

Land Use - Default Lot size of 11,000 sq ft (Range: 1,000 - 15,000)

Sq Ft = 1 is a unity rate for 1 Billboard for Operational Energy

Construction Phase - From Billboard Installation Schedule

1 Day for each phase. (5-7 days between Column Set and Build)

Off-road Equipment - Typical Construction Eqpt

Off-road Equipment - From Installation Schedule

Off-road Equipment - Truck Mounted Cement Mixer 80 HP for typical 10 CY Concrete Mixing Truck - uses Power Take-off from Truck Engine

-runs continuously during Unloading (1 hr per truck)

Off-road Equipment - Off-Highway Trucks included to include On-site Maneuvering and Idle time for Dump Trucks; Crawler Tractor included (but set to 0) to activate fugitive dust calcs

Trips and VMT - Haul Trips for Column Set based on Pieces of Eqpt (4) using CalEEMod methodology =  $4 \times 1.25 = 5$

Build & Set Structures and Displays also assume 5 workers per day

Grading - Fugitive dust emissions

Vehicle Emission Factors -

Vehicle Emission Factors -

Vehicle Emission Factors -

Consumer Products - No Consumer Products used as part of Operations

Area Coating - No Coatings

Landscape Equipment - No Landscape Operations

Energy Use - 54,000 kw-hr per year Avg Billboard Energy Usage

| Table Name            | Column Name                  | Default Value | New Value        |
|-----------------------|------------------------------|---------------|------------------|
| tblAreaCoating        | Area_Nonresidential_Exterior | 1             | 0                |
| tblAreaCoating        | Area_Nonresidential_Interior | 2             | 0                |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 2.00          | 1.00             |
| tblConsumerProducts   | ROG_EF                       | 2.14E-05      | 0                |
| tblEnergyUse          | T24E                         | 0.00          | 54,000.00        |
| tblGrading            | AcresOfGrading               | 0.00          | 0.50             |
| tblLandscapeEquipment | NumberSummerDays             | 180           | 0                |
| tblLandUse            | LandUseSquareFeet            | 0.00          | 1.00             |
| tblLandUse            | LotAcreage                   | 0.00          | 0.25             |
| tblOffRoadEquipment   | HorsePower                   | 9.00          | 80.00            |
| tblOffRoadEquipment   | LoadFactor                   | 0.43          | 0.43             |
| tblOffRoadEquipment   | OffRoadEquipmentType         |               | Crawler Tractors |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 12.00            |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 12.00            |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 8.00             |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 8.00             |
| tblTripsAndVMT        | WorkerTripNumber             | 10.00         | 8.00             |
| tblTripsAndVMT        | WorkerTripNumber             | 0.00          | 10.00            |
| tblTripsAndVMT        | WorkerTripNumber             | 0.00          | 10.00            |
| tblTripsAndVMT        | WorkerTripNumber             | 0.00          | 10.00            |

### Unmitigated Construction

|         | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O    | CO2e       |
|---------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|--------|------------|
| Year    | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |        |            |
| 2022    | 0.7410 | 8.0601 | 6.1432 | 0.0186 | 0.8054        | 0.3038       | 0.9781     | 0.1321         | 0.2886        | 0.3486      | 0.0000   | 1,893.7113 | 1,893.7113 | 0.3821 | 0.1273 | 1,939.1974 |
| Maximum | 0.7410 | 8.0601 | 6.1432 | 0.0186 | 0.8054        | 0.3038       | 0.9781     | 0.1321         | 0.2886        | 0.3486      | 0.0000   | 1,893.7113 | 1,893.7113 | 0.3821 | 0.1273 | 1,939.1974 |

|         | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O    | CO2e       |
|---------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|--------|------------|
| Year    | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |        |            |
| 2022    | 0.7410 | 8.0601 | 6.1432 | 0.0186 | 0.4820        | 0.3038       | 0.6546     | 0.0971         | 0.2886        | 0.3486      | 0.0000   | 1,893.7113 | 1,893.7113 | 0.3821 | 0.1273 | 1,939.1974 |
| Maximum | 0.7410 | 8.0601 | 6.1432 | 0.0186 | 0.4820        | 0.3038       | 0.6546     | 0.0971         | 0.2886        | 0.3486      | 0.0000   | 1,893.7113 | 1,893.7113 | 0.3821 | 0.1273 | 1,939.1974 |

[illegible]

### 3.0 Construction Detail

#### Construction Phase

| Phase Number | Phase Name                   | Phase Type            | Start Date | End Date | Num Days Week | Num Days | Phase Description                      |
|--------------|------------------------------|-----------------------|------------|----------|---------------|----------|----------------------------------------|
| 1            | Drill Footing                | Grading               | 6/1/2022   | 6/1/2022 | 5             | 1        | Drill Footing / Haul & Disposal Dirt   |
| 2            | Column Set                   | Building Construction | 6/2/2022   | 6/2/2022 | 5             | 1        | Column Set/Concrete Pour               |
| 3            | Build & Set Structure        | Building Construction | 6/7/2022   | 6/7/2022 | 5             | 1        | Set Top Column / Build & Set Structure |
| 4            | Build & Set Digital Displays | Building Construction | 6/8/2022   | 6/8/2022 | 5             | 1        | Build & Set Digital Displays           |

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 0.5

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating –

#### OffRoad Equipment

| Phase Name                   | Offroad Equipment Type   | Amount | Usage Hours | Horse Power | Load Factor |
|------------------------------|--------------------------|--------|-------------|-------------|-------------|
| Drill Footing                | Excavators               | 1      | 8.00        | 158         | 0.38        |
| Drill Footing                | Off-Highway Trucks       | 1      | 2.00        | 402         | 0.38        |
| Drill Footing                | Skid Steer Loaders       | 1      | 8.00        | 65          | 0.37        |
| Column Set                   | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Column Set                   | Cement and Mortar Mixers | 1      | 4.00        | 80          | 0.56        |
| Column Set                   | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Column Set                   | Pumps                    | 1      | 4.00        | 84          | 0.74        |
| Build & Set Structure        | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Build & Set Structure        | Air Compressors          | 1      | 8.00        | 78          | 0.48        |
| Build & Set Structure        | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Build & Set Digital Displays | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Build & Set Digital Displays | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Drill Footing                | Crawler Tractors         | 1      | 0.00        | 212         | 0.43        |



**Trips and VMT**

| Phase Name                   | Offroad Equipment Count | Worker Trip Number | Vendor Trip Number | Hauling Trip Number | Worker Trip Length | Vendor Trip Length | Hauling Trip Length | Worker Vehicle Class | Vendor Vehicle Class | Hauling Vehicle Class |
|------------------------------|-------------------------|--------------------|--------------------|---------------------|--------------------|--------------------|---------------------|----------------------|----------------------|-----------------------|
| Drill Footing                | 4                       | 8.00               | 0.00               | 12.00               | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Column Set                   | 4                       | 10.00              | 0.00               | 12.00               | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Build & Set Structure        | 3                       | 10.00              | 0.00               | 8.00                | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Build & Set Digital Displays | 2                       | 10.00              | 0.00               | 8.00                | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |

**3.1 Mitigation Measures Construction**

Water Exposed Area

### 3.2 Drill Footing - 2022

#### Unmitigated Construction On-Site

|               | ROG           | NOx           | CO            | SO2           | Fugitive PM10 | Exhaust PM10  | PM10 Total    | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total   | Bio- CO2 | NBio- CO2         | Total CO2         | CH4           | N2O | CO2e              |
|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|----------------|---------------|---------------|----------|-------------------|-------------------|---------------|-----|-------------------|
| Category      | lb/day        |               |               |               |               |               |               |                |               |               | lb/day   |                   |                   |               |     |                   |
| Fugitive Dust |               |               |               |               | 0.5303        | 0.0000        | 0.5303        | 0.0573         | 0.0000        | 0.0573        |          |                   | 0.0000            |               |     | 0.0000            |
| Off-Road      | 0.4041        | 3.7090        | 5.4820        | 0.0105        |               | 0.1569        | 0.1569        |                | 0.1444        | 0.1444        |          | 1,020.1529        | 1,020.1529        | 0.3299        |     | 1,028.4013        |
| <b>Total</b>  | <b>0.4041</b> | <b>3.7090</b> | <b>5.4820</b> | <b>0.0105</b> | <b>0.5303</b> | <b>0.1569</b> | <b>0.6872</b> | <b>0.0573</b>  | <b>0.1444</b> | <b>0.2016</b> |          | <b>1,020.1529</b> | <b>1,020.1529</b> | <b>0.3299</b> |     | <b>1,028.4013</b> |

#### Unmitigated Construction Off-Site

|              | ROG           | NOx           | CO            | SO2                | Fugitive PM10 | Exhaust PM10  | PM10 Total    | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total   | Bio- CO2 | NBio- CO2       | Total CO2       | CH4           | N2O           | CO2e            |
|--------------|---------------|---------------|---------------|--------------------|---------------|---------------|---------------|----------------|---------------|---------------|----------|-----------------|-----------------|---------------|---------------|-----------------|
| Category     | lb/day        |               |               |                    |               |               |               |                |               |               | lb/day   |                 |                 |               |               |                 |
| Hauling      | 0.0425        | 1.8111        | 0.4391        | 7.1300e-003        | 0.2095        | 0.0153        | 0.2248        | 0.0574         | 0.0147        | 0.0721        |          | 787.5499        | 787.5499        | 0.0503        | 0.1253        | 826.1453        |
| Vendor       | 0.0000        | 0.0000        | 0.0000        | 0.0000             | 0.0000        | 0.0000        | 0.0000        | 0.0000         | 0.0000        | 0.0000        |          | 0.0000          | 0.0000          | 0.0000        | 0.0000        | 0.0000          |
| Worker       | 0.0247        | 0.0160        | 0.2221        | 5.8000e-004        | 0.0657        | 3.8000e-004   | 0.0661        | 0.0174         | 3.5000e-004   | 0.0178        |          | 58.5551         | 58.5551         | 1.8600e-003   | 1.6200e-003   | 59.0832         |
| <b>Total</b> | <b>0.0673</b> | <b>1.8271</b> | <b>0.6612</b> | <b>7.7100e-003</b> | <b>0.2752</b> | <b>0.0157</b> | <b>0.2909</b> | <b>0.0748</b>  | <b>0.0150</b> | <b>0.0898</b> |          | <b>846.1050</b> | <b>846.1050</b> | <b>0.0522</b> | <b>0.1269</b> | <b>885.2284</b> |

Mitigated Construction On-Site

|               | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O | CO2e       |
|---------------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-----|------------|
| Category      | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |     |            |
| Fugitive Dust |        |        |        |        | 0.2068        | 0.0000       | 0.2068     | 0.0223         | 0.0000        | 0.0223      |          |            | 0.0000     |        |     | 0.0000     |
| Off-Road      | 0.4041 | 3.7090 | 5.4820 | 0.0105 |               | 0.1569       | 0.1569     |                | 0.1444        | 0.1444      | 0.0000   | 1,020.1529 | 1,020.1529 | 0.3299 |     | 1,028.4013 |
| Total         | 0.4041 | 3.7090 | 5.4820 | 0.0105 | 0.2068        | 0.1569       | 0.3637     | 0.0223         | 0.1444        | 0.1667      | 0.0000   | 1,020.1529 | 1,020.1529 | 0.3299 |     | 1,028.4013 |

Mitigated Construction Off-Site

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |             |             |          |
| Hauling  | 0.0425 | 1.8111 | 0.4391 | 7.1300e-003 | 0.2095        | 0.0153       | 0.2248     | 0.0574         | 0.0147        | 0.0721      |          | 787.5499  | 787.5499  | 0.0503      | 0.1253      | 826.1453 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000      | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000   |
| Worker   | 0.0247 | 0.0160 | 0.2221 | 5.8000e-004 | 0.0657        | 3.8000e-004  | 0.0661     | 0.0174         | 3.5000e-004   | 0.0178      |          | 58.5551   | 58.5551   | 1.8600e-003 | 1.6200e-003 | 59.0832  |
| Total    | 0.0673 | 1.8271 | 0.6612 | 7.7100e-003 | 0.2752        | 0.0157       | 0.2909     | 0.0748         | 0.0150        | 0.0898      |          | 846.1050  | 846.1050  | 0.0522      | 0.1269      | 885.2284 |

3.3 Column Set - 2022

Unmitigated Construction On-Site

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O | CO2e       |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-----|------------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |     |            |
| Off-Road | 0.5850 | 6.2290 | 4.8523 | 0.0107 |               | 0.2620       | 0.2620     |                | 0.2472        | 0.2472      |          | 1,032.9675 | 1,032.9675 | 0.2492 |     | 1,039.1982 |
| Total    | 0.5850 | 6.2290 | 4.8523 | 0.0107 |               | 0.2620       | 0.2620     |                | 0.2472        | 0.2472      |          | 1,032.9675 | 1,032.9675 | 0.2492 |     | 1,039.1982 |

Unmitigated Construction Off-Site

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |             |             |          |
| Hauling  | 0.0425 | 1.8111 | 0.4391 | 7.1300e-003 | 0.2095        | 0.0153       | 0.2248     | 0.0574         | 0.0147        | 0.0721      |          | 787.5499  | 787.5499  | 0.0503      | 0.1253      | 826.1453 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000      | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000   |
| Worker   | 0.0309 | 0.0200 | 0.2776 | 7.2000e-004 | 0.0822        | 4.7000e-004  | 0.0826     | 0.0218         | 4.3000e-004   | 0.0222      |          | 73.1939   | 73.1939   | 2.3300e-003 | 2.0200e-003 | 73.8540  |
| Total    | 0.0735 | 1.8311 | 0.7167 | 7.8500e-003 | 0.2916        | 0.0158       | 0.3074     | 0.0792         | 0.0151        | 0.0943      |          | 860.7438  | 860.7438  | 0.0526      | 0.1273      | 899.9992 |

**Mitigated Construction On-Site**

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O | CO2e       |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-----|------------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |     |            |
| Off-Road | 0.5850 | 6.2290 | 4.8523 | 0.0107 |               | 0.2620       | 0.2620     |                | 0.2472        | 0.2472      | 0.0000   | 1,032.9675 | 1,032.9675 | 0.2492 |     | 1,039.1982 |
| Total    | 0.5850 | 6.2290 | 4.8523 | 0.0107 |               | 0.2620       | 0.2620     |                | 0.2472        | 0.2472      | 0.0000   | 1,032.9675 | 1,032.9675 | 0.2492 |     | 1,039.1982 |

**Mitigated Construction Off-Site**

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |             |             |          |
| Hauling  | 0.0425 | 1.8111 | 0.4391 | 7.1300e-003 | 0.2095        | 0.0153       | 0.2248     | 0.0574         | 0.0147        | 0.0721      |          | 787.5499  | 787.5499  | 0.0503      | 0.1253      | 826.1453 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000      | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000   |
| Worker   | 0.0309 | 0.0200 | 0.2776 | 7.2000e-004 | 0.0822        | 4.7000e-004  | 0.0826     | 0.0218         | 4.3000e-004   | 0.0222      |          | 73.1939   | 73.1939   | 2.3300e-003 | 2.0200e-003 | 73.8540  |
| Total    | 0.0735 | 1.8311 | 0.7167 | 7.8500e-003 | 0.2916        | 0.0158       | 0.3074     | 0.0792         | 0.0151        | 0.0943      |          | 860.7438  | 860.7438  | 0.0526      | 0.1273      | 899.9992 |

3.4 Build & Set Structure - 2022

Unmitigated Construction On-Site

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O | CO2e       |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-----|------------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |     |            |
| Off-Road | 0.6818 | 6.6225 | 5.4044 | 0.0114 |               | 0.2931       | 0.2931     |                | 0.2784        | 0.2784      |          | 1,096.7143 | 1,096.7143 | 0.2578 |     | 1,103.1584 |
| Total    | 0.6818 | 6.6225 | 5.4044 | 0.0114 |               | 0.2931       | 0.2931     |                | 0.2784        | 0.2784      |          | 1,096.7143 | 1,096.7143 | 0.2578 |     | 1,103.1584 |

Unmitigated Construction Off-Site

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |             |             |          |
| Hauling  | 0.0284 | 1.2074 | 0.2928 | 4.7500e-003 | 0.1397        | 0.0102       | 0.1499     | 0.0383         | 9.7800e-003   | 0.0480      |          | 525.0333  | 525.0333  | 0.0335      | 0.0835      | 550.7635 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000      | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000   |
| Worker   | 0.0309 | 0.0200 | 0.2776 | 7.2000e-004 | 0.0822        | 4.7000e-004  | 0.0826     | 0.0218         | 4.3000e-004   | 0.0222      |          | 73.1939   | 73.1939   | 2.3300e-003 | 2.0200e-003 | 73.8540  |
| Total    | 0.0593 | 1.2274 | 0.5704 | 5.4700e-003 | 0.2218        | 0.0107       | 0.2325     | 0.0600         | 0.0102        | 0.0703      |          | 598.2272  | 598.2272  | 0.0359      | 0.0856      | 624.6175 |



**Mitigated Construction On-Site**

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O | CO2e       |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-----|------------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |     |            |
| Off-Road | 0.6818 | 6.6225 | 5.4044 | 0.0114 |               | 0.2931       | 0.2931     |                | 0.2784        | 0.2784      | 0.0000   | 1,096.7143 | 1,096.7143 | 0.2578 |     | 1,103.1584 |
| Total    | 0.6818 | 6.6225 | 5.4044 | 0.0114 |               | 0.2931       | 0.2931     |                | 0.2784        | 0.2784      | 0.0000   | 1,096.7143 | 1,096.7143 | 0.2578 |     | 1,103.1584 |

**Mitigated Construction Off-Site**

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |             |             |          |
| Hauling  | 0.0284 | 1.2074 | 0.2928 | 4.7500e-003 | 0.1397        | 0.0102       | 0.1499     | 0.0383         | 9.7800e-003   | 0.0480      |          | 525.0333  | 525.0333  | 0.0335      | 0.0835      | 550.7635 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000      | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000   |
| Worker   | 0.0309 | 0.0200 | 0.2776 | 7.2000e-004 | 0.0822        | 4.7000e-004  | 0.0826     | 0.0218         | 4.3000e-004   | 0.0222      |          | 73.1939   | 73.1939   | 2.3300e-003 | 2.0200e-003 | 73.8540  |
| Total    | 0.0593 | 1.2274 | 0.5704 | 5.4700e-003 | 0.2218        | 0.0107       | 0.2325     | 0.0600         | 0.0102        | 0.0703      |          | 598.2272  | 598.2272  | 0.0359      | 0.0856      | 624.6175 |

3.5 Build & Set Digital Displays - 2022

Unmitigated Construction On-Site

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|-----|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |        |     |          |
| Off-Road | 0.4091 | 4.7446 | 2.9863 | 7.4500e-003 |               | 0.1841       | 0.1841     |                | 0.1694        | 0.1694      |          | 721.4502  | 721.4502  | 0.2333 |     | 727.2835 |
| Total    | 0.4091 | 4.7446 | 2.9863 | 7.4500e-003 |               | 0.1841       | 0.1841     |                | 0.1694        | 0.1694      |          | 721.4502  | 721.4502  | 0.2333 |     | 727.2835 |

Unmitigated Construction Off-Site

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |             |             |          |
| Hauling  | 0.0284 | 1.2074 | 0.2928 | 4.7500e-003 | 0.1397        | 0.0102       | 0.1499     | 0.0383         | 9.7800e-003   | 0.0480      |          | 525.0333  | 525.0333  | 0.0335      | 0.0835      | 550.7635 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000      | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000   |
| Worker   | 0.0309 | 0.0200 | 0.2776 | 7.2000e-004 | 0.0822        | 4.7000e-004  | 0.0826     | 0.0218         | 4.3000e-004   | 0.0222      |          | 73.1939   | 73.1939   | 2.3300e-003 | 2.0200e-003 | 73.8540  |
| Total    | 0.0593 | 1.2274 | 0.5704 | 5.4700e-003 | 0.2218        | 0.0107       | 0.2325     | 0.0600         | 0.0102        | 0.0703      |          | 598.2272  | 598.2272  | 0.0359      | 0.0856      | 624.6175 |

**Mitigated Construction On-Site**

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|-----|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |        |     |          |
| Off-Road | 0.4091 | 4.7446 | 2.9863 | 7.4500e-003 |               | 0.1841       | 0.1841     |                | 0.1694        | 0.1694      | 0.0000   | 721.4502  | 721.4502  | 0.2333 |     | 727.2835 |
| Total    | 0.4091 | 4.7446 | 2.9863 | 7.4500e-003 |               | 0.1841       | 0.1841     |                | 0.1694        | 0.1694      | 0.0000   | 721.4502  | 721.4502  | 0.2333 |     | 727.2835 |

**Mitigated Construction Off-Site**

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |             |             |          |
| Hauling  | 0.0284 | 1.2074 | 0.2928 | 4.7500e-003 | 0.1397        | 0.0102       | 0.1499     | 0.0383         | 9.7800e-003   | 0.0480      |          | 525.0333  | 525.0333  | 0.0335      | 0.0835      | 550.7635 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000      | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000   |
| Worker   | 0.0309 | 0.0200 | 0.2776 | 7.2000e-004 | 0.0822        | 4.7000e-004  | 0.0826     | 0.0218         | 4.3000e-004   | 0.0222      |          | 73.1939   | 73.1939   | 2.3300e-003 | 2.0200e-003 | 73.8540  |
| Total    | 0.0593 | 1.2274 | 0.5704 | 5.4700e-003 | 0.2218        | 0.0107       | 0.2325     | 0.0600         | 0.0102        | 0.0703      |          | 598.2272  | 598.2272  | 0.0359      | 0.0856      | 624.6175 |

---

## Oxnard Billboard MND - Ventura County, Winter

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied****Oxnard Billboard MND****Ventura County, Winter****1.0 Project Characteristics****1.1 Land Usage**

| Land Uses               | Size | Metric            | Lot Acreage | Floor Surface Area | Population |
|-------------------------|------|-------------------|-------------|--------------------|------------|
| User Defined Commercial | 1.00 | User Defined Unit | 0.25        | 1.00               | 0          |

**1.2 Other Project Characteristics**

|                                 |                            |                                 |       |                                  |       |
|---------------------------------|----------------------------|---------------------------------|-------|----------------------------------|-------|
| <b>Urbanization</b>             | Urban                      | <b>Wind Speed (m/s)</b>         | 2.6   | <b>Precipitation Freq (Days)</b> | 31    |
| <b>Climate Zone</b>             | 8                          |                                 |       | <b>Operational Year</b>          | 2022  |
| <b>Utility Company</b>          | Southern California Edison |                                 |       |                                  |       |
| <b>CO2 Intensity (lb/MW hr)</b> | 390.98                     | <b>CH4 Intensity (lb/MW hr)</b> | 0.033 | <b>N2O Intensity (lb/MW hr)</b>  | 0.004 |

**1.3 User Entered Comments & Non-Default Data**

Project Characteristics - Oxnard Billboard Ordinance - MND - Typical Installation

Land Use - Default Lot size of 11,000 sq ft (Range: 1,000 - 15,000)

Sq Ft = 1 is a unity rate for 1 Billboard for Operational Energy

Construction Phase - From Billboard Installation Schedule

1 Day for each phase. (5-7 days between Column Set and Build)

Off-road Equipment - Typical Construction Eqpt

Off-road Equipment - From Installation Schedule

Off-road Equipment - Truck Mounted Cement Mixer 80 HP for typical 10 CY Concrete Mixing Truck - uses Power Take-off from Truck Engine

-runs continuously during Unloading (1 hr per truck)

Off-road Equipment - Off-Highway Trucks included to include On-site Maneuvering and Idle time for Dump Trucks; Crawler Tractor included (but set to 0) to activate fugitive dust calcs

Trips and VMT - Haul Trips for Column Set based on Pieces of Eqpt (4) using CalEEMod methodology =  $4 \times 1.25 = 5$

Build & Set Structures and Displays also assume 5 workers per day

Grading - Fugitive dust emissions

Vehicle Emission Factors -

Vehicle Emission Factors -

Vehicle Emission Factors -

Consumer Products - No Consumer Products used as part of Operations

Area Coating - No Coatings

Landscape Equipment - No Landscape Operations

Energy Use - 54,000 kw-hr per year Avg Billboard Energy Usage

| Table Name            | Column Name                  | Default Value | New Value        |
|-----------------------|------------------------------|---------------|------------------|
| tblAreaCoating        | Area_Nonresidential_Exterior | 1             | 0                |
| tblAreaCoating        | Area_Nonresidential_Interior | 2             | 0                |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 2.00          | 1.00             |
| tblConsumerProducts   | ROG_EF                       | 2.14E-05      | 0                |
| tblEnergyUse          | T24E                         | 0.00          | 54,000.00        |
| tblGrading            | AcresOfGrading               | 0.00          | 0.50             |
| tblLandscapeEquipment | NumberSummerDays             | 180           | 0                |
| tblLandUse            | LandUseSquareFeet            | 0.00          | 1.00             |
| tblLandUse            | LotAcreage                   | 0.00          | 0.25             |
| tblOffRoadEquipment   | HorsePower                   | 9.00          | 80.00            |
| tblOffRoadEquipment   | LoadFactor                   | 0.43          | 0.43             |
| tblOffRoadEquipment   | OffRoadEquipmentType         |               | Crawler Tractors |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |

### Unmitigated Construction

|         | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O         | CO2e       |
|---------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-------------|------------|
| Year    | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |             |            |
| 2022    | 0.6818 | 6.6225 | 5.7539 | 0.0114 | 0.6124        | 0.2931       | 0.7698     | 0.0790         | 0.2784        | 0.2784      | 0.0000   | 1,096.7143 | 1,096.7143 | 0.3325 | 2.2500e-003 | 1,103.1584 |
| Maximum | 0.6818 | 6.6225 | 5.7539 | 0.0114 | 0.6124        | 0.2931       | 0.7698     | 0.0790         | 0.2784        | 0.2784      | 0.0000   | 1,096.7143 | 1,096.7143 | 0.3325 | 2.2500e-003 | 1,103.1584 |

|         | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O         | CO2e       |
|---------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-------------|------------|
| Year    | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |             |            |
| 2022    | 0.6818 | 6.6225 | 5.7539 | 0.0114 | 0.2890        | 0.2931       | 0.4463     | 0.0441         | 0.2784        | 0.2784      | 0.0000   | 1,096.7143 | 1,096.7143 | 0.3325 | 2.2500e-003 | 1,103.1584 |
| Maximum | 0.6818 | 6.6225 | 5.7539 | 0.0114 | 0.2890        | 0.2931       | 0.4463     | 0.0441         | 0.2784        | 0.2784      | 0.0000   | 1,096.7143 | 1,096.7143 | 0.3325 | 2.2500e-003 | 1,103.1584 |

[illegible]

### 3.0 Construction Detail

#### Construction Phase

| Phase Number | Phase Name                   | Phase Type            | Start Date | End Date | Num Days Week | Num Days | Phase Description                      |
|--------------|------------------------------|-----------------------|------------|----------|---------------|----------|----------------------------------------|
| 1            | Drill Footing                | Grading               | 6/1/2022   | 6/1/2022 | 5             | 1        | Drill Footing / Haul & Disposal Dirt   |
| 2            | Column Set                   | Building Construction | 6/2/2022   | 6/2/2022 | 5             | 1        | Column Set/Concrete Pour               |
| 3            | Build & Set Structure        | Building Construction | 6/7/2022   | 6/7/2022 | 5             | 1        | Set Top Column / Build & Set Structure |
| 4            | Build & Set Digital Displays | Building Construction | 6/8/2022   | 6/8/2022 | 5             | 1        | Build & Set Digital Displays           |

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 0.5

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating –

#### OffRoad Equipment

| Phase Name                   | Offroad Equipment Type   | Amount | Usage Hours | Horse Power | Load Factor |
|------------------------------|--------------------------|--------|-------------|-------------|-------------|
| Drill Footing                | Excavators               | 1      | 8.00        | 158         | 0.38        |
| Drill Footing                | Off-Highway Trucks       | 1      | 2.00        | 402         | 0.38        |
| Drill Footing                | Skid Steer Loaders       | 1      | 8.00        | 65          | 0.37        |
| Column Set                   | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Column Set                   | Cement and Mortar Mixers | 1      | 4.00        | 80          | 0.56        |
| Column Set                   | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Column Set                   | Pumps                    | 1      | 4.00        | 84          | 0.74        |
| Build & Set Structure        | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Build & Set Structure        | Air Compressors          | 1      | 8.00        | 78          | 0.48        |
| Build & Set Structure        | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Build & Set Digital Displays | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Build & Set Digital Displays | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Drill Footing                | Crawler Tractors         | 1      | 0.00        | 212         | 0.43        |



**Trips and VMT**

| Phase Name                   | Offroad Equipment Count | Worker Trip Number | Vendor Trip Number | Hauling Trip Number | Worker Trip Length | Vendor Trip Length | Hauling Trip Length | Worker Vehicle Class | Vendor Vehicle Class | Hauling Vehicle Class |
|------------------------------|-------------------------|--------------------|--------------------|---------------------|--------------------|--------------------|---------------------|----------------------|----------------------|-----------------------|
| Drill Footing                | 4                       | 10.00              | 0.00               | 0.00                | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Column Set                   | 4                       | 0.00               | 0.00               | 0.00                | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Build & Set Structure        | 3                       | 0.00               | 0.00               | 0.00                | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Build & Set Digital Displays | 2                       | 0.00               | 0.00               | 0.00                | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |

**3.1 Mitigation Measures Construction**

Water Exposed Area

### 3.2 Drill Footing - 2022

#### Unmitigated Construction On-Site

|               | ROG           | NOx           | CO            | SO2           | Fugitive PM10 | Exhaust PM10  | PM10 Total    | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total   | Bio- CO2 | NBio- CO2         | Total CO2         | CH4           | N2O | CO2e              |
|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|----------------|---------------|---------------|----------|-------------------|-------------------|---------------|-----|-------------------|
| Category      | lb/day        |               |               |               |               |               |               |                |               |               | lb/day   |                   |                   |               |     |                   |
| Fugitive Dust |               |               |               |               | 0.5303        | 0.0000        | 0.5303        | 0.0573         | 0.0000        | 0.0573        |          |                   | 0.0000            |               |     | 0.0000            |
| Off-Road      | 0.4041        | 3.7090        | 5.4820        | 0.0105        |               | 0.1569        | 0.1569        |                | 0.1444        | 0.1444        |          | 1,020.1529        | 1,020.1529        | 0.3299        |     | 1,028.4013        |
| <b>Total</b>  | <b>0.4041</b> | <b>3.7090</b> | <b>5.4820</b> | <b>0.0105</b> | <b>0.5303</b> | <b>0.1569</b> | <b>0.6872</b> | <b>0.0573</b>  | <b>0.1444</b> | <b>0.2016</b> |          | <b>1,020.1529</b> | <b>1,020.1529</b> | <b>0.3299</b> |     | <b>1,028.4013</b> |

#### Unmitigated Construction Off-Site

|              | ROG           | NOx           | CO            | SO2                | Fugitive PM10 | Exhaust PM10       | PM10 Total    | Fugitive PM2.5 | Exhaust PM2.5      | PM2.5 Total   | Bio- CO2 | NBio- CO2      | Total CO2      | CH4                | N2O                | CO2e           |
|--------------|---------------|---------------|---------------|--------------------|---------------|--------------------|---------------|----------------|--------------------|---------------|----------|----------------|----------------|--------------------|--------------------|----------------|
| Category     | lb/day        |               |               |                    |               |                    |               |                |                    |               | lb/day   |                |                |                    |                    |                |
| Hauling      | 0.0000        | 0.0000        | 0.0000        | 0.0000             | 0.0000        | 0.0000             | 0.0000        | 0.0000         | 0.0000             | 0.0000        |          | 0.0000         | 0.0000         | 0.0000             | 0.0000             | 0.0000         |
| Vendor       | 0.0000        | 0.0000        | 0.0000        | 0.0000             | 0.0000        | 0.0000             | 0.0000        | 0.0000         | 0.0000             | 0.0000        |          | 0.0000         | 0.0000         | 0.0000             | 0.0000             | 0.0000         |
| Worker       | 0.0333        | 0.0234        | 0.2719        | 6.9000e-004        | 0.0822        | 4.7000e-004        | 0.0826        | 0.0218         | 4.3000e-004        | 0.0222        |          | 70.0187        | 70.0187        | 2.5300e-003        | 2.2500e-003        | 70.7514        |
| <b>Total</b> | <b>0.0333</b> | <b>0.0234</b> | <b>0.2719</b> | <b>6.9000e-004</b> | <b>0.0822</b> | <b>4.7000e-004</b> | <b>0.0826</b> | <b>0.0218</b>  | <b>4.3000e-004</b> | <b>0.0222</b> |          | <b>70.0187</b> | <b>70.0187</b> | <b>2.5300e-003</b> | <b>2.2500e-003</b> | <b>70.7514</b> |

Mitigated Construction On-Site

|               | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O | CO2e       |
|---------------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-----|------------|
| Category      | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |     |            |
| Fugitive Dust |        |        |        |        | 0.2068        | 0.0000       | 0.2068     | 0.0223         | 0.0000        | 0.0223      |          |            | 0.0000     |        |     | 0.0000     |
| Off-Road      | 0.4041 | 3.7090 | 5.4820 | 0.0105 |               | 0.1569       | 0.1569     |                | 0.1444        | 0.1444      | 0.0000   | 1,020.1529 | 1,020.1529 | 0.3299 |     | 1,028.4013 |
| Total         | 0.4041 | 3.7090 | 5.4820 | 0.0105 | 0.2068        | 0.1569       | 0.3637     | 0.0223         | 0.1444        | 0.1667      | 0.0000   | 1,020.1529 | 1,020.1529 | 0.3299 |     | 1,028.4013 |

Mitigated Construction Off-Site

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e    |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|---------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |             |             |         |
| Hauling  | 0.0000 | 0.0000 | 0.0000 | 0.0000      | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000  |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000      | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000  |
| Worker   | 0.0333 | 0.0234 | 0.2719 | 6.9000e-004 | 0.0822        | 4.7000e-004  | 0.0826     | 0.0218         | 4.3000e-004   | 0.0222      |          | 70.0187   | 70.0187   | 2.5300e-003 | 2.2500e-003 | 70.7514 |
| Total    | 0.0333 | 0.0234 | 0.2719 | 6.9000e-004 | 0.0822        | 4.7000e-004  | 0.0826     | 0.0218         | 4.3000e-004   | 0.0222      |          | 70.0187   | 70.0187   | 2.5300e-003 | 2.2500e-003 | 70.7514 |

3.3 Column Set - 2022

Unmitigated Construction On-Site

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O | CO2e       |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-----|------------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |     |            |
| Off-Road | 0.5850 | 6.2290 | 4.8523 | 0.0107 |               | 0.2620       | 0.2620     |                | 0.2472        | 0.2472      |          | 1,032.9675 | 1,032.9675 | 0.2492 |     | 1,039.1982 |
| Total    | 0.5850 | 6.2290 | 4.8523 | 0.0107 |               | 0.2620       | 0.2620     |                | 0.2472        | 0.2472      |          | 1,032.9675 | 1,032.9675 | 0.2492 |     | 1,039.1982 |

Unmitigated Construction Off-Site

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |           |           |        |        |        |
| Hauling  | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Worker   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total    | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

**Mitigated Construction On-Site**

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O | CO2e       |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-----|------------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |     |            |
| Off-Road | 0.5850 | 6.2290 | 4.8523 | 0.0107 |               | 0.2620       | 0.2620     |                | 0.2472        | 0.2472      | 0.0000   | 1,032.9675 | 1,032.9675 | 0.2492 |     | 1,039.1982 |
| Total    | 0.5850 | 6.2290 | 4.8523 | 0.0107 |               | 0.2620       | 0.2620     |                | 0.2472        | 0.2472      | 0.0000   | 1,032.9675 | 1,032.9675 | 0.2492 |     | 1,039.1982 |

**Mitigated Construction Off-Site**

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |           |           |        |        |        |
| Hauling  | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Worker   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total    | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

3.4 Build & Set Structure - 2022

Unmitigated Construction On-Site

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O | CO2e       |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-----|------------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |     |            |
| Off-Road | 0.6818 | 6.6225 | 5.4044 | 0.0114 |               | 0.2931       | 0.2931     |                | 0.2784        | 0.2784      |          | 1,096.7143 | 1,096.7143 | 0.2578 |     | 1,103.1584 |
| Total    | 0.6818 | 6.6225 | 5.4044 | 0.0114 |               | 0.2931       | 0.2931     |                | 0.2784        | 0.2784      |          | 1,096.7143 | 1,096.7143 | 0.2578 |     | 1,103.1584 |

Unmitigated Construction Off-Site

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |           |           |        |        |        |
| Hauling  | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Worker   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total    | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

Mitigated Construction On-Site

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O | CO2e       |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-----|------------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |     |            |
| Off-Road | 0.6818 | 6.6225 | 5.4044 | 0.0114 |               | 0.2931       | 0.2931     |                | 0.2784        | 0.2784      | 0.0000   | 1,096.7143 | 1,096.7143 | 0.2578 |     | 1,103.1584 |
| Total    | 0.6818 | 6.6225 | 5.4044 | 0.0114 |               | 0.2931       | 0.2931     |                | 0.2784        | 0.2784      | 0.0000   | 1,096.7143 | 1,096.7143 | 0.2578 |     | 1,103.1584 |

Mitigated Construction Off-Site

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |           |           |        |        |        |
| Hauling  | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Worker   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total    | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |



3.5 Build & Set Digital Displays - 2022

Unmitigated Construction On-Site

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|-----|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |        |     |          |
| Off-Road | 0.4091 | 4.7446 | 2.9863 | 7.4500e-003 |               | 0.1841       | 0.1841     |                | 0.1694        | 0.1694      |          | 721.4502  | 721.4502  | 0.2333 |     | 727.2835 |
| Total    | 0.4091 | 4.7446 | 2.9863 | 7.4500e-003 |               | 0.1841       | 0.1841     |                | 0.1694        | 0.1694      |          | 721.4502  | 721.4502  | 0.2333 |     | 727.2835 |

Unmitigated Construction Off-Site

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |           |           |        |        |        |
| Hauling  | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Worker   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total    | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

**Mitigated Construction On-Site**

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|-----|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |        |     |          |
| Off-Road | 0.4091 | 4.7446 | 2.9863 | 7.4500e-003 |               | 0.1841       | 0.1841     |                | 0.1694        | 0.1694      | 0.0000   | 721.4502  | 721.4502  | 0.2333 |     | 727.2835 |
| Total    | 0.4091 | 4.7446 | 2.9863 | 7.4500e-003 |               | 0.1841       | 0.1841     |                | 0.1694        | 0.1694      | 0.0000   | 721.4502  | 721.4502  | 0.2333 |     | 727.2835 |

**Mitigated Construction Off-Site**

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |           |           |        |        |        |
| Hauling  | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Worker   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total    | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |



# Appendix F

## **Greenhouse Gas Assumptions and Modeling**





Riverpark Boulevard Electronic **Billboard MND**  
**Greenhouse Gas Assumptions and Modeling**

Location: Oxnard, Ventura County CA  
CEC Forecasting Climate Zone: 8  
Utility: SCE

Construction Schedule

| Phase                                  | Start Date | Completion Date | Work Days | Notes                                                           | Total Haul Trucks - round trip |
|----------------------------------------|------------|-----------------|-----------|-----------------------------------------------------------------|--------------------------------|
| Drill Footing / Haul & Disposal Dirt   | 6/6/2022   | 6/7/2022        | 1         | 1 flat-bed truck<br>5 super 10 dump                             | 6                              |
| Column Set / Concrete Pour             | 6/6/2022   | 6/7/2022        | 1         | 4 concrete mixing trucks<br>90 ton crane<br>hireach crane truck | 6                              |
| Set Top Column / Build & Set Structure | 6/8/2022   | 6/8/2022        | 1         | 2 48ft flatbed trailer<br>275 ton crane<br>hireach crane truck  | 4                              |
| Build & Set Digital Displays           | 6/9/2022   | 6/9/2022        | 1         | 2 48ft flatbed trailer<br>90 ton crane<br>hireach crane truck   | 4                              |

Construction Trips

| Phase                                  | # Workers/Day <sup>1</sup> | # Worker Trips/Day (one-way) <sup>2</sup> | # Vendor Trips/Day (one-way) | # Haul Truck Trips Total |
|----------------------------------------|----------------------------|-------------------------------------------|------------------------------|--------------------------|
| Drill Footing / Haul & Disposal Dirt   | 4                          | 8                                         | 0                            | 12                       |
| Column Set / Concrete Pour             | 5                          | 10                                        | 0                            | 12                       |
| Set Top Column / Build & Set Structure | 5                          | 10                                        | 0                            | 8                        |
| Build & Set Digital Displays           | 5                          | 10                                        | 0                            | 8                        |

| Construction By SubPhase               |                    |   |           |         |
|----------------------------------------|--------------------|---|-----------|---------|
| Phase                                  | Equipment Type     | # | Engine hp | Hrs/day |
| Drill Footing / Haul & Disposal Dirt   |                    |   |           |         |
|                                        | Excavators         | 1 | 188       | 8       |
|                                        | Skid Steer Loaders | 1 | 405       | 8       |
|                                        | Off-Highway Truck  | 1 | 75        | 2       |
| Column Set / Concrete Pour             |                    |   |           |         |
|                                        | Aerial Lift        | 1 | 63        | 8       |
|                                        | Crane              | 1 | 231       | 8       |
|                                        | Concrete Mixer*    | 1 | 80        | 4       |
|                                        | Concrete Pump      | 1 | 84        | 4       |
| Set Top Column / Build & Set Structure |                    |   |           |         |
|                                        | Aerial Lift        | 1 | 63        | 8       |
|                                        | Crane              | 1 | 231       | 8       |
|                                        | Air Compressor     | 1 | 78        | 8       |
| Build & Set Digital Displays           |                    |   |           |         |
|                                        | Aerial Lift        | 1 | 63        | 8       |
|                                        | Crane              | 2 | 231       | 8       |

All Equipment specified as part of typical construction equipment phasing for projects  
CalEEmod default horsepower and load defaults typical of construction equipment with exception noted below.  
\*Concrete Mixer included to include Hydraulic pump for truck mounted mixer utilizing Power Take-Off mode of concrete trucks during unloading/delivery (1 hr per truck)



|                                                                                         |                             |          |          |      |
|-----------------------------------------------------------------------------------------|-----------------------------|----------|----------|------|
| On-road + Off-Road<br>Construction Impacts<br>total Construction<br>ammortized (30-yrs) | <b>Construction Impacts</b> |          |          |      |
|                                                                                         | <b>MT/yr</b>                |          |          |      |
|                                                                                         | CO2                         | CH4      | N2O      | CO2e |
|                                                                                         | 3.07                        | 0.0006   | 0.0002   | 3.14 |
|                                                                                         | 0.10                        | 0.000019 | 6.33E-06 | 0.10 |

| Billboard Electricity Use | Operational Impacts                |        |        |        |
|---------------------------|------------------------------------|--------|--------|--------|
|                           | Energy Intensity Factor (lb/MW-hr) |        |        |        |
|                           | CO2                                | CH4    | N2O    | CO2e   |
|                           | 390.98                             | 0.03   | 0.004  | 393.00 |
|                           | MT/yr                              |        |        |        |
|                           | kw-hr/yr                           | CO2    | CH4    | N2O    |
| 54000                     | 9.5767                             | 0.0008 | 0.0001 | 9.6261 |

| Total GHG Contribution | MT/yr |          |          |      |
|------------------------|-------|----------|----------|------|
|                        | CO2   | CH4      | N2O      | CO2e |
| Operational Energy     | 9.58  | 8.10E-04 | 1.00E-04 | 9.63 |
| Amortized Construction | 0.10  | 1.90E-05 | 6.33E-06 | 0.10 |
|                        | 9.68  | 8.29E-04 | 1.06E-04 | 9.73 |

## Oxnard Billboard MND - Ventura County, Annual

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied****Oxnard Billboard MND****Ventura County, Annual****1.0 Project Characteristics****1.1 Land Usage**

| Land Uses               | Size | Metric            | Lot Acreage | Floor Surface Area | Population |
|-------------------------|------|-------------------|-------------|--------------------|------------|
| User Defined Commercial | 1.00 | User Defined Unit | 0.25        | 1.00               | 0          |

**1.2 Other Project Characteristics**

|                                |                            |                                |       |                                  |       |
|--------------------------------|----------------------------|--------------------------------|-------|----------------------------------|-------|
| <b>Urbanization</b>            | Urban                      | <b>Wind Speed (m/s)</b>        | 2.6   | <b>Precipitation Freq (Days)</b> | 31    |
| <b>Climate Zone</b>            | 8                          |                                |       | <b>Operational Year</b>          | 2022  |
| <b>Utility Company</b>         | Southern California Edison |                                |       |                                  |       |
| <b>CO2 Intensity (lb/MWhr)</b> | 390.98                     | <b>CH4 Intensity (lb/MWhr)</b> | 0.033 | <b>N2O Intensity (lb/MWhr)</b>   | 0.004 |

**1.3 User Entered Comments & Non-Default Data**

Project Characteristics - Oxnard Billboard Ordinance - MND - Typical Installation

Land Use - Default Lot size of 11,000 sq ft (Range: 1,000 - 15,000)

Sq Ft = 1 is a unity rate for 1 Billboard for Operational Energy

Construction Phase - From Billboard Installation Schedule

1 Day for each phase. (5-7 days between Column Set and Build)

Off-road Equipment - Typical Construction Eqpt

Off-road Equipment - From Installation Schedule

Off-road Equipment - Truck Mounted Cement Mixer 80 HP for typical 10 CY Concrete Mixing Truck - uses Power Take-off from Truck Engine

-runs continuously during Unloading (1 hr per truck)

Off-road Equipment - Off-Highway Trucks included to include On-site Maneuvering and Idle time for Dump Trucks; Crawler Tractor included (but set to 0) to activate fugitive dust calcs

Trips and VMT - Haul Trips for Column Set based on Pieces of Eqpt (4) using CalEEMod methodology =  $4 \times 1.25 = 5$

Build & Set Structures and Displays also assume 5 workers per day

Grading - Fugitive dust emissions

Vehicle Emission Factors -

Vehicle Emission Factors -

Vehicle Emission Factors -

Consumer Products - No Consumer Products used as part of Operations

Area Coating - No Coatings

Landscape Equipment - No Landscape Operations

Energy Use - 54,000 kw-hr per year Avg Billboard Energy Usage

| Table Name            | Column Name                  | Default Value | New Value        |
|-----------------------|------------------------------|---------------|------------------|
| tblAreaCoating        | Area_Nonresidential_Exterior | 1             | 0                |
| tblAreaCoating        | Area_Nonresidential_Interior | 2             | 0                |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 2.00          | 1.00             |
| tblConsumerProducts   | ROG_EF                       | 2.14E-05      | 0                |
| tblEnergyUse          | T24E                         | 0.00          | 54,000.00        |
| tblGrading            | AcresOfGrading               | 0.00          | 0.50             |
| tblLandscapeEquipment | NumberSummerDays             | 180           | 0                |
| tblLandUse            | LandUseSquareFeet            | 0.00          | 1.00             |
| tblLandUse            | LotAcreage                   | 0.00          | 0.25             |
| tblOffRoadEquipment   | HorsePower                   | 9.00          | 80.00            |
| tblOffRoadEquipment   | LoadFactor                   | 0.43          | 0.43             |
| tblOffRoadEquipment   | OffRoadEquipmentType         |               | Crawler Tractors |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 12.00            |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 12.00            |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 8.00             |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 8.00             |
| tblTripsAndVMT        | WorkerTripNumber             | 10.00         | 8.00             |
| tblTripsAndVMT        | WorkerTripNumber             | 0.00          | 10.00            |
| tblTripsAndVMT        | WorkerTripNumber             | 0.00          | 10.00            |

|                |                  |      |       |
|----------------|------------------|------|-------|
| tblTripsAndVMT | WorkerTripNumber | 0.00 | 10.00 |
|----------------|------------------|------|-------|

2.0 Emissions Summary

2.1 Overall Construction

Unmitigated Construction

|         | ROG         | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|---------|-------------|--------|--------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Year    | tons/yr     |        |        |             |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| 2022    | 1.1700e-003 | 0.0138 | 0.0106 | 3.0000e-005 | 7.6000e-004   | 4.7000e-004  | 1.2400e-003 | 1.6000e-004    | 4.4000e-004   | 6.1000e-004 | 0.0000   | 3.0685    | 3.0685    | 5.7000e-004 | 1.9000e-004 | 3.1402 |
| Maximum | 1.1700e-003 | 0.0138 | 0.0106 | 3.0000e-005 | 7.6000e-004   | 4.7000e-004  | 1.2400e-003 | 1.6000e-004    | 4.4000e-004   | 6.1000e-004 | 0.0000   | 3.0685    | 3.0685    | 5.7000e-004 | 1.9000e-004 | 3.1402 |

Mitigated Construction

|         | ROG         | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|---------|-------------|--------|--------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Year    | tons/yr     |        |        |             |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| 2022    | 1.1700e-003 | 0.0138 | 0.0106 | 3.0000e-005 | 6.0000e-004   | 4.7000e-004  | 1.0700e-003 | 1.5000e-004    | 4.4000e-004   | 5.9000e-004 | 0.0000   | 3.0685    | 3.0685    | 5.7000e-004 | 1.9000e-004 | 3.1402 |
| Maximum | 1.1700e-003 | 0.0138 | 0.0106 | 3.0000e-005 | 6.0000e-004   | 4.7000e-004  | 1.0700e-003 | 1.5000e-004    | 4.4000e-004   | 5.9000e-004 | 0.0000   | 3.0685    | 3.0685    | 5.7000e-004 | 1.9000e-004 | 3.1402 |

|                   | ROG  | NOx  | CO   | SO2  | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio-CO2 | Total CO2 | CH4  | N2O  | CO2e |
|-------------------|------|------|------|------|---------------|--------------|------------|----------------|---------------|-------------|----------|----------|-----------|------|------|------|
| Percent Reduction | 0.00 | 0.00 | 0.00 | 0.00 | 21.05         | 0.00         | 13.71      | 6.25           | 0.00          | 3.28        | 0.00     | 0.00     | 0.00      | 0.00 | 0.00 | 0.00 |

| Quarter | Start Date | End Date | Maximum Unmitigated ROG + NOX (tons/quarter) | Maximum Mitigated ROG + NOX (tons/quarter) |
|---------|------------|----------|----------------------------------------------|--------------------------------------------|
| 1       | 6-6-2022   | 9-5-2022 | 0.0054                                       | 0.0054                                     |
|         |            | Highest  | 0.0054                                       | 0.0054                                     |

2.2 Overall Operational  
Unmitigated Operational

|          | ROG     | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|---------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr |        |        |        |               |              |            |                |               |             | MT/yr    |           |           |             |             |        |
| Area     | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Energy   | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 9.5767    | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |
| Mobile   | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Waste    |         |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Water    |         |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Total    | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 9.5767    | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |

**Mitigated Operational**

|          | ROG     | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|---------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr |        |        |        |               |              |            |                |               |             | MT/yr    |           |           |             |             |        |
| Area     | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Energy   | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 9.5767    | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |
| Mobile   | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Waste    |         |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Water    |         |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Total    | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 9.5767    | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |

|                   | ROG  | NOx  | CO   | SO2  | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio-CO2 | Total CO2 | CH4  | N2O  | CO2e |
|-------------------|------|------|------|------|---------------|--------------|------------|----------------|---------------|-------------|----------|----------|-----------|------|------|------|
| Percent Reduction | 0.00 | 0.00 | 0.00 | 0.00 | 0.00          | 0.00         | 0.00       | 0.00           | 0.00          | 0.00        | 0.00     | 0.00     | 0.00      | 0.00 | 0.00 | 0.00 |

**3.0 Construction Detail**

**Construction Phase**

| Phase Number | Phase Name                   | Phase Type            | Start Date | End Date | Num Days Week | Num Days | Phase Description                      |
|--------------|------------------------------|-----------------------|------------|----------|---------------|----------|----------------------------------------|
| 1            | Drill Footing                | Grading               | 6/1/2022   | 6/1/2022 | 5             | 1        | Drill Footing / Haul & Disposal Dirt   |
| 2            | Column Set                   | Building Construction | 6/2/2022   | 6/2/2022 | 5             | 1        | Column Set/Concrete Pour               |
| 3            | Build & Set Structure        | Building Construction | 6/7/2022   | 6/7/2022 | 5             | 1        | Set Top Column / Build & Set Structure |
| 4            | Build & Set Digital Displays | Building Construction | 6/8/2022   | 6/8/2022 | 5             | 1        | Build & Set Digital Displays           |

**Acres of Grading (Site Preparation Phase): 0**

**Acres of Grading (Grading Phase): 0.5**

**Acres of Paving: 0**

**Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating –**

**OffRoad Equipment**

| Phase Name                   | Offroad Equipment Type   | Amount | Usage Hours | Horse Power | Load Factor |
|------------------------------|--------------------------|--------|-------------|-------------|-------------|
| Drill Footing                | Excavators               | 1      | 8.00        | 158         | 0.38        |
| Drill Footing                | Off-Highway Trucks       | 1      | 2.00        | 402         | 0.38        |
| Drill Footing                | Skid Steer Loaders       | 1      | 8.00        | 65          | 0.37        |
| Column Set                   | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Column Set                   | Cement and Mortar Mixers | 1      | 4.00        | 80          | 0.56        |
| Column Set                   | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Column Set                   | Pumps                    | 1      | 4.00        | 84          | 0.74        |
| Build & Set Structure        | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Build & Set Structure        | Air Compressors          | 1      | 8.00        | 78          | 0.48        |
| Build & Set Structure        | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Build & Set Digital Displays | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Build & Set Digital Displays | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Drill Footing                | Crawler Tractors         | 1      | 0.00        | 212         | 0.43        |

**Trips and VMT**

| Phase Name                   | Offroad Equipment Count | Worker Trip Number | Vendor Trip Number | Hauling Trip Number | Worker Trip Length | Vendor Trip Length | Hauling Trip Length | Worker Vehicle Class | Vendor Vehicle Class | Hauling Vehicle Class |
|------------------------------|-------------------------|--------------------|--------------------|---------------------|--------------------|--------------------|---------------------|----------------------|----------------------|-----------------------|
| Drill Footing                | 4                       | 8.00               | 0.00               | 12.00               | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Column Set                   | 4                       | 10.00              | 0.00               | 12.00               | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Build & Set Structure        | 3                       | 10.00              | 0.00               | 8.00                | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Build & Set Digital Displays | 2                       | 10.00              | 0.00               | 8.00                | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |

**3.1 Mitigation Measures Construction**

Water Exposed Area



### 3.2 Drill Footing - 2022

#### Unmitigated Construction On-Site

|               | ROG                | NOx                | CO                 | SO2                | Fugitive PM10      | Exhaust PM10       | PM10 Total         | Fugitive PM2.5     | Exhaust PM2.5      | PM2.5 Total        | Bio- CO2      | NBio- CO2     | Total CO2     | CH4                | N2O           | CO2e          |
|---------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|---------------|---------------|---------------|--------------------|---------------|---------------|
| Category      | tons/yr            |                    |                    |                    |                    |                    |                    |                    |                    |                    | MT/yr         |               |               |                    |               |               |
| Fugitive Dust |                    |                    |                    |                    | 2.7000e-004        | 0.0000             | 2.7000e-004        | 3.0000e-005        | 0.0000             | 3.0000e-005        | 0.0000        | 0.0000        | 0.0000        | 0.0000             | 0.0000        | 0.0000        |
| Off-Road      | 2.0000e-004        | 1.8500e-003        | 2.7400e-003        | 1.0000e-005        |                    | 8.0000e-005        | 8.0000e-005        |                    | 7.0000e-005        | 7.0000e-005        | 0.0000        | 0.4627        | 0.4627        | 1.5000e-004        | 0.0000        | 0.4665        |
| <b>Total</b>  | <b>2.0000e-004</b> | <b>1.8500e-003</b> | <b>2.7400e-003</b> | <b>1.0000e-005</b> | <b>2.7000e-004</b> | <b>8.0000e-005</b> | <b>3.5000e-004</b> | <b>3.0000e-005</b> | <b>7.0000e-005</b> | <b>1.0000e-004</b> | <b>0.0000</b> | <b>0.4627</b> | <b>0.4627</b> | <b>1.5000e-004</b> | <b>0.0000</b> | <b>0.4665</b> |

#### Unmitigated Construction Off-Site

|              | ROG                | NOx                | CO                 | SO2           | Fugitive PM10      | Exhaust PM10       | PM10 Total         | Fugitive PM2.5     | Exhaust PM2.5      | PM2.5 Total        | Bio- CO2      | NBio- CO2     | Total CO2     | CH4                | N2O                | CO2e          |
|--------------|--------------------|--------------------|--------------------|---------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|---------------|---------------|---------------|--------------------|--------------------|---------------|
| Category     | tons/yr            |                    |                    |               |                    |                    |                    |                    |                    |                    | MT/yr         |               |               |                    |                    |               |
| Hauling      | 2.0000e-005        | 9.4000e-004        | 2.2000e-004        | 0.0000        | 1.0000e-004        | 1.0000e-005        | 1.1000e-004        | 3.0000e-005        | 1.0000e-005        | 4.0000e-005        | 0.0000        | 0.3573        | 0.3573        | 2.0000e-005        | 6.0000e-005        | 0.3748        |
| Vendor       | 0.0000             | 0.0000             | 0.0000             | 0.0000        | 0.0000             | 0.0000             | 0.0000             | 0.0000             | 0.0000             | 0.0000             | 0.0000        | 0.0000        | 0.0000        | 0.0000             | 0.0000             | 0.0000        |
| Worker       | 1.0000e-005        | 1.0000e-005        | 1.1000e-004        | 0.0000        | 3.0000e-005        | 0.0000             | 3.0000e-005        | 1.0000e-005        | 0.0000             | 1.0000e-005        | 0.0000        | 0.0256        | 0.0256        | 0.0000             | 0.0000             | 0.0259        |
| <b>Total</b> | <b>3.0000e-005</b> | <b>9.5000e-004</b> | <b>3.3000e-004</b> | <b>0.0000</b> | <b>1.3000e-004</b> | <b>1.0000e-005</b> | <b>1.4000e-004</b> | <b>4.0000e-005</b> | <b>1.0000e-005</b> | <b>5.0000e-005</b> | <b>0.0000</b> | <b>0.3829</b> | <b>0.3829</b> | <b>2.0000e-005</b> | <b>6.0000e-005</b> | <b>0.4006</b> |

Mitigated Construction On-Site

|               | ROG         | NOx         | CO          | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|---------------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category      | tons/yr     |             |             |             |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Fugitive Dust |             |             |             |             | 1.0000e-004   | 0.0000       | 1.0000e-004 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000 | 0.0000 |
| Off-Road      | 2.0000e-004 | 1.8500e-003 | 2.7400e-003 | 1.0000e-005 |               | 8.0000e-005  | 8.0000e-005 |                | 7.0000e-005   | 7.0000e-005 | 0.0000   | 0.4627    | 0.4627    | 1.5000e-004 | 0.0000 | 0.4665 |
| Total         | 2.0000e-004 | 1.8500e-003 | 2.7400e-003 | 1.0000e-005 | 1.0000e-004   | 8.0000e-005  | 1.8000e-004 | 1.0000e-005    | 7.0000e-005   | 8.0000e-005 | 0.0000   | 0.4627    | 0.4627    | 1.5000e-004 | 0.0000 | 0.4665 |

Mitigated Construction Off-Site

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 2.0000e-005 | 9.4000e-004 | 2.2000e-004 | 0.0000 | 1.0000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 1.0000e-005   | 4.0000e-005 | 0.0000   | 0.3573    | 0.3573    | 2.0000e-005 | 6.0000e-005 | 0.3748 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 1.0000e-005 | 1.0000e-005 | 1.1000e-004 | 0.0000 | 3.0000e-005   | 0.0000       | 3.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0256    | 0.0256    | 0.0000      | 0.0000      | 0.0259 |
| Total    | 3.0000e-005 | 9.5000e-004 | 3.3000e-004 | 0.0000 | 1.3000e-004   | 1.0000e-005  | 1.4000e-004 | 4.0000e-005    | 1.0000e-005   | 5.0000e-005 | 0.0000   | 0.3829    | 0.3829    | 2.0000e-005 | 6.0000e-005 | 0.4006 |

3.3 Column Set - 2022

Unmitigated Construction On-Site

|          | ROG         | NOx         | CO          | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |             |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 2.9000e-004 | 3.1100e-003 | 2.4300e-003 | 1.0000e-005 |               | 1.3000e-004  | 1.3000e-004 |                | 1.2000e-004   | 1.2000e-004 | 0.0000   | 0.4686    | 0.4686    | 1.1000e-004 | 0.0000 | 0.4714 |
| Total    | 2.9000e-004 | 3.1100e-003 | 2.4300e-003 | 1.0000e-005 |               | 1.3000e-004  | 1.3000e-004 |                | 1.2000e-004   | 1.2000e-004 | 0.0000   | 0.4686    | 0.4686    | 1.1000e-004 | 0.0000 | 0.4714 |

Unmitigated Construction Off-Site

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 2.0000e-005 | 9.4000e-004 | 2.2000e-004 | 0.0000 | 1.0000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 1.0000e-005   | 4.0000e-005 | 0.0000   | 0.3573    | 0.3573    | 2.0000e-005 | 6.0000e-005 | 0.3748 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 4.0000e-005 | 9.5000e-004 | 3.5000e-004 | 0.0000 | 1.4000e-004   | 1.0000e-005  | 1.5000e-004 | 4.0000e-005    | 1.0000e-005   | 5.0000e-005 | 0.0000   | 0.3893    | 0.3893    | 2.0000e-005 | 6.0000e-005 | 0.4071 |

**Mitigated Construction On-Site**

|          | ROG         | NOx         | CO          | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |             |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 2.9000e-004 | 3.1100e-003 | 2.4300e-003 | 1.0000e-005 |               | 1.3000e-004  | 1.3000e-004 |                | 1.2000e-004   | 1.2000e-004 | 0.0000   | 0.4686    | 0.4686    | 1.1000e-004 | 0.0000 | 0.4714 |
| Total    | 2.9000e-004 | 3.1100e-003 | 2.4300e-003 | 1.0000e-005 |               | 1.3000e-004  | 1.3000e-004 |                | 1.2000e-004   | 1.2000e-004 | 0.0000   | 0.4686    | 0.4686    | 1.1000e-004 | 0.0000 | 0.4714 |

**Mitigated Construction Off-Site**

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 2.0000e-005 | 9.4000e-004 | 2.2000e-004 | 0.0000 | 1.0000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 1.0000e-005   | 4.0000e-005 | 0.0000   | 0.3573    | 0.3573    | 2.0000e-005 | 6.0000e-005 | 0.3748 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 4.0000e-005 | 9.5000e-004 | 3.5000e-004 | 0.0000 | 1.4000e-004   | 1.0000e-005  | 1.5000e-004 | 4.0000e-005    | 1.0000e-005   | 5.0000e-005 | 0.0000   | 0.3893    | 0.3893    | 2.0000e-005 | 6.0000e-005 | 0.4071 |

3.4 Build & Set Structure - 2022

Unmitigated Construction On-Site

|          | ROG         | NOx         | CO          | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |             |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 3.4000e-004 | 3.3100e-003 | 2.7000e-003 | 1.0000e-005 |               | 1.5000e-004  | 1.5000e-004 |                | 1.4000e-004   | 1.4000e-004 | 0.0000   | 0.4975    | 0.4975    | 1.2000e-004 | 0.0000 | 0.5004 |
| Total    | 3.4000e-004 | 3.3100e-003 | 2.7000e-003 | 1.0000e-005 |               | 1.5000e-004  | 1.5000e-004 |                | 1.4000e-004   | 1.4000e-004 | 0.0000   | 0.4975    | 0.4975    | 1.2000e-004 | 0.0000 | 0.5004 |

Unmitigated Construction Off-Site

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 1.0000e-005 | 6.3000e-004 | 1.5000e-004 | 0.0000 | 7.0000e-005   | 1.0000e-005  | 7.0000e-005 | 2.0000e-005    | 0.0000        | 2.0000e-005 | 0.0000   | 0.2382    | 0.2382    | 2.0000e-005 | 4.0000e-005 | 0.2499 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 3.0000e-005 | 6.4000e-004 | 2.8000e-004 | 0.0000 | 1.1000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 0.0000        | 3.0000e-005 | 0.0000   | 0.2702    | 0.2702    | 2.0000e-005 | 4.0000e-005 | 0.2822 |

**Mitigated Construction On-Site**

|          | ROG         | NOx         | CO          | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |             |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 3.4000e-004 | 3.3100e-003 | 2.7000e-003 | 1.0000e-005 |               | 1.5000e-004  | 1.5000e-004 |                | 1.4000e-004   | 1.4000e-004 | 0.0000   | 0.4975    | 0.4975    | 1.2000e-004 | 0.0000 | 0.5004 |
| Total    | 3.4000e-004 | 3.3100e-003 | 2.7000e-003 | 1.0000e-005 |               | 1.5000e-004  | 1.5000e-004 |                | 1.4000e-004   | 1.4000e-004 | 0.0000   | 0.4975    | 0.4975    | 1.2000e-004 | 0.0000 | 0.5004 |

**Mitigated Construction Off-Site**

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 1.0000e-005 | 6.3000e-004 | 1.5000e-004 | 0.0000 | 7.0000e-005   | 1.0000e-005  | 7.0000e-005 | 2.0000e-005    | 0.0000        | 2.0000e-005 | 0.0000   | 0.2382    | 0.2382    | 2.0000e-005 | 4.0000e-005 | 0.2499 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 3.0000e-005 | 6.4000e-004 | 2.8000e-004 | 0.0000 | 1.1000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 0.0000        | 3.0000e-005 | 0.0000   | 0.2702    | 0.2702    | 2.0000e-005 | 4.0000e-005 | 0.2822 |

3.5 Build & Set Digital Displays - 2022

Unmitigated Construction On-Site

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 2.0000e-004 | 2.3700e-003 | 1.4900e-003 | 0.0000 |               | 9.0000e-005  | 9.0000e-005 |                | 8.0000e-005   | 8.0000e-005 | 0.0000   | 0.3272    | 0.3272    | 1.1000e-004 | 0.0000 | 0.3299 |
| Total    | 2.0000e-004 | 2.3700e-003 | 1.4900e-003 | 0.0000 |               | 9.0000e-005  | 9.0000e-005 |                | 8.0000e-005   | 8.0000e-005 | 0.0000   | 0.3272    | 0.3272    | 1.1000e-004 | 0.0000 | 0.3299 |

Unmitigated Construction Off-Site

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 1.0000e-005 | 6.3000e-004 | 1.5000e-004 | 0.0000 | 7.0000e-005   | 1.0000e-005  | 7.0000e-005 | 2.0000e-005    | 0.0000        | 2.0000e-005 | 0.0000   | 0.2382    | 0.2382    | 2.0000e-005 | 4.0000e-005 | 0.2499 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 3.0000e-005 | 6.4000e-004 | 2.8000e-004 | 0.0000 | 1.1000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 0.0000        | 3.0000e-005 | 0.0000   | 0.2702    | 0.2702    | 2.0000e-005 | 4.0000e-005 | 0.2822 |



**Mitigated Construction On-Site**

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 2.0000e-004 | 2.3700e-003 | 1.4900e-003 | 0.0000 |               | 9.0000e-005  | 9.0000e-005 |                | 8.0000e-005   | 8.0000e-005 | 0.0000   | 0.3272    | 0.3272    | 1.1000e-004 | 0.0000 | 0.3299 |
| Total    | 2.0000e-004 | 2.3700e-003 | 1.4900e-003 | 0.0000 |               | 9.0000e-005  | 9.0000e-005 |                | 8.0000e-005   | 8.0000e-005 | 0.0000   | 0.3272    | 0.3272    | 1.1000e-004 | 0.0000 | 0.3299 |

**Mitigated Construction Off-Site**

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 1.0000e-005 | 6.3000e-004 | 1.5000e-004 | 0.0000 | 7.0000e-005   | 1.0000e-005  | 7.0000e-005 | 2.0000e-005    | 0.0000        | 2.0000e-005 | 0.0000   | 0.2382    | 0.2382    | 2.0000e-005 | 4.0000e-005 | 0.2499 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 3.0000e-005 | 6.4000e-004 | 2.8000e-004 | 0.0000 | 1.1000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 0.0000        | 3.0000e-005 | 0.0000   | 0.2702    | 0.2702    | 2.0000e-005 | 4.0000e-005 | 0.2822 |

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

|             | ROG     | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|-------------|---------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| Category    | tons/yr |        |        |        |               |              |            |                |               |             | MT/yr    |           |           |        |        |        |
| Mitigated   | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Unmitigated | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

4.2 Trip Summary Information

| Land Use                | Average Daily Trip Rate |          |        | Unmitigated | Mitigated  |
|-------------------------|-------------------------|----------|--------|-------------|------------|
|                         | Weekday                 | Saturday | Sunday | Annual VMT  | Annual VMT |
| User Defined Commercial | 0.00                    | 0.00     | 0.00   |             |            |
| Total                   | 0.00                    | 0.00     | 0.00   |             |            |

4.3 Trip Type Information

| Land Use                | Miles      |            |             | Trip %     |            |             | Trip Purpose % |          |         |
|-------------------------|------------|------------|-------------|------------|------------|-------------|----------------|----------|---------|
|                         | H-W or C-W | H-S or C-C | H-O or C-NW | H-W or C-W | H-S or C-C | H-O or C-NW | Primary        | Diverted | Pass-by |
| User Defined Commercial | 9.50       | 7.30       | 7.30        | 0.00       | 0.00       | 0.00        | 0              | 0        | 0       |

4.4 Fleet Mix

| Land Use                | LDA      | LDT1     | LDT2     | MDV      | LHD1     | LHD2     | MHD      | HHD      | OBUS     | UBUS     | MCY      | SBUS     | MH     |
|-------------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|--------|
| User Defined Commercial | 0.537638 | 0.058030 | 0.174616 | 0.137192 | 0.028458 | 0.007596 | 0.011602 | 0.006026 | 0.000704 | 0.000394 | 0.029425 | 0.000660 | 0.0076 |

[illegible]

### Unmitigated

[illegible]

Mitigated

|                         | NaturalGas Use | ROG     | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|-------------------------|----------------|---------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| Land Use                | kBTU/yr        | tons/yr |        |        |        |               |              |            |                |               |             | MT/yr    |           |           |        |        |        |
| User Defined Commercial | 0              | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                   |                | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

5.3 Energy by Land Use - Electricity

Unmitigated

|                         | Electricity Use | Total CO2 | CH4         | N2O         | CO2e   |
|-------------------------|-----------------|-----------|-------------|-------------|--------|
| Land Use                | kWh/yr          | MT/yr     |             |             |        |
| User Defined Commercial | 54000           | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |
| Total                   |                 | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |

Mitigated

|                         | Electricity Use | Total CO2 | CH4         | N2O         | CO2e   |
|-------------------------|-----------------|-----------|-------------|-------------|--------|
| Land Use                | kWh/yr          | MT/yr     |             |             |        |
| User Defined Commercial | 54000           | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |
| Total                   |                 | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |

## 6.0 Area Detail

## 6.1 Mitigation Measures Area

[illegible]

## 6.2 Area by SubCategory

### Unmitigated

[illegible]

Mitigated

|                       | ROG     | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|-----------------------|---------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| SubCategory           | tons/yr |        |        |        |               |              |            |                |               |             | MT/yr    |           |           |        |        |        |
| Architectural Coating | 0.0000  |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Consumer Products     | 0.0000  |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Landscaping           | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                 | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

7.0 Water Detail

7.1 Mitigation Measures Water

|             | Total CO2 | CH4    | N2O    | CO2e   |
|-------------|-----------|--------|--------|--------|
| Category    | MT/yr     |        |        |        |
| Mitigated   | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Unmitigated | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

7.2 Water by Land Use

Unmitigated

|                         |       |           |        |        |        |
|-------------------------|-------|-----------|--------|--------|--------|
| Indoor/Outdoor Use      |       | Total CO2 | CH4    | N2O    | CO2e   |
| Land Use                | Mgal  | MT/yr     |        |        |        |
| User Defined Commercial | 0 / 0 | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                   |       | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

Mitigated

|                         |       |           |        |        |        |
|-------------------------|-------|-----------|--------|--------|--------|
| Indoor/Outdoor Use      |       | Total CO2 | CH4    | N2O    | CO2e   |
| Land Use                | Mgal  | MT/yr     |        |        |        |
| User Defined Commercial | 0 / 0 | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                   |       | 0.0000    | 0.0000 | 0.0000 | 0.0000 |



8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

|             |           |        |        |        |
|-------------|-----------|--------|--------|--------|
|             | Total CO2 | CH4    | N2O    | CO2e   |
|             | MT/yr     |        |        |        |
| Mitigated   | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Unmitigated | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

8.2 Waste by Land Use

Unmitigated

|                         |                |           |        |        |        |
|-------------------------|----------------|-----------|--------|--------|--------|
|                         | Waste Disposed | Total CO2 | CH4    | N2O    | CO2e   |
| Land Use                | tons           | MT/yr     |        |        |        |
| User Defined Commercial | 0              | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                   |                | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

Mitigated

|                         |                |           |        |        |        |
|-------------------------|----------------|-----------|--------|--------|--------|
|                         | Waste Disposed | Total CO2 | CH4    | N2O    | CO2e   |
| Land Use                | tons           | MT/yr     |        |        |        |
| User Defined Commercial | 0              | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                   |                | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

9.0 Operational Offroad

|                |        |           |           |             |             |           |
|----------------|--------|-----------|-----------|-------------|-------------|-----------|
| Equipment Type | Number | Hours/Day | Days/Year | Horse Power | Load Factor | Fuel Type |
|----------------|--------|-----------|-----------|-------------|-------------|-----------|

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

|                |        |           |            |             |             |           |
|----------------|--------|-----------|------------|-------------|-------------|-----------|
| Equipment Type | Number | Hours/Day | Hours/Year | Horse Power | Load Factor | Fuel Type |
|----------------|--------|-----------|------------|-------------|-------------|-----------|

Boilers

|                |        |                |                 |               |           |
|----------------|--------|----------------|-----------------|---------------|-----------|
| Equipment Type | Number | Heat Input/Day | Heat Input/Year | Boiler Rating | Fuel Type |
|----------------|--------|----------------|-----------------|---------------|-----------|

User Defined Equipment

|                |        |
|----------------|--------|
| Equipment Type | Number |
|----------------|--------|

11.0 Vegetation



# Appendix G

## **Energy Assumptions and Data**





Riverpark Boulevard Electronic Billboard MND  
Energy Assumptions and Data

Location: Oxnard, Ventura County CA  
CEC Forecasting Climate Zone: 8  
Utility: SCE

Construction Schedule

| Phase                                  | Start Date | Completion Date | Work Days | Notes                                                           | Total Haul Trucks - round trip |
|----------------------------------------|------------|-----------------|-----------|-----------------------------------------------------------------|--------------------------------|
| Drill Footing / Haul & Disposal Dirt   | 6/6/2022   | 6/7/2022        | 1         | 1 flat-bed truck<br>5 super 10 dump                             | 6                              |
| Column Set / Concrete Pour             | 6/6/2022   | 6/7/2022        | 1         | 4 concrete mixing trucks<br>90 ton crane<br>hireach crane truck | 6                              |
| Set Top Column / Build & Set Structure | 6/8/2022   | 6/8/2022        | 1         | 2 48ft flatbed trailer<br>275 ton crane<br>hireach crane truck  | 4                              |
| Build & Set Digital Displays           | 6/9/2022   | 6/9/2022        | 1         | 2 48ft flatbed trailer<br>90 ton crane<br>hireach crane truck   | 4                              |

Construction Trips

| Phase                                  | # Workers/Day <sup>1</sup> | # Worker Trips/Day (one-way) <sup>2</sup> | # Vendor Trips/Day (one-way) | # Haul Truck Trips Total |
|----------------------------------------|----------------------------|-------------------------------------------|------------------------------|--------------------------|
| Drill Footing / Haul & Disposal Dirt   | 4                          | 8                                         | 0                            | 12                       |
| Column Set / Concrete Pour             | 5                          | 10                                        | 0                            | 12                       |
| Set Top Column / Build & Set Structure | 5                          | 10                                        | 0                            | 8                        |
| Build & Set Digital Displays           | 5                          | 10                                        | 0                            | 8                        |

Construction By SubPhase

| Phase                                  | Equipment Type     | # | Engine hp | Hrs/day |
|----------------------------------------|--------------------|---|-----------|---------|
| Drill Footing / Haul & Disposal Dirt   |                    |   |           |         |
|                                        | Excavators         | 1 | 188       | 8       |
|                                        | Skid Steer Loaders | 1 | 405       | 8       |
|                                        | Off-Highway Truck  | 1 | 75        | 2       |
| Column Set / Concrete Pour             |                    |   |           |         |
|                                        | Aerial Lift        | 1 | 63        | 8       |
|                                        | Crane              | 1 | 231       | 8       |
|                                        | Concrete Mixer*    | 1 | 80        | 4       |
|                                        | Concrete Pump      | 1 | 84        | 4       |
| Set Top Column / Build & Set Structure |                    |   |           |         |
|                                        | Aerial Lift        | 1 | 63        | 8       |
|                                        | Crane              | 1 | 231       | 8       |
|                                        | Air Compressor     | 1 | 78        | 8       |
| Build & Set Digital Displays           |                    |   |           |         |
|                                        | Aerial Lift        | 1 | 63        | 8       |
|                                        | Crane              | 2 | 231       | 8       |

All Equipment specified as part of typical construction equipment phasing for projects  
CalEEmod default horsepower and load defaults typical of construction equipment with exception noted below.  
\*Concrete Mixer included to include Hydraulic pump for truck mounted mixer utilizing Power Take-Off mode of concrete trucks during unloading/delivery (1 hr per truck)



| Construction Phase           | Equipment                | Number | Hours/Day | HP  | Load | Days | Total hp-hr |
|------------------------------|--------------------------|--------|-----------|-----|------|------|-------------|
| Drill Footing                | Excavators               | 1      | 8         | 158 | 0.38 | 1    | 480         |
| Drill Footing                | Off-Highway Trucks       | 1      | 2         | 402 | 0.38 | 1    | 306         |
| Drill Footing                | Skid Steer Loaders       | 1      | 8         | 65  | 0.37 | 1    | 192         |
| Column Set                   | Aerial Lifts             | 1      | 8         | 63  | 0.31 | 1    | 156         |
| Column Set                   | Cement and Mortar Mixers | 1      | 4         | 80  | 0.56 | 1    | 179         |
| Column Set                   | Cranes                   | 1      | 8         | 231 | 0.29 | 1    | 536         |
| Column Set                   | Pumps                    | 1      | 4         | 84  | 0.74 | 1    | 249         |
| Build & Set Structure        | Aerial Lifts             | 1      | 8         | 63  | 0.31 | 1    | 156         |
| Build & Set Structure        | Air Compressors          | 1      | 8         | 78  | 0.48 | 1    | 300         |
| Build & Set Structure        | Cranes                   | 1      | 8         | 231 | 0.29 | 1    | 536         |
| Build & Set Digital Displays | Aerial Lifts             | 1      | 8         | 63  | 0.31 | 1    | 156         |
| Build & Set Digital Displays | Cranes                   | 1      | 8         | 231 | 0.29 | 1    | 536         |
| Total >100                   |                          |        |           |     |      |      | 2,394       |
| Total <100                   |                          |        |           |     |      |      | 1,388       |

Oxnard Buildboard Ordinance MND  
Construction Energy Analysis

| Off-Road Equipment                |        |                  |              |             |                     |              |                            |                                  |                             |
|-----------------------------------|--------|------------------|--------------|-------------|---------------------|--------------|----------------------------|----------------------------------|-----------------------------|
| Construction Phase<br>& Trip Type |        | Vehicle<br>Class | Vehicle Fuel | Trip Number | Trip Length<br>(mi) | Total<br>VMT | Phase Emissions<br>CO2(MT) | Fuel Equivalency<br>(MT CO2/gal) | Fuel Consumption<br>Gallons |
| Drill Footing                     |        |                  |              |             |                     |              |                            |                                  |                             |
|                                   | Worker | HHDT             | Diesel       | 12          | 20                  | 240          | 0.357                      | 10.181E-03                       | 35.10                       |
|                                   | Vendor | HHDT             | Diesel       | 0           | 7.3                 | 0            | 0.000                      | 10.180E-03                       | 0.00                        |
|                                   | Haul   | LDA_Mix          | Gasoline     | 8           | 10.8                | 86.4         | 0.026                      | 8.887E-03                        | 2.88                        |
| Column Set                        |        |                  |              |             |                     |              |                            |                                  |                             |
|                                   | Worker | HHDT             | Diesel       | 12          | 20                  | 240          | 0.357                      | 10.181E-03                       | 35.10                       |
|                                   | Vendor | HHDT             | Diesel       | 0           | 7.3                 | 0            | 0.000                      | 10.180E-03                       | 0.00                        |
|                                   | Haul   | LDA_Mix          | Gasoline     | 10          | 10.8                | 108          | 0.032                      | 8.887E-03                        | 3.60                        |
| Build & Set Structure             |        |                  |              |             |                     |              |                            |                                  |                             |
|                                   | Worker | HHDT             | Diesel       | 8           | 20                  | 160          | 0.238                      | 10.181E-03                       | 23.40                       |
|                                   | Vendor | HHDT             | Diesel       | 0           | 7.3                 | 0            | 0.000                      | 10.180E-03                       | 0.00                        |
|                                   | Haul   | LDA_Mix          | Gasoline     | 10          | 10.8                | 108          | 0.032                      | 8.887E-03                        | 3.60                        |
| Build & Set Digital Displays      |        |                  |              |             |                     |              |                            |                                  |                             |
|                                   | Worker | HHDT             | Diesel       | 8           | 20                  | 160          | 0.238                      | 10.181E-03                       | 23.40                       |
|                                   | Vendor | HHDT             | Diesel       | 0           | 7.3                 | 0            | 0.000                      | 10.180E-03                       | 0.00                        |
|                                   | Haul   | LDA_Mix          | Gasoline     | 10          | 10.8                | 108          | 0.032                      | 8.887E-03                        | 3.60                        |
|                                   |        |                  |              |             |                     |              |                            | Diesel                           | 117.0                       |
|                                   |        |                  |              |             |                     |              |                            | Gasoline                         | 13.7                        |

Calculated CalEEMod CO2e emissions include EMFAC estimate emissions from start and idle modes as well as running mode fuel consumption based on fuel equivalencies to determine total fuel consumption including these modes.

Fuel Equivalency Factors (US EPA, IPCC)  
<https://www.epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references>  
[IPCC \(2006\). 2006 IPCC Guidelines for National Greenhouse Gas Inventories. Volume 2 \(Energy\). Intergovernmental Panel on Climate Change, Geneva, Switzerland](#)  
Gasoline = 8.887 × 10-3 metric tons CO2/gallon of gasoline  
Diesel =10.180 x 10-3 metric tons CO2/gallon of diesel

## Oxnard Billboard MND - Ventura County, Annual

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied****Oxnard Billboard MND****Ventura County, Annual****1.0 Project Characteristics****1.1 Land Usage**

| Land Uses               | Size | Metric            | Lot Acreage | Floor Surface Area | Population |
|-------------------------|------|-------------------|-------------|--------------------|------------|
| User Defined Commercial | 1.00 | User Defined Unit | 0.25        | 1.00               | 0          |

**1.2 Other Project Characteristics**

|                                |                            |                                |       |                                  |       |
|--------------------------------|----------------------------|--------------------------------|-------|----------------------------------|-------|
| <b>Urbanization</b>            | Urban                      | <b>Wind Speed (m/s)</b>        | 2.6   | <b>Precipitation Freq (Days)</b> | 31    |
| <b>Climate Zone</b>            | 8                          |                                |       | <b>Operational Year</b>          | 2022  |
| <b>Utility Company</b>         | Southern California Edison |                                |       |                                  |       |
| <b>CO2 Intensity (lb/MWhr)</b> | 390.98                     | <b>CH4 Intensity (lb/MWhr)</b> | 0.033 | <b>N2O Intensity (lb/MWhr)</b>   | 0.004 |

**1.3 User Entered Comments & Non-Default Data**

Project Characteristics - Oxnard Billboard Ordinance - MND - Typical Installation

Land Use - Default Lot size of 11,000 sq ft (Range: 1,000 - 15,000)

Sq Ft = 1 is a unity rate for 1 Billboard for Operational Energy

Construction Phase - From Billboard Installation Schedule

1 Day for each phase. (5-7 days between Column Set and Build)

Off-road Equipment - Typical Construction Eqpt

Off-road Equipment - From Installation Schedule

Off-road Equipment - Truck Mounted Cement Mixer 80 HP for typical 10 CY Concrete Mixing Truck - uses Power Take-off from Truck Engine

-runs continuously during Unloading (1 hr per truck)

Off-road Equipment - Off-Highway Trucks included to include On-site Maneuvering and Idle time for Dump Trucks; Crawler Tractor included (but set to 0) to activate fugitive dust calcs

Trips and VMT - Haul Trips for Column Set based on Pieces of Eqpt (4) using CalEEMod methodology =  $4 \times 1.25 = 5$

Build & Set Structures and Displays also assume 5 workers per day

Grading - Fugitive dust emissions

Vehicle Emission Factors -

Vehicle Emission Factors -

Vehicle Emission Factors -

Consumer Products - No Consumer Products used as part of Operations

Area Coating - No Coatings

Landscape Equipment - No Landscape Operations

Energy Use - 54,000 kw-hr per year Avg Billboard Energy Usage

| Table Name            | Column Name                  | Default Value | New Value        |
|-----------------------|------------------------------|---------------|------------------|
| tblAreaCoating        | Area_Nonresidential_Exterior | 1             | 0                |
| tblAreaCoating        | Area_Nonresidential_Interior | 2             | 0                |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 2.00          | 1.00             |
| tblConsumerProducts   | ROG_EF                       | 2.14E-05      | 0                |
| tblEnergyUse          | T24E                         | 0.00          | 54,000.00        |
| tblGrading            | AcresOfGrading               | 0.00          | 0.50             |
| tblLandscapeEquipment | NumberSummerDays             | 180           | 0                |
| tblLandUse            | LandUseSquareFeet            | 0.00          | 1.00             |
| tblLandUse            | LotAcreage                   | 0.00          | 0.25             |
| tblOffRoadEquipment   | HorsePower                   | 9.00          | 80.00            |
| tblOffRoadEquipment   | LoadFactor                   | 0.43          | 0.43             |
| tblOffRoadEquipment   | OffRoadEquipmentType         |               | Crawler Tractors |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 12.00            |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 12.00            |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 8.00             |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 8.00             |
| tblTripsAndVMT        | WorkerTripNumber             | 10.00         | 8.00             |
| tblTripsAndVMT        | WorkerTripNumber             | 0.00          | 10.00            |
| tblTripsAndVMT        | WorkerTripNumber             | 0.00          | 10.00            |

|                |                  |      |       |
|----------------|------------------|------|-------|
| tblTripsAndVMT | WorkerTripNumber | 0.00 | 10.00 |
|----------------|------------------|------|-------|

2.0 Emissions Summary

2.1 Overall Construction

Unmitigated Construction

|         | ROG         | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|---------|-------------|--------|--------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Year    | tons/yr     |        |        |             |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| 2022    | 1.1700e-003 | 0.0138 | 0.0106 | 3.0000e-005 | 7.6000e-004   | 4.7000e-004  | 1.2400e-003 | 1.6000e-004    | 4.4000e-004   | 6.1000e-004 | 0.0000   | 3.0685    | 3.0685    | 5.7000e-004 | 1.9000e-004 | 3.1402 |
| Maximum | 1.1700e-003 | 0.0138 | 0.0106 | 3.0000e-005 | 7.6000e-004   | 4.7000e-004  | 1.2400e-003 | 1.6000e-004    | 4.4000e-004   | 6.1000e-004 | 0.0000   | 3.0685    | 3.0685    | 5.7000e-004 | 1.9000e-004 | 3.1402 |

Mitigated Construction

|         | ROG         | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|---------|-------------|--------|--------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Year    | tons/yr     |        |        |             |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| 2022    | 1.1700e-003 | 0.0138 | 0.0106 | 3.0000e-005 | 6.0000e-004   | 4.7000e-004  | 1.0700e-003 | 1.5000e-004    | 4.4000e-004   | 5.9000e-004 | 0.0000   | 3.0685    | 3.0685    | 5.7000e-004 | 1.9000e-004 | 3.1402 |
| Maximum | 1.1700e-003 | 0.0138 | 0.0106 | 3.0000e-005 | 6.0000e-004   | 4.7000e-004  | 1.0700e-003 | 1.5000e-004    | 4.4000e-004   | 5.9000e-004 | 0.0000   | 3.0685    | 3.0685    | 5.7000e-004 | 1.9000e-004 | 3.1402 |

|                   | ROG  | NOx  | CO   | SO2  | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio-CO2 | Total CO2 | CH4  | N2O  | CO2e |
|-------------------|------|------|------|------|---------------|--------------|------------|----------------|---------------|-------------|----------|----------|-----------|------|------|------|
| Percent Reduction | 0.00 | 0.00 | 0.00 | 0.00 | 21.05         | 0.00         | 13.71      | 6.25           | 0.00          | 3.28        | 0.00     | 0.00     | 0.00      | 0.00 | 0.00 | 0.00 |

| Quarter | Start Date | End Date | Maximum Unmitigated ROG + NOX (tons/quarter) | Maximum Mitigated ROG + NOX (tons/quarter) |
|---------|------------|----------|----------------------------------------------|--------------------------------------------|
| 1       | 6-6-2022   | 9-5-2022 | 0.0054                                       | 0.0054                                     |
|         |            | Highest  | 0.0054                                       | 0.0054                                     |

2.2 Overall Operational  
Unmitigated Operational

|          | ROG     | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|---------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr |        |        |        |               |              |            |                |               |             | MT/yr    |           |           |             |             |        |
| Area     | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Energy   | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 9.5767    | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |
| Mobile   | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Waste    |         |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Water    |         |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Total    | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 9.5767    | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |

**Mitigated Operational**

|          | ROG     | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|---------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr |        |        |        |               |              |            |                |               |             | MT/yr    |           |           |             |             |        |
| Area     | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Energy   | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 9.5767    | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |
| Mobile   | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Waste    |         |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Water    |         |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Total    | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 9.5767    | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |

|                   | ROG  | NOx  | CO   | SO2  | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio-CO2 | Total CO2 | CH4  | N2O  | CO2e |
|-------------------|------|------|------|------|---------------|--------------|------------|----------------|---------------|-------------|----------|----------|-----------|------|------|------|
| Percent Reduction | 0.00 | 0.00 | 0.00 | 0.00 | 0.00          | 0.00         | 0.00       | 0.00           | 0.00          | 0.00        | 0.00     | 0.00     | 0.00      | 0.00 | 0.00 | 0.00 |

**3.0 Construction Detail**

**Construction Phase**

| Phase Number | Phase Name                   | Phase Type            | Start Date | End Date | Num Days Week | Num Days | Phase Description                      |
|--------------|------------------------------|-----------------------|------------|----------|---------------|----------|----------------------------------------|
| 1            | Drill Footing                | Grading               | 6/1/2022   | 6/1/2022 | 5             | 1        | Drill Footing / Haul & Disposal Dirt   |
| 2            | Column Set                   | Building Construction | 6/2/2022   | 6/2/2022 | 5             | 1        | Column Set/Concrete Pour               |
| 3            | Build & Set Structure        | Building Construction | 6/7/2022   | 6/7/2022 | 5             | 1        | Set Top Column / Build & Set Structure |
| 4            | Build & Set Digital Displays | Building Construction | 6/8/2022   | 6/8/2022 | 5             | 1        | Build & Set Digital Displays           |

**Acres of Grading (Site Preparation Phase): 0**

**Acres of Grading (Grading Phase): 0.5**

**Acres of Paving: 0**

**Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating –**



**OffRoad Equipment**

| Phase Name                   | Offroad Equipment Type   | Amount | Usage Hours | Horse Power | Load Factor |
|------------------------------|--------------------------|--------|-------------|-------------|-------------|
| Drill Footing                | Excavators               | 1      | 8.00        | 158         | 0.38        |
| Drill Footing                | Off-Highway Trucks       | 1      | 2.00        | 402         | 0.38        |
| Drill Footing                | Skid Steer Loaders       | 1      | 8.00        | 65          | 0.37        |
| Column Set                   | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Column Set                   | Cement and Mortar Mixers | 1      | 4.00        | 80          | 0.56        |
| Column Set                   | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Column Set                   | Pumps                    | 1      | 4.00        | 84          | 0.74        |
| Build & Set Structure        | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Build & Set Structure        | Air Compressors          | 1      | 8.00        | 78          | 0.48        |
| Build & Set Structure        | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Build & Set Digital Displays | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Build & Set Digital Displays | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Drill Footing                | Crawler Tractors         | 1      | 0.00        | 212         | 0.43        |

**Trips and VMT**

| Phase Name                   | Offroad Equipment Count | Worker Trip Number | Vendor Trip Number | Hauling Trip Number | Worker Trip Length | Vendor Trip Length | Hauling Trip Length | Worker Vehicle Class | Vendor Vehicle Class | Hauling Vehicle Class |
|------------------------------|-------------------------|--------------------|--------------------|---------------------|--------------------|--------------------|---------------------|----------------------|----------------------|-----------------------|
| Drill Footing                | 4                       | 8.00               | 0.00               | 12.00               | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Column Set                   | 4                       | 10.00              | 0.00               | 12.00               | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Build & Set Structure        | 3                       | 10.00              | 0.00               | 8.00                | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Build & Set Digital Displays | 2                       | 10.00              | 0.00               | 8.00                | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |

**3.1 Mitigation Measures Construction**

Water Exposed Area

### 3.2 Drill Footing - 2022

#### Unmitigated Construction On-Site

|               | ROG                | NOx                | CO                 | SO2                | Fugitive PM10      | Exhaust PM10       | PM10 Total         | Fugitive PM2.5     | Exhaust PM2.5      | PM2.5 Total        | Bio- CO2      | NBio- CO2     | Total CO2     | CH4                | N2O           | CO2e          |
|---------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|---------------|---------------|---------------|--------------------|---------------|---------------|
| Category      | tons/yr            |                    |                    |                    |                    |                    |                    |                    |                    |                    | MT/yr         |               |               |                    |               |               |
| Fugitive Dust |                    |                    |                    |                    | 2.7000e-004        | 0.0000             | 2.7000e-004        | 3.0000e-005        | 0.0000             | 3.0000e-005        | 0.0000        | 0.0000        | 0.0000        | 0.0000             | 0.0000        | 0.0000        |
| Off-Road      | 2.0000e-004        | 1.8500e-003        | 2.7400e-003        | 1.0000e-005        |                    | 8.0000e-005        | 8.0000e-005        |                    | 7.0000e-005        | 7.0000e-005        | 0.0000        | 0.4627        | 0.4627        | 1.5000e-004        | 0.0000        | 0.4665        |
| <b>Total</b>  | <b>2.0000e-004</b> | <b>1.8500e-003</b> | <b>2.7400e-003</b> | <b>1.0000e-005</b> | <b>2.7000e-004</b> | <b>8.0000e-005</b> | <b>3.5000e-004</b> | <b>3.0000e-005</b> | <b>7.0000e-005</b> | <b>1.0000e-004</b> | <b>0.0000</b> | <b>0.4627</b> | <b>0.4627</b> | <b>1.5000e-004</b> | <b>0.0000</b> | <b>0.4665</b> |

#### Unmitigated Construction Off-Site

|              | ROG                | NOx                | CO                 | SO2           | Fugitive PM10      | Exhaust PM10       | PM10 Total         | Fugitive PM2.5     | Exhaust PM2.5      | PM2.5 Total        | Bio- CO2      | NBio- CO2     | Total CO2     | CH4                | N2O                | CO2e          |
|--------------|--------------------|--------------------|--------------------|---------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|---------------|---------------|---------------|--------------------|--------------------|---------------|
| Category     | tons/yr            |                    |                    |               |                    |                    |                    |                    |                    |                    | MT/yr         |               |               |                    |                    |               |
| Hauling      | 2.0000e-005        | 9.4000e-004        | 2.2000e-004        | 0.0000        | 1.0000e-004        | 1.0000e-005        | 1.1000e-004        | 3.0000e-005        | 1.0000e-005        | 4.0000e-005        | 0.0000        | 0.3573        | 0.3573        | 2.0000e-005        | 6.0000e-005        | 0.3748        |
| Vendor       | 0.0000             | 0.0000             | 0.0000             | 0.0000        | 0.0000             | 0.0000             | 0.0000             | 0.0000             | 0.0000             | 0.0000             | 0.0000        | 0.0000        | 0.0000        | 0.0000             | 0.0000             | 0.0000        |
| Worker       | 1.0000e-005        | 1.0000e-005        | 1.1000e-004        | 0.0000        | 3.0000e-005        | 0.0000             | 3.0000e-005        | 1.0000e-005        | 0.0000             | 1.0000e-005        | 0.0000        | 0.0256        | 0.0256        | 0.0000             | 0.0000             | 0.0259        |
| <b>Total</b> | <b>3.0000e-005</b> | <b>9.5000e-004</b> | <b>3.3000e-004</b> | <b>0.0000</b> | <b>1.3000e-004</b> | <b>1.0000e-005</b> | <b>1.4000e-004</b> | <b>4.0000e-005</b> | <b>1.0000e-005</b> | <b>5.0000e-005</b> | <b>0.0000</b> | <b>0.3829</b> | <b>0.3829</b> | <b>2.0000e-005</b> | <b>6.0000e-005</b> | <b>0.4006</b> |

Mitigated Construction On-Site

|               | ROG         | NOx         | CO          | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|---------------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category      | tons/yr     |             |             |             |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Fugitive Dust |             |             |             |             | 1.0000e-004   | 0.0000       | 1.0000e-004 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000 | 0.0000 |
| Off-Road      | 2.0000e-004 | 1.8500e-003 | 2.7400e-003 | 1.0000e-005 |               | 8.0000e-005  | 8.0000e-005 |                | 7.0000e-005   | 7.0000e-005 | 0.0000   | 0.4627    | 0.4627    | 1.5000e-004 | 0.0000 | 0.4665 |
| Total         | 2.0000e-004 | 1.8500e-003 | 2.7400e-003 | 1.0000e-005 | 1.0000e-004   | 8.0000e-005  | 1.8000e-004 | 1.0000e-005    | 7.0000e-005   | 8.0000e-005 | 0.0000   | 0.4627    | 0.4627    | 1.5000e-004 | 0.0000 | 0.4665 |

Mitigated Construction Off-Site

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 2.0000e-005 | 9.4000e-004 | 2.2000e-004 | 0.0000 | 1.0000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 1.0000e-005   | 4.0000e-005 | 0.0000   | 0.3573    | 0.3573    | 2.0000e-005 | 6.0000e-005 | 0.3748 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 1.0000e-005 | 1.0000e-005 | 1.1000e-004 | 0.0000 | 3.0000e-005   | 0.0000       | 3.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0256    | 0.0256    | 0.0000      | 0.0000      | 0.0259 |
| Total    | 3.0000e-005 | 9.5000e-004 | 3.3000e-004 | 0.0000 | 1.3000e-004   | 1.0000e-005  | 1.4000e-004 | 4.0000e-005    | 1.0000e-005   | 5.0000e-005 | 0.0000   | 0.3829    | 0.3829    | 2.0000e-005 | 6.0000e-005 | 0.4006 |

3.3 Column Set - 2022

Unmitigated Construction On-Site

|          | ROG         | NOx         | CO          | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |             |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 2.9000e-004 | 3.1100e-003 | 2.4300e-003 | 1.0000e-005 |               | 1.3000e-004  | 1.3000e-004 |                | 1.2000e-004   | 1.2000e-004 | 0.0000   | 0.4686    | 0.4686    | 1.1000e-004 | 0.0000 | 0.4714 |
| Total    | 2.9000e-004 | 3.1100e-003 | 2.4300e-003 | 1.0000e-005 |               | 1.3000e-004  | 1.3000e-004 |                | 1.2000e-004   | 1.2000e-004 | 0.0000   | 0.4686    | 0.4686    | 1.1000e-004 | 0.0000 | 0.4714 |

Unmitigated Construction Off-Site

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 2.0000e-005 | 9.4000e-004 | 2.2000e-004 | 0.0000 | 1.0000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 1.0000e-005   | 4.0000e-005 | 0.0000   | 0.3573    | 0.3573    | 2.0000e-005 | 6.0000e-005 | 0.3748 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 4.0000e-005 | 9.5000e-004 | 3.5000e-004 | 0.0000 | 1.4000e-004   | 1.0000e-005  | 1.5000e-004 | 4.0000e-005    | 1.0000e-005   | 5.0000e-005 | 0.0000   | 0.3893    | 0.3893    | 2.0000e-005 | 6.0000e-005 | 0.4071 |

**Mitigated Construction On-Site**

|          | ROG         | NOx         | CO          | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |             |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 2.9000e-004 | 3.1100e-003 | 2.4300e-003 | 1.0000e-005 |               | 1.3000e-004  | 1.3000e-004 |                | 1.2000e-004   | 1.2000e-004 | 0.0000   | 0.4686    | 0.4686    | 1.1000e-004 | 0.0000 | 0.4714 |
| Total    | 2.9000e-004 | 3.1100e-003 | 2.4300e-003 | 1.0000e-005 |               | 1.3000e-004  | 1.3000e-004 |                | 1.2000e-004   | 1.2000e-004 | 0.0000   | 0.4686    | 0.4686    | 1.1000e-004 | 0.0000 | 0.4714 |

**Mitigated Construction Off-Site**

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 2.0000e-005 | 9.4000e-004 | 2.2000e-004 | 0.0000 | 1.0000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 1.0000e-005   | 4.0000e-005 | 0.0000   | 0.3573    | 0.3573    | 2.0000e-005 | 6.0000e-005 | 0.3748 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 4.0000e-005 | 9.5000e-004 | 3.5000e-004 | 0.0000 | 1.4000e-004   | 1.0000e-005  | 1.5000e-004 | 4.0000e-005    | 1.0000e-005   | 5.0000e-005 | 0.0000   | 0.3893    | 0.3893    | 2.0000e-005 | 6.0000e-005 | 0.4071 |

3.4 Build & Set Structure - 2022

Unmitigated Construction On-Site

|          | ROG         | NOx         | CO          | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |             |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 3.4000e-004 | 3.3100e-003 | 2.7000e-003 | 1.0000e-005 |               | 1.5000e-004  | 1.5000e-004 |                | 1.4000e-004   | 1.4000e-004 | 0.0000   | 0.4975    | 0.4975    | 1.2000e-004 | 0.0000 | 0.5004 |
| Total    | 3.4000e-004 | 3.3100e-003 | 2.7000e-003 | 1.0000e-005 |               | 1.5000e-004  | 1.5000e-004 |                | 1.4000e-004   | 1.4000e-004 | 0.0000   | 0.4975    | 0.4975    | 1.2000e-004 | 0.0000 | 0.5004 |

Unmitigated Construction Off-Site

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 1.0000e-005 | 6.3000e-004 | 1.5000e-004 | 0.0000 | 7.0000e-005   | 1.0000e-005  | 7.0000e-005 | 2.0000e-005    | 0.0000        | 2.0000e-005 | 0.0000   | 0.2382    | 0.2382    | 2.0000e-005 | 4.0000e-005 | 0.2499 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 3.0000e-005 | 6.4000e-004 | 2.8000e-004 | 0.0000 | 1.1000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 0.0000        | 3.0000e-005 | 0.0000   | 0.2702    | 0.2702    | 2.0000e-005 | 4.0000e-005 | 0.2822 |

**Mitigated Construction On-Site**

|          | ROG         | NOx         | CO          | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |             |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 3.4000e-004 | 3.3100e-003 | 2.7000e-003 | 1.0000e-005 |               | 1.5000e-004  | 1.5000e-004 |                | 1.4000e-004   | 1.4000e-004 | 0.0000   | 0.4975    | 0.4975    | 1.2000e-004 | 0.0000 | 0.5004 |
| Total    | 3.4000e-004 | 3.3100e-003 | 2.7000e-003 | 1.0000e-005 |               | 1.5000e-004  | 1.5000e-004 |                | 1.4000e-004   | 1.4000e-004 | 0.0000   | 0.4975    | 0.4975    | 1.2000e-004 | 0.0000 | 0.5004 |

**Mitigated Construction Off-Site**

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 1.0000e-005 | 6.3000e-004 | 1.5000e-004 | 0.0000 | 7.0000e-005   | 1.0000e-005  | 7.0000e-005 | 2.0000e-005    | 0.0000        | 2.0000e-005 | 0.0000   | 0.2382    | 0.2382    | 2.0000e-005 | 4.0000e-005 | 0.2499 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 3.0000e-005 | 6.4000e-004 | 2.8000e-004 | 0.0000 | 1.1000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 0.0000        | 3.0000e-005 | 0.0000   | 0.2702    | 0.2702    | 2.0000e-005 | 4.0000e-005 | 0.2822 |



3.5 Build & Set Digital Displays - 2022

Unmitigated Construction On-Site

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 2.0000e-004 | 2.3700e-003 | 1.4900e-003 | 0.0000 |               | 9.0000e-005  | 9.0000e-005 |                | 8.0000e-005   | 8.0000e-005 | 0.0000   | 0.3272    | 0.3272    | 1.1000e-004 | 0.0000 | 0.3299 |
| Total    | 2.0000e-004 | 2.3700e-003 | 1.4900e-003 | 0.0000 |               | 9.0000e-005  | 9.0000e-005 |                | 8.0000e-005   | 8.0000e-005 | 0.0000   | 0.3272    | 0.3272    | 1.1000e-004 | 0.0000 | 0.3299 |

Unmitigated Construction Off-Site

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 1.0000e-005 | 6.3000e-004 | 1.5000e-004 | 0.0000 | 7.0000e-005   | 1.0000e-005  | 7.0000e-005 | 2.0000e-005    | 0.0000        | 2.0000e-005 | 0.0000   | 0.2382    | 0.2382    | 2.0000e-005 | 4.0000e-005 | 0.2499 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 3.0000e-005 | 6.4000e-004 | 2.8000e-004 | 0.0000 | 1.1000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 0.0000        | 3.0000e-005 | 0.0000   | 0.2702    | 0.2702    | 2.0000e-005 | 4.0000e-005 | 0.2822 |

**Mitigated Construction On-Site**

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 2.0000e-004 | 2.3700e-003 | 1.4900e-003 | 0.0000 |               | 9.0000e-005  | 9.0000e-005 |                | 8.0000e-005   | 8.0000e-005 | 0.0000   | 0.3272    | 0.3272    | 1.1000e-004 | 0.0000 | 0.3299 |
| Total    | 2.0000e-004 | 2.3700e-003 | 1.4900e-003 | 0.0000 |               | 9.0000e-005  | 9.0000e-005 |                | 8.0000e-005   | 8.0000e-005 | 0.0000   | 0.3272    | 0.3272    | 1.1000e-004 | 0.0000 | 0.3299 |

**Mitigated Construction Off-Site**

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 1.0000e-005 | 6.3000e-004 | 1.5000e-004 | 0.0000 | 7.0000e-005   | 1.0000e-005  | 7.0000e-005 | 2.0000e-005    | 0.0000        | 2.0000e-005 | 0.0000   | 0.2382    | 0.2382    | 2.0000e-005 | 4.0000e-005 | 0.2499 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 3.0000e-005 | 6.4000e-004 | 2.8000e-004 | 0.0000 | 1.1000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 0.0000        | 3.0000e-005 | 0.0000   | 0.2702    | 0.2702    | 2.0000e-005 | 4.0000e-005 | 0.2822 |

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

|             | ROG     | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|-------------|---------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| Category    | tons/yr |        |        |        |               |              |            |                |               |             | MT/yr    |           |           |        |        |        |
| Mitigated   | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Unmitigated | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

4.2 Trip Summary Information

| Land Use                | Average Daily Trip Rate |          |        | Unmitigated | Mitigated  |
|-------------------------|-------------------------|----------|--------|-------------|------------|
|                         | Weekday                 | Saturday | Sunday | Annual VMT  | Annual VMT |
| User Defined Commercial | 0.00                    | 0.00     | 0.00   |             |            |
| Total                   | 0.00                    | 0.00     | 0.00   |             |            |

4.3 Trip Type Information

| Land Use                | Miles      |            |             | Trip %     |            |             | Trip Purpose % |          |         |
|-------------------------|------------|------------|-------------|------------|------------|-------------|----------------|----------|---------|
|                         | H-W or C-W | H-S or C-C | H-O or C-NW | H-W or C-W | H-S or C-C | H-O or C-NW | Primary        | Diverted | Pass-by |
| User Defined Commercial | 9.50       | 7.30       | 7.30        | 0.00       | 0.00       | 0.00        | 0              | 0        | 0       |

4.4 Fleet Mix

| Land Use                | LDA      | LDT1     | LDT2     | MDV      | LHD1     | LHD2     | MHD      | HHD      | OBUS     | UBUS     | MCY      | SBUS     | MH     |
|-------------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|--------|
| User Defined Commercial | 0.537638 | 0.058030 | 0.174616 | 0.137192 | 0.028458 | 0.007596 | 0.011602 | 0.006026 | 0.000704 | 0.000394 | 0.029425 | 0.000660 | 0.0076 |

[illegible]

### Unmitigated

[illegible]

Mitigated

|                         | NaturalGas Use | ROG     | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|-------------------------|----------------|---------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| Land Use                | kBTU/yr        | tons/yr |        |        |        |               |              |            |                |               |             | MT/yr    |           |           |        |        |        |
| User Defined Commercial | 0              | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                   |                | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

5.3 Energy by Land Use - Electricity

Unmitigated

|                         | Electricity Use | Total CO2 | CH4         | N2O         | CO2e   |
|-------------------------|-----------------|-----------|-------------|-------------|--------|
| Land Use                | kWh/yr          | MT/yr     |             |             |        |
| User Defined Commercial | 54000           | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |
| Total                   |                 | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |

Mitigated

|                         | Electricity Use | Total CO2 | CH4         | N2O         | CO2e   |
|-------------------------|-----------------|-----------|-------------|-------------|--------|
| Land Use                | kWh/yr          | MT/yr     |             |             |        |
| User Defined Commercial | 54000           | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |
| Total                   |                 | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |

## 6.0 Area Detail

## 6.1 Mitigation Measures Area

[illegible]

## 6.2 Area by SubCategory

### Unmitigated

[illegible]

Mitigated

|                       | ROG     | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|-----------------------|---------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| SubCategory           | tons/yr |        |        |        |               |              |            |                |               |             | MT/yr    |           |           |        |        |        |
| Architectural Coating | 0.0000  |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Consumer Products     | 0.0000  |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Landscaping           | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                 | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

7.0 Water Detail

7.1 Mitigation Measures Water

|             | Total CO2 | CH4    | N2O    | CO2e   |
|-------------|-----------|--------|--------|--------|
| Category    | MT/yr     |        |        |        |
| Mitigated   | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Unmitigated | 0.0000    | 0.0000 | 0.0000 | 0.0000 |



7.2 Water by Land Use

Unmitigated

|                         |       |           |        |        |        |
|-------------------------|-------|-----------|--------|--------|--------|
| Indoor/Outdoor Use      |       | Total CO2 | CH4    | N2O    | CO2e   |
| Land Use                | Mgal  | MT/yr     |        |        |        |
| User Defined Commercial | 0 / 0 | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                   |       | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

Mitigated

|                         |       |           |        |        |        |
|-------------------------|-------|-----------|--------|--------|--------|
| Indoor/Outdoor Use      |       | Total CO2 | CH4    | N2O    | CO2e   |
| Land Use                | Mgal  | MT/yr     |        |        |        |
| User Defined Commercial | 0 / 0 | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                   |       | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

|             |           |        |        |        |
|-------------|-----------|--------|--------|--------|
|             | Total CO2 | CH4    | N2O    | CO2e   |
|             | MT/yr     |        |        |        |
| Mitigated   | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Unmitigated | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

8.2 Waste by Land Use

Unmitigated

|                         |                |           |        |        |        |
|-------------------------|----------------|-----------|--------|--------|--------|
|                         | Waste Disposed | Total CO2 | CH4    | N2O    | CO2e   |
| Land Use                | tons           | MT/yr     |        |        |        |
| User Defined Commercial | 0              | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                   |                | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

Mitigated

|                         |                |           |        |        |        |
|-------------------------|----------------|-----------|--------|--------|--------|
|                         | Waste Disposed | Total CO2 | CH4    | N2O    | CO2e   |
| Land Use                | tons           | MT/yr     |        |        |        |
| User Defined Commercial | 0              | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                   |                | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

9.0 Operational Offroad

|                |        |           |           |             |             |           |
|----------------|--------|-----------|-----------|-------------|-------------|-----------|
| Equipment Type | Number | Hours/Day | Days/Year | Horse Power | Load Factor | Fuel Type |
|----------------|--------|-----------|-----------|-------------|-------------|-----------|

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

|                |        |           |            |             |             |           |
|----------------|--------|-----------|------------|-------------|-------------|-----------|
| Equipment Type | Number | Hours/Day | Hours/Year | Horse Power | Load Factor | Fuel Type |
|----------------|--------|-----------|------------|-------------|-------------|-----------|

Boilers

|                |        |                |                 |               |           |
|----------------|--------|----------------|-----------------|---------------|-----------|
| Equipment Type | Number | Heat Input/Day | Heat Input/Year | Boiler Rating | Fuel Type |
|----------------|--------|----------------|-----------------|---------------|-----------|

User Defined Equipment

|                |        |
|----------------|--------|
| Equipment Type | Number |
|----------------|--------|

11.0 Vegetation

# **ATTACHMENT D**

## **GENERAL PLAN CONSISTENCY CHART**

# ATTACHMENT D - City of Oxnard 2030 General Plan Consistency Analysis

## Riverpark Boulevard Electronic Billboard Project

January 19, 2023 Planning Commission

**Level I:** Direct Applicability to a Proposed Policy, Project or Program

**Level II:** Related or Indirect Applicability to the Proposed Policy, Project, or Program

**Level III:** No or Distance Applicability to the Proposed Policy, Project, or Program.

All policies not listed are designated as Level III are deemed consistent with the 2030 General Plan.

General Plan Chapter Abbreviations Chapter:

SC: Sustainable Community 2

CD: Community Development 3

ICS: Infrastructure and Community Services 4

ER: Environmental Resources 5

SH: Safety and Hazards 6

MC: Military Compatibility 7

HE: 2021-2029 Housing Element 8

| 2030 General Plan    |                                                                                                                                                                                                                                                  | Level I | Level II | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy CD-3.1</b> | <b><i>Neighborhood Preservation</i></b><br>Protect existing residential neighborhoods from the encroachment of incompatible activities and land uses as determined through environmental review and/or determination by the Planning Commission. | X       |          | The project has been designed to be consistent with proposed development standards and applicable mitigation measures. These include separation requirements from residential uses and limitations on illumination levels. Based on the Photometric Analysis provided the light levels at the existing multifamily residential uses and the current multifamily uses that are currently being processed would be 0.1 fc or less. Because the light level would be less than 0.5 fc, the Project would result in a less than significant lighting impact on the existing and future adjacent residential uses. |
| <b>Policy CD-4.1</b> | <b><i>Mitigate Land Use Conflicts</i></b><br>Mitigate conflicts between commercial and other land uses, especially residential and recreational uses.                                                                                            | X       |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

|                      |                                                                                                                                                                                                                                                                                                                                                                                |   |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy CD-8.5</b> | <b>Impact Mitigation</b><br>Ensure that new development avoids or mitigates impacts on air quality, traffic congestion, noise, and environmental resources to the maximum extent feasible.                                                                                                                                                                                     | X |   | All mitigation measures from the MND will be included as conditions of approval                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Policy CD-9.1</b> | <b>Neighborhood Identity</b><br>Recognize, preserve, and improve the visual identity and character of existing neighborhoods. Infill development shall respect historic structures and be of compatible scale and character with historic areas.                                                                                                                               |   | X | The proposed project site and Riverpark is located within a designated Urban Village which contains other urban uses compatible with large scale advertisement. Also, as the sign is located along the freeway corridor which contains other similar signage including the Collection sign, the Auto Center sign, and the Esplanade sign.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Policy CD-9.3</b> | <b>Gateway Enhancement</b><br>Designate major entryways as gateways into the City. The City shall use landscaping, decorative lighting, signage and/or other streetscape design techniques to enhance the City's identity, sense of place, and provide visual emphasis to the streetscapes to the City.                                                                        |   | X | The implementation of the Project would result in an impact on motorist views traveling along U.S. 101; however, this impact would not be considered a substantial adverse effect on a scenic vista since the views of the Project area from U.S. 101 consist of urban development and the views of the proposed electronic billboard would add another typical view of an urban landscape (i.e., billboards and Caltrans signs) that occurs along U.S. 101. Northbound motorists' background views would be minimally impacted because existing views include partial distant views of the Coastal Mountain Range. Southbound motorists' background view will also be minimally impacted because existing views include partial distant views of the hills of Point Mugu State Park. Therefore, implementation of the proposed electronic billboard along with the removal of the existing eucalyptus trees adjacent to the Project Site would result in less than significant effects on a scenic vista. |
| <b>Policy CD-9.4</b> | <b>View Corridor Preservation</b><br>Ensure all public and private investments positively contribute to the overall character of the City by minimizing impacts on important view corridors by creating edge treatments along greenbelt areas and a landscaped buffer corridor of at least 30 feet along designated scenic corridors and other major transportation corridors. |   | X |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

|                       |                                                                                                                                                                                                                                                                 |   |   |                                                                                                                                      |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy CD-11.3</b> | <b><i>Protect and Enhance Cultural Resources</i></b><br>Ensure that new public and private investment protects and enhances Oxnard's existing cultural resources, traditional neighborhoods, and historic districts, to the extent feasible.                    |   | X | The project includes mitigations, which have been included in the conditions, to protect potential cultural resources                |
| <b>Policy CD-14.2</b> | <b><i>Development Advisory Committee (DAC) Function</i></b><br>Continue to require that a staff Development Advisory Committee review new development projects for consistency with the City's development policies and appropriateness for the proposed sites. | X |   | Project was reviewed by the Development Advisory Committee on two occasions and the current plan reflects the input provided by DAC. |

|                        |                                                                                                                                                                                                               |  |   |                                                                                                                                           |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|-------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy ICS-17.5</b> | <b><i>Undergrounding of Utility Lines</i></b><br>Require undergrounding of utility lines in new development, except where it is not feasible due to electrical transmission load or other operational issues. |  | X | All equipment for the operation of the sign will be contained within the pole and the electrical service to the sign will be underground. |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|-------------------------------------------------------------------------------------------------------------------------------------------|

|                       |                                                                                                                                                                                                                                                                                                                                                                                         |  |   |                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy EIR-6.1</b> | <b><i>Incorporate Views in New Development</i></b><br>Preserve important public views and viewsheds by ensuring that the scale, bulk and setback of new development does not significantly impede or disrupt them and ensure that important vistas and view corridors are enhanced. Require development to provide physical breaks to allow views into these vistas and view corridors. |  | X | This policy requires development to provide physical breaks to allow views into scenic vistas and view corridors. Because the proposed Project includes a free-standing electronic billboard, the implementation of the Project would not conflict with this policy because motorists would briefly view the proposed billboard as they travel along U.S. 101. Therefore, the Project would be consistent with this policy. |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                       |                                                                                                                                                                                                                                                                                                                                                                                        |   |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy ER-6.2</b>  | <b>Protect and Enhance Major Scenic Resources</b><br>Protect and enhance the scenic resources of the beaches, Channel Island Harbor, windrows, farmland, the Channel Islands, and surrounding mountains.                                                                                                                                                                               | X |  | Motorists traveling northbound along U.S. 101 would have a background view of the Coastal Mountain Range; however, this background view would be bordered by foreground urban development. Therefore, the addition of the proposed electronic billboard would not substantially impact these background views of the mountain and thus would not conflict with this policy. Therefore, the Project would be consistent with this policy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Policy ER-6.5</b>  | <b>Control of Lighting and Glare</b><br>Require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward and, where public safety would not be compromised, encourage the use of low-pressure sodium lighting for all outdoor light fixtures. | X |  | The proposed electronic billboard would utilize energy efficient light emitting diode (LED) technology, which is recognized by the U.S. Department of Energy as the most energy efficient lighting technology. The lighting of the proposed electronic billboard would be designed to allow the message on the display visible to passing motorists. The digital LED billboard technology allows sign brightness to be adjusted automatically depending on ambient weather conditions. The display, for example, would be brighter in the daytime than at night-time and responds to changes in the ambient light conditions. The proposed electronic billboard would require a California Department of Transportation Outdoor Advertising Act Permit from Caltrans. The proposed billboard would comply with the brightness requirements outlined in the Outdoor Advertising Act in that the illumination shall not be of such brilliance or so positioned as to cause a hazardous condition on adjacent highways. |
| <b>Policy ER-11.1</b> | <b>Archaeological Resource Surveys</b><br>Continue to require a qualified archaeologist to perform a cultural resources study prior to project approval. Inspection for surface evidence of archaeological deposits, and archaeological monitoring during grading should be required in areas where significant cultural                                                               | X |  | No archaeological artifacts were found in the vicinity of the Project site during the prior Phase 1 survey. However, the MND includes mitigation measures (CUL-1 and CUL-2) for monitoring and collecting, if necessary, any discovered archaeological and paleontological resources.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |



|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |   |   |                                                                                                                                            |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|--------------------------------------------------------------------------------------------------------------------------------------------|
|                       | resources have been identified or are expected to occur.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |   |   |                                                                                                                                            |
| <b>Policy ER-11.2</b> | <b><i>Mitigating the Impact of New Development on Cultural Resources</i></b><br>Ensure that alternatives are considered, including planning construction to avoid archeological sites, deeding archaeological sites into permanent conservation easements, and planning parks, greenspace or other open space to incorporate archaeological sites in the event that development threatens significant archaeological resources.                                                                                                            | X |   |                                                                                                                                            |
| <b>Policy ER-11.3</b> | <b><i>Development Applicants to Conduct Research</i></b><br>Continue to require project applicants to have a qualified archaeologist conduct a record search at the South Central Coast Information Center located at California State University Fullerton and other appropriate historical repositories, conduct field surveys where appropriate, and prepare technical reports, where appropriate, meeting California Office of Historic Preservation Standards (Archaeological Resource Management Reports) prior to project approval. |   | X |                                                                                                                                            |
| <b>Policy ER-11.6</b> | <b><i>Identification of Archaeological Resources</i></b><br>In the event that archaeological/paleontological resources are discovered during site excavation, continue to require that grading and construction work on the project site is suspended until the significance of the features can be determined by a qualified archaeologist/paleontologist.                                                                                                                                                                                | X |   |                                                                                                                                            |
| <b>Policy ER-14.4</b> | <b><i>Emission Control Devices</i></b><br>Require all construction equipment to be maintained and tuned to meet appropriate EPA, CARB, and                                                                                                                                                                                                                                                                                                                                                                                                 | X |   | Conditions have been included to require maintenance of equipment pursuant to manufacture specifications and minimization of dust on site. |

|                        |                                                                                                                                                                                                                                                                                                                                                                             |   |   |                                                                                                                                                  |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|--------------------------------------------------------------------------------------------------------------------------------------------------|
|                        | VCAPCD emissions requirements and when new emission control devices or operational modifications are found to be effective, such devices or operational modifications are required on construction equipment.                                                                                                                                                               |   |   |                                                                                                                                                  |
| <b>Policy ER-14.6</b>  | <b>Minimizing Dust and Air Emissions through Permitting Requirements</b><br>Continue to require mitigation measures as a condition of obtaining building or use permits to minimize dust and air emissions impacts from construction.                                                                                                                                       | X |   |                                                                                                                                                  |
| <b>Policy ER-14.12</b> | <b>Use VCAPCD Air Quality Assessment Guidelines</b><br>Use the VCAPCD Air Quality Assessment Guidelines and recommended analytical tools for determining and mitigating project air quality impacts and related thresholds of significance for use in environmental documents. The City shall continue to cooperate with the VCAPCD in the review of development proposals. |   | X | Project environmental analysis was prepared in compliance with APCD guidelines. Comments from APCD have been incorporated into the final IS/MND. |
| <b>Policy SH-1.1</b>   | <b>Minimize Liquefaction Risk</b><br>Ensure that structures for human occupancy are only constructed or placed on a potential liquefaction site if the approved geological report shows that an acceptable hazard risk would be created and/or required mitigation measures are met.                                                                                        |   | X | The project would be developed in compliance with all applicable state and local building codes.                                                 |
| <b>Policy SH-1.3</b>   | <b>Building Code Standards</b><br>Require that all new buildings and alterations to existing buildings be built according to the seismic requirements adopted within the most current City of Oxnard Building Code, or its adopted equivalent.                                                                                                                              | X |   |                                                                                                                                                  |

|                      |                                                                                                                                                                                                                                                                                                                                    |   |   |                                                                          |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|--------------------------------------------------------------------------|
| <b>Policy SH-1.4</b> | <b>Soil, Geologic, and Structural Evaluation Reports</b><br>Require that adequate soils, and geologic and structural evaluation reports be prepared by registered soils engineers, engineering geologists, and/or structural engineers, as appropriate, for applicable development.                                                | X |   |                                                                          |
| <b>Policy SH-1.5</b> | <b>Required Geologic Reports</b><br>Continue to require the submission of a geological report for proposed development located in a potential liquefaction area.                                                                                                                                                                   |   | X |                                                                          |
| <b>Policy SH-1.7</b> | <b>Soil Investigations</b><br>Continue to require a complete site-specific soils investigation that addresses liquefaction and compressible soil characteristics and identifies construction techniques or other mitigation measures to prevent significant impacts upon the proposed development.                                 |   | X |                                                                          |
| <b>Policy SH-1.8</b> | <b>Mitigating Seismic Hazards</b><br>Where necessary, utilize the expert mitigation measures such as those identified in Special Publication 117: Guidelines for Analyzing and Mitigating Seismic Hazards in California (prepared by the Southern California Earthquake Center) to minimize risk associated with seismic activity. |   | X |                                                                          |
| <b>Policy SH-6.2</b> | <b>Limiting Construction Activities</b> Continue to limit construction activities to the hours of 7 am to 7pm, Monday through Saturday. No construction shall occur after hours, on Sundays, or national holidays without permission from the City.                                                                                |   | X | Project has been conditioned to comply with the City Construction hours. |

# **ATTACHMENT E**

## **ZONING COMPLIANCE TABLE**

## Attachment E

### Zoning Code Consistency Table For Riverpark Boulevard Electronic Billboard Project

| Development Standard           | Oxnard City Code Citation | Standard                                                                                                                                                                                                                                                                                                                                                   | Proposed Project                                                                                                                                                                                  | Complies? |
|--------------------------------|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| Location                       | Section 16-609            | Freeway Adjacent Digital Display Billboards may only be erected on City of Oxnard owned property or Right of Way, in any non-residential zones located within four hundred (400) feet of the freeway right-of-way for US Highway 101. The total number of Freeway Adjacent Digital Display Billboard shall not exceed a total of five (5) within the City. | This project is within 400 feet of the freeway. The project is one of two proposed billboards. No other billboards currently exist.                                                               | Yes       |
| Distance from residential uses | Section 16-609            | 100 feet from the property line of any residentially zoned parcel, as measured from the border of the Digital Display billboard face, or the base of the digital display billboard structure, whichever is closest to the residentially zoned parcel.                                                                                                      | While the parcel is not residentially zoned the closest parcel which allows for residential is approximately 130 feet North.                                                                      | Yes       |
| Height                         | Section 16-609            | Fifty-five (55) feet as measured from the pavement level of US Highway 101 to the bottom of the digital display. The maximum height to the top of the Freeway Adjacent Digital Display Billboard shall not exceed eighty (80) feet as measured from the pavement level of US Highway 101.                                                                  | The sign is approximately 45 feet from the pavement of the US Highway 101 to the bottom of the sign face. The top of the billboard would be approximately 60 feet in height above US Highway 101. | Yes       |
| Size and Spacing               | Section 16-609            | Fourteen (14) feet in height and forty-eight (48) feet in width, with the area of each face not to exceed an overall                                                                                                                                                                                                                                       | The proposed screen is Fourteen (14) feet in height                                                                                                                                               | Yes       |

*RiverPark Boulevard Electronic Billboard Project*

*Zoning Code Consistency Analysis*

*PZ Nos. 20-500-07 (Special Use Permit), 20-670-06 (Development Agreement),  
and 20-630-02 (Specific Plan Amendment)*

*January 19, 2023*

*Page 9 of 9*

|               |                |                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                     |                     |
|---------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
|               |                | maximum amount of eight hundred and fifty (850) square feet, including border and trim. Each Freeway Adjacent Digital Display Billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet.                                                                                                                                                           | and forty-eight (48) feet in width. The overall sign face is approximately 703 square feet. The closest proposed Freeway Adjacent Digital Display Billboard is approximately 4,000 feet to the east |                     |
| Design        | Section 16-609 | All freeway adjacent digital display billboards shall either be double faced or include covered backs or facings.                                                                                                                                                                                                                                                                                        | The proposed sign is double-sided                                                                                                                                                                   | Yes                 |
| Orientation   | Section 16-609 | Each Freeway Adjacent Digital Display Billboard must be oriented primarily for viewing from the adjacent freeway.                                                                                                                                                                                                                                                                                        | The sign is oriented for viewing by motorist on HWY 101                                                                                                                                             | Yes                 |
| Brightness    | Section 16-609 | Shall not exceed 0.3 foot-candles over ambient levels at a distance of 250 feet in any direction. All Freeway Adjacent Digital Display Billboards shall comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5.                                      | Based on lighting studies the project shall comply. Conditions shall require confirmation after construction.                                                                                       | Yes, as conditioned |
| Display cycle | Section 16-609 | A Freeway Adjacent Digital Display Billboard may show a series of still images, each displayed for at least eight (8) seconds. The still images may not move or present the appearance of motion and may not use flashing or blinking lights or any other means not providing constant illumination. Transition or blank screen time between one still image and the next may not exceed one (1) second. | Project shall comply in accordance with conditions of approval.                                                                                                                                     | Yes, as conditioned |

*RiverPark Boulevard Electronic Billboard Project*

*Zoning Code Consistency Analysis*

*PZ Nos. 20-500-07 (Special Use Permit), 20-670-06 (Development Agreement),  
and 20-630-02 (Specific Plan Amendment)*

*January 19, 2023*

*Page 9 of 9*

|                                                                                                |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                 |                     |
|------------------------------------------------------------------------------------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|---------------------|
| Compliance<br>with law                                                                         | Section<br>16-609 | The owner of the Freeway Adjacent Digital Display Billboard must comply with all applicable federal, state, and local laws, including the Highway Beautification Act of 1965 (23 United States Code Section 131), the Outdoor Advertising Act (California Business and Professions Code Section 5200 et seq.), and this Article IX, when constructing, operating, improving, maintaining, repairing, and removing the Freeway Adjacent Digital Display Billboard. | Project shall comply in accordance with conditions of approval. | Yes, as conditioned |
| Source: Oxnard City Code, Chapter 16, Zoning Code (Subject to proposed amendment PZ 20-580-06) |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                 |                     |

# **ATTACHMENT F**

**DRAFT PLANNING COMMISSION RESOLUTION RECOMMENDING  
ADOPTION OF MITIGATED NEGATIVE DECLARATION (MND) 22-02**



RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL ADOPT A MITIGATED NEGATIVE DECLARATION 22-02 TO ALLOW FOR THE CONSTRUCTION AND OPERATION OF AN ELECTRONIC BILLBOARD AND ASSOCIATED SITE IMPROVEMENTS, A DEVELOPMENT AGREEMENT, AND SPECIFIC PLAN AMENDMENT FOR A PROJECT ON AN APPROXIMATELY 0.25-ACRE UNDEVELOPED SITE LOCATED BETWEEN THE U.S. 101 AND RIVERPARK BOULEVARD APPROXIMATELY 850 FEET NORTH OF VINEYARD AVENUE IN THE NORTHERN PORTION OF THE CITY OF OXNARD. (APN: 132-0-311-075). FILED BY LARS SKUGSTAD, 1111 BROADWAY, SUITE 1515, OAKLAND, CA 94607 (THE “APPLICANT”) ON BEHALF OF THE CITY OF OXNARD (THE “PROPERTY OWNER”).

WHEREAS, on October 15, 2020, Lars Skugstad (the “Applicant” and/or “Permittee”) submitted a request to approve Planning and Zoning Permit Nos. 20-500-07 (Special Use Permit), 20-670-06 (Development Agreement), and 20-630-02 (Specific Plan Amendment) to allow for the installation and operation of an electronic billboard on an approximately 0.25-acre undeveloped site located between the U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue in the northern portion of the City of Oxnard. The Special Use Permit allows for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products. The top of the billboard would be approximately 60 feet in height above the ground, and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width. The Special Use Permit will also include minor landscape improvements within the adjacent Caltrans right of way. These will include the removal of the existing eucalyptus trees and the planting of alternatives, subject to Caltrans approval. The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development. The proposed Specific Plan Amendment would amend the RiverPark Specific Plan to allow for Freeway Adjacent Digital Display Billboards within the RiverPark Specific Plan. (“Project”); and

WHEREAS, the City is the lead agency for purposes of the project pursuant to Public Resources Code section 21067; and

WHEREAS, the City determined that the Project and its associated actions are subject to the environmental review requirements of the California Environmental Quality Act (“CEQA”); and

Whereas, the Development Advisory Committee (DAC) reviewed the plans on November 18, 2020 and provided conditions of approval for the project; and

WHEREAS, the project applicant mailed notices to all property owners within the RiverPark neighborhood and presented the project at the December 20, 2021 Community Workshop; and

WHEREAS, Pursuant to provisions of the California Environmental Quality Act

and CEQA Guidelines, Section 15063, and following an Initial Study and environmental assessment of possible adverse impacts, the project will not have a significant effect on the environment because of the inclusion of certain mitigation measures for which lessened potential adverse impacts to a level of less than significant. Therefore, the Planning Division has prepared a Mitigated Negative Declaration with mitigation measures and monitoring program in accordance with the provisions of CEQA, including, without limitation CEQA Guidelines Sections 15070, 15071, 15072, and 15073, which have been incorporated as conditions; and

WHEREAS, a Notice of Intent to Adopt an Initial Study and Draft Mitigated Negative Declaration (IS-MND) for the Project was published and posted on June 30, 2022, at the State Office of Planning and Research (OPR) website and at the Ventura County Recorder's Office pursuant to CEQA Guidelines Sections 15072 and 15073; and

WHEREAS, the public comment period on the DEIR ran for thirty (30) days commencing on June 30, 2022 and ending on July 29, 2022; and

WHEREAS, after the close of the comment period on the IS/MND, the IS/MND was modified as set forth in Chapter 4 of the Response to Comment document; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, the City has prepared Final IS/MND 22-02 containing all comments received on the Draft IS/MND 22-02, written responses to all substantive comments, and necessary changes to the text of the Draft IS/MND 22-02; and

WHEREAS, on January 19, 2023, the Planning Commission of the City of Oxnard conducted a duly noticed public hearing, and received and reviewed all written and oral evidence related to the Final IS/MND 22-02; and

WHEREAS, the Planning Commission finds after due study and deliberation that the public interest and general welfare require the adoption of the Final IS/MND 22-02; and

WHEREAS, the comments of the Commissioners, agencies, interested groups, and members of the public have received adequate responses; and

WHEREAS, the Applicant agrees as a condition of this Resolution that at its own expense, to indemnify and defend the City of Oxnard and its agents, officers and employees from and against any claims, actions or proceedings to attack, set aside, void or annul the approval of this Resolution or any actions or proceedings, acts or determinations taken, done or made before the approval of this Resolution that were part of the approval process.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends that the City Council adopt an Final IS/MND 22-02, attached to the staff report and incorporated by reference.

**SECTION 1.** The Recitals above are true and correct and incorporated herein by this reference.

**SECTION 2.** The Final IS/MND has been completed in compliance with the

California Environmental Quality Act (California Public Resources Code Section 21000 – 21189).

**SECTION 3.** The Final IS/MND was presented to the Planning Commission, which, at a hearing before the public, reviewed and considered the information contained in the Mitigated Negative Declaration/Initial Study prior to making a recommendation to the City Council regarding the Project and its associated development entitlements.

**SECTION 4.** 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 pursuant to CEQA Guidelines §15074, the Final MND reflects the City’s independent judgment and analysis. The Planning Commission has independently reviewed and analyzed the Final IS/MND 22-02 prepared for the Project. The Final IS/MND 22-02 is an accurate and complete statement of the potential environmental impacts of the project. The Final IS/MND 22-02 was prepared under the direction of the City of Oxnard Planning Division and reflects its independent judgment and analysis of the environmental impacts.

**SECTION 5.** The Planning Commission hereby adopts and recommends to the City Council the adoption of the Final IS/MND 22-02, set forth attached hereto and incorporated herein by reference, and based thereon and on the Record as a whole, the Planning Commission hereby finds and recommends that the City Council find that all potentially significant environmental effects of the Project its associated development entitlement actions have been reduced to a less-than-significant level in that all significant environmental effects have been eliminated or substantially lessened as set forth in the IS-MND. Based upon the foregoing, the Planning Commission finds, determines, and recommends that the City Council find and determine that the Project and its associated actions will not have a significant effect upon the environment.

**SECTION 6.** The Planning Commission hereby recommends the City Council adopt the mitigation measures set forth in the Final IS/MND 22-02 and its accompanying Mitigation, Monitoring, and Reporting Program (“MMRP”), pursuant to Public Resources Code Section 21081.6, which is a program design to ensure compliance with the mitigation measures imposed to avoid or substantially lessen the significant effects identified in the Mitigated Negative Declaration/Initial Study and said mitigation measures are described in the MMRP included therein and incorporated herein by reference.

**SECTION 7.** The Planning Commission hereby recommends that the City Council approve the resolution adopting Final IS/MND 22-02, attached to the staff report and incorporated by reference.

**SECTION 8.** The Secretary shall certify the adoption of this Resolution.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 19th day of January, 2023, by the following vote:

---

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 19th day of January, 2023, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

---

Joe Pearson II, Secretary

# **ATTACHMENT G**

**DRAFT PLANNING COMMISSION RESOLUTION RECOMMENDING  
APPROVAL OF PZ PERMIT No. 20-670-06 (DEVELOPMENT  
AGREEMENT)**

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT AND LEASE OF PROPERTY (PLANNING AND ZONING PERMIT NO. 20-670-06) WITH OUTFRONT FOSTER INTERSTATE, LLC REGARDING PROPERTY LOCATED BETWEEN THE U.S. 101 AND RIVERPARK BOULEVARD APPROXIMATELY 850 FEET NORTH OF VINEYARD AVENUE IN THE NORTHERN PORTION OF THE CITY OF OXNARD. (APN: 132-0-311-075). FILED BY LARS SKUGSTAD, 1111 BROADWAY, SUITE 1515, OAKLAND, CA 94607 (THE “APPLICANT”) ON BEHALF OF THE CITY OF OXNARD (THE “PROPERTY OWNER”).

WHEREAS, on October 15, 2020, Lars Skugstad (the “Applicant” and/or “Permittee”) submitted a request to approve Planning and Zoning Permit Nos. 20-500-07 (Special Use Permit), 20-670-06 (Development Agreement), and 20-630-02 (Specific Plan Amendment) to allow for the installation and operation of an electronic billboard on an approximately 0.25-acre undeveloped site located between the U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue in the northern portion of the City of Oxnard; and

WHEREAS, the Planning Commission of the City of Oxnard (“**Planning Commission**”) has considered an application for Planning and Zoning Permit No. 20-670-06 (“**Project**”), a Development Agreement and Lease of Property between the CITY OF OXNARD, a municipal corporation of the State of California (the “City”) and OUTFRONT FOSTER INTERSTATE LLC, a Delaware limited liability company (“OFI”) (collectively referred to “Applicant” or “Developer” in the record of proceedings); and

WHEREAS, the Development Agreement and Lease of Property (DA) shall allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard. The agreement also outlines the required public benefits to be provided by the future development, including fiscal benefits to the City. The proposed DA is included in Exhibit A to this Resolution; and

WHEREAS, on January 19, 2023, the Planning Commission of the City of Oxnard (“**Planning Commission**”) conducted a duly noticed public hearing where written and oral comments were received and reviewed to consider an application for a Development Agreement and Lease of Property(PZ 20-670-06) in accordance with Chapter 16-575 of the Oxnard City Code; and

WHEREAS, the Planning Commission finds, after due study, deliberation and a duly noticed public hearing on January 19, 2023, and received and reviewed written and oral comments, presented by staff and the Applicant with a series of questions, and that the project meets the criteria set out in California Government Code 65864 through 65869.5; and

WHEREAS, the City of Oxnard as the Lead Agency, prepared a Mitigated Negative

Declaration (MND) in accordance with CEQA and the CEQA Guidelines. The MND identified and discussed potential impacts, mitigation measures, monitoring requirements, and residual impacts for identified subject areas. The MND found that the implementation of the proposed Project would result in potentially significant impacts associated with biological resources, cultural resources, and noise on wildlife species. Mitigation measures have been required to reduce each potentially significant impact to less than significant. The mitigation measures that have been required within the MND would reduce potential significant impacts. These measures include (BIO-1) conducting a pre-construction survey for active bird nests, and (CUL-1 and CUL-2) monitoring and collecting, if necessary, any discovered archaeological and paleontological resources. After the implementation of the required mitigation measures, the potential significant impacts would be reduced to less than significant. No remaining significant impacts would occur. With respect to Aesthetics, although less than significant lighting impacts would occur, the MND includes mitigation measures that are recommended to further reduce less than significant light impacts. These measures include: (AES-1 and AES-2) allowing for remote shut off in the event of malfunction and conducting illumination level verification tests; and

WHEREAS, pursuant to CEQA Guidelines §15074, the Final MND reflects the City's independent judgment and analysis. The Planning Commission has independently reviewed and analyzed the Final IS/MND 22-02 prepared for the Project. The Final IS/MND 22-02 is an accurate and complete statement of the potential environmental impacts of the project. The Final IS/MND 22-02 was prepared under the direction of the City of Oxnard Planning Division and reflects its independent judgment and analysis of the environmental impacts.

WHEREAS, the Commission considered Final IS/MND 22-02 prior to making recommendations on the Project; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the proposed Development Agreement and Lease of Property is consistent with the 2030 General Plan; and

WHEREAS, the pursuit of the Development Agreement and Lease of Property is a reasonable exercise of the City's police powers to ensure the continued health, safety, and welfare of the public by public benefits for the residents of the City of Oxnard; and

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

1. As outlined in Section 6(b) and **Attachment F** of the Planning Commission Staff report, the proposed Development Agreement and Lease of Property is in conformance with the 2030 General Plan and other adopted policies of the City of Oxnard;
2. As determined in the Final IS/MND 22-02, the proposed Development Agreement of Lease of Property will not adversely affect or be materially detrimental to adjacent land

uses, buildings or structures or to the public health, safety or general welfare;

3. As outlined in Section 6(c - e) of the Planning Commission Staff report, the proposed Development Agreement and Lease of Property in association with the related projects conforms to adopted City standards and constitutes good City planning.

WHEREAS, the Applicant agrees that at its own expense, to indemnify and defend the City of Oxnard and its agents, officers and employees from and against any claims, actions or proceedings to attack, set aside, void or annul the approval of this resolution or any actions or proceedings, acts or determinations taken, done or made before the approval of this resolution that were part of the approval process.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard recommends that the City Council (i) adopt an ordinance approving Planning and Zoning Permit No. 20-670-06 (Development Agreement), Exhibit A, hereto attached.

**SECTION 1.** The Recitals above are true and correct and incorporated into the operative provisions of this Resolution by this reference.

**SECTION 2.** The Planning Commission finds that the Development Agreement and Lease of Property is internally consistent with all other provisions of the City of Oxnard 2030 General Plan.

**SECTION 3.** The Planning Commission finds that the Development Agreement and Lease of Property will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

**SECTION 4.** The Planning Commission finds that the project site associated with the Development Agreement and Lease of Property is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

**SECTION 5.** The Planning Commission determines that the development that would be authorized for the project site by the proposed Development Agreement and Lease of Property is the best use for the subject project site.

**SECTION 6.** The Planning Commission determines that the Development Agreement and Lease of Property is in the best interests and welfare of the City and its residents.

**SECTION 7.** In recommending adoption of this ordinance for the Development Agreement and Lease of Property, the Planning Commission finds and determines the project is in compliance



with the California Environmental Quality Act because Final MND No. 22-02 was considered by the Planning Commission at the public hearing for the Development Agreement and Lease of Property. The Final MND No. 22-02 was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA, Public resources Code §§ 21000, et seq.), the regulations promulgated thereunder (14 California Code of Regulations, §15000, et seq., CEQA Guidelines), and the City's Environmental Review Guidelines. The City of Oxnard is the Lead Agency. With implementation of the MND No. 22-02 mitigation measures, there is no substantial evidence that the proposed project will have a significant effect upon the environment.

**SECTION 8.** The Planning Commission hereby recommends that the City Council adopt the ordinance approving the Development Agreement and Lease of Property.

**SECTION 9.** The Secretary shall certify the adoption of this Resolution.

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 19th day of January 2023 by the following vote:

---

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 on the 19th day of January, 2023, and carried by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioners:

---

Joe Pearson II, Secretary

RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

City of Oxnard  
305 West Third Street  
Oxnard, California 93030  
Attention: City Clerk

---

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

## **DEVELOPMENT AGREEMENT AND LEASE OF REAL PROPERTY**

THIS DEVELOPMENT AGREEMENT AND LEASE OF REAL PROPERTY ("Agreement") is made in Ventura County, California as of \_\_\_\_\_, 2023 by and between the CITY OF OXNARD, a municipal corporation of the State of California ("City") and OUTFRONT FOSTER INTERSTATE LLC, a Delaware limited liability company ("OFI"). The City or OFI may be referred to individually as a "Party" and collectively as the "Parties."

### RECITALS

A. The City and OFI entered into that certain Exclusive Negotiation Agreement ("ENA") on June 19, 2019 regarding the lease of certain City property for freeway oriented digital billboards ("ENA Property"), which consists of that certain real property in the City of Oxnard, County of Ventura more particularly described in **Exhibit A** attached hereto and incorporated herein by this reference.

B. The City and OFI have entered into a First Amendment to the ENA dated November 13, 2019, a Second Amendment to the ENA, dated May 28, 2020, a Third Amendment to the ENA dated November 17, 2020, a Fourth Amendment to the ENA dated June 17, 2021, a Fifth Amendment to the ENA dated December 14, 2021, a Sixth Amendment to the ENA dated June 7, 2022 and a Seventh Amendment to the ENA dated December 6, 2022. As of the date of this Agreement, the ENA is still in full force and effect and OFI retains exclusive rights relating to the Property. Based upon the ENA, OFI has a legal or equitable interest in the ENA Property during the term of the ENA.

C. City is authorized, pursuant to Government Code sections 65864 through 65869.5 (the "Development Agreement Statute") and City Council Resolution No. 10,488, to enter into binding development agreements with persons or entities with legal or equitable interests in real property located within the City in order to vest certain rights in the person or entity with the legal or equitable interest in such property.

D. City and OFI each mutually desire to enter into this Agreement to permit and ensure that a portion of the ENA Property, which consists of that certain real property in the City of Oxnard, County of Ventura more particularly described in **Exhibit B** attached hereto and incorporated herein by this reference ("Property"), is developed with a double-sided freeway oriented digital billboard (hereafter, the "Project"), and that such billboard is developed strictly

in accordance with the provisions of this Agreement, the Project Approvals (defined below), and associated entitlements.

E. The City has determined that it is in the best interests of City, and for the common benefit of the citizens residing in City, to enter into this Agreement with OFI for the construction, operation, maintenance, and repair of the Billboard (as that term is defined below) on the Property, subject to (i) OFI obtaining specific entitlements and approvals from Caltrans and the City, including a Specific Plan amendment and a Special Use Permit; and (ii) OFI agreeing to fully comply with all of the provisions of this Agreement, including the payment of specific financial considerations that are in the public interests.

F. To comply with the California Environmental Quality Act ("CEQA"), on \_\_\_\_\_, 2023, at a duly noticed public hearing, the Oxnard Planning Commission ("Planning Commission") certified the \_\_\_\_\_ (SCH # \_\_\_\_\_), as described more fully in Resolution \_\_\_\_\_, adopted a Mitigation, Monitoring, and Reporting Plan, and made the required CEQA findings.

G. On \_\_\_\_\_, 2023, at a duly noticed public hearing, the Planning Commission approved a Special Use Permit for the Project, with such approval contingent on City Council approval of the RiverPark Specific Plan amendment for the Project, as provided in Resolution \_\_\_\_\_. At the same public hearing, the Planning Commission considered and recommended approval of the amendment to the RiverPark Specific Plan for the Project and recommended that the City Council approve this Agreement by ordinance.

H. On \_\_\_\_\_, 2023, the Oxnard City Council ("City Council"), having received the Planning Commission's recommendations, held a duly noticed public hearing, voted to approve the amendment to the RiverPark Specific Plan for the Project, and introduce the ordinance to approve this Agreement. On \_\_\_\_\_, 2023 the City Council adopted Ordinance \_\_\_\_\_ approving the Agreement.

I. The Planning Commission and City Council have each given notice of their intention to consider this Agreement, have each conducted the required public hearings thereon, and have each found that the provisions of this Agreement are consistent with the City of Oxnard General Plan for development within the City, City zoning ordinances, and the RiverPark Specific Plan, as amended on \_\_\_\_\_, 2023. The City Council has also specifically considered the impacts and benefits of the Project upon the welfare of the residents of the City and the surrounding region. The City Council has determined that this Agreement is beneficial to the residents of the City and is consistent with the present public health, safety and welfare needs of the residents of the City and the surrounding region.

NOW, THEREFORE, in consideration of the foregoing Recitals which are hereby incorporated into the operative provisions of this Agreement by this reference and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the City and OFI agree as follows:

### AGREEMENT

1. **Definitions.** For purposes of this Agreement, unless a different meaning is clearly required, the following terms will have the following meanings and be capitalized throughout this Agreement:

1.1 “Annual Net Revenue” means all income actually received by OFI in connection with the sale of advertising space on the Billboard (net of any commissions paid by OFI to advertising agencies, not to exceed 16-2/3%). For the purposes hereof, any income described in this definition will not include the value of any in kind usage of the Billboard by the City.

1.2 “Applicable Rules” means the rules, regulations and official policies of the City which were in force as of the Effective Date (as defined below), including, but not limited to, the General Plan, the Specific Plan (as defined below) and entitlements for the Project including, but not limited to, the Special Use Permit.

1.3 “Billboard” shall mean that double-sided freeway-oriented digital billboard contemplated to be developed on the Property pursuant to the Applicable Rules. OFI shall be responsible for the construction, operation, maintenance, and repair of the Billboard, subject to the terms and conditions of this Agreement.

1.4 “Caltrans Permits” means all permits and approvals, if any, that OFI must obtain from Caltrans and subsequently assign to the City to construct, operate, maintain, and repair the Billboard in accordance with this Agreement.

1.5 “City Council” shall mean the City Council of the City.

1.6 “City Manager” shall mean the City Manager of the City.

1.7 “Effective Date” means the date on which the ordinance approving this Agreement, as required by Government Code section 65867.5, becomes effective.

1.8 “General Plan” means the City of Oxnard 2030 General Plan adopted in October of 2011 and updated in December of 2016.

1.9 “Hazardous Materials” means any and all pollutants, wastes, flammables, explosives, radioactive materials, hazardous or toxic materials, hazardous or toxic wastes, hazardous or toxic substances, carcinogenic materials or contaminants and all other materials governed, monitored, or regulated by any Federal, State or local Law or regulation, including the Comprehensive Environmental Response, Compensation and Liability Act, the Hazardous Substances Account Act, and/or the Resources Conservation and Recovery Act, together with asbestos, asbestos-containing materials, hydrocarbons, polychlorinated biphenyl (“PCB”) or

PCB-containing materials, petroleum, gasoline, petroleum products, crude oil or any fraction, product or by product thereof.

1.10 “Hazardous Materials Laws” means all laws, codes, rules, orders, ordinances, directives, regulations, permits, or other requirements of federal, state, county, municipal or governmental authorities having jurisdiction, now in force or which may hereafter be in force concerning the management, use, generation, storage, transportation, presence, discharge or disposal of Hazardous Materials.

1.11 “MAG” or “Minimum Annual Guarantee” has the definition given such term in Section 7.1(a).

1.12 “Off-site Outdoor Advertising Sign” means a general outdoor advertising sign that directs attention to a business, profession, commodity, service or entertainment which is conducted, sold or offered at a location other than on the same lot or parcel upon which the sign is located.

1.13 “Operational” refers to the time when the Billboard is fully capable, legally and functionally, of displaying advertising on the digital display.

1.14 “Operational Date” is the date when the Billboard is Operational.

1.15 “Periodic Review” shall have the meaning assigned to such term in Section 36.

1.16 “Planning Commission” shall mean the Planning Commission of the City.

1.17 “Rent” means the MAG described in Section 7.1 and, as applicable, Percentage Rent described in Section 7.2.

1.18 “Project Approvals” shall mean and refer to the RiverPark Specific Plan as amended on \_\_\_\_\_, 2023 and the Special Use Permit approved on \_\_\_\_\_.

1.19 “Specific Plan” shall mean the RiverPark Specific Plan. As amended on \_\_\_\_\_, 2023.

2. **Initial Term.** The “Initial Term” of this Agreement will begin on the Operational Date and will expire on the thirtieth (30<sup>th</sup>) year anniversary thereof. The Parties acknowledge that Government Code section 65868.5 requires the City to record this Agreement with the Ventura County Recorder’s Office no later than ten (10) days after the Parties enter into this Agreement and that the burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the Parties hereto, subject to the assignment provisions in Section 37.5 below.

3. **Tolling for Third Party Lawsuit.** If any third party files a lawsuit to challenge this Agreement, the City’s CEQA determination made in connection with its consideration of this Agreement and/or the Project Approvals (each, a “Third-Party Lawsuit”), OFI may request that the Initial Term be tolled during the pendency of the Third-Party Lawsuit by providing a

written notice (“Tolling Notice”) to City within thirty (30) days after the commencement of the Third-Party Lawsuit, and said request shall be granted by City. The tolling of the Initial Term shall automatically begin upon City’s receipt of the Tolling Notice, and it shall end on the earliest of the following to occur: (A) the date on which a court issues a final judgment in the Third-Party Lawsuit and the expiration of all appeal period(s) following that judgment; (B) the date the Third-Party Lawsuit is dismissed; or (C) one (1) year from the date of issuance of the Tolling Notice.

4. **Tolling for Initiative or Referendum.** If the subject of an initiative or referendum petition would overturn, set aside, or substantially modify this Agreement, the other Project Approvals, or otherwise substantially impair the development of the Project, the Initial Term of this Agreement shall be tolled under this Section 4. The Term shall be automatically tolled beginning on the date that the initiative or referendum petition is submitted to the Ventura County elections official for signature verification, and ending on the date the last of the following occurs: (A) the date the County elections official determines the petition does not include a sufficient number of signatures; (B) the date the measure is voted on by the Council; or (C) the date of the election on the measure, if placed on the ballot. Notwithstanding any language in Sections 3 and 4 to the contrary, the total length of extension of the Initial Term shall not exceed one (1) year from the date the initiative or referendum petition is submitted to the Ventura County elections official for signature verification.

5. **Implementation and Development of the Project.**

5.1 **Permitted Uses.** OFI agrees that Property shall only be developed in accordance with this Agreement and the Project Approvals.

5.2 **Subsequent Action and Approval.** The City agrees not to unreasonably withhold, condition or delay any action or approval by the City which may be required by the Project subsequent to the execution of this Agreement.

6. **Vested Right to Develop the Project.** Subject to Section 9 below and the Applicable Rules, the City hereby grants to OFI the vested right to develop the Project on the Property in accordance with this Agreement and the Project Approvals. Other than the Project Approvals and this Development Agreement, development of the Project as described in this Agreement shall require no further discretionary approvals by the City. City and OFI intend to cause all development rights which may be required to develop the Project in accordance with the Project Approvals to be deemed vested in OFI for the Initial Term to the greatest extent permitted by law.

7. **Rent.**

7.1 **Rent.** Rent, as set forth in this provision, shall commence on the Operational Date.

(a) **Minimum Annual Guarantee (MAG).** Each year, OFI shall pay City the Minimum Annual Guarantee (the “MAG”) in the initial amount of \$150,000 per year, starting on the Operational Date, in accordance with the terms set forth in this Section.

| <u>Term</u>       | <u>Rent</u>      |
|-------------------|------------------|
| <u>Years 1-30</u> | <u>\$150,000</u> |

(b) Manner of Payment. An annual prorated share of the MAG is due and payable on a calendar quarter basis, commencing within forty-five (45) days of the Operational Date and within ten (10) days following the beginning of each calendar quarter occurring thereafter without notice, demand, offset or deduction. OFI shall remit the MAG to City at the address designated by City in writing to OFI for the payment of Rent. For any portion of the Initial Term that is less than a full calendar quarter, the MAG shall be prorated based on the number of days occurring during such calendar quarter and actual number of days in such calendar quarter.

(i) Late Charge. If OFI fails to pay any installment of MAG within ten (10) calendar days after the same is due and payable, such unpaid amount will be subject to a late payment charge equal to five percent (5%) of the unpaid amount in each instance; provided, however, OFI shall not be assessed with the foregoing late payment charge with respect to the first (1<sup>st</sup>) late payment in any consecutive twelve (12) month period unless and until OFI fails to make such payment to City within three (3) business days after written notice from City that it failed to receive such amounts within the time period set forth above. Following the first (1<sup>st</sup>) late payment in any calendar year, no notice by City shall be required for purposes of collecting a late payment charge. The late payment charge has been agreed upon by City and OFI, after negotiation, as a reasonable estimate of the additional administrative costs and detriment that City will incur as a result of any such failure by OFI, the actual costs thereof being extremely difficult—if not impossible—to determine. The late payment charge constitutes liquidated damages to compensate City for its damages resulting from such failure to pay, and OFI shall promptly pay such charge to City together with any unpaid interest

(ii) Default Interest. If any MAG is not paid within ten (10) calendar days following the due date, such unpaid amount will bear simple interest at the rate of 10% per year or the maximum permitted by law, whichever is lower (“Default Rate”) from the due date until paid. However, interest will not be payable on late charges incurred by OFI, nor on any amounts on which late charges are paid by OFI to the extent this interest would cause the total interest to be in excess of that which an individual is lawfully permitted to charge. Payment of interest will not excuse or cure any default by OFI.

(iii) Application of Payments. All payments received by City from OFI will be applied to the oldest obligation owed by OFI to City. No designation by OFI, either in a separate writing, on a check or money order, or otherwise will modify this Article 5 or have any force or effect.

## 7.2 Additional Consideration

(a) Percentage Rent. To the extent that the MAG for the 12-month period commencing on the Operational Date or anniversary of the Operational Date ("Agreement Year") during the Initial Term is less than 30% of the Annual Net Revenue for that Agreement Year (the difference being referred to herein as "Percentage Rent"), OFI shall pay to City, in addition to the MAG, within thirty (30) days after the end of the relevant Agreement Year, and to the extent applicable, the Percentage Rent.

(i) Reports. OFI shall furnish to City an annual statement of Annual Net Revenue within thirty (30) days after the end of each Agreement Year. Such statement shall be in a form acceptable to City. Each statement shall be signed and certified to be correct by a duly authorized officer of OFI. OFI shall keep and make available at its local office at \_\_\_\_\_ complete and materially accurate books of account, records, cash receipts and other pertinent data, in accordance with good accounting practices and in a form approved by City, showing the Annual Net Revenue, including without limitation, materially accurate records of every sale and other transaction made for any advertising display on the Billboard and any commissions paid by OFI pursuant to this Agreement. Such books of account, records, cash receipts and other pertinent data shall be kept for a period of no less than four (4) years after the end of each Agreement Year. The receipt by City of any statement, or any payment of Percentage Rent for any period, will not bind City as to the correctness of the statement or payment.

(ii) Inspection and Audit. City, at its sole option, will be entitled, at any time and from time to time during the Initial Term and during normal business hours and with prior written notice to OFI, to inspect, examine, copy and audit OFI's books, records and cash receipts as related to Annual Net Revenue. OFI shall cooperate fully with City and City's agents in making the examination. City, at its option, will also be entitled once during each Agreement Year and once after the termination of this Agreement, to cause an independent audit of such records to be performed by a certified public accountant designated by City, provided such accountant is not paid on a contingency fee basis. The audit will be conducted during usual business hours at OFI's office located at \_\_\_\_\_, unless another location is mutually agreed upon. If the audit shows that there is a deficiency in the payment of any Percentage Rent, then OFI shall promptly upon notice pay the deficiency to City which payment will not require any penalty or other late fee. City will pay the costs of the audit unless the audit shows that OFI understated Annual Net Revenue by more than three percent (3%) in which case OFI will pay all reasonable out-of-pocket costs paid to third party consultants and incurred by City in connection with the audit.

(b) City Usage. To the extent that commercial advertising time on the Billboard is unsold and available, City shall have the right to use 12.5% out of the total inventory of 16 spots (8 spots per face) or 2 total spots for the Billboard (such usage "City Usage"). Content displayed on the Billboard in connection with City Usage shall be displayed (subject to the terms of this Agreement) during the operation of the Billboard in increments, at the times of day and otherwise in the same manner as the commercial advertising displayed by OFI on the Billboard. Subject to the terms of this Agreement, City may use such time to promote any purpose that City, in its sole discretion determines best serves the needs of the City and residents, including but not limited to advertising City events and programs. City will submit "camera ready" artwork to OFI, at no cost to OFI, for display purposes. City agrees that for any City



Usage City will provide OFI with prior written notice of its desire for City Usage, City will provide OFI with the copy or text of such messages not less than ten (10) business days prior to the date such messages are to appear on the Billboard, and City Usage shall be limited to messages for the civic and public purposes described in this Section and will not be used directly or indirectly for any types of messaging or advertising which OFI would otherwise be able to sell to third parties in the ordinary course of OFI's business. City represents and warrants that all advertising materials and content supplied by City to OFI for display in connection with City Usage, (i) are owned or duly licensed by City and do not infringe or misappropriate the rights of any other person or entity, (ii) comply with all applicable federal, state, and local laws, rules and regulations and any industry codes or rules by which the parties may be bound and do not contain any obscene, libelous, slanderous or otherwise defamatory materials or refer in an offensive manner to the gender, race or ethnicity of any individual or group; (iii) are not false; and (iv) do not infringe upon any copyright, trademark or other intellectual property or privacy right of any third party. City hereby agrees to indemnify, defend and save harmless OFI against any and all claims, liabilities, losses, damages, fees and expenses arising out of or in connection with the City Usage, including but not limited to any claim for defamation, or infringement of any copyright, trademark, or other intellectual property or privacy right and reasonable attorneys' fees and expenses incurred in defending any such claims.

(c) Emergency Notifications. Without any offset in the City Usage described above and at no cost to the City and as further consideration for the use and occupancy of Property, Outfront shall make the Billboard available to Caltrans and the California Highway Patrol for purposes of "Amber Alerts" and for emergency or disaster notifications by local, state or federal agencies.

(d) Discount for Oxnard Auto Dealers and Oxnard Chamber of Commerce Members. For the Initial Term of this Agreement, Oxnard Auto Dealers and members of the Oxnard Chamber of Commerce shall receive a ten percent (10%) discount from the rates to advertise on the Billboard.

8. Advertising. The Billboard is not intended to provide a general public forum for purposes of communication, but rather to make use of property held by the City in a proprietary capacity in order to generate revenue. Except for any advertising or messages displayed on the Billboard at the request of the City (subject to the terms of this Agreement), all advertising to be displayed on the Billboard shall be strictly "commercial advertising." As used in this Agreement, "commercial advertising" means advertising for a commercial or industrial business, product, good, service, or other commercial or industrial activity for a commercial or industrial purpose. In addition to the general limitation on Billboard advertising to strictly commercial advertising, OFI may not display any message that: is inherently false, misleading, or libelous (i.e., speech that is incapable of being presented in a manner that is not misleading); promotes the sale or use of firearms or tobacco products, whether directly or indirectly; promotes adult entertainment, products, conventions, events, or websites; contains "obscene matter," as that term is defined in local, California or federal law, including but not limited to any statements or words of an obscene, indecent or immoral character, or any picture or illustration of any human figure in such detail as to offend public morals or decency or any other matter or thing of an obscene, indecent or immoral character; contains any "political advertising," which means advertising that promotes or opposes any candidate for public office or promotes or opposes a

ballot measure, referendum, bond issue, or any federal, state or local legislation, regulation, or other discretionary action; contains language that presents a clear-and-present danger of causing riot, disorder, or other imminent threat to public safety, peace, or order. OFI shall, within 48 hours after written demand from City, at OFI's risk and expense, remove any advertising material or message that does not comply with the advertising criteria set forth in this Section, and which is not being disputed by OFI. If OFI fails to promptly cause the removal of such advertising, City may (but is not required to), without further process of law, cause the removal of the advertising. OFI shall reimburse City's costs of such actions upon demand and will bear the risk of any damage to the Billboard resulting from such actions. City may exercise such remedies without prejudice to any other remedies it may be entitled to exercise under this Agreement, at law or in equity. OFI agrees to ensure that businesses or organizations located within the City or residents of the City will be able to purchase advertising on the Billboard in such manner and at such rates as offered to businesses, organizations or persons located or residing outside of the City and that it will not permit any exclusivity contracts or arrangements with advertisers that would violate this covenant.

9. **Subsequent Applicable Rules.** Rules, regulations and official policies of the City, including but not limited to the General Plan, the Specific Plan, zoning and other development regulations adopted after the Effective Date of this Agreement ("Subsequent Applicable Rules") shall not be applicable to or binding upon the Project unless they are otherwise expressly allowed by this Agreement or are consented to in writing by OFI. The City shall not require OFI to obtain any approvals or permits for the development of the Project other than those permits or approvals which are required by the Applicable Rules. This Agreement will bind the City to the terms and obligations specified in this Agreement.

10. **No Conflicting Enactments.** The City shall not enact rules, regulation, ordinances or other measures which limit or control the development of any part of the Project which is inconsistent or in conflict with this Agreement.

11. **Moratorium or Initiative Measures.** OFI and the City intend that no moratorium or other limitation (whether relating to the rate, timing or sequence of the development of the Project and whether enacted by initiative or otherwise) affecting building permits or other entitlements shall apply to the Project to the extent such moratorium or other limitation is inconsistent with or conflicts with this Agreement.

12. **Legal Challenges.** City agrees to cooperate with OFI in all reasonable manners in order to keep this Agreement in full force and effect. Notwithstanding the preceding sentence, in the event of any legal action instituted by a third party or other government entity or official challenging the validity of this Agreement, the City and OFI agree to cooperate in defending such action, with OFI to indemnify the City pursuant to this Agreement. In the event of any litigation challenging the effectiveness of this Agreement or any portion thereof, this Agreement shall remain in full force and effect while such litigation, including any appellate review, is pending, unless a court of competent jurisdiction orders otherwise.

13. **Events of Default; Early Termination.**

13.1 Defaults by OFI. OFI will be in default under this Agreement (“Default”) upon occurrence of any of the following:

(a) OFI is at any time late in the payment of Rent or any other monetary sum called for by this Agreement and fails to make payment within thirty (30) days following a written notice to cure from City to OFI; or

(b) OFI fails to keep and perform any of its other covenants or agreements contained in this Agreement and such failure continues for more than thirty (30) days after a written notice to cure from City to OFI specifying, the obligation which OFI has failed to perform. Where it will reasonably take OFI more than thirty (30) days, as calculated from receipt of written notice from the City to cure the default and come into compliance with applicable covenants or agreements, the 30-day period shall be extended for a reasonable time to allow OFI to come in to compliance and OFI shall be in Default under this Agreement if it has failed to commence such cure within such 30-day period and has failed to diligently pursue completion of such cure; or

(c) After receipt of a written notice to cure from the City, OFI fails to cure within thirty (30) days and abandons and ceases to use the Property; or

(d) The Billboard is not Operational by the one (1) year anniversary of the later of: (i) OFI’s receipt of approval from Caltrans for the Caltrans Permits, and (ii) OFI’s receipt of all other approvals, permits and entitlements and associated CEQA review from the City and any other relevant responsible agencies for construction and other work related to the Billboard. The one (1) year anniversary shall, however, be tolled in the event of the filing of third party lawsuits, initiatives, or referenda, as specified in Sections 3 and 4.

13.2 City’s Remedies for Default by OFI. Upon the occurrence and during the continuance of any Default identified in Section 13.1, in addition to any and all other rights or remedies of City hereunder, City will have the sole option to exercise the following rights and remedies:

(a) City may terminate this Agreement if OFI is in default and fails to cure as provided in Section 13.1(a)-(c), or is in default as provided in Section 13.1(d), including any applicable tolling period.

(b) Except as provided in subdivision (c) below, in the event of a default by OFI, City shall have the right to: (i) bring any proceeding in the nature of specific performance, injunctive relief, declaratory relief, or mandamus and/or; (ii) bring any action to compensate City for OFI’s specific obligations to the City pursuant to this Agreement.

(c) In the event that a third party lawsuit, referendum, or initiative has been filed that triggers the tolling provisions in Sections 3 and 4 and such lawsuit, referendum, or initiative has not been resolved, dismissed, terminated, or otherwise completed within the one (1) year tolling period, the City’s sole remedy for OFI’s failure to make the Billboard Operational as provided in Section 13.1(d), shall be to terminate this Agreement.

13.3 City Remedies Cumulative. Each right and remedy of City provided for herein will be cumulative and will not preclude City from exercising any other rights or remedies provided for in this Agreement. No payment by OFI of a lesser amount than the Rent nor any endorsement on any check or letter accompanying any check or payment of Rent will be deemed an accord and satisfaction of full payment of Rent; and City may accept such payment without prejudice to City's right to recover the balance of such Rent or to pursue other remedies.

13.4 Default by City. City will not be in default under this Agreement unless City fails to perform obligations required of City within thirty (30) days after written notice is delivered by OFI to City specifying the obligation which City has failed to perform; provided, however, that if the nature of City's obligation is such that more than thirty (30) days are required for performance, then City will not be in default if City commences performance within such 30-day period and thereafter diligently prosecutes the same to completion. All obligations of City hereunder will be construed as covenants, not conditions.

13.5 OFI's Remedies for Default by City. Upon the occurrence and during the continuance of any Default by City identified in Section 13.4, OFI will have the sole option to exercise the following rights and remedies:

(a) OFI may terminate this Agreement if City is in default and fails to cure as provided in Section 13.4.

(b) In the event of a default by City, OFI shall have the right to: (i) bring any proceeding in the nature of specific performance, injunctive relief, declaratory relief, or mandamus and/or; (ii) bring any action to compensate OFI for City's specific obligations to OFI pursuant to this Agreement.

13.6 OFI Remedies Cumulative. Each right and remedy of OFI provided herein will be cumulative and will not preclude OFI from exercising any other rights or remedies provided for in this Agreement.

13.7 OFI's Early Termination Rights. OFI may terminate this Agreement effective 30 days after OFI gives the City written notice of termination, if any of the following circumstances occur:

(a) The view of the Billboard's display area from the portion of U.S. 101 adjacent to the Property is materially obstructed, and OFI did not cause the obstruction.

(b) OFI cannot safely use the Property to renovate, operate, maintain, repair, or improve the Billboard because of a non-remediable condition, and OFI did not cause the condition.

(c) There is a material diversion of traffic from, or a material reduction or change in the directional flow of traffic on, the portion of U.S. 101 adjacent to the Property, and the diversion or disruption continues uninterrupted for at least six (6) consecutive months.

(d) Through no fault of its own, OFI cannot obtain or maintain the governmental permits required to construct, operate, maintain, and repair the Billboard,

including the Caltrans Permits and City permits, or there is a legal challenge to such permits and approvals, including, but not limited to, any challenges under CEQA, and OFI elects, in its sole discretion, not to oppose such challenges, OFI may withdraw its applications for approval and terminate this Agreement.

(e) Use of the Billboard for its intended purpose is prevented or limited by law, or OFI is required by any court or other governmental entity, for reasons other than eminent domain, to remove the Billboard from the Property.

(f) The City is in default of this Agreement, and said default is not timely cured.

13.8 Consequential and Punitive Damages. Anything in this Agreement to the contrary notwithstanding, neither City nor OFI shall be liable to each other under or in connection with this Agreement for any consequential or punitive damages and each party waives, to the full extent permitted by applicable laws, any claim for consequential or punitive damages, and any claim for loss of business or profits.

#### 14. Insurance.

14.1 Types of Policies. During the Initial Term and, if OFI is removing the Billboard, during OFI's removal of the Billboard, at no cost to City except as otherwise contemplated by this Agreement, OFI shall procure and maintain the forms and amounts of insurance covering OFI's possession and use of the Property set forth below ("OFI's Insurance"). OFI's Insurance shall be primary to and not contributing with any other insurance, self-insurance or joint self-insurance maintained by City, and shall name the City as an additional insured.

14.2 Commercial General Liability Insurance. A policy of commercial general liability insurance (occurrence form) having a limit of Two Million Dollars (\$2,000,000) per occurrence and Four Million Dollars (\$4,000,000) annual aggregate, providing coverage for blanket contractual liability (including OFI's indemnification obligations under this Agreement), products and completed operations liability, broad form property damage, and bodily injury (including wrongful death) and advertising injury coverage.

14.3 Workers' Compensation and Employer's Liability Insurance. Workers' compensation insurance, if required by law, which complies with all applicable state statutes and regulatory requirements, and employer's liability insurance coverage in statutory amounts. OFI shall also require any contractor utilized to perform any services or work at the Property pursuant to this Agreement to maintain such workers' compensation insurance and provide proof of such insurance prior to commencing any services or work at the Property.

14.4 Other Insurance. Any other form or forms of insurance as City may reasonably require from time to time, in form, amounts and for insurance risks against which a prudent OFI would protect itself, but only to the extent such risks and amounts are available in the insurance market at commercially reasonable costs.

15. City's Right to Enter and Inspect the Property. City and its authorized representatives will have the right to enter upon and inspect the Property at reasonable times (and

on no less than forty-eight (48) hours' notice) to determine OFI's compliance with this Agreement.

16. **Notification of Incidents.** OFI shall endeavor to notify City within forty-eight (48) hours after OFI has actual knowledge of the occurrence of any accident or event on or about the Billboard, the Property, any portion thereof, or any improvements thereon and which OFI actually determines could give rise to a claim against City, City's insurance, OFI, or OFI's Insurance, except that OFI will not be so obligated with respect to any accident or event which could give rise to a claim under OFI's workers' compensation insurance. OFI's notice shall be accompanied by a copy of any report(s) relating to such accident or event.

17. **Nonexclusive Easements.** The City reserves the right for itself and others in the future to establish nonexclusive utility easements (including easements for construction, maintenance, repair, replacement and reconstruction) over, under, through or on the Property in locations that will not interfere with OFI's use of the Property as contemplated by this Agreement. Under no circumstances shall the City permit the construction of any improvement on the Property, or adjacent City-owned properties, that will obstruct views of the Billboard from US 101. OFI will not be required to maintain or repair the utility easements unless OFI has caused the need to repair.

18. **Expiration of Agreement; Holding Over.** This Agreement will expire at the end of the Initial Term. If OFI holds over on the Property after the expiration of the Initial Term with the consent of City, such holding over will be construed to be only a tenancy from month to month, subject to all the covenants, conditions and obligations contained in this Agreement that applied at the expiration of the Initial Term. If OFI does hold over on the Property after the Initial Term, then OFI agrees to pay City as monthly rental an amount which is equal to 1/12th of the annual Rent paid by OFI to City during the last year of the Initial Term.

19. **Condition of Property.** The Property and all improvements thereon, are being leased to OFI in its current, existing, "AS IS" condition. City makes no representations or warranties of any kind, express or implied, written or oral, about any of the following: the physical condition of the Property; the suitability of the Property for OFI's anticipated use; any limitations on OFI's use of the Property; the costs of conducting OFI's business on the Property; or the condition of the soils or ground waters of the Property. By taking possession of the Property, OFI accepts the Property "AS IS" and acknowledges that the Property are satisfactory for OFI's purposes. OFI has ascertained the condition of the Property through its own independent investigation and has relied solely on that independent investigation when entering into this Agreement.

20. **Permitted Uses.** Subject to any City Usage, OFI has the exclusive right to display an Off-site Outdoor Advertising Sign on the Property consistent with **Exhibit C**. City will not authorize any other Off-site Outdoor Advertising Signs on the Property. OFI's right to construct an Off-site Outdoor Advertising Sign on the Property includes the right to the following uses: constructing, operating, maintaining, and repairing, the Billboard, and any utilities installed in connection with the Billboard; installing and maintaining utility wires, poles, cables, conduits, and pipes over or under the Property from the nearest accessible public right-of-way that support the permitted operations of the Billboard; and all rights of ingress and egress

over the Property that OFI needs to access the Billboard. Subject to the City's sole and absolute discretion as property owner, as well as the regulator through any generally applicable permit process, OFI may sublease the Property for telecommunications facilities on the Billboard with the written approval of the City and with any such revenue considered part of Annual Net Revenues. Such telecommunications facilities shall be "stealth;" not affect the aesthetic or structural integrity of the Billboard in the City's discretion.

21. **Prohibited Uses.** Hazardous Substances. Neither OFI nor any of OFI's representatives or agents may use, handle, store, transport, treat, generate, release or dispose of any Hazardous Materials anywhere in, on, under or about the Property, the Billboard, or any improvements thereon. Notwithstanding the foregoing, OFI may use, handle, store, transport, treat, generate, release or dispose of any Hazardous Materials in such limited amounts as are customarily used to construct, operate, maintain, or repair the Billboard in accordance with this Agreement, and so long as OFI is at all times in full compliance with all applicable environmental laws. OFI shall cause any and all Hazardous Materials brought onto, used, generated, handled, treated, stored, released or discharged by OFI or its authorized representatives on or under the Billboard, the Property, or any improvements thereon to be removed therefrom and transported for disposal in accordance with applicable laws, including Hazardous Materials Laws. City will have the right to enter the Property, or any improvements thereon, from time to time to conduct tests, inspections and surveys concerning Hazardous Materials and to monitor OFI's compliance with its obligations concerning Hazardous Materials and Hazardous Materials Laws (the City agrees that all such testing, inspections, surveys and monitoring will be at the City's expense unless the results of such testing, inspections, surveys or monitoring demonstrate that, with respect to OFI's use, handling, storage, transportation, treatment, generation, release or disposal of Hazardous Materials in, on, under or about the Property, the Billboard, or any improvements thereon, OFI has violated its obligations contained in this Section. OFI shall promptly notify City in writing upon its actual knowledge of: (a) any release or discharge of any Hazardous Material by OFI or its authorized representatives; (b) any voluntary clean-up or removal action instituted or proposed by OFI, (c) any enforcement, clean-up, removal or other governmental or regulatory action instituted or threatened against OFI, or (d) any claim made or threatened by any person against OFI, the Billboard, the Property, or any improvements thereon relating to Hazardous Materials or Hazardous Materials Laws. OFI shall also supply to City as promptly as possible, and in any event within five (5) business days after OFI receives or sends same, copies of all claims, reports, complaints, notices, warnings or asserted violations relating in any way to the Billboard, the Property, any portion thereof, or any improvements thereon or OFI's use thereof and concerning Hazardous Materials or Hazardous Materials Laws. In the event OFI institutes a cleanup or removal action, OFI shall provide copies of all work plans and subsequent reports submitted to the governmental agency with jurisdiction to City in a timely manner.

22. **Unlawful Activities.** OFI may not use or permit the Property to be used in any way that violates this Agreement or any valid and applicable statute, ordinance, regulation, rule, or order of any federal, state, or local governmental entity (including City). OFI may not maintain or commit, or permit the maintenance or commission of, any public or private nuisance as defined by any law applicable to the Property. OFI hereby waives any rights to compensation it may have if a court finds that the Billboard constitutes a public or private nuisance under any

valid and applicable federal, state, or local law and for that reason orders OFI to remove or modify the Billboard.

23. **Encumbrances.** OFI may not encumber the Property or any part of the Property or the Billboard or any part of the Billboard, for any purpose, without City's prior written consent, which City may withhold for any reason. OFI shall keep the Property and the Billboard free of all liens and other encumbrances other than those, if any, to which City consents.

24. **Construction and Operation of Billboard.** Subject to any required permits and approvals, OFI shall construct, operate, maintain and repair the Billboard on the Property in accordance with the provisions of this Agreement. Upon completion of the Billboard, OFI shall provide City with a complete set of as-built drawings.

25. **Permitting Costs.** OFI will bear the costs associated with obtaining the Caltrans Permits and costs related to all other permitting and entitlements which are required for the construction and operation of the Billboard, including obtaining any Project Approvals (as defined in Section 1.18), for the construction, operation, maintenance, and repair of the Billboard and the Property and any environmental review of the Property.

26. **Plans and Specifications.** At no cost to City, OFI shall prepare complete plans and specifications for the construction of the Billboard consistent with **Exhibit C** to this Agreement, working closely with City to develop plans and specifications that are mutually acceptable (the "Plans"). OFI shall submit the Plans to City for final approval, which City will not unreasonably withhold, condition or delay. The Billboard shall be designed to comply with all applicable state, county, and City codes and regulations.

27. **Caltrans Permits.** OFI is responsible for ensuring that the Billboard complies with all requirements of California's Outdoor Advertising Act and Regulations if Caltrans determines that the Property fall within the scope of such law. As soon as practicable after the Effective Date, OFI shall apply for the Caltrans Permits, or, if necessary, engage in discussions with Caltrans to negotiate a Billboard Relocation Agreement that is mutually agreeable to both OFI and Caltrans which will permit OFI to seek all Caltrans Permits required in connection with the construction and operation of the Billboard contemplated by this Agreement. OFI agrees that upon request by the City, OFI will provide updates and any reasonably requested documentation relating to the negotiations with Caltrans for the Caltrans Permits and any status on the issuance of the Caltrans Permits. During the Initial Term, OFI shall perform all obligations under the Caltrans Permits at no cost to City. OFI shall have twelve (12) months from the Effective Date to obtain the Caltrans Permits, which period shall be subject to the one (1) year tolling period provided in Sections 3 and 4 in the event of a third party lawsuit, initiative, or referendum. If OFI has not received the Caltrans Permits at the end of such twelve (12) month period in addition to any tolling period as provided in Sections 3 and 4, and provided that OFI has diligently pursued the Caltrans Permits, City must provide OFI an extension of an additional six (6) months to obtain the Caltrans Permits. If, following such additional six (6) month extension period, OFI is still unable to obtain the Caltrans Permits, either the City or OFI can agree to another extension of time or terminate this Agreement.



28. **Cooperation in Completing Project; Landscaping.** OFI and City acknowledge and agree that in order to provide for OFI's effective utilization of the Billboard, the Billboard must be visible without obstruction. Such effective utilization necessitates the removal of the trees depicted on **Exhibit D** (collectively, the "Trees"). City agrees to reasonably cooperate (at no cost to City) with OFI, including, without limitation, applying for certain permits in the name of the City, as necessary for the successful completion of the Project and fulfillment of Project requirements, including, without limitation, accomplishment of each and every mitigation measure, and all other requirements or conditions that may be imposed on the Project by other public agencies. OFI acknowledges and agrees that such requirements and conditions may include the planting of new landscaping and/or trees. OFI shall be solely responsible for paying all costs associated with this process.

29. **Construction.** OFI shall begin design process and permitting process for the Billboard as soon as practicable after the Effective Date and shall diligently pursue construction to completion without unnecessary interruption so that the Billboard is Operational by the date established in Section 13.1(d). OFI will be excused, however, for any delays in beginning or completing construction that are caused by a Force Majeure Event, as defined in Section 33. OFI shall use reasonable diligence to avoid such delays and to resume work as promptly as possible after such a delay.

30. **Prevailing Wages.** The parties agree that any "construction, alteration, demolition, installation, or repair work" ("Improvement Work") shall comply with applicable prevailing wage policies as set forth in California Labor Code section 1720 et seq., any applicable federal law and applicable regulations thereto ("Prevailing Wage Laws"). OFI shall defend, indemnify and hold harmless City and its officers, officials, employees, volunteers and agents from any claims arising out of or in any way connected to OFI's obligations regarding compliance with Prevailing Wage Laws.

31. **Maintenance.** OFI shall be responsible for all the on-going repair, maintenance, installation, and operation costs of the Billboard, and related improvements on the Property at no cost to the City. OFI shall also be responsible for the prompt removal of any graffiti from the Billboard within forty-eight (48) hours of receiving notice of the graffiti.

32. **Damage or Destruction to the Billboard.** This Agreement will continue in full effect if the Billboard is substantially damaged or destroyed in whole or part by any cause whether or not covered by the fire-and-casualty insurance OFI maintains, subject to the following:

32.1 The Rent thereafter due under this Agreement will abate from the date of the casualty until the repair or replacement of the Billboard is completed.

32.2 The City and OFI will mutually agree upon the repair or replacement of the Billboard, which such repair or replacement will use any proceeds of insurance maintained by the City or otherwise at the expense of the City. In connection with any election to repair the casualty, OFI and the City will promptly apply for, and diligently pursue the issuance of, any permits or approvals needed to repair or replace the Billboard. Within thirty (30) days after obtaining the necessary permits and approvals, the party which will perform such repair or

replacement will begin work to repair or replace the Billboard and diligently pursue the completion thereof.

32.3 In the event of any damage or destruction which is covered by insurance, the City will promptly make proof of loss and proceed promptly to collect, or cause to be collected, all valid claims which the City may have against insurers or others based upon any such damage or destruction. Except as otherwise provided above, amounts received on account of any losses pursuant to insurance policies shall be used and expended for the purpose of fully repairing or reconstructing the portions of the Billboard which has been destroyed or damaged.

32.4 Notwithstanding anything herein to the contrary, if (a) the cost to repair or replace the damage or destruction of the Billboard exceeds 50% of its fair-market value immediately before it is damaged or destroyed; and (b) the damage or destruction occurs during the last five (5) years of the Initial Term, then the City may terminate this Agreement upon written notice to OFI without penalty.

33. **Force Majeure** As used in this Agreement “Force Majeure Events” and “Pandemic Events” have the following meaning:

33.1 “Force Majeure Events” mean, collectively: (1) governmental preemption or governmental shutdowns of business in connection with a national emergency, (2) work stoppages or other delays due to pandemics or other unforeseen circumstances, (3) conditions that prevent or delay construction and which are affected by war, pandemic, civil unrest or other international, national, state or municipal emergency or other cause, (4) act of God, (5) Pandemic Events (as hereinafter defined) or (6) any other cause, similar or dissimilar, beyond the reasonable control of either party; and

33.2 “Pandemic Events” shall mean (1) governmental shutdowns of business in Ventura County in connection with the occurrence of a pandemic or other public health emergency, or (2) the issuance of “shelter-in-place” orders affecting Ventura County by one or more governmental authorities due to the occurrence of a pandemic or other public health emergency.

34. **Utilities.** At no cost to City, OFI shall provide and pay for all utility connections, utility equipment, and utility service required to construct, operate, maintain, repair, improve, or reposition the Billboard throughout the Initial Term (provided that City will pay for all such costs and expenses in connection with the construction and operation of the City’s Telecommunication Facilities, if applicable). OFI shall coordinate with City and the applicable utility companies for utility tie-ins and electrical power sources that OFI may need to construct and operate the Billboard.

35. **Removal of Billboard.** OFI shall be responsible for the removal of the Billboard, and other improvements from the Property and restore the Property to its condition immediately prior to the date that City delivered control of the Property to OFI (reasonable wear and tear, damage or destruction by the acts of God beyond the control of OFI, and damage caused by parties other than OFI (and its employees and contractors) excepted), at the expiration of the Initial Term of this Agreement, unless the City waives OFI’s removal obligation in writing. In

the event this Agreement is otherwise terminated or cancelled prior to the expiration of the Initial Term, OFI shall remove the Billboard and other improvements installed by OFI from the Property and restore the Property to its condition immediately prior to the date that City delivered control of the Property to OFI (reasonable wear and tear, damage or destruction by the acts of God beyond the control of OFI, and damage caused by parties other than OFI (and its employees and contractors) excepted), unless the City waives OFI's removal obligation in writing. Notwithstanding the above, OFI shall not be required to remove those portions of the Billboard and other improvements made by OFI on the Property that are more than ten (10) feet below grade. OFI shall cause the removal as required under this Section within thirty (30) days from the end of the Initial Term or from the date of early termination, whichever the case may be. If OFI does not timely remove the Billboard and other improvements as required by this Section, City may, but shall not be required to, remove or cause the removal of the Billboard and other improvements on the Property at OFI's expense. OFI shall reimburse City within thirty (30) days of receipt of an itemized accounting of the cost for such removal and the restoration of the Property to its state immediately prior to the installation of the Billboard. City and OFI acknowledge and agree that OFI and its assigns shall be the exclusive owner and operator of the Billboard, and that all equipment comprising the Billboard shall remain the personal property of OFI and its assigns and shall not become fixtures of the Property. City shall have no right, title or interest in the Billboard or any component of the Billboard, notwithstanding the manner in which the Billboard is or may be physically attached, mounted or adhered to the Property.

36. **Taxes.** OFI shall pay without abatement, deduction, or offset any income taxes or possessory interest taxes levied on or assessed against the Billboard located on the Property, OFI's equipment, fixtures, and personal property located on or in the Property, which are directly attributable to this Agreement or OFI's use of the Property, whether belonging, owned, or chargeable against the City. OFI shall make all such payments directly to the charging authority prior to delinquency and before any fine, interest, or penalty becomes due or is imposed for OFI's non-payment. Following prior request by City, OFI shall provide City with proof of payment of such tax.

37. **Compliance Review.**

37.1 **Periodic Review.** Pursuant to Government Code section 65865.1, the City Manager shall, not less than once in every twelve (12) months, review the Project and this Agreement to ascertain whether or not OFI is in full compliance with the terms of this Agreement (the "Periodic Review").

37.2 **Review Procedure.** During a Periodic Review, OFI shall provide information reasonably requested by the City Manager that the Project is being developed in good faith compliance with the terms of this Agreement. Upon completion of a Periodic Review, the City Manager shall submit a report to the City Council setting forth the City Manager's findings. If, as a result of a Periodic Review, the City Council finds and determines on the basis of substantial evidence that OFI has not complied in good faith with the terms or conditions of this Agreement, the City shall issue a written "Notice of Noncompliance" to OFI specifying the grounds therefore and all facts demonstrating such noncompliance. OFI's failure to cure the alleged non-compliance within ninety (90) days after receipt of the notice, or, if such noncompliance is not capable of being cured within ninety (90) days, OFI's failure to initiate all

actions required to cure such noncompliance within ninety (90) days after receipt of the notice, shall constitute a default under this Agreement on the part of OFI and shall constitute grounds for the termination of this Agreement by the City as provided for below.

37.3 Termination or Modification for Non-Compliance. Pursuant to Government Code Section 65865.1, if the City Council finds and determines, on the basis of substantial evidence, that OFI has not complied in good faith with the terms or conditions of this Agreement, the City Council may modify or terminate this Agreement. Any action by the City with respect to the termination or modification of this Agreement shall comply with the notice and public hearing requirements of Government Code section 65865.1 in addition to any other notice required by law. Additionally, the City shall give OFI written notice of its intention to terminate or modify this Agreement and shall grant OFI a reasonable opportunity to be heard on the matter and to oppose such termination or modification by the City.

37.4 Modification, Amendment or Cancellation by Mutual Consent. Pursuant to Government Code section 65868, this Agreement may be amended or canceled, in whole or in part, by mutual written consent of the City and OFI or their successors in interest. Public notice of the parties' intention to amend or cancel any portion of this Agreement shall be given in the manner provided by Government Code section 65867. Any amendment to the Agreement shall be subject to the provisions of Government Code section 65867.5.

37.5 Inurement and Assignment. This Agreement shall inure to the benefit of and bind the successors and assigns of the City and OFI and may be assigned by either the City or OFI to any party or parties pursuant to the requirements of this Section. The specific rights and obligations of this Agreement shall be deemed covenants running with the land that concern and affect the Property. Prior to OFI's assignment of any rights, duties or obligations under this Agreement, OFI shall present such information to the City as will reasonably demonstrate to the City's satisfaction that the proposed assignee (the "**Assignee**") has the financial ability and experience to fulfill those specific rights, duties and obligations under the Agreement that the Assignee will assume. The City shall have the right to approve the proposed Assignee, provided that the City's approval may not be unreasonably withheld. Because this Agreement is a statutory Development Agreement, if City staff determine that they can recommend approval of the proposed Assignee, a public hearing before the Planning Commission and City Council will be necessary to approve the proposed amendment to this Agreement. If the City does not approve the Assignee, the City shall deliver notice to OFI of the reasons for the City's disapproval of the Assignee. Once such approved assignment or succession has occurred and the Assignee has agreed to accept the applicable obligations under this Agreement, OFI shall be released from its obligations under this Agreement assumed by the Assignee with respect to the Property, or portion thereof, so transferred. Notwithstanding anything herein to the contrary, OFI shall not be required to obtain the City's written consent prior to effecting a transfer of all or a portion of OFI's interests to OFI member agencies Foster Interstate, LLC and Outfront Media, LLC.

38. Monetary Damages. OFI and the City acknowledge that neither the City nor OFI would have entered into this Agreement if either were liable for monetary damages under or with respect to this Agreement or the application thereof. Both the City and OFI agree and recognize that, as a practical matter, it may not be possible to determine an amount of monetary

damages which would adequately compensate OFI for its investment of time and financial resources in planning to arrive at the kind, location, intensity of use, and improvements for the Project, nor to calculate the consideration the City would require to enter into this Agreement to justify such exposure. Therefore, the City and OFI agree that neither shall be liable for monetary damages under or with respect to this Agreement or the application thereof and the City and OFI covenant not to sue for or claim any monetary damages for the breach of any provision of this Agreement. This foregoing waiver shall not be deemed to apply to any fees, payments, reimbursements or other monetary amounts specifically required to be paid by OFI to the City pursuant to this Agreement.

39. **Specific Performance.** OFI has invested significant time and resources and performed extensive planning and processing of the Project in agreeing to the terms of this Agreement and will be investing even more significant time and resources in implementing the Project in reliance upon the terms of this Agreement and it is not possible to determine the amount of monetary damages that would adequately compensate OFI for such efforts. Damages would not be an adequate remedy if City fails to carry out its obligations under this Agreement, and that OFI shall have the right to seek and obtain specific performance as a remedy for any breach of this Agreement. The City's remedy to terminate or amend this Agreement in the event of OFI's uncured breach shall be sufficient in most circumstances.

40. **Administration of Agreement and Resolution of Disputes.** OFI shall at all times have the right to appeal to the City Council any decision or determination made by any employee, agent or other representative of the City concerning the Project or the interpretation and administration of this Agreement. All City Council decisions or determinations regarding the Project or the administration of this Agreement shall also be subject to judicial review pursuant to Code of Civil Procedure section 1094.5, provided that, pursuant to Code of Civil Procedure section 1094.6, any such action must be filed in a court of competent jurisdiction not later than ninety (90) days after the date on which the City Council's decision becomes final.

41. **Recordation of this Agreement.** Pursuant to Government Code section 65868.5, the City Clerk shall record a copy of this Agreement in the Official Records of Ventura County within ten (10) days after the mutual execution of this Agreement.

42. **Constructive Notice and Acceptance.** Every person or entity who now or hereafter owns or acquires any right, title or interest in or to any portion of the Property is, and shall be, conclusively deemed to have consented and agreed to every provision contained herein, whether or not any reference to this Agreement is contained in the instrument by which such person acquired an interest in the Property.

43. **No Third-Party Beneficiaries.** This Agreement is made and entered into for the sole protection and benefit of the City, OFI and their respective successors and assigns. No other person or entity shall have any right of action based upon any provision of this Agreement.

44. **Miscellaneous.**

44.1 **Notices.** All notices, requests, demands, and other communications required or permitted under this Agreement shall be in writing and shall be (as elected by the

person giving such notice) (i) hand delivered by messenger or courier service, (ii) by overnight delivery (including Federal Express), or (iii) by United States mail (postage prepaid), registered or certified, return receipt requested, addressed to the addresses set forth below. Each notice shall be deemed delivered (1) on the date delivered if by personal delivery, (2) on the date of delivery by the overnight delivery service if by overnight delivery, or (3) seventy-two (72) hours after deposit in the United States mail (postage prepaid) if by registered or certified mail. By giving to the other parties at least fifteen (15) days' written notice, the parties to this Agreement and their respective successors and assigns shall have the right from time to time and at any time during the term of this Agreement to change their respective addresses and each shall have the right to specify as its address any other address.

**If to City:** City of Oxnard  
300 West Third Street  
Oxnard, California 93030  
Attention: City Manager

*with a copy to:* City of Oxnard  
214 South C Street  
Oxnard, California 93030  
Attention: Community Development Director  
Tel. No.: (805) 385 7877  
Fax No.: (805) 385 7854

*with a copy to:* City of Oxnard  
300 West Third Street  
Oxnard, California 93030  
Attention: City Attorney

**If to OFI:** Outfront Foster Interstate LLC  
1111 Broadway, Suite 1515  
Oakland, CA 94607  
Attn: John B. Foster, President  
Fax: (415) 832-7080

*with a copy to:* Outfront Media LLC  
405 Lexington Avenue, 17th Floor  
New York, NY 10174  
Attn: General Counsel

*with a copy to:* Miller Starr Regalia  
1331 North California Boulevard, Fifth Floor  
Walnut Creek, CA 94596  
Attn: Anthony Leones  
Tel: (925) 941-3261  
Fax: (925) 933-4126

Email: tony.leones@msrlegal.com

*with a copy to:*

Wendel Rosen LLP  
1111 Broadway, 24th Floor  
Oakland, CA 94607  
Attn: Matt Dambrov  
Tel: (510) 834-6600  
Fax: (510) 834-1928  
Email: mdambrov@wendel.com

44.2 Severability. If any part of this Agreement is declared invalid for any reason, such invalidity shall not affect the validity of the remainder of the Agreement. The other parts of this Agreement shall remain in effect as if this Agreement had been executed without the invalid part. The City and OFI intend and desire that the remaining parts of this Agreement continue to be effective without any part or parts that have been declared invalid.

44.3 Entire Agreement; Conflicts. This Agreement represents the entire agreement between the City and OFI with respect to the subject matter hereof and supersedes all prior agreements and understandings, whether oral or written, between the City and OFI with respect to the matters contained in this Agreement. Should any or all of the provisions of this Agreement be found to be in conflict with any other provision or provisions found in the Applicable Rules or the Subsequent Applicable Rules, then the provisions of this Agreement shall govern and prevail.

44.4 Further Assurances. The City and OFI agree to perform, from time to time, such further acts and to execute and deliver such further instruments reasonably necessary to effect the intents and purposes of this Agreement, provided that the intended obligations of the City and OFI are not thereby modified.

44.5 Negation of Agency. The City and OFI acknowledge that, in entering into and performing under this Agreement, each is acting as an independent entity and not as an agent of the other in any respect. Nothing contained herein or in any document executed in connection herewith shall be construed as making the City and OFI joint venturers, partners or employer/employee.

44.6 Attorneys' Fees. In the event of any claim, dispute or controversy arising out of or relating to this Agreement, including an action for declaratory relief, the prevailing party in such action or proceeding shall be entitled to recover its court costs and reasonable out of pocket expenses not limited to taxable costs, including, but not limited to telephone calls, photocopies, expert witness, travel, and reasonable attorneys' fees and costs to be fixed by the court. Such recovery shall include, but not limited to, court costs, out of pocket expenses and attorneys' fees on appeal, if any. The court shall determine who is the "prevailing party," whether or not the dispute or controversy proceeds to final judgment. If the City or OFI is reasonably required to incur such out of pocket expenses and attorneys' fees as a result of any claim arising out of or concerning this Agreement or any right or obligation derived hereunder,

then the prevailing party shall be entitled to recover such reasonable out of pocket expenses and attorneys' fees whether or not an action is filed.

44.7 Waiver. No waiver of any provision of this Agreement shall be effective unless in writing and signed by a duly authorized representative of the party against whom enforcement of a waiver is sought.

44.8 Estoppel Certificates. Within thirty (30) days following the receipt by City of a written request by OFI, the City shall execute and deliver to the requesting OFI a statement (an "estoppel certificate") certifying that (i) either this Agreement is unmodified and in full force and effect or there have been specified (date and nature) modifications to the Agreement, but it remains in full force and effect as modified; and (ii) either there are no known current uncured defaults under this Agreement or that the City alleges that specified (date and nature) defaults exist. The estoppel certificate shall also provide any other reasonable information requested. The failure to timely deliver a requested estoppel certificate shall constitute a conclusive presumption that this Agreement is in full force and effect without modification, except as may be represented by the requesting OFI, and that there are no uncured defaults in the performance of the requesting OFI, except as may be represented by the requesting OFI. The requesting OFI shall pay to City all reasonable administrative costs incurred by City in connection with the issuance of estoppel certificates under this Section prior to City's issuance of such certificates. Any such certificate may be and is intended to be relied upon by any person, including, but not limited to, the other Party, potential purchasers or lessees of all or any part of the Property, lenders or potential lenders.

44.9 Section Headings. The section headings contained in this Agreement are for convenience and identification only and shall not be deemed to limit or define the contents to which they relate.

44.10 Relationship of the Parties; Not Third-Party Beneficiaries. This Agreement does not create any relationship or association between City and OFI other than that of landlord and tenant, and it is expressly understood and agreed that City does not in any way nor for any purpose become a partner of OFI or a joint venturer with OFI in the conduct of OFI's business or otherwise; nor does this Agreement create between City and OFI the relationship of principal and agent. The parties do not intend to create any third-party beneficiaries to the Agreement.

44.11 Time of Essence. Time is of the essence of this Agreement, and all performances required hereunder shall be completed within the time periods specified. Any failure of performance shall be deemed as a material breach of this Agreement.

44.12 Counterparts. This Agreement and any modifications hereto may be executed in any number of counterparts with the same force and effect as if executed in the form of a single document.

45. **Indemnification**.



45.1 Definitions. For the purposes of this Section, the following definitions will apply:

(a) “Person” is to be interpreted broadly and includes OFI and OFI’s directors, officers, employees, contractors, and agents; and City and City’s elected officials, officers, employees, contractors, and agents.

(b) “Liabilities” means all liabilities, claims, demands, damages, and costs (including reasonable attorneys’ fees and litigation costs through final resolution on appeal) that arise directly or indirectly from OFI’s possession or use of the Property.

(c) “Occurrence” means (A) the death of, or injury to, any person; and (B) damage to, or destruction of, any real property, personal property (including intellectual property), or the environment (broadly interpreted to include the air, soil, soil vapor, surface water, groundwater, flora, and fauna on or about the Property).

45.2 General Indemnity. Except to the extent claims are caused by the negligence or willful misconduct of the City and its employees, agents and contractors, and not waived by OFI, OFI shall indemnify, protect, defend, and hold harmless City and its elected officials, officers, employees, volunteers, lenders, agents, and representatives and each of their successors and assigns from and against any and all third party claims, judgments, causes of action, damages, penalties, costs, liabilities, and expenses, including all reasonable out-of-pocket costs, attorneys’ fees, expenses and liabilities incurred in the defense of any such claim or any action or proceeding brought thereon, arising at any time during or after the Initial Term as a result (directly or indirectly) of or in connection with (a) any OFI default under this Agreement (including in the performance or non-performance of any obligation on OFI’s part to be performed under the terms of this Agreement); (b) OFI’s performance of the design and construction of the Billboard; (c) OFI’s or OFI’s representatives or agents use of the Property, the Billboard, any portion thereof, or any improvements thereon, the conduct of OFI’s business or any activity, work or thing done, permitted or suffered by OFI or its representatives or agents in or about the Property or any portion thereof, or any improvements thereon, except that with regard to the presence of Hazardous Materials, the Property or any improvements thereon, OFI will not be responsible for conditions that existed prior to the date that City delivers exclusive control of the Property to OFI and, whether prior to the Effective Date or not, were not caused by OFI or its authorized representatives; and (d) any negligent or willful act, error or omission of OFI or its representatives or agents in or about the Billboard, any portion thereof, or any improvements thereon (collectively, “Indemnification”). OFI shall provide such Indemnification by and through counsel reasonably approved by City. Without limiting the foregoing, OFI’s obligation under this Section includes Liabilities arising from any of the following:

(a) Any Occurrence that is caused by, or related in any way to, a verbal or nonverbal display on the Billboard.

(b) OFI’s failure to perform any provision of this Agreement due to no fault of City, to comply with any requirement of law applicable to OFI, or to fulfill any requirement imposed by any governmental entity (including City when acting as a government) on OFI or on OFI’s use of the Property.

(c) Any claim that OFI's policies with respect to the allocation of advertising time violate any person's or persons' First Amendment rights.

(d) Any Occurrence caused or allegedly caused by (i) any condition of the Property created by OFI or by any Person on the Property with OFI's permission; or (ii) some act or omission on the Property by OFI or by any Person on the Property with OFI's permission.

OFI agrees that its obligation under this Section includes the reasonable costs of attorney fees incurred by City's City Attorney's Office to monitor and consult with OFI regarding the defense of any such Liabilities, including providing direction with regard to strategy, preparation of pleadings, settlement discussions, and attendance at court hearings, mediations, or other litigation related appearances. City will use its best efforts to avoid duplicative attorney work or appearances in order to keep litigation costs to a reasonable minimum. OFI further acknowledges and agrees that settlement of any Liabilities requires the consent of City. City agrees that its consent will not be unreasonably withheld provided that OFI is financially able (based on demonstrated assets) to fulfill its obligation to indemnify City for the costs of any such settlement as required under this Agreement

45.3 Hazardous Materials. Except to the extent caused by City's negligence or willful misconduct, caused by a third party or with regard to the presence of Hazardous Materials on the Property as of the date City delivers exclusive control of the Property to OFI, OFI shall indemnify, defend and hold City harmless from any claims, causes of action, liabilities, losses, damages, injunctions, suits, fines, penalties, costs or expenses (including attorneys' fees and expenses and consultant fees and expenses) caused or alleged to have been caused by OFI's use, storage, handling, treatment, generation, discharge or release of Hazardous Materials in violation of OFI's obligations under this Agreement, whether such claims, causes of action or liabilities are first asserted during the Initial Term or thereafter, and including claims made against City with respect to bodily injury, death or property damage sustained by third parties caused or alleged to have been caused by OFI's use, storage, handling, treatment, generation, discharge or release of Hazardous Materials. For the purposes of clarification, the indemnity contained in this Section will be the sole indemnity OFI provides to the City with respect to Hazardous Materials and (b) OFI will not be responsible for nor indemnifies the City for any claims, causes of action, liabilities, losses, damages, injunctions, suits, fines, penalties, costs or expenses with respect to Hazardous Materials which do not directly result from OFI's use, storage, handling, treatment, generation, discharge or of Hazardous Materials in violation of OFI's obligations under this Agreement.

45.4 Survival. Each party's obligations under this Agreement will survive expiration or termination of this Agreement for a period of three (3) years following termination.

45.5 Reference of California Law. Unless expressly stated to the contrary, all references to statutes herein are to the California codes.

45.6 Interpretation of Agreement. The language in all parts of this Agreement shall in all cases be construed simply, as a whole and in accordance with its fair meaning and not strictly for or against any party. City and OFI acknowledge and agree that this Agreement has

been prepared jointly by City and OFI and has been the subject of arm's length and careful negotiation over a considerable period of time, that each party has been given the opportunity to independently review this Agreement with legal counsel, and that each party has the requisite experience and sophistication to understand, interpret, and agree to the particular language of the provisions hereof. Accordingly, in the event of an ambiguity in or dispute regarding the interpretation of this Agreement, this Agreement shall not be interpreted or construed against the party preparing it, and instead other rules of interpretation and construction shall be utilized.

45.7 Institution of Legal Actions. In addition to any other rights or remedies, either party may institute legal action to cure, correct or remedy any default, to recover damages for any default, or to obtain any other remedy consistent with the purpose of this Agreement. Such legal actions must be instituted in the Superior Court of the County of Ventura, State of California or in the United States District Court for the Central District of California.

45.8 No Relocation Benefits. It is agreed that nothing contained in this Agreement shall give OFI any right to occupy the Property at any time after the expiration of the term of this Agreement or its termination. OFI agrees that, upon the expiration or termination of this Agreement, OFI's use of the Property for the location of a Billboard or this Agreement shall not entitle OFI to any relocation benefits from the City pursuant to any federal, state or local law and waives any such claim against the City.

*Signatures on Following Page*

IN WITNESS WHEREOF, the City and OFI hereto have each executed this Agreement as of the date first written above.

**CITY:**

CITY OF OXNARD, a California municipal corporation

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Michelle, Ascencion, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Stephen Fischer, City Attorney

**OUTFRONT FOSTER INTERSTATE LLC**

**By Its Members:**

FOSTER INTERSTATE LLC

By: \_\_\_\_\_

Print Name: John B. Foster

Title: Manager

OUTFRONT MEDIA, LLC

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

*Development Agreement (PZ 20-670-06)*  
*Planning Commission Hearing Date: January 19, 2023*  
*Resolution No. 2023- XX*  
*Page 5 of 5*

**EXHIBIT A**

**DEVELOPMENT AGREEMENT**

EXHIBIT "A"

DESCRIPTION OF PROPERTY SUBJECT TO ENA

---

APN 132-003-301, 132-031-016 and 132-031-107 (RiverPark Boulevard near Vineyard Avenue)  
in the City of Oxnard, County of Ventura.

EXHIBIT "B"

LEGAL DESCRIPTION OF PROPERTY

---

# EXHIBIT "B"

## DESCRIPTION

AN EASEMENT IN THE IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA BEING A PORTION OF DEED RECORDED AS INSTRUMENT NO. 20110329-00050783-0 OF OFFICIAL RECORDS IN THE OFFICE OF THE VENTURA COUNTY RECORDER. SAID EASEMENT ALSO BEING A PORTION OF LOT LINE ADJUSTMENT NO. 08-31-13 RECORDED MAY 29, 2009 AS INSTRUMENT NO. 20090529-00087845-0 OF OFFICIAL RECORDS OF SAID COUNTY RECORDER, DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE MOST EASTERLY CORNER OF SAID LOT LINE ADJUSTMENT, ALSO BEING THE MOST EASTERLY CORNER OF LOT D OF TRACT NO. 5352-1, RECORDED IN BOOK 150, PAGES 76 THROUGH 92 OF MISCELANEOUS RECORDS OF SAID COUNTY RECORDER; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT LINE ADJUSTMENT AND THE SOUTHEASTERLY LINE OF SAID TRACT MAP NO 5352-1, A DISTANCE OF 70.73 FEET TO MOST SOUTHERLY CORNER OF SAID LOT D; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT D; NORTH 35°55'20" EAST, A DISTANCE OF 10.54 FEET TO THE **POINT OF BEGINNING**; THENCE, LEAVING THE SOUTHWESTERLY LINE OF SAID LOT D,

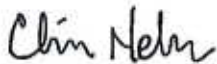
1. SOUTH 54°04'40" WEST, A DISTANCE OF 50.00 FEET, TO THE SOUTHWESTERLY LINE OF SAID DEED RECORDED AS INSTRUMENT NO. 20110329-00050783-0 OF OFFICIAL RECORDS; THENCE, ALONG SAID SOUTHWESTERLY LINE,
2. NORTH 35°55'20" WEST, A DISTANCE OF 62.85 FEET; THENCE, LEAVING SAID SOUTHWESTERLY LINE,
3. NORTH 54°04'40" EAST, A DISTANCE OF 50.00 FEET, TO THE SOUTHWESTERLY LINE OF SAID LOT D; THENCE, SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT D,
4. SOUTH 35°55'20" EAST, A DISTANCE OF 62.85 FEET, TO THE **POINT OF BEGINNING**.

**TOGETHER WITH** A NONEXCLUSIVE EASEMENT OVER PARCELS 1 AND 2 OF DEED RECORDED MARCH 29, 2011 AS INSTRUMENT NO. 20110329-00050783-0 OF OFFICIAL RECORDS, RECORDED IN THE OFFICE OF SAID COUNTY RECORDER.

CONTAINING 3,143 SQUARE FEET, MORE OR LESS.

ALL AS SHOWN ON PAGE 2 AND BY REFERENCE HEREIN MADE A PART HEREOF.

PREPARED BY:  
CHRIS NELSON & ASSOCIATES, INC.  
28118 AGOURA ROAD, SUITE 100  
AGOURA HILLS, CA 91301  
(818) 991-1040



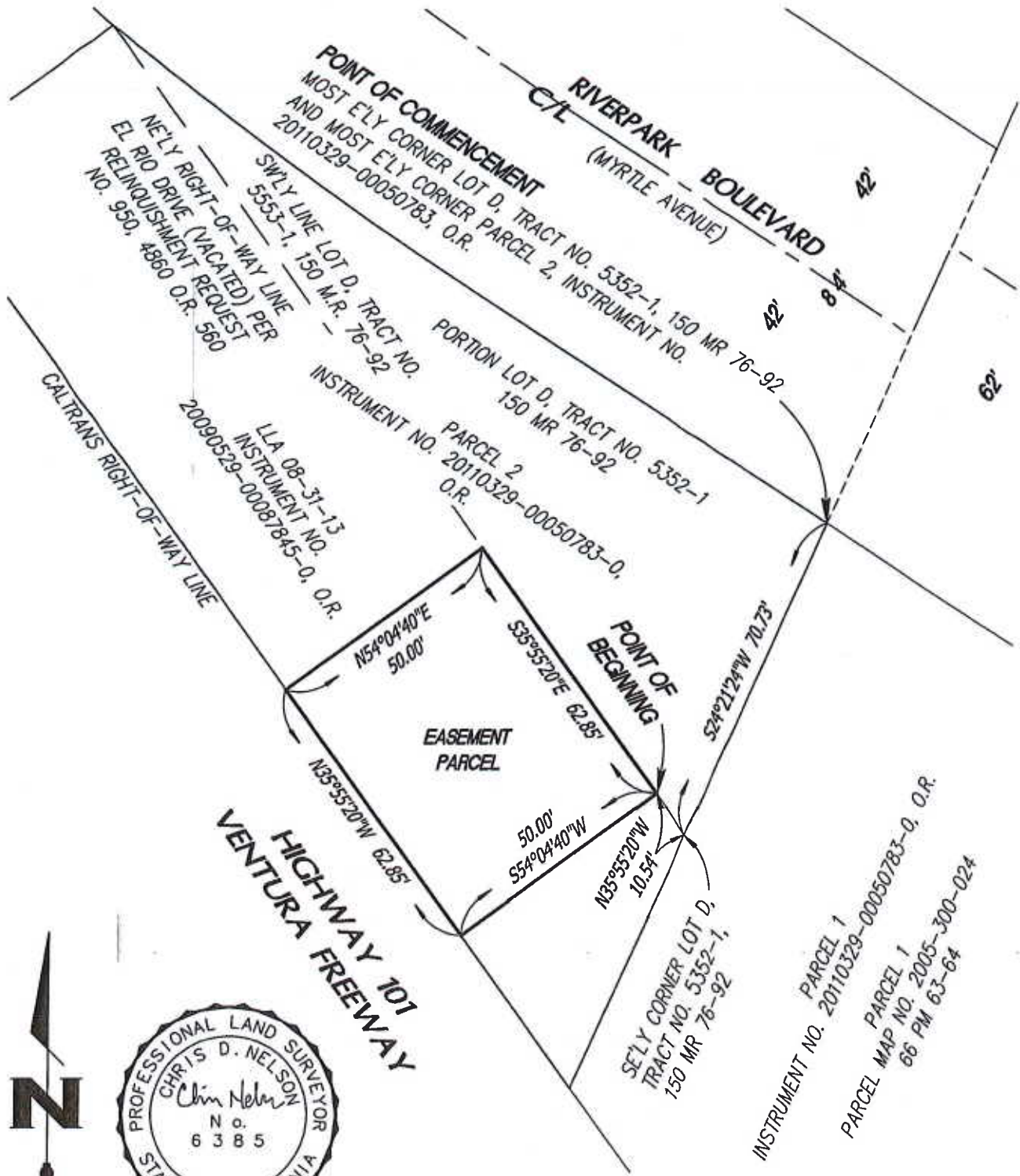
CHRIS NELSON, PLS 6385  
DATED: DECEMBER 15, 2022





EASEMENT AREA:  
3,143± SQ. FT

## EXHIBIT 'B'



SCALE: 1" = 30'

JOB NO.: 22-6505

DATED: 12/15/2022

PAGE 2 OF 2

EXHIBIT "C"

BILLBOARD

---









1. The following information is available for the company's operations in 2012:

2. The company's total assets were \$100 million at the beginning of 2012 and \$120 million at the end of 2012.

3. The company's total liabilities were \$40 million at the beginning of 2012 and \$50 million at the end of 2012.

4. The company's total equity was \$60 million at the beginning of 2012 and \$70 million at the end of 2012.

5. The company's net income was \$10 million for 2012.

6. The company's net loss was \$5 million for 2012.

7. The company's net income was \$15 million for 2012.

8. The company's net loss was \$10 million for 2012.

9. The company's net income was \$20 million for 2012.

10. The company's net loss was \$15 million for 2012.

11. The company's net income was \$25 million for 2012.

12. The company's net loss was \$20 million for 2012.

13. The company's net income was \$30 million for 2012.

14. The company's net loss was \$25 million for 2012.

15. The company's net income was \$35 million for 2012.

16. The company's net loss was \$30 million for 2012.

17. The company's net income was \$40 million for 2012.

18. The company's net loss was \$35 million for 2012.

19. The company's net income was \$45 million for 2012.

20. The company's net loss was \$40 million for 2012.

21. The company's net income was \$50 million for 2012.

22. The company's net loss was \$45 million for 2012.

23. The company's net income was \$55 million for 2012.

24. The company's net loss was \$50 million for 2012.

25. The company's net income was \$60 million for 2012.

26. The company's net loss was \$55 million for 2012.

27. The company's net income was \$65 million for 2012.

28. The company's net loss was \$60 million for 2012.

29. The company's net income was \$70 million for 2012.

30. The company's net loss was \$65 million for 2012.

31. The company's net income was \$75 million for 2012.

32. The company's net loss was \$70 million for 2012.

33. The company's net income was \$80 million for 2012.

34. The company's net loss was \$75 million for 2012.

35. The company's net income was \$85 million for 2012.

36. The company's net loss was \$80 million for 2012.

37. The company's net income was \$90 million for 2012.

38. The company's net loss was \$85 million for 2012.

39. The company's net income was \$95 million for 2012.

40. The company's net loss was \$90 million for 2012.

41. The company's net income was \$100 million for 2012.

42. The company's net loss was \$95 million for 2012.

43. The company's net income was \$105 million for 2012.

44. The company's net loss was \$100 million for 2012.

45. The company's net income was \$110 million for 2012.

46. The company's net loss was \$105 million for 2012.

47. The company's net income was \$115 million for 2012.

48. The company's net loss was \$110 million for 2012.

49. The company's net income was \$120 million for 2012.

50. The company's net loss was \$115 million for 2012.

51. The company's net income was \$125 million for 2012.

52. The company's net loss was \$120 million for 2012.

53. The company's net income was \$130 million for 2012.

54. The company's net loss was \$125 million for 2012.

55. The company's net income was \$135 million for 2012.

56. The company's net loss was \$130 million for 2012.

57. The company's net income was \$140 million for 2012.

58. The company's net loss was \$135 million for 2012.

59. The company's net income was \$145 million for 2012.

60. The company's net loss was \$140 million for 2012.

61. The company's net income was \$150 million for 2012.

62. The company's net loss was \$145 million for 2012.

63. The company's net income was \$155 million for 2012.

64. The company's net loss was \$150 million for 2012.

65. The company's net income was \$160 million for 2012.

66. The company's net loss was \$155 million for 2012.

67. The company's net income was \$165 million for 2012.

68. The company's net loss was \$160 million for 2012.

69. The company's net income was \$170 million for 2012.

70. The company's net loss was \$165 million for 2012.

71. The company's net income was \$175 million for 2012.

72. The company's net loss was \$170 million for 2012.

73. The company's net income was \$180 million for 2012.

74. The company's net loss was \$175 million for 2012.

75. The company's net income was \$185 million for 2012.

76. The company's net loss was \$180 million for 2012.

77. The company's net income was \$190 million for 2012.

78. The company's net loss was \$185 million for 2012.

79. The company's net income was \$195 million for 2012.

80. The company's net loss was \$190 million for 2012.

81. The company's net income was \$200 million for 2012.

82. The company's net loss was \$195 million for 2012.

83. The company's net income was \$205 million for 2012.

84. The company's net loss was \$200 million for 2012.

85. The company's net income was \$210 million for 2012.

86. The company's net loss was \$205 million for 2012.

87. The company's net income was \$215 million for 2012.

88. The company's net loss was \$210 million for 2012.

89. The company's net income was \$220 million for 2012.

90. The company's net loss was \$215 million for 2012.

91. The company's net income was \$225 million for 2012.

92. The company's net loss was \$220 million for 2012.

93. The company's net income was \$230 million for 2012.

94. The company's net loss was \$225 million for 2012.

95. The company's net income was \$235 million for 2012.

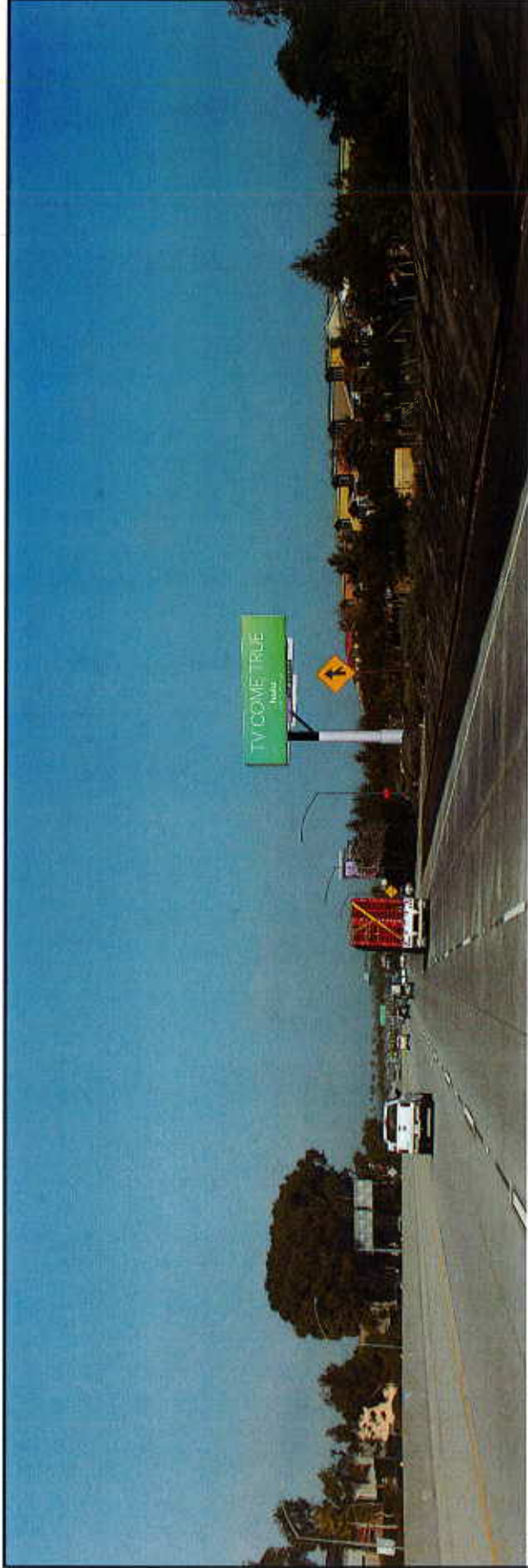
96. The company's net loss was \$230 million for 2012.

97. The company's net income was \$240 million for 2012.

98. The company's net loss was \$235 million for 2012.

99. The company's net income was \$245 million for 2012.

100. The company's net loss was \$240 million for 2012.



2 View From Northbound On U.S.101



1 View From Southbound On U.S.101

**ib+a**  
architecture

1171 First Street,  
San Francisco, CA 94108  
Tel: (415) 512-8600  
Fax: (415) 512-8603  
www.ib+a.com

**OXNARD  
SIGNAGE  
PROJECT**  
APN 12-0-511-076  
Oxnard,  
California

**OUTFRONT  
FOSTER  
INTERSTATE**

FOR SITE PERMIT ONLY

REV DATE REVISION



**RENDERINGS**

|            |            |
|------------|------------|
| DATE       | 08/01/2017 |
| SCALE      |            |
| DRAWN BY   |            |
| CHECKED BY |            |
| DATE       | 08/01/2017 |

**A-4.0**

All drawings are the property of the architect. No part of this drawing may be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the architect.

EXHIBIT "D"

TREE REMOVAL

---





- ## LEGEND

1000000  
 1000000  
 1000000  
 1000000

1000

|      |      |
|------|------|
| 2000 | 2001 |
|------|------|

[illegible][illegible][illegible]

**THE**

...the ...

...and the ...

**Abstract**

© 2000 Blackwell Science Ltd

AND ACTION.

100

| CONF | ANG | SALE |
|------|-----|------|
| 1    | 1   | 1    |
| 2    | 2   | 2    |
| 3    | 3   | 3    |
| 4    | 4   | 4    |
| 5    | 5   | 5    |
| 6    | 6   | 6    |
| 7    | 7   | 7    |
| 8    | 8   | 8    |
| 9    | 9   | 9    |
| 10   | 10  | 10   |
| 11   | 11  | 11   |
| 12   | 12  | 12   |
| 13   | 13  | 13   |
| 14   | 14  | 14   |
| 15   | 15  | 15   |
| 16   | 16  | 16   |
| 17   | 17  | 17   |
| 18   | 18  | 18   |
| 19   | 19  | 19   |
| 20   | 20  | 20   |
| 21   | 21  | 21   |
| 22   | 22  | 22   |
| 23   | 23  | 23   |
| 24   | 24  | 24   |
| 25   | 25  | 25   |
| 26   | 26  | 26   |
| 27   | 27  | 27   |
| 28   | 28  | 28   |
| 29   | 29  | 29   |
| 30   | 30  | 30   |
| 31   | 31  | 31   |
| 32   | 32  | 32   |
| 33   | 33  | 33   |
| 34   | 34  | 34   |
| 35   | 35  | 35   |
| 36   | 36  | 36   |
| 37   | 37  | 37   |
| 38   | 38  | 38   |
| 39   | 39  | 39   |
| 40   | 40  | 40   |
| 41   | 41  | 41   |
| 42   | 42  | 42   |
| 43   | 43  | 43   |
| 44   | 44  | 44   |
| 45   | 45  | 45   |
| 46   | 46  | 46   |
| 47   | 47  | 47   |
| 48   | 48  | 48   |
| 49   | 49  | 49   |
| 50   | 50  | 50   |
| 51   | 51  | 51   |
| 52   | 52  | 52   |
| 53   | 53  | 53   |
| 54   | 54  | 54   |
| 55   | 55  | 55   |
| 56   | 56  | 56   |
| 57   | 57  | 57   |
| 58   | 58  | 58   |
| 59   | 59  | 59   |
| 60   | 60  | 60   |
| 61   | 61  | 61   |
| 62   | 62  | 62   |
| 63   | 63  | 63   |
| 64   | 64  | 64   |
| 65   | 65  | 65   |
| 66   | 66  | 66   |
| 67   | 67  | 67   |
| 68   | 68  | 68   |
| 69   | 69  | 69   |
| 70   | 70  | 70   |
| 71   | 71  | 71   |
| 72   | 72  | 72   |
| 73   | 73  | 73   |
| 74   | 74  | 74   |
| 75   | 75  | 75   |
| 76   | 76  | 76   |
| 77   | 77  | 77   |
| 78   | 78  | 78   |
| 79   | 79  | 79   |
| 80   | 80  | 80   |
| 81   | 81  | 81   |
| 82   | 82  | 82   |
| 83   | 83  | 83   |
| 84   | 84  | 84   |
| 85   | 85  | 85   |
| 86   | 86  | 86   |
| 87   | 87  | 87   |
| 88   | 88  | 88   |
| 89   | 89  | 89   |
| 90   | 90  | 90   |
| 91   | 91  | 91   |
| 92   | 92  | 92   |
| 93   | 93  | 93   |
| 94   | 94  | 94   |
| 95   | 95  | 95   |
| 96   | 96  | 96   |
| 97   | 97  | 97   |
| 98   | 98  | 98   |
| 99   | 99  | 99   |
| 100  | 100 | 100  |

TRACTOR TO  
CONSTRUCT  
ITY SYSTEMS

PROVIDE IN  
ON OF NEW

CONSIDERING THE  
MAJOR RETROFIT

DEPARTMENT OF  
IT OF DISTRICT

calculation of the power, and

1975, TITLE 24, SECTION 101, SIGNAL LIGHT

HERBERT DOUGLAS  
TENG, ALABAMA

MENTATION  
AND LIFE

...and out...

45482

...LAWYERS...  
...PLANNING...  
...LOVED IN LIFE...  
...ET, BEYOND...

THE QUALITY OF THE  
LIFE OF AMERICANS  
IS IMPROVING

...MAXIMUM

ALLOWABLE  
OF 6 FEET

VERTICAL CUT  
T WIDE WALL

**REQUIREMENTS**

SUBJECT PRO-  
D. TEMPORARY

... SUBJECT WILL BE ...  
... SHOULD BE ...

5 FIVE (5)  
6 HALL, NOT

100

[illegible]

|  |  |  |  |  |
|--|--|--|--|--|
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

|  | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 | 101 | 102 | 103 | 104 | 105 | 106 | 107 | 108 | 109 | 110 | 111 | 112 | 113 | 114 | 115 | 116 | 117 | 118 | 119 | 120 | 121 | 122 | 123 | 124 | 125 | 126 | 127 | 128 | 129 | 130 | 131 | 132 | 133 | 134 | 135 | 136 | 137 | 138 | 139 | 140 | 141 | 142 | 143 | 144 | 145 | 146 | 147 | 148 | 149 | 150 | 151 | 152 | 153 | 154 | 155 | 156 | 157 | 158 | 159 | 160 | 161 | 162 | 163 | 164 | 165 | 166 | 167 | 168 | 169 | 170 | 171 | 172 | 173 | 174 | 175 | 176 | 177 | 178 | 179 | 180 | 181 | 182 | 183 | 184 | 185 | 186 | 187 | 188 | 189 | 190 | 191 | 192 | 193 | 194 | 195 | 196 | 197 | 198 | 199 | 200 | 201 | 202 | 203 | 204 | 205 | 206 | 207 | 208 | 209 | 210 | 211 | 212 | 213 | 214 | 215 | 216 | 217 | 218 | 219 | 220 | 221 | 222 | 223 | 224 | 225 | 226 | 227 | 228 | 229 | 230 | 231 | 232 | 233 | 234 | 235 | 236 | 237 | 238 | 239 | 240 | 241 | 242 | 243 | 244 | 245 | 246 | 247 | 248 | 249 | 250 | 251 | 252 | 253 | 254 | 255 | 256 | 257 | 258 | 259 | 260 | 261 | 262 | 263 | 264 | 265 | 266 | 267 | 268 | 269 | 270 | 271 | 272 | 273 | 274 | 275 | 276 | 277 | 278 | 279 | 280 | 281 | 282 | 283 | 284 | 285 | 286 | 287 | 288 | 289 | 290 | 291 | 292 | 293 | 294 | 295 | 296 | 297 | 298 | 299 | 300 | 301 | 302 | 303 | 304 | 305 | 306 | 307 | 308 | 309 | 310 | 311 | 312 | 313 | 314 | 315 | 316 | 317 | 318 | 319 | 320 | 321 | 322 | 323 | 324 | 325 | 326 | 327 | 328 | 329 | 330 | 331 | 332 | 333 | 334 | 335 | 336 | 337 | 338 | 339 | 340 | 341 | 342 | 343 | 344 | 345 | 346 | 347 | 348 | 349 | 350 | 351 | 352 | 353 | 354 | 355 | 356 | 357 | 358 | 359 | 360 | 361 | 362 | 363 | 364 | 365 | 366 | 367 | 368 | 369 | 370 | 371 | 372 | 373 | 374 | 375 | 376 | 377 | 378 | 379 | 380 | 381 | 382 | 383 | 384 | 385 | 386 | 387 | 388 | 389 | 390 | 391 | 392 | 393 | 394 | 395 | 396 | 397 | 398 | 399 | 400 | 401 | 402 | 403 | 404 | 405 | 406 | 407 | 408 | 409 | 410 | 411 | 412 | 413 | 414 | 415 | 416 | 417 | 418 | 419 | 420 | 421 | 422 | 423 | 424 | 425 | 426 | 427 | 428 | 429 | 430 | 431 | 432 | 433 | 434 | 435 | 436 | 437 | 438 | 439 | 440 | 441 | 442 | 443 | 444 | 445 | 446 | 447 | 448 | 449 | 450 | 451 | 452 | 453 | 454 | 455 | 456 | 457 | 458 | 459 | 460 | 461 | 462 | 463 | 464 | 465 | 466 | 467 | 468 | 469 | 470 | 471 | 472 | 473 | 474 | 475 | 476 | 477 | 478 | 479 | 480 | 481 | 482 | 483 | 484 | 485 | 486 | 487 | 488 | 489 | 490 | 491 | 492 | 493 | 494 | 495 | 496 | 497 | 498 | 499 | 500 | 501 | 502 | 503 | 504 | 505 | 506 | 507 | 508 | 509 | 510 | 511 | 512 | 513 | 514 | 515 | 516 | 517 | 518 | 519 | 520 | 521 | 522 | 523 | 52 |
|--|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|----|
|--|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|----|

1116

|   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|
| 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 |
|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|



# **ATTACHMENT H**

**DRAFT PLANNING COMMISSION RESOLUTION RECOMMENDING  
APPROVAL OF PZ PERMIT No. 20-630-02 (SPECIFIC PLAN  
AMENDMENT)**

## RESOLUTION NO. 2021-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING PLANNING AND ZONING PERMIT NO. 20-630-02 (SPECIFIC PLAN AMENDMENT NO. 8 TO THE RIVERPARK SPECIFIC PLAN) TO AMEND THE TEXT WITHIN THE RIVERPARK SPECIFIC PLAN. FILED BY LARS SKUGSTAD, 1111 BROADWAY, SUITE 1515, OAKLAND, CA 94607 (THE “APPLICANT”) ON BEHALF OF THE CITY OF OXNARD (THE “PROPERTY OWNER”).

WHEREAS, on September 10, 2002 the City Council approved the entitlements for The RiverPark Specific Plan to guide future development on the 702-acre project site; and

WHEREAS, the City Council approved the first amendment request (PZ 02-630-05) on October 22, 2002, which amended the Specific Plan to include regulations for temporary uses; and

WHEREAS, the City Council approved the second amendment request (PZ 03-630-03) on July 27, 2004, allowing a minor change in the land use designation on a small parcel from Open Space to Commercial; and

WHEREAS, the City Council approved the third amendment request (PZ 09-630-09) on April 14, 2009, allowing a freeway-oriented pylon sign subject to approval of a Design Development Review permit (DDR) by the Development Services Director; and

WHEREAS, the City Council approved the fourth amendment (PZ 10-630-02) on June 14, 2011, and allows three freeway oriented monument signs subject to approval of a DDR, and an electronic digital display panel for the pylon sign, subject to subsequent approval of a Special Use Permit; and

WHEREAS, the City Council approved the fifth amendment (PZ 09-630-03) on June 5, 2012, which increased the maximum number of dwelling units from 2,805 to 3,043 units, and reduced the maximum amount of commercial development from 2,485,000 to 2,098,000 square feet; and

WHEREAS, the City Council approved the sixth amendment (PZ 18-630-01) on February 19, 2019, to amend the text of the RiverPark Specific Plan to allow two (2) monument signs in Planning Districts B and C in the specific plan area, subject to subsequent approval of a Development Design Review Permit; and

WHEREAS, the City Council approved the seventh amendment (PZ 20-630-01) on March 15, 2022, which allowed for the option to develop up to 1,025 additional residential units under the RiverPark Specific Plan, in exchange for a reduction of up to approximately 562,457 square feet of non-residential development potential in accordance with specified development scenarios; and

WHEREAS, the Planning Commission of the City of Oxnard has considered the proposed map and text amendment to Pages 3.7, 3.22, 5.9, and 5.23 of The RiverPark Specific Plan to allow for Freeway Adjacent Digital Display Billboards within the RiverPark

Specific Plan (herein referred to as the “**Project**”); and

WHEREAS, on January 19, 2023, the Planning Commission of the City of Oxnard (“**Planning Commission**”) conducted a duly noticed public hearing where written and oral comments were received and reviewed to consider an application for Specific Plan Amendment No. 8 (PZ 20-630-02) in accordance with Chapter 16-575 of the Oxnard City Code; and

WHEREAS, the Planning Commission finds, after due study, deliberation and a duly noticed public hearing on January 19, 2023, and received and reviewed written and oral comments, presented by staff and the Applicant with a series of questions, and that the project meets the criteria set out in Chapter 16-575 of the Oxnard City Code; and

WHEREAS, the City of Oxnard as the Lead Agency, prepared a Mitigated Negative Declaration (MND) in accordance with CEQA and the CEQA Guidelines. The MND identified and discussed potential impacts, mitigation measures, monitoring requirements, and residual impacts for identified subject areas. The MND found that the implementation of the proposed Project would result in potentially significant impacts associated with biological resources, cultural resources, and noise on wildlife species. Mitigation measures have been required to reduce each potentially significant impact to less than significant. The mitigation measures that have been required within the MND would reduce potential significant impacts. These measures include (BIO-1) conducting a pre-construction survey for active bird nests, and (CUL-1 and CUL-2) monitoring and collecting, if necessary, any discovered archaeological and paleontological resources. After the implementation of the required mitigation measures, the potential significant impacts would be reduced to less than significant. No remaining significant impacts would occur. With respect to Aesthetics, although less than significant lighting impacts would occur, the MND includes mitigation measures that are recommended to further reduce less than significant light impacts. These measures include: (AES-1 and AES-2) allowing for remote shut off in the event of malfunction and conducting illumination level verification tests; and

WHEREAS, pursuant to CEQA Guidelines §15074, the Final MND reflects the City’s independent judgment and analysis. The Planning Commission has independently reviewed and analyzed the Final IS/MND 22-02 prepared for the Project. The Final IS/MND 22-02 is an accurate and complete statement of the potential environmental impacts of the project. The Final IS/MND 22-02 was prepared under the direction of the City of Oxnard Planning Division and reflects its independent judgment and analysis of the environmental impacts.

WHEREAS, the Commission considered Final IS/MND 22-02 prior to making recommendations on the Project; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the proposed Development Agreement is consistent with the 2030 General

Plan; and

WHEREAS, the pursuit of the Development Agreement is a reasonable exercise of the City's police powers to ensure the continued health, safety, and welfare of the public by providing housing opportunities for the residents of the City of Oxnard; and

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

1. As outlined in Section 6(b) and Attachment F of the Planning Commission Staff report, the proposed Specific Plan Text and Map Amendment is in conformance with the 2030 General Plan and other adopted policies of the City of Oxnard;
2. As outlined in Section 6(c) of the Planning Commission Staff report, the proposed Specific Plan Text and Map Amendment is a logical refinement and internally consistent with the adopted RiverPark Specific Plan; and
3. As determined in the Final IS/MND 22-02, the proposed Development Agreement will not adversely affect or be materially detrimental to adjacent land uses, buildings or structures or to the public health, safety or general welfare;
4. As outlined in Section 6(c - e) of the Planning Commission Staff report, the proposed RiverPark Specific Plan Amendment conforms to adopted City standards and constitutes good City planning.

WHEREAS, the Applicant agrees that at its own expense, to indemnify and defend the City of Oxnard and its agents, officers and employees from and against any claims, actions or proceedings to attack, set aside, void or annul the approval of this resolution or any actions or proceedings, acts or determinations taken, done or made before the approval of this resolution that were part of the approval process.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, of the City of Oxnard recommends that the City Council (i) certify Addendum to FEIR No. 00-03 for The RiverPark Specific Plan; and (ii) adopt an ordinance approving Planning and Zoning Permit No. 20-630-01 (Specific Plan Amendment No. 7 to RiverPark Specific Plan) to amend Sections Pages 3.7, 3.22, 5.9, and 5.23 of The RiverPark Specific Plan to allow for Freeway Adjacent Digital Display Billboards within the RiverPark Specific Plan (all amendments as identified within Exhibit A).

**SECTION 1.** The Recitals above are true and correct and incorporated herein by this reference.

**SECTION 2.** The Planning Commission finds that the Riverpark Specific Plan Amendment is internally consistent with all other provisions of the City of Oxnard 2030 General Plan.

**SECTION 3.** The Planning Commission finds that the Riverpark Specific Plan Amendment

will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

**SECTION 4.** The Planning Commission finds that the project site associated with the Riverpark Specific Plan Amendment is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

**SECTION 5.** The Planning Commission determines that the proposed RiverPark Specific Plan Amendment is the best use for the subject project site.

**SECTION 6.** The Planning Commission determines that the RiverPark Specific Plan Amendment is in the best interests and welfare of the City and its residents.

**SECTION 7.** In recommending adoption of this ordinance for the Development Agreement, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act because Final MND No. 22-02 was considered by the Planning Commission at the public hearing for the Development Agreement. The Final MND No. 22-02 was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA, Public resources Code §§ 21000, et seq.), the regulations promulgated thereunder (14 California Code of Regulations, §15000, et seq., CEQA Guidelines), and the City’s Environmental Review Guidelines. The City of Oxnard is the Lead Agency. With implementation of the MND No. 22-02 mitigation measures, there is no substantial evidence that the proposed project will have a significant effect upon the environment.

**SECTION 8.** Until such time that the City Council approves the RiverPark Specific Plan Amendment, the RiverPark Specific Plan shall remain in full force and effect and shall apply to the property affected by this Resolution.

**SECTION 9.** The Secretary shall certify the adoption of this Resolution.

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 19th day of January 2023 by the following vote:

---

Daniel Chavez, Jr, Chair

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

*RiverPark Specific Plan Amendment No. 8 (PZ 20-630-02)*  
*Planning Commission Hearing Date: January 19, 2023*  
*Resolution No. 2023- XX*  
*Page 5 of 7*

ABSTAIN: Commissioners:

RECUSED: Commissioners:

---

Joe Pearson II, Secretary

## EXHIBIT A

### SPECIFIC PLAN AMENDMENT TEXT Changes

## PROPOSED AMENDMENTS TO CITY OF OXNARD RIVERPARK SPECIFIC PLAN

KEY: Blue Underlined = Proposed Additions  
~~Red Strikethrough~~ = Proposed Deletions

### 3 COMMERCIAL MASTER PLAN

#### SECTION 3.5 BUILDING TYPE STANDARDS

##### Section 3.5.2 Standards for Each Building Type

- Type 1-C-A: Large Multistory Anchor
- Type 1-C-B: Large Pad Retail
- Type 1-C-C: Multistory Mini Anchor
- Type 1-C-D: Inline Retail
- Type 1-C-E: Inline Retail With Upper Story Office/Housing
- Type 1-C-F: Pad Restaurant/Retail
- Type 1-C-G: Drive Thru Commercial
- Type 2-C-A: Food and Wine Multistory
- Type 2-C-B: Food and Wine Demo Factory/Outlet Store
- Type 2-C-C: Food and Wine Pavilion/Office Building
- Type 3-C: Office Building
- Type 4-C: Hotel With Retail
- Type 5-C: Stand Alone Kiosk
- Type 6-C: Outparcel Commercial
- Type 7-C: Freeway Adjacent Digital Display Billboards

[. . .]

#### TYPE 7-C: Freeway Adjacent Digital Display Billboards

The following standards apply to lots for Freeway Adjacent Digital Display Billboards. If the lot contains other building types, the lot must comply with the minimum lot dimension standards required for that building type pursuant to this section, unless otherwise modified. Additional standards pertaining to Freeway Electronic Billboards can be found in Section 5.9 (Signage Standards) and the Oxnard City Code.

#### LOT DIMENSIONS

Lot Area \_\_\_\_\_ Min: 1,000 SF \_\_\_\_\_ Max: 15,000 SF

Lot Width                      Min: 10'                      Max: 300'

Lot Depth                      Min: 40'                      Max: 100'

### **SIZE AND SPACING**

Billboard Face Display   For allowable face size refer to the Oxnard City Code

Sign Height                      For allowable sign height refer to the Oxnard City Code

Setbacks                      Min: 0' (Freeway Adjacent Digital Display Billboards only)

Spacing                      For minimum spacing requirements refer to the Oxnard City Code

## **5 LANDSCAPE MASTER PLAN**

### **5.5 EDGES AND BUFFERS STANDARDS**

#### **5.5.2 Design Concept for Edges and Buffers**

##### **5.5.2.1 The Ventura Freeway Frontage**

Landscaping of RiverPark's frontage with the Ventura freeway at Planning Districts D, B and E shall be provided in a landscaped buffer zone. Landscaping in this area shall meet the requirements at two distinct scales: the scale of the freeway, and that of slower moving vehicles and pedestrians within RiverPark. Landscaping perceptible from the Ventura freeway will consist of a single row of 30-foot tall Mexican Fan Palms (at 30 feet O.C.) along the freeway frontage. These palms will clearly differentiate and identify RiverPark not only from the freeway but from the southern approach from Oxnard. For slower-moving vehicles and pedestrians, the zone will also be planted with an appropriate mix of native and indigenous grasses, perennials, shrubs, and trees. See Exhibit 5.AA for a typical cross-section. Properties developed with a Freeway Adjacent Digital Display Billboard in Planning Districts D, B and E shall be exempt from the requirements of this subsection.

### **5.9 SIGNAGE STANDARDS**

[. . .]

#### **5.9.3.11 Freeway Adjacent Digital Display Billboards**

Freeway Adjacent Digital Display Billboards, as defined in the Oxnard City Code (OCC) shall be allowed in Planning Districts A and E, subject solely to the applicable regulations and procedures of OCC Chapter 9 Article IX. Advertising Signs.



## RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 20-500-07 (SPECIAL USE PERMIT) TO ALLOW FOR THE INSTALLATION AND OPERATION OF AN FREEWAY ORIENTED ELECTRONIC BILLBOARD AND LANDSCAPING IMPROVEMENTS, LOCATED BETWEEN THE U.S. 101 AND RIVERPARK BOULEVARD APPROXIMATELY 850 FEET NORTH OF VINEYARD AVENUE IN THE NORTHERN PORTION OF THE CITY OF OXNARD. (APN: 132-0-311-075). FILED BY LARS SKUGSTAD, 1111 BROADWAY, SUITE 1515, OAKLAND, CA 94607 (THE “APPLICANT”) ON BEHALF OF THE CITY OF OXNARD (THE “PROPERTY OWNER”).

WHEREAS, on October 15, 2020, Lars Skugstad (the “Applicant” and/or “Permittee”) submitted a request to approve Planning and Zoning Permit Nos. 20-500-07 (Special Use Permit), 20-670-06 (Development Agreement), and 20-630-02 (Specific Plan Amendment) to allow for the installation and operation of an electronic billboard on an approximately 0.25-acre undeveloped site located between the U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue in the northern portion of the City of Oxnard. The Special Use Permit allows for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products. The top of the billboard would be approximately 60 feet in height above the ground, and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width. The Special Use Permit will also include minor landscape improvements within the adjacent Caltrans right of way. These will include the removal of the existing eucalyptus trees and the planting of alternatives, subject to Caltrans approval. The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development. The proposed Specific Plan Amendment would amend the RiverPark Specific Plan to allow for Freeway Adjacent Digital Display Billboards within the RiverPark Specific Plan. (“Project”); and

WHEREAS, the City of Oxnard as the Lead Agency, has prepared Final IS/MND 22-02 in accordance with the requirements of the California Environmental Quality Act (CEQA, Public resources Code § 21000, et seq.), the regulations promulgated thereunder (14 California Code of Regulations, §15000, et seq., CEQA Guidelines), and the City’s Environmental Review Guidelines; and

WHEREAS, The Final IS/MND 22-02 identified and discussed potential impacts, mitigation measures, monitoring requirements, and residual impacts for identified subject areas. The Final IS/MND 22-02 found that the implementation of the proposed Project would result in potentially significant impacts associated with biological resources, cultural resources, and noise on wildlife species. Mitigation measures have been required to reduce each potentially significant impact to less than significant. The mitigation measures that have been required within the Final IS/MND 22-02 would reduce potential significant

impacts. These measures include (BIO-1) conducting a pre-construction survey for active bird nests, and (CUL-1 and CUL-2) monitoring and collecting, if necessary, any discovered archaeological and paleontological resources. After the implementation of the required mitigation measures, the potential significant impacts would be reduced to less than significant. No remaining significant impacts would occur. With respect to Aesthetics, although less than significant lighting impacts would occur, the Final IS/MND 22-02 includes mitigation measures that are recommended to further reduce less than significant light impacts. These measures include: (AES-1 and AES-2) allowing for remote shut off in the event of malfunction and conducting illumination level verification tests; and

WHEREAS, pursuant to CEQA Guidelines §15074, the Final MND reflects the City's independent judgment and analysis. The Planning Commission has independently reviewed and analyzed the Final IS/MND 22-02 prepared for the Project. The Final IS/MND 22-02 is an accurate and complete statement of the potential environmental impacts of the project. The Final IS/MND 22-02 was prepared under the direction of the City of Oxnard Planning Division and reflects its independent judgment and analysis of the environmental impacts.

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Commission considered the proposed Final IS/MND 22-02 before making its recommendation, on the basis of the whole record before it finds, there is no substantial evidence that the project will have a significant effect on the environment, and recommends that the City Council adopt the Final IS/MND 22-02; and

WHEREAS, the Planning Commission is concurrently recommending the City Council approve a Development Agreement request that allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development (PZ 20-670-06), and a Specific Plan Amendment would amend the RiverPark Specific Plan to allow for Freeway Adjacent Digital Display Billboards within the RiverPark Specific Plan. (PZ 20-630-02); and

Whereas, the Development Advisory Committee (DAC) reviewed the plans on November 18, 2020 and provided conditions of approval for the project; and

WHEREAS, the project applicant mailed notices to all property owners within the RiverPark neighborhood and presented the project at the December 20, 2021 Community Workshop; and

WHEREAS, on January 19, 2023, the Planning Commission of the City of Oxnard ("Planning Commission") conducted a duly noticed public hearing, and received and reviewed all written and oral evidence related to the proposed Project, in accordance with Sections 16-536 and 16-651 of the Oxnard City Code (OCC) and considered the Final IS/MND 22-03 pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, Sections 16-536 and 16-651 of the OCC authorize the Planning

Commission to approve a Special Use Permit; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the project meets the criteria set out in Sections 16-536 and 16-651 of the OCC; and

WHEREAS, the Commission considered Final IS/MND 22-02 prior to making recommendations on the Project; and

WHEREAS, the Project has been reviewed by the Development Advisory Committee (DAC) and the DAC has prepared conditions of approval that are incorporated within the recommended permits; and

WHEREAS, the Planning Commission finds that the Project conforms to the City of Oxnard 2030 General Plan elements thereof and the Oxnard City Code for the reasons set forth in the Planning Commission Staff Report; and

WHEREAS, the Planning Commission finds after due study and deliberation that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this Resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this development in particular.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVES PLANNING AND ZONING PERMIT NO. 20-500-06 (SPECIAL USE PERMIT), SUBJECT TO THE FOLLOWING FINDINGS AND CONDITIONS:

**SECTION 1.** The Recitals above are true and correct and incorporated herein by this reference.

**SECTION 2.** The Planning Commission finds that the Special Use Permit is internally consistent with all other provisions of the City of Oxnard 2030 General Plan if the City Council approves a Ordinance Amendment (PZ 20-580-06) to allow for Freeway Adjacent Digital Display Billboards, Specific Plan Amendment (PZ 20-630-02) to allow Freeway Adjacent Digital Display Billboards pursuant to the Oxnard City Code, and Development Agreement (PZ 20-670-06) to allow for the use of City Property.

**SECTION 3.** The Planning Commission finds that the Special Use Permit will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

**SECTION 4.** Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Special Use Permit Staff Report and all attachments thereto, the Planning Commission finds:

**1. The proposed use is in conformance with the General Plan and other adopted policies of the City of Oxnard.**

The Project site has 2030 General Plan land use designations of Commercial Regional (CR) and a zoning designation of RiverPark Specific Plan (RPSP). The proposed project includes the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products. As discussed in detail in the Planning Commission Staff Report (Sections 6 b, c, Attachment D, and Attachment E) the Project, as designed and conditioned, meets all applicable development standards. Therefore, the proposed project is in compliance with the 2030 General Plan and other adopted policies of the City of Oxnard and meets this Finding.

**2. The nature, condition and development of adjacent uses, buildings and structures shall be considered, and no proposed Special Use Permit shall be granted if the approval body finds such use will adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.**

As described in the Staff Report, pursuant to the 2030 General Plan land use designation of Commercial Regional (CR) and a zoning designation of RiverPark Specific Plan (RPSP), the proposed use of the project site for a freeway oriented electronic billboard is, is an allowed use, subject to a Special Use Permit (OCC §16-609) (subject to approval of PZ 20-580-06). The surrounding uses are primarily characterized by urban development, as it is located within one of the the City's Urban Village area. The surrounding development includes commercial, mid-rise office space, and high density residential. Construction activities, anticipated uses, and development design will be subject to standard construction requirements of the Building, Fire, and Traffic Codes. Also, the environmental impacts were analyzed under Final IS/MND 22-02. The Final IS/MND 22-02 found that the implementation of the proposed Project would result in potentially significant impacts associated with biological resources, cultural resources, and noise on wildlife species. Mitigation measures have been required to reduce each potentially significant impact to less than significant. The mitigation measures that have been required within the Final IS/MND 22-02 would reduce potential significant impacts. These measures include (BIO-1) conducting a pre-construction survey for active bird nests, and (CUL-1 and CUL-2) monitoring and collecting, if necessary, any discovered archaeological and paleontological resources. After the implementation of the required mitigation measures, the potential significant impacts would be reduced to less than significant. No remaining significant impacts would occur. With respect to Aesthetics, although less than significant lighting impacts would occur, the Final IS/MND 22-02 includes mitigation measures that are recommended to further reduce less than significant light impacts. These measures include: (AES-1 and AES-2) allowing for remote shut off in the event of malfunction and conducting illumination

level verification tests. Therefore, the proposed use and improvements, as conditioned, will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.

- 3. The site that is subject to the Special Use Permit shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and items which may be required by Section 16-532 (Conditions).**

As described in the Staff Report, the project as designed and conditioned meets the development standards for Freeway Oriented Electronic Billboards as described above in Finding Section 1(1). Pursuant to the Zoning Code, the Project has been designed to be consistent with the applicable development standards. As detailed in the Staff report, the project site is approximately 0.25-acres which is adequate to accommodate the Billboard. As such, the subject site is adequate in terms of size and as developed the development meets or exceeds City's design standards.

- 4. The site that is subject to the Special Use Permit shall be served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use will generate.**

As described in the Staff Report, the project site is directly adjacent to North Ventura Road right of way. The sign will be controlled remotely and will therefore require no onsite employee, therefore no parking is required. The operation of the Billboard will not generate any regular traffic, aside for the occasional maintenance. Therefore, the existing roadway will continue to be adequate. As described in the IS/MND, the project will have less than significant impacts to the City roadway network and roadway improvements are not required as a result of the project. Therefore, the site has sufficient access to streets and highways that are adequate in size and existing intersections adjacent to the project site will operate at acceptable levels of service.

- 5. The site that is subject to the Special Use Permit shall be provided with adequate sewerage, water, fire protection and storm drainage facilities.**

The project only includes the construction of an electronic billboard. As discussed in the MND, the project will have a minimal impact on City utilities, as the project will only require electrical service. Furthermore, the Project was reviewed by the Development Advisory Committee for adequate utilities and services. The project is not anticipated to result in any significant impacts to utilities and public services. Therefore, the site for the proposed use will be provided with adequate sewage, water, fire protection and storm drainage facilities.

- 6. Complies with the requirements of Section 16-609 and Chapter 16 of the Oxnard City Code.**

As described in the Staff Report, the project as designed and conditioned meets the

development standards for Freeway Oriented Electronic Billboards as described above in Finding Section 1(1). Pursuant to the Zoning Code, the Project has been designed to be consistent with the applicable development standards.

**7. Will not create a significant traffic or other public safety hazard.**

As described in the Staff Report, and as described above in Finding Section 1(4), the Project will not generate regular traffic, as there are no onsite employees. In accordance with Oxnard City Code and the project conditions, the Project must comply with all applicable federal, state, and local laws, including the Highway Beautification Act of 1965 (23 United States Code Section 131), the Outdoor Advertising Act (California Business and Professions Code Section 5200 et seq.), and this Article IX, when constructing, operating, improving, maintaining, repairing, and removing the Freeway Adjacent Digital Display Billboard. Conditions have also been added to regulate the display cycle, including limitations on the frequency of the image transitions, restrict the use of videos, flashing, blinking or any other means not providing constant illumination. The brightness has also been conditioned to comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5. Lastly, the Final IS/MND 22-03 includes mitigation measures that are recommended to further reduce less than significant light impacts. These measures include: (AES-1 and AES-2) allowing for remote shut off in the event of malfunction and conducting illumination level verification tests. Therefore, the proposed use, as conditioned and compliance with the federal, state, and local regulation, will not create a significant traffic or other public safety hazard.

**8. Will be of appropriate size, scale, and design for the area in which it will be located.**

As described in the Staff Report, the project as designed and conditioned meets the development standards for Freeway Oriented Electronic Billboards as described above in Finding Section 1(1). The project is directly adjacent to U.S. Highway 101, within an urban area as designated by the City's Urban Village designation, which includes a variety of urban uses including the high density residential, commercial, and mid to high rise office uses. Also, in compliance with the height standards the Projects maximum height directly corresponds with the height of the adjacent freeway to ensure the scale of the sign is appropriate as viewed from the freeway. Additionally, the Project was analyzed under Final IS/MND 22-02, and it was determined that with the appropriate mitigation all project impacts would be less than significant. These mitigations have been included in the project conditions. Therefore, the proposed use, as designed and conditioned, will be of appropriate size, scale, and design for the area in which it will be located.

**9. Will be of high quality in appearance, design, and construction, and will be subject to conditions, as appropriate, governing its design and operation.**

The pole would extend approximately 55 feet above ground. The portion of the pole above ground would be painted primarily gray except for the upper 10.5 feet that would be painted black, and mostly covered by the sign face. The pole design has been kept simple with the gray color, to minimize the visual impact of the pole itself, and allow it to blend into the background. The top of the billboard would be approximately 60 feet in height above the ground and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width. The Project is also conditioned to maintain the pole and sign in good condition. A graffiti plan is required to ensure timely removal of any graffiti. The project is also conditioned to maintain the pole in a uniform color. Therefore, the proposed use, as designed and conditioned, will be of high quality in appearance, design, and construction.

**SECTION 5.** The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that after implementation of standard conditions and mitigation measures identified in the Final IS/MND 22-02, all potentially significant impacts associated with the proposed project would be reduced to less than significant levels.

**SECTION 6.** This Resolution shall not become effective unless and until the City of Oxnard City Council adopts the Final IS/MND 22-02 and approves the associated Ordinance Amendment (PZ No. 20-580-06), Specific Plan Amendment (PZ No. 20-630-02), and Development Agreement (PZ 20-670-05). If the City Council fails to approve any of these permits, then this Resolution shall become null and void and be of no further force and effect.

**SECTION 7.** Based on the findings set forth herein, the Planning Commission hereby approves Planning and Zoning Permit No. 20-500-07 (Special Use Permit), subject to the attached conditions of approval.

**SECTION 8.** The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of Oxnard City Code Section 16-545.

**SECTION 9.** The Secretary shall certify the adoption of this Resolution.

## CONDITIONS OF APPROVAL

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-1*) 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-1*).
2. This permit is granted for the plans dated January 19, 2023 (“the plans”) on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. 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*)
4. 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*)
5. 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)

6. 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)
7. 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)
8. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
9. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
10. 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)
11. 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)
12. 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)

#### **FIRE DEPARTMENT STANDARD CONDITIONS**

13. All structures on the project property shall conform to the minimum standards prescribed in Title 19 of the California Code of Regulations. (FD, F-5)
14. The project shall meet the minimum requirements of the “Fire Protection Planning Guide” published by the Fire Department. (FD, F-6)
15. Developer shall comply with Certified Unified Program Agency (CUPA) requirements regarding the storage, handling and generation of hazardous materials or waste. Prior to the issuance of building permits, Developer shall contact the CUPA division of the Fire Department to ensure that such requirements are followed. (FD, F-16)

#### **FIRE DEPARTMENT SPECIAL CONDITIONS**

16. Contractor shall ensure adequate fire and safety precautions are maintained on site at all times as prescribed in Chapter 33 of the California Fire Code.
17. All fires shall be immediately reported to the Oxnard Fire Department.

#### **PLANNING DIVISION STANDARD CONDITIONS**

18. Any application for a minor modification to the project shall be accompanied by four copies of plans reflecting the requested modification, together with applicable processing fees. (PL, *PL-2*)
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. Before the City issues building permits, Developer shall provide to the Planning Division Manager color photographic reductions (8 1/2" by 11") of full-size colored elevations and any other colored exhibit approved by the Planning Commission. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, *PL-4*)
21. 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. (B/DS, *PL-11*)
22. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-13*)
23. 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*).
24. 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*)
25. Construction activities shall be limited to the hours of 7 am to 7pm, Monday through Saturday. No construction shall occur after hours, on Sundays, or national holidays without permission from the City.

#### **PLANNING DIVISION SPECIAL CONDITIONS**

26. These conditions of approval impose specific fees, dedications, reservations and/or other exactions. Pursuant to Government Code Section 66020, the 90-day period in which the Developer or Applicant has to protest the imposed fees, dedications, reservations and/or other exactions has begun as of the date that the conditions of approval are approved. (PL)

27. Applicant shall submit a check made out to the City of Oxnard in the amount to be determined for payment of outstanding discretionary permit and environmental processing fees associated with the development project. Funds shall be deposited prior to issuance of a grading permit. Additional funds to be paid when hours or contract planner hours exceeds deposited amounts (PL).
28. Developer shall comply with the mitigation measures identified in the Mitigated Negative Declaration Nos. 22-01 and 22-03 for the project. (PL)
29. Developer shall ensure that all construction equipment is maintained and tuned to recommended manufacture's specifications. (PL)
30. 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. (PL)
31. 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 section 23114, with special attention to sub sections 23114(b)(2)(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. (B/DS, *PL-12*)
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. (PL)
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). (PL)
34. Developer shall remove any and all graffiti from any part of the sign structure within 48 hours of graffiti appearance. The surface of such affected areas shall be exactly matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. If the paint cannot be matched exactly, the entire structure shall be repainted. (PL)

35. 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 washable paint and sealers on the structure and the procedures and contact for removal of graffiti within 48 hours of appearance. (PL)
36. This permit is granted subject to the approval of Development Agreement (PZ 20-670-05) for the project property. (PL)
37. This permit is granted subject to the approval of Ordinance Amendment (PZ 20-580-06). (PL)
38. This permit is granted subject to the approval of Specific Plan Amendment (PZ 20-630-02). (PL)
39. All freeway adjacent digital display billboards shall either be double faced or include covered backs or facings. All interior equipment shall be screened from public view.
40. The Freeway Adjacent Digital Display Billboard shall not exceed 0.3 foot-candles over ambient levels at a distance of 250 feet in any direction. Illuminance can be measured by using a foot-candle meter held at a height of approximately five feet and aimed toward a sign consistent with the sign-to-viewer distance. The Freeway Adjacent Digital Display Billboard shall comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5.
41. Developer shall comply with all applicable federal, state, and local laws, including the Highway Beautification Act of 1965 (23 United States Code Section 131), the Outdoor Advertising Act (California Business and Professions Code Section 5200 et seq.), and the Oxnard City Code, when constructing, operating, improving, maintaining, repairing, and removing the Freeway Adjacent Digital Display Billboard.
42. The Freeway Adjacent Digital Display Billboard shall show a series of still images, each displayed for at least eight (8) seconds. The still images shall not move or present the appearance of motion and may not use flashing or blinking lights or any other means not providing constant illumination. Transition or blank screen time between one still image and the next may not exceed one (1) second.
43. The billboard shall include an operating mechanism that allows for the billboard display to be turned off or turned to all black remotely in the event of a malfunction or failure in any system or subsystem that results in the display wholly or partly appearing to flash.
44. Plans submitted by Developer with building permit applications shall show on the structure elevation sheets all exterior building materials and colors, including product and finish manufacturer name, color name and number, and surface finish type (such as: stucco with sand finish, plaster with smooth finish) to be used in construction.

45. This permit shall automatically become null and void 36 months from the effective date of the Development Agreement (PZ No. 20-570-06) (30 days after the second reading of the Development Agreement is adopted), 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.
46. Developer shall deposit \$5,000 for mitigation monitoring and reporting associated with the development project (PZ No. 20-500-06). Such funds shall be deposited prior to building permit submission. Additional deposits shall be made to cover staff time required to monitor implementation of project conditions until the final inspection is granted for the development.

***Mitigated Negative Declaration 22-01 and 22-02 Mitigation Measures***

Developer shall comply with the mitigation measures identified in Final Mitigated Negative Declarations (MNDs) 22-01 and 22-03, associated with the Ordinance Amendment (PZ No. 20-580-06) and Special Use Permit (20-500-07), Development Agreement (20-670-05), and Specific Plan Amendment (20-630-02), respectively.

***Aesthetics***

47. Prior to permit issuance, developers shall demonstrate that light trespass illuminance of 0.5 fc or greater for urban areas and 0.2 fc or greater for natural areas shall not be exceeded. (AES-1)
48. Each proposed light emitting diode (LED) billboard shall include an operating mechanism (hardware or software controlled) that turns off the display or turns it to all black in the event of a malfunction or failure in any system or subsystem that results in the display wholly or partly appearing to flash. (AES-2)
49. Within 14 days of each electronic billboard being operational, annually, and as required by City staff (i.e., after maintenance, malfunctions, multiple complaints), Developer shall submit to the satisfaction of the Community Development Director the following information:
  - A third party test conducted after installation to verify that the electronic billboard complies with the requirements not to exceed 0.3 foot-candle above ambient light at 250 feet from the face of the electronic billboard or exceed the 0.5 foot-candle at any residential uses or 0.2 fc at natural areas. (AES-3)

***Air Quality***

50. Developer shall demonstrate that construction and operational activities associated with each electronic billboard would not exceed the VCAPCD thresholds of significance that include a maximum daily ROG (VOC) or NO<sub>x</sub> emissions above 25 pounds per day (lbs/day). (AQ-1)

***Biological Resources***

51. Construction activities involving vegetation removal as well as installation of the proposed billboard shall be conducted between September 16 and December 31, outside the nesting season for birds and raptors in the region. If vegetation removal or installation must occur during the nesting season (January 1 – September 15), a qualified biologist shall conduct a preconstruction survey for active nests within areas that will be subject to vegetation removal, construction noise, and/or ground disturbances, including a 500-foot buffer around existing trees and landscaped areas, to identify any potential active nests within seven days prior to work activities. Buffer distances can be adjusted at the discretion of the biologist based on the location of the nest, species, and surrounding land uses. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds.

If an active nest is observed during the pre-construction clearance survey, an adequate buffer determined by the City Approved qualified biologist shall be established around the active nest depending on sensitivity of the species and proximity to construction activity and impact areas. Onsite construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest or nesting activities. Construction activities shall be avoided within the buffer, unless otherwise approved by the City-approved monitoring biologist (e.g., vehicles could pass through buffer areas while jackhammering would be restricted). Buffers shall be clearly marked and defined to restrict certain activities where they could result in nest failure, and shall remain in place until nests are no longer active, as determined by the City-approved monitoring biologist. (Bio-1)

52. To avoid impacts to nesting least Bell's vireo, construction activities within 500 feet of suitable nesting habitat shall be timed to avoid the season when nests may be active for this species (March 15 to September 15). If avoidance of work activities within this time period is not feasible, a focused nest survey for least Bell's vireo shall be conducted within suitable nesting habitat the season prior to initiation of work activities, to determine their presence or absence within 500 feet of proposed work limits. In accordance with the USFWS survey protocol, eight focused surveys spaced a minimum of 10 days apart shall be conducted during the period of April 10 to July 31. The results shall be submitted in a report to the USFWS.

If the focused protocol nest surveys do not indicate the presence of least Bell's vireo, no further mitigation is required. A negative finding is considered valid until the following breeding season. Additional surveys shall be required each year that work is conducted in least Bell's vireo breeding habitat during the breeding season. If focused surveys indicate the presence of least Bell's vireo, a formal Endangered Species Act consultation with the USFWS shall occur prior to disturbance of this species or its habitat.

If occupied habitat and/or nesting individuals are determined to be present based on the focused survey, and work cannot be avoided during the nesting season, a preconstruction clearance survey shall be performed by a qualified City-approved biologist within 7 days prior to work activities to determine the approximate location of nesting territories within 500 feet of work areas. Surveys shall be conducted by a biologist approved by the USFWS and CDFW for conducting least Bell's vireo nest surveys, or by a biologist with least Bell's vireo survey

experience, so long as the nest is not approached and/or disturbed. If a nest is detected or active breeding is determined, work shall halt within 500 feet of the nesting territory, and the area shall be monitored on a weekly basis until a City-approved qualified biologist determines the nest is no longer active and the young have fledged.

### *Cultural Resources*

53. Prior to ground disturbance, the Applicant is required to retain a City-approved archaeologist and Native American Monitor. In the event that historic or archaeological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer of at least 50 feet shall be established around the find where construction activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside the buffer area. All historic and archaeological resources unearthed by construction activities associated with the proposed Program shall be evaluated by a qualified professional archaeologist who meets the U.S. Secretary of Interior's Professional Qualifications and Standards. Should the newly discovered artifacts be determined to be historic, Native American Tribes/Individuals shall be contacted and consulted and Native American construction monitoring shall be initiated. The Applicant and the City shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis. (CUL-1)
54. Prior to ground disturbance, the Applicant is required to retain a paleontologist for monitoring of ground disturbing activities. In the event that paleontological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find until it is assessed for scientific significance and collected. Monitoring shall include matrix screening for the presence of microfossils; however, monitoring is largely a visual inspection of sediment. (CUL-2)
55. A qualified archaeologist and Native American Monitor shall be present during construction-related ground disturbance activities in order to identify any unanticipated discovery of tribal cultural resources. The qualified archaeologist and Native American monitor may be different individuals or the same individual if the City determines that individual qualifies as both a qualified archaeologist and Native American monitor. All archaeological resources unearthed by construction activities shall be evaluated by the qualified archaeologist and Native American Monitor. If the resources are determined to be human remains, the coroner shall be notified, and if the human remains are Native American in origin, the coroner shall notify the NAHC as mandated by state law, who will then appoint a most likely descendent, who shall then coordinate with the landowner regarding treatment and curation of these resources. Typically, the most likely descendent will request reburial or preservation for educational purposes. If a resource is determined by the qualified archaeologist to constitute a "historical resource" pursuant to CEQA Guidelines Section

15064.5(a) or a “unique archaeological resource” pursuant to PRC Section 21083.2(g), the qualified archaeologist shall coordinate with the Applicant and the City to develop a formal treatment plan that would serve to reduce impacts to the resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes. (CUL-3)

#### **DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS**

56. Developer shall pay plan check and processing Developer shall pay plan check and processing fees in effect at the time of construction plan submittal and shall pay development fees, encroachment permit fees, and other applicable fees in effect at permit issuance. (DS-1)
57. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the City Engineer issue a stop work order until such time as the graffiti is removed. (DS-20)
58. The conditions of this resolution shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, that may or may not be shown on the improvement plans. (DS-21)
59. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
60. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
61. Developer shall be responsible for and bear the cost of replacement of all existing survey monumentation (e.g., property corners) disturbed or destroyed during construction, and shall file appropriate records with the Ventura County Surveyor's Office. (DS-64)

#### **DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS**

62. Developer shall demonstrate to the satisfaction of the City Engineer that the placement of the sign within 10-inches of the property does not create any violations of the California Building Code in effect upon submittal of building permit application. (DS)



63. Landscaping and land disturbance outside of the permitted parcel (APN 132-0-311-075) are not permitted without written approval by the affected property owner(s). (DS)
64. Prior to permit issuance, Developer shall coordinate and acquire the necessary permit from the California Department of Transportation (Caltrans) for highway facilities that need to be adjusted or relocated. (DS)
65. Developer shall submit to the City Engineer a review analysis from the project soils engineer for the existing sewer lift station evaluating the effects of the proposed sign footings on the lift station and existing underground improvements. (DS)

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 19th day of January 2023 by the following vote:

---

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 on the 19th day of January, 2023, and carried by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioners:

---

Joe Pearson II, Secretary

# **ATTACHMENT J**

## **STAFF PRESENTATION**

# Riverpark Boulevard Electronic Billboard Project

Planning & Zoning Permit Nos. 20-500-07 (Special Use Permit), 20-670-06 (Development Agreement), and 20-630-02 (Specific Plan Amendment)

Joe Pearson II, Planning Manager

Planning Commission  
January 19, 2023

# Project Description

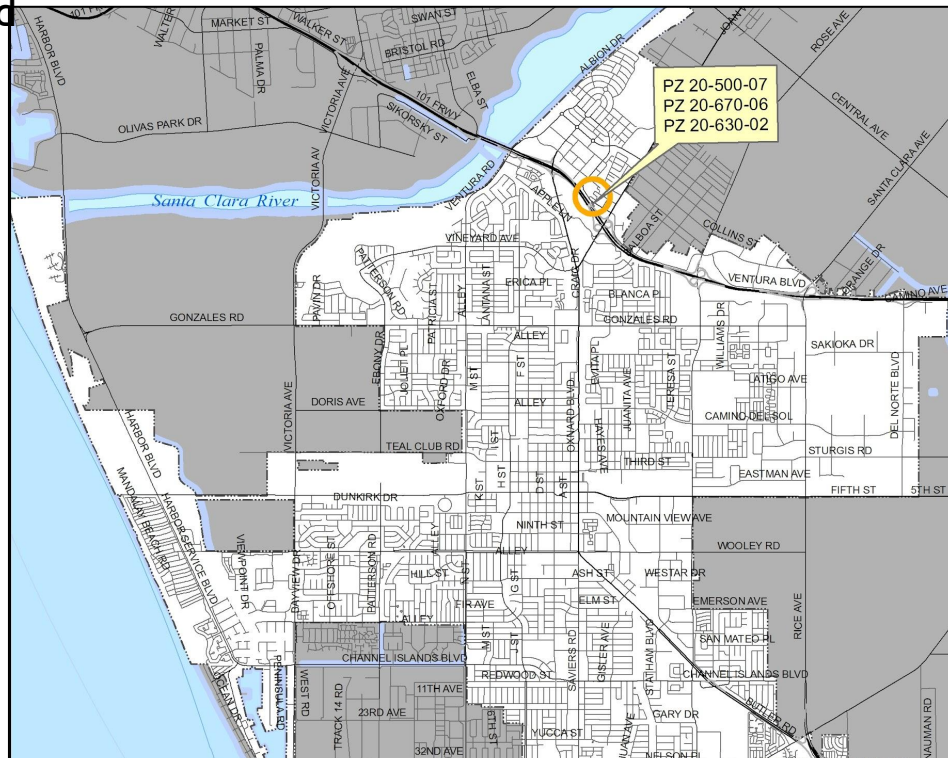
- A request for the following actions:
  - PZ 20-500-07 (Special Use Permit)
    - Allow for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products.
    - The top of the billboard would be approximately 60 feet in height above the ground, and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width.
    - The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width.
    - Minor Landscape Improvements

# Project Description (Cont)

- A request for the following actions:
  - PZ 20-670-06 (Development Agreement)
    - Allow for for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development.
  - PZ 20-630-02 (Specific Plan Amendment)
    - The proposed Specific Plan Amendment would amend the RiverPark Specific Plan to allow for Freeway Adjacent Digital Display Billboards within the RiverPark Specific Plan.

# Project Location

**Subject Site:** Located between the U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue in the northern portion of the City of Oxnard.



# Project Location





# Project Location

## Aerial-View



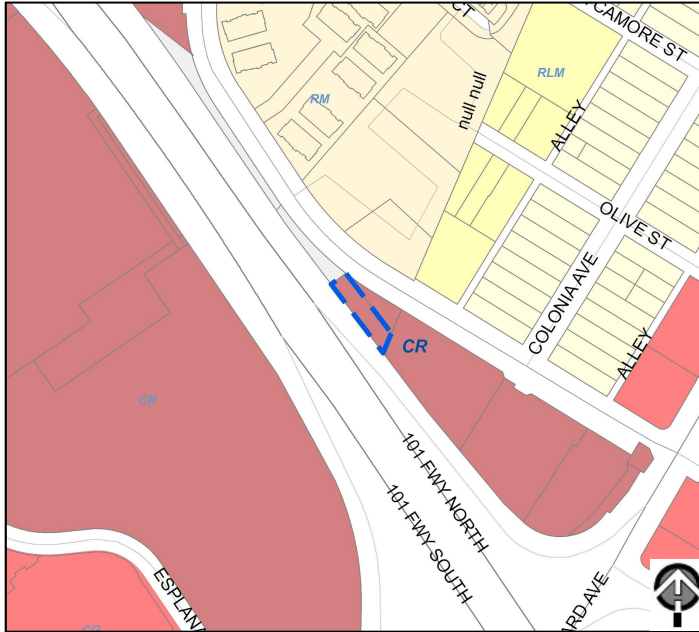
Reference North

| LOCATION     | GENERAL PLAN                    | ZONING                                                                | EXISTING LAND USE                            |
|--------------|---------------------------------|-----------------------------------------------------------------------|----------------------------------------------|
| Project Site | Commercial Regional             | The RiverPark Specific Plan (Public Facilities)                       | Vacant                                       |
| North        | Commercial Regional             | The RiverPark Specific Plan (Public Facilities and Residential: High) | Vacant/Apartments                            |
| South        | Highway 101/Regional Commercial | Highway 101/General Commercial                                        | Highway 101/The Esplanade Shopping Center    |
| East         | Commercial Regional             | The RiverPark Specific Plan (Public Facilities and Commercial Retail) | Vacant/Fast food Restaurant and Retail Store |
| West         | Highway 101/Easement            | Highway 101                                                           | Highway 101                                  |



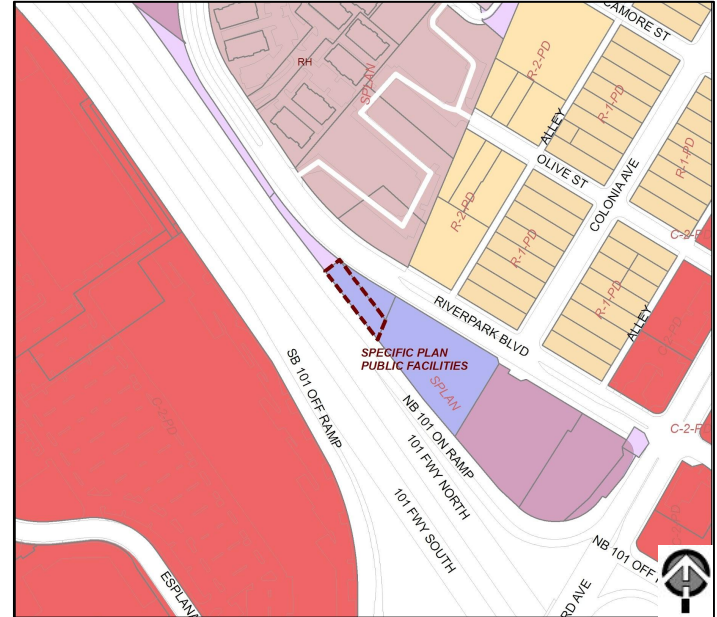
# General Plan & Zoning Maps

## General Plan Land Use Designation



Commercial General (CG)

## Zoning Designation



RiverPark Specific Plan

# Background - Exclusive Negotiation Agreements (ENA)

- On June 18, 2019, the City Council approved and authorized the Mayor to execute Exclusive Negotiation Agreements (ENAs) with Clear Channel Outdoor, LLC and another with Outfront Foster Interstate, LLC -- both for potential digital billboard sites.
- Under the terms of the ENAs, both companies were given the exclusive right to negotiate with the City for an initial six-month period, and two additional six-month terms if the projects were being diligently pursued by the parties.
- On June 7, 2022, the City Council determined that significant enough progress had been made to amend the ENAs, to grant another 6 months (until June 2023), as well as provided the City Manager with authority to extend the ENAs for two additional six-month terms if the projects are being diligently pursued by the parties.

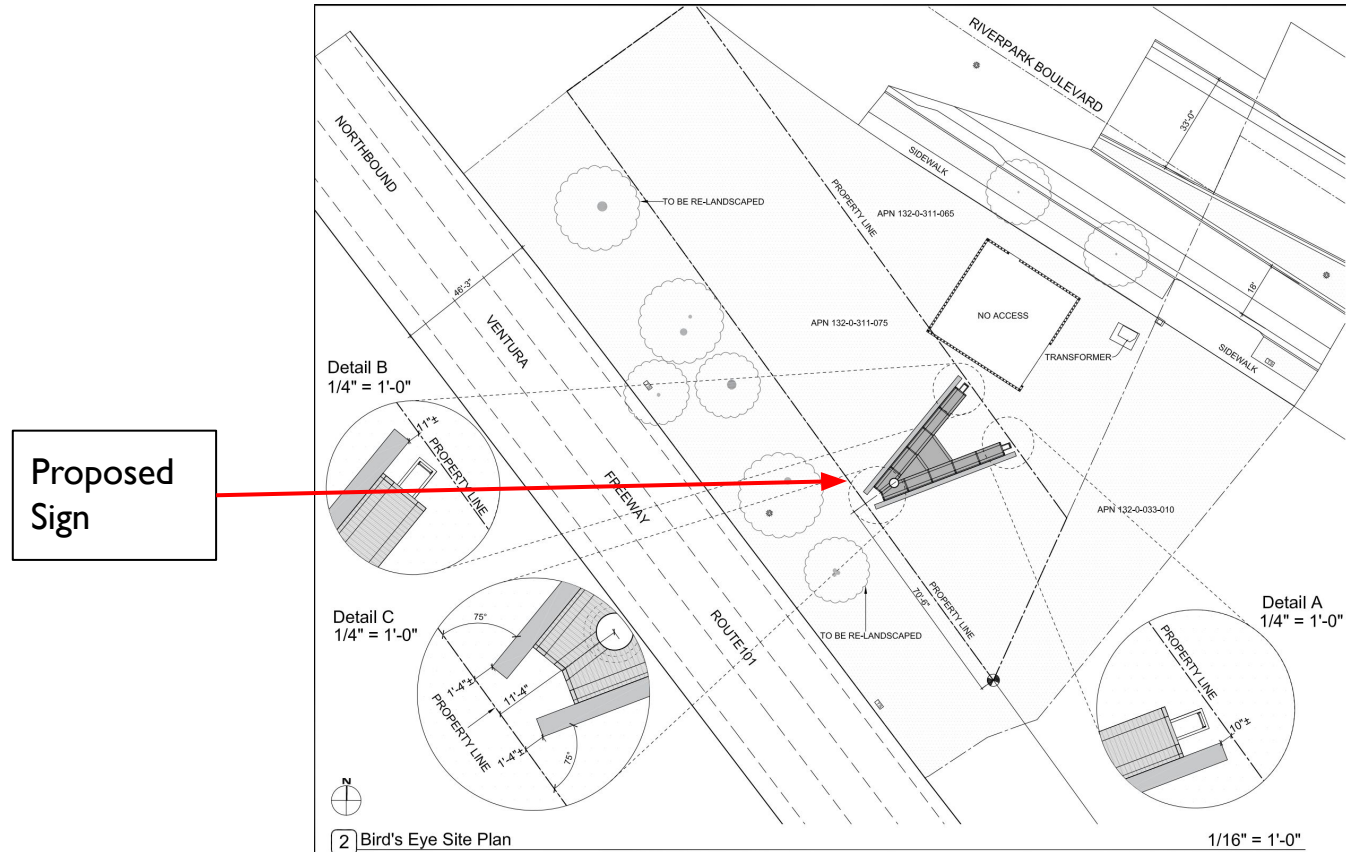
# Background - Code Amendment

- Concurrent with the process of this Project the City is processing amendments to Article IX. Advertising Signs of the Oxnard City Code to permit Freeway Adjacent Digital Display Billboards on parcels designated as commercial, industrial, or public facilities within 400 feet of the U.S. 101 right-of-way within the City of Oxnard.
- Each Freeway Adjacent Digital Display Billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet with a maximum of five (5) allowed in the City.

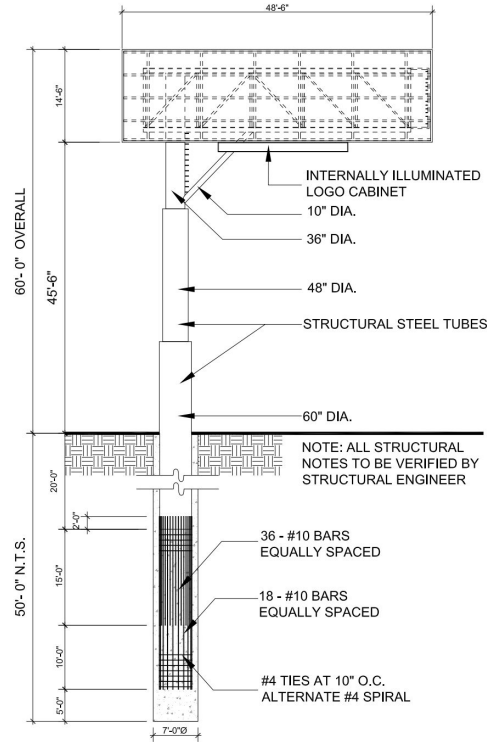
# Background - RiverPark Specific Plan

- The RPSP was adopted by the City Council on September 10, 2002, together with the General Plan Amendment, Zone Change, Annexation, Development Agreement, and EIR certification related to the RPSP approval.
- The original RPSP allowed for the phased development of 2,805 dwelling units and 2,485,000 square feet of commercial development (including approximately 221,000 square feet of existing office development that was approved under the Oxnard Town Center Specific Plan, prior to the adoption of the RPSP).
- Seven prior amendments to the specific plan have been approved.

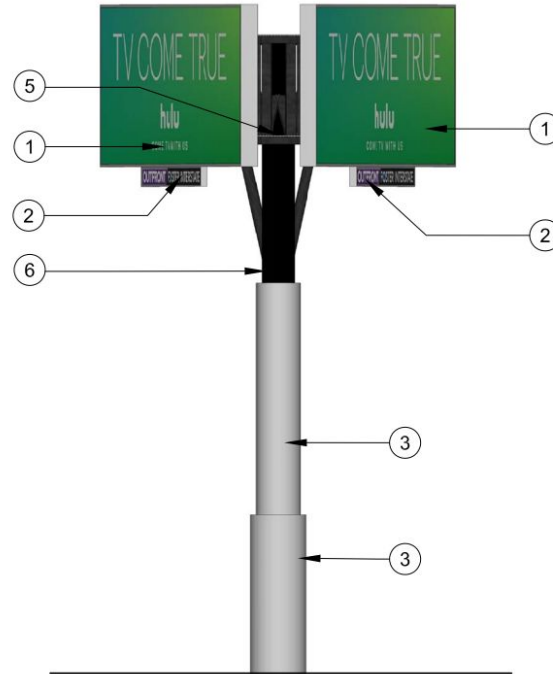
# Proposed Site Plan



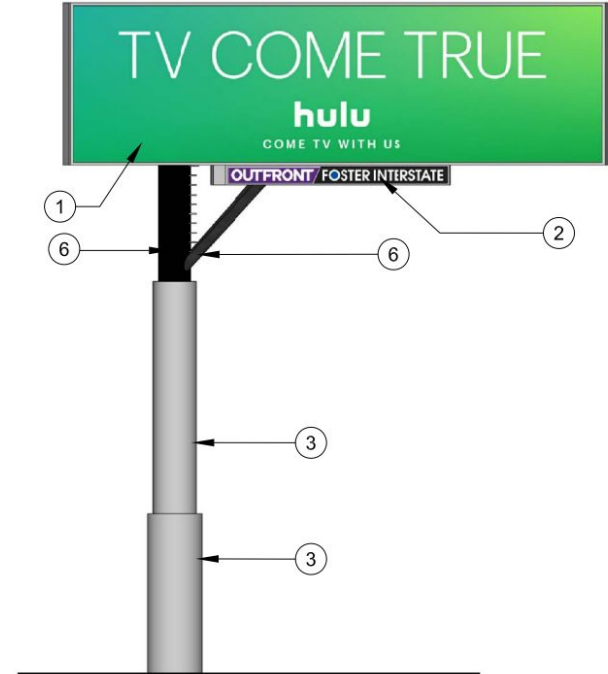
# Proposed Sign Elevations



1 Overall Elevation  
SCALE - 1/8" : 1'0"  
(See A-3.0 For Color Scheme)



5 Elevation A  
SCALE - 1/8" : 1'0"



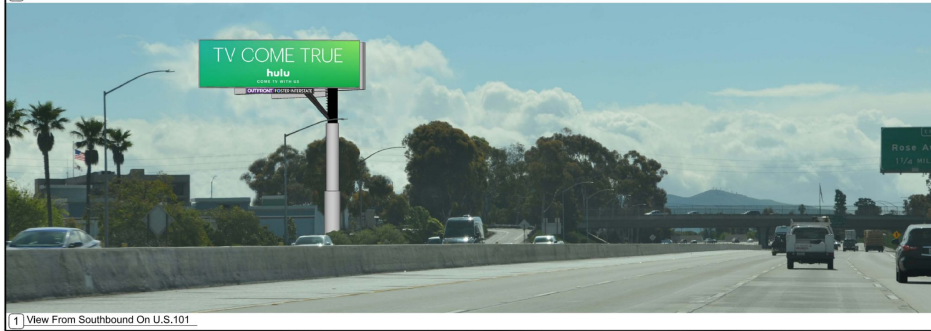
4 Elevation B  
SCALE - 1/8" : 1'0"



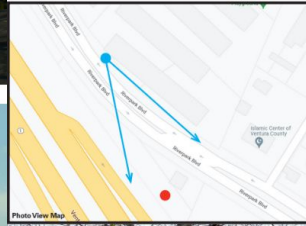
# Proposed Sign Renderings



2 | View From Northbound On U.S. 101



1 | View From Southbound On U.S. 101



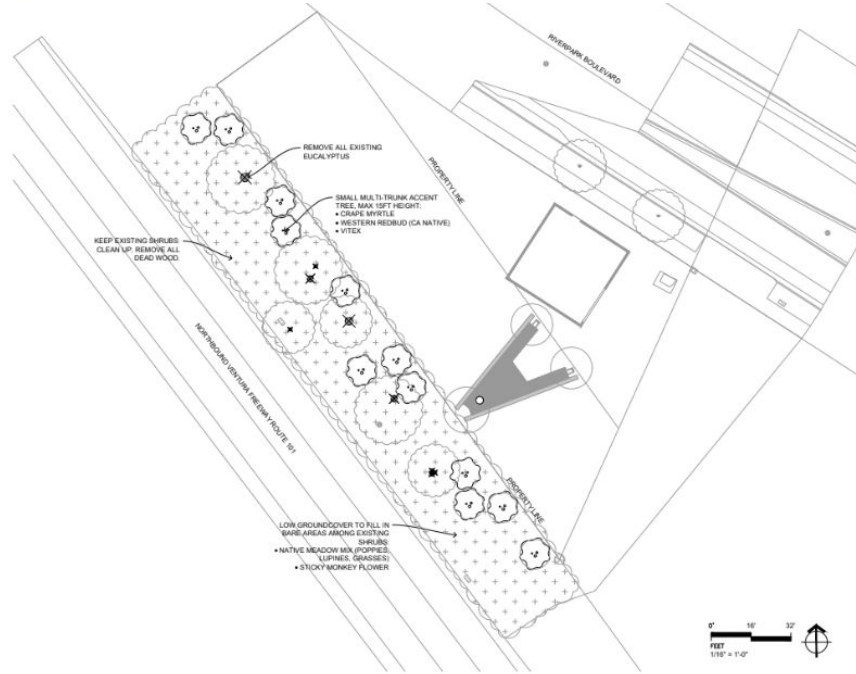
# Proposed Landscape Improvements



CRAPPE MYRTLE: MANY SMALL VARIETIES ARE AVAILABLE



WESTERN REDBUD: CALIFORNIA NATIVE



## LANDSCAPE DESIGN INTENT

THE LANDSCAPE DESIGN IS SIMPLE, NATURALISTIC, WATER CONSERVING AND LOW MAINTENANCE. IT IS IN CONTEXT WITH THE ADJACENT HIGHWAY, THE NEIGHBORING URBAN AREA AND WITH THE LOCAL ENVIRONMENT.

SMALL FLOWERING TREES DRIFT ALONG THE INSIDE EDGE, ADDING COLOR AND SOFTENING THE STRUCTURE.

THE UNDERSTORY RETAINS THE EXISTING LOW EVERGREEN SHRUBS AND FILLS IN THE BARE AREAS WITH A NATIVE MEADOW WHICH IS COMPOSED OF TOUGH LOW GROUNDCOVERS. ADDITIONAL WOODY SHRUBS ARE AVOIDED DUE TO THE POTENTIAL FIRE HAZARD OF THEIR FLAMMABLE INTERIORS.

THE DESIGN COMPLES WITH THE WATER EFFICIENT LANDSCAPE ORNANCE. IT INCORPORATES SUSTAINABLE PRINCIPLES AND BEST MANAGEMENT PRACTICES. SPECIES ARE CAREFULLY SELECTED AND COMBINED BASED ON SIMILAR WATER NEEDS AND HORTICULTURAL REQUIREMENTS. PLANTING AND IRRIGATION ARE COORDINATED SO THAT WATER USE IS MINIMIZED AND ENVIRONMENTAL BENEFITS ARE MAXIMIZED.

THIS LANDSCAPE PLAN IS CONCEPTUAL. FURTHER DESIGN IS REQUIRED TO DEVELOP IT TO





# Development Agreement

- Provide public benefit in the form of monetary payments to the City.
- Allow for the use of City Property through a lease agreement.

# RiverPark Specific Plan Amendment

- Add “Type 7-C: Freeway Adjacent Digital Display Billboards” building type.
- Provide development standards for Type 7-C: Freeway Adjacent Digital Display Billboards.
- Adjust landscaping requirements to remove freeway planting requirement where Billboards are proposed.
- Refer to OCC for specific standards.

# Applicable General Plan Policies

- Many policies are directly or indirectly applicable to the proposed project. Some of the key policies are:
  - Community Development Policy 3.1 & 4.1 - Land Use Conflicts
  - Community Development Policy 9.1, 9.3, & 9.4 - Neighborhood Identity Gateway Enhancement/View Corridor Preservation
  - Environmental Resource Policies 6.1, 6.2, and 6.5 - Views in New Development/Scenic Resources, Lighting and Glare
  - Community Development Policy 8.5 - Impact Mitigation

# Zoning Code Compliance

- As noted above the City is concurrently processing an Ordinance Amendment (PZ 20-580-06) to allow for Freeway Adjacent Digital Display Billboards, as currently being proposed. The proposed ordinance amendment includes development standards which will be applicable to all Freeway Adjacent Digital Display Billboards developed within the City.
- The proposed project has been designed to be consistent with the proposed ordinance, as further detailed in the Staff Report.

# Environmental Review

- An environmental consultant, under the supervision of Planning Division staff, prepared IS/MND which evaluated potential environmental impacts of the proposed Project. The IS/MND was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA).
- City prepared a Mitigated Negative Declaration (MND):
  - a. MND review period for 30 days (30 days required)
  - b. City received four comment letters
  - c. Comments and responses included in MND
  - d. Changes made to Draft MND for Final MND based on comments
- Final IS/MND includes a Mitigation Monitoring and Reporting Program:
  - a. Details process to implement required mitigation measures
  - b. After implementation of standard conditions and mitigation measures, all potentially significant impacts reduced to less than significant levels

# Environmental Review

- Final IS/MND identified the following:
  - Class 2 impacts (potentially significant by mitigable, mitigation required)
    - Biological Resources
    - Cultural and Tribal Cultural Resources
  - All other impact area were identified as Class 3 (less than significant)
    - Aesthetics included two recommended mitigations were incorporated
- Staff determined that there is no substantial evidence that the Project will have a significant effect on the environment.

# Public Notice

- Notice of Community Workshop: December 20, 2021
  - Public notice signs were posted onsite.
  - Notifications were mailed to the RiverPark Neighborhood.
- Notice of PC hearing was provided:
  - Newspaper,
  - On-site posting; and
  - Mailed to property owners within 300 feet.
- To date, no public comments have been received.

## **Recommendation:** That the Planning Commission:

- a) Adopt a resolution recommending that the City Council adopt a Mitigated Negative Declaration (MND) 22-02; and
- b) Adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 20-670-06 (Development Agreement), and
- c) Adopt a resolution recommending City Council approval of Planning and Zoning Permit No. 20-630-02 (Amendment to The RiverPark Specific Plan), subject to certain findings, and
- d) Adopt a resolution Approving Planning and Zoning Permit No. 20-500-07 (Special Use Permit), subject to certain findings and conditions.







## **PLANNING COMMISSION STAFF REPORT**

**TO:** Planning Commission

**FROM:** Joe Pearson II, Planning Manager

**DATE:** January 19, 2023

**SUBJECT:** **Project Name: Ventura Road Electronic Billboard Project;** Planning and Zoning Permit Nos. 20-500-06 (Special Use Permit), 20-670-05 (Development Agreement), and 21-660-03 (Street Vacation); Located on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard. APN: N/A

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

- a)** Adopt Resolution 2023-XX recommending that the City Council adopt a Mitigated Negative Declaration (MND) 22-03; and
- b)** Adopt Resolution 2023-XX recommending that the City Council approve Planning and Zoning Permit No. 20-670-05 (Development Agreement), and
- c)** Adopt Resolution 2023-XX affirming that the City of Oxnard’s proposed Vacation of real property consisting of an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard is in conformance with the City of Oxnard 2030 General Plan and recommending that the City Council order the proceed with the vacation, and
- d)** Adopt Resolution 2023-XX Approving Planning and Zoning Permit No. 20-500-06 (Special Use Permit), subject to certain findings and conditions.

**2) Project Description and Applicant:** The applicant requests a Special Use Permit, Development Agreement, and Street Vacation to allow for the installation and operation of an electronic billboard on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard. The Special Use Permit allows for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products. The top of the billboard would be approximately 80 feet in height above the ground, and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width. The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the

required public benefits to be provided by the future development. The proposed Street Vacation would vacate the existing right-of-way to the City of Oxnard.

The request includes adoption of the proposed Final Initial Study/Mitigated Negative Declaration (IS-MND) and adoption of the Mitigation Monitoring and Reporting Program (MMRP) which has been prepared pursuant to provisions of the California Environmental Quality Act (CEQA) Guidelines, Section 15063. The Project site is located within the RiverPark Specific Plan and designated as Commercial Office. The 2030 General Plan land use designation is Commercial Regional. For purposes of this staff report, the foregoing project description shall be referred to as the “Project.”. Filed by Lars Skugstad, 1111 Broadway, Suite 1515, Oakland, CA 94607 (the “Applicant”) on behalf of the City of Oxnard (the “Property Owner”).

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

- 3) Existing & Surrounding Land Uses:** The Project site is currently undeveloped Right-of-Way located within the RPSP area. The area surrounding the Project site consists of a mix of office and commercial land uses. U.S. 101 is located immediately south of the Project site. Across U.S. 101 to the South, adjacent to Ventura Road, is The Wagon Wheel development which is currently under construction with residential townhomes, condominiums, and limited commercial development. To the north and west is The Santa Clara River Basin that includes vegetation. Recently, the vegetation within the Santa Clara River Basin and adjacent to U.S. 101 was removed by the County of Ventura for maintenance purposes. Northeast of and approximately 600 feet from the Project site is a senior housing facility, and other approved commercial development including a gas station and drive through restaurants. The following table summarizes the land uses and zoning designation of the Project site and adjacent properties, which are also illustrated in Attachment A:

**Table 1**  
Existing and Surrounding Land Uses

| LOCATION     | GENERAL PLAN         | ZONING                                              | EXISTING LAND USE            |
|--------------|----------------------|-----------------------------------------------------|------------------------------|
| Project Site | Commercial Regional  | The RiverPark Specific Plan<br>(Commercial: Office) | Vacant                       |
| North        | Commercial Regional  | The RiverPark Specific Plan<br>(Commercial: Office) | Light Industrial Development |
| South        | Highway 101/Easement | Highway 101/The Village Specific Plan               | Highway 101/Residential      |

|      |                       |                                                                             |                                                         |
|------|-----------------------|-----------------------------------------------------------------------------|---------------------------------------------------------|
| East | Commercial Regional   | The RiverPark Specific Plan (Residential: Very High or Commercial Regional) | Vacant (Approved For Apartments Project (PZ 19-200-16)) |
| West | County Unincorporated | County Unincorporated                                                       | Santa Clara River                                       |

**4) Background Information:**

- a) On June 18, 2019, the City Council approved and authorized the Mayor to execute Exclusive Negotiation Agreements (ENAs) with Clear Channel Outdoor, LLC and another with Outfront Foster Interstate, LLC -- both for potential digital billboard sites. Under the terms of the ENAs, both companies were given the exclusive right to negotiate with the City for an initial six-month period, and two additional six-month terms if the projects were being diligently pursued by the parties. On November 17, 2020 Council amended the ENAs to allow for an additional 6 months (until June 2021), as well as provided the City Manager with authority to extend the ENAs for two additional six-month terms if the projects are being diligently pursued by the parties. On June 7, 2022, the City Council determined that significant enough progress had been made to amend the ENAs, to grant another 6 months (until June 2023), as well as provided the City Manager with authority to extend the ENAs for two additional six-month terms if the projects are being diligently pursued by the parties.
- b) Concurrent with the process of this Project the City is processing amendments to Article IX. Advertising Signs of the Oxnard City Code to permit Freeway Adjacent Digital Display Billboards on parcels designated as commercial, industrial, or public facilities within 400 feet of the U.S. 101 right-of-way within the City of Oxnard and a amendment to the RiverPark Specific Plan to allow the sign in accordance with the Oxnard City Code. The installation and operation of individual electronic billboards would require approval of a Special Use Permit and Development Agreement. No Freeway Adjacent Digital Billboard may be placed at a distance of less than 100 feet from the property line of any residentially zoned parcel. All Freeway Adjacent Digital Display Billboards would have a maximum face display area of 14 feet in height and 48 feet in width, would be oriented primarily for viewing from the adjacent freeway, and would have a maximum height of 55 feet as measured from the pavement level of the adjacent freeway to the bottom of the digital display or 80 feet to the top of the sign. Each Freeway Adjacent Digital Display Billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet with a maximum of five (5) allowed in the City.

**5) Environmental Determination:** Pursuant to the California Environmental Quality Act (CEQA) Section 15060, the City of Oxnard as the Lead Agency, prepared a Mitigated

Negative Declaration (MND) in accordance with CEQA and the CEQA Guidelines. The MND identified and discussed potential impacts, mitigation measures, monitoring requirements, and residual impacts for identified subject areas. The MND found that the implementation of the proposed Project would result in potentially significant impacts associated with biological resources, cultural resources, and noise on wildlife species. Mitigation measures have been required to reduce each potentially significant impact to less than significant. The mitigation measures that have been required within the MND would reduce potential significant impacts. These measures include: (BIO-1 and BIO-2) conducting a pre-construction survey for active bird nests and conducting focused protocol nest survey for least Bell's vireo, and (CR-1 and CR-2) monitoring and collecting, if necessary, any discovered archaeological and paleontological resources. After the implementation of the required mitigation measures, the potential significant impacts would be reduced to less than significant. No remaining significant impacts would occur. With respect to Aesthetics, although less than significant lighting impacts would occur, the MND includes mitigation measures that are recommended to further reduce less than significant light impacts. These measures include: (AES-1 and AES-2) allowing for remote shut off in the event of malfunction and conducting illumination level verification tests.

The MND was available for public review from June 30, 2022, and ended on July 29, 2022. The City of Oxnard received five comment letters on the Draft MND. The comment letters and responses to each comment have been prepared and included in the Final IS/MND. Comments provided will be considered by the decision-making body in accordance with CEQA Guidelines, Section 15074(b).

With the inclusion of the mitigations for the areas noted above, the Project will not have a significant effect on the environment. Therefore, a Mitigated Negative Declaration (MND) was prepared with mitigation measures and monitoring program in accordance with the provisions of CEQA (Attachment C).

## **6) Project Analysis:**

- a) *General Discussion:*** Pursuant to Oxnard City Code (OCC) Section 2-95, the Planning Commission is an advisory body which provides land use recommendations to the City Council on items such as General Plan Amendments, Specific Plans, Ordinance Amendments and Development Agreements. The Planning Commission is the decision maker for Special Use Permit pursuant to OCC Section 16-531.

The applicant requests a Special Use Permit, Development Agreement, and Street Vacation to allow for the installation and operation of an electronic billboard on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard. The following is a summary of the requested revisions.

### Special Use Permit

The electronic billboard would include a digital display of advertisements of various businesses, activities, services or products. The proposed billboard would be supported by a pole that ranges in diameter from approximately 7 feet to 3 feet. The pole would extend approximately 40 feet below ground and approximately 65.5 feet above ground. The portion of the pole above ground would be painted primarily gray except for the upper 10.5 feet that would be painted black. The top of the billboard would be approximately 80 feet in height above the ground and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width. The existing ground level is at approximately the same elevation as the travel lanes along Ventura Road. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width.

Lighting levels on the digital sign will not exceed 0.3 foot candles above ambient light from a distance of 250 feet, as measured according to standards of the Outdoor Advertising Association of America. Brightness shall not exceed 300 nitere (nits) or candela per square meter from sunset to sunrise. At all other times, brightness will not exceed 7,500 nits. Illumination shall be directed such that minimal light spill will occur on either side or the top or bottom of the sign face. A light sensor will be installed with the sign to measure ambient light levels and adjust light intensity and brightness based on ambient conditions. The electronic sign will not display any moving, flashing, scrolling, fading, brightening or animated text or video. The signage will be controlled remotely and include remote maintenance software. LED lighting has a directional nature, focused toward the freeway. Louvers will be located above each row of lights to prevent light from projecting upward into the sky.

### Development Agreement

The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard. The agreement would also outline the required public benefits to be provided by the future development, including fiscal benefits to the City, such as revenue sharing. No other physical improvements are allowed or required by the development agreement.

### Street Vacation

The Project site is within the current street right-of-way and is proposed to be vacated. As the underlying property owner, the City of Oxnard will retain ownership, making it a City-owned property.

- b) **General Plan Consistency:** The City's 2030 General Plan land use designation for the subject site is Commercial Regional (CR) uses which allows retail, commercial, government and residential uses. The proposed use is Commercial. Consistency with the 2030 General Plan is defined by the relationship between 2030 General Plan policies and

the proposed Project. The proposed Project does not conflict with General Plan land use, goals and policies. The proposed DA allows for the use of City property and outlines the required public benefits to be provided by future development. No other physical improvements are allowed or required by the development agreement, and therefore it does not conflict with General Plan land use, goals and policies. The project's consistency review with General Plan policies is included as Attachment D. The proposed Project has been determined to be consistent with the General Plan and the property's land use designation.

- c) **Conformance with Zoning Code Development Standards:** As noted above the City is concurrently processing an Ordinance Amendment (PZ 20-580-06) to allow for Freeway Adjacent Digital Display Billboards, as currently being proposed. The proposed ordinance amendment includes development standards which will be applicable to all Freeway Adjacent Digital Display Billboards developed within the City. As shown in Attachment E, the proposed Project has been designed to be consistent with the proposed ordinance. As a condition, the approval of this Project is contingent upon the City's adoption of the proposed Freeway Adjacent Digital Display Billboards ordinance. Additionally, the Project must comply with the final ordinance as adopted, therefore, if any changes occur to the proposed development standards the Project would be required to be amended, to bring it into compliance.
- d) **Site Design, Circulation, and Parking:** The Project is located on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard. The proposed site improvements include the installation of an electronic sign and traffic barrier. In the City's Bicycle and Pedestrian Master Plan, this location is identified as the possible location for the Santa Clara River multi-purpose path. City staff has reviewed proposed sign and barrier location and confirmed that there is sufficient space for the future path, should it be developed in the future. As the sign is controlled remotely, no parking is required. In the rare event onsite work is required, an encroachment permit can be obtained to allow for the use of the adjacent right of way, similar to utility companies with facilities in the right-of-way.
- e) **Sign Design:** The pole would extend approximately 40 feet below ground and approximately 65.5 feet above ground. The portion of the pole above ground would be painted primarily gray except for the upper 10.5 feet that would be painted black. The pole design has been kept simple with the gray color, to minimize the visual impact of the pole itself. The top of the billboard would be approximately 80 feet in height above the ground and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width.

- 7) Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed the proposed Project on November 18, 2020. The comments from the DAC have been incorporated into the Project, including the studies, and MND.
- 8) Community Workshop and Public Input:** A Community Workshop on the Project was held on December 20, 2021. Public notice signs were posted onsite. Notifications were mailed to the RiverPark Neighborhood. Approximately 2,000 notices were mailed. The meeting was held online. Eight members of the community attended this meeting, and two people spoke on the items. The video from the online workshop was also posted on the City's website for members of the public to view separately. The primary concern identified at the Community Workshop was related to general allowance of electronic billboards and lighting impacts. Both aesthetics and lighting impacts were analyzed in the environmental document and it was determined that with the implementation of the project mitigations the impacts would be less than significant. There was also a request for an additional site rendering showing the sign from the adjacent side of the freeway, which was prepared and has been included in Attachment B.

Consistent with public noticing requirements, the Planning Commission Hearing was advertised with on-site postings and to property owners within 300 feet of the Project site.

- 9) Appeal Procedure:** The action of the Planning Commission on the Special Use Permit is final unless appealed in writing to the City Council no later than eighteen (18) days after the decision date (Section 16-545) of the Oxnard City Code. Appeal forms may be obtained from the City Clerk (300 West Third Street, Fourth Floor) and must be submitted with the appropriate fees before the end of the appeal period. The action of the Planning Commission on the Development Agreement and Street Vacation is a recommendation of either approval or denial to the City Council. All aspects of this Project shall not become effective unless and until the City Council approves the Development Agreement and Street Vacation.

**Attachments:**

- A. Maps (Vicinity, General Plan, Zoning, Aerial)
- B. Reduced Project Plans
- C. Final IS-MND 22-03 (December 2022)
- D. General Plan Consistency Chart
- E. Zoning Compliance Table
- F. Draft Planning Commission Resolution Recommending Adoption of Mitigated Negative Declaration (MND) 22-03
- G. Draft Planning Commission Resolution Recommending Approval of PZ Permit No. 20-670-05 (Development Agreement)
- H. Draft Planning Commission Resolution Recommending Approval of PZ Permit No. 21-660-03 (Street Vacation)



*Ventura Road Electronic Billboard Project*  
*PZ Nos. 20-500-06 (Special Use Permit), 20-670-05 (Development Agreement),*  
*and 21-660-03 (Street Vacation)*  
*PC Hearing Date: January 19, 2023*  
*Page 8 of 8*

- I. Draft Planning Commission Resolution Approving PZ Permit No. 20-500-06 (Special Use Permit)
- J. Staff Presentation

# **ATTACHMENT**

## **A**

### **MAPS**

**(VICINITY, GENERAL PLAN, ZONING, AERIAL)**

## Vicinity Map



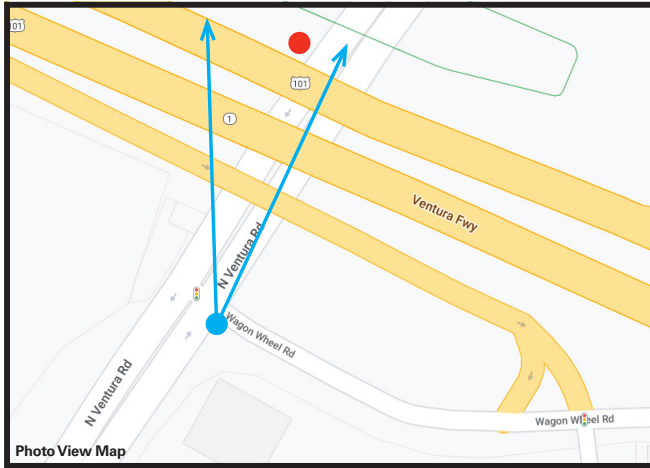




# **ATTACHMENT B**

## **REDUCED PROJECT PLANS**





**OUTFRONT FOSTER INTERSTATE**

14'h x 48'w, Double-Sided Digital Display

Site 1: View from Intersection of Ventura Rd. and Wagon Wheel

Working Draft - For Discussion Purposes Only. \*Please note, design, placement of structures and elevation details are preliminary and subject to change. The positioning of each sign in this rendering and the perspective of each sign view-views the overall view is for illustration purposes only and is not exact.

# **ATTACHMENT C**

**FINAL IS-MND 22-03 (DECEMBER 2022)**

# VENTURA ROAD ELECTRONIC BILLBOARD

Response to Comments on Public Review Draft  
Initial Study/Mitigated Negative Declaration  
State Clearinghouse Number 2022060700

Prepared for  
City of Oxnard  
Community Development Department

October 2022







# VENTURA ROAD ELECTRONIC BILLBOARD

## Response to Comments on Public Review Draft Initial Study/Mitigated Negative Declaration

Prepared for  
City of Oxnard  
Community Development Department  
214 South C Street  
Oxnard, California 93030  
805.385.8272

October 2022

16755 Von Karman Avenue  
Suite 200  
Irvine, CA 92606  
949.753.7001  
esassoc.com



|              |               |          |
|--------------|---------------|----------|
| Bend         | Orlando       | San Jose |
| Camarillo    | Pasadena      | Sarasota |
| Delray Beach | Petaluma      | Seattle  |
| Destin       | Portland      | Tampa    |
| Irvine       | Sacramento    |          |
| Los Angeles  | San Diego     |          |
| Oakland      | San Francisco |          |

**OUR COMMITMENT TO SUSTAINABILITY** | ESA helps a variety of public and private sector clients plan and prepare for climate change and emerging regulations that limit GHG emissions. ESA is a registered assessor with the California Climate Action Registry, a Climate Leader, and founding reporter for the Climate Registry. ESA is also a corporate member of the U.S. Green Building Council and the Business Council on Climate Change (BC3). Internally, ESA has adopted a Sustainability Vision and Policy Statement and a plan to reduce waste and energy within our operations. This document was produced using recycled paper.

# TABLE OF CONTENTS

---

## Ventura Road Electronic Billboard: Response to Comments on Public Review Draft Initial Study/Mitigated Negative Declaration

|            |                                                          |            |
|------------|----------------------------------------------------------|------------|
| <b>1.0</b> | <b>Introduction.....</b>                                 | <b>1-1</b> |
| 1.1        | CEQA Requirements.....                                   | 1-1        |
| 1.2        | CEQA Process .....                                       | 1-2        |
| <b>2.0</b> | <b>Comment Letters .....</b>                             | <b>2-1</b> |
| <b>3.0</b> | <b>Responses to Comments .....</b>                       | <b>3-1</b> |
| <b>4.0</b> | <b>Errata .....</b>                                      | <b>4-1</b> |
| <b>5.0</b> | <b>Mitigation Monitoring and Reporting Program .....</b> | <b>5-1</b> |

This page intentionally left blank

# CHAPTER 1

---

## Introduction

This Response to Comments document was prepared to respond to comments that were received on the Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND). The Final Initial Study/Mitigated Negative Declaration (Final IS/MND) consists of the Public Review Draft IS/MND and this Response to Comments document. The Final IS/MND has been prepared in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code Section 21000 et seq.) and *CEQA Guidelines* (California Administrative Code Section 15000 et seq.). Documents relating to this Final IS/MND were cited and incorporated. All documents are available for review at the City of Oxnard website: <https://www.oxnard.org/city-department/community-development/planning/environmental-documents/>.

### 1.1 CEQA Requirements

Before the City of Oxnard may approve the project, it must certify that the Final IS/MND: a) has been completed in compliance with CEQA; b) was presented to the Oxnard City Council who reviewed and considered it prior to approving the project; and c) reflects the City's independent judgment and analysis.

*CEQA Guidelines* Section 15074 states that prior to approving a project, the decision-making body of the lead agency shall consider the proposed mitigated negative declaration together with any comments received during the public review process. Therefore, the decision making body will be considering the following documents that constitute the Final IS/MND prior to making a decision on the project.

- The Public Review Draft IS/MND
- Response to Comment Document which includes:
  - Comments and recommendations received on the Public Review Draft IS/MND;
  - A list of persons, organizations, and public agencies commenting on the Public Review Draft IS/MND;
  - The response of the Lead Agency to substantive environmental points raised in the review and consultation process.

This Response to Comments document for the Ventura Road Electronic Billboard presents the following chapters:

- Chapter 1: Introduction – this chapter includes an introduction to the Response to Comments and the CEQA process and requirements
- Chapter 2: Comment Letters – this chapter includes a list of persons, organizations, and public agencies commenting on the Public Review Draft IS/MND
- Chapter 3: Response to Comments – this chapter includes the written comments received on the Public Review Draft IS/MND as well as the written responses to each comment
- Chapter 4: Errata – this chapter includes any revisions made to the Public Review Draft IS/MND in response to comments received or initiated by the Lead Agency
- Chapter 5: Mitigation and Monitoring Program (MMRP) – this chapter includes a list of the mitigation measures, identification of the responsible implementation agency, agency responsible for monitoring, timing of implementation, and date of compliance for each mitigation measure

## 1.2 CEQA Process

### Public Participation Process

#### Notice of Intent of the Public Review Draft IS/MND

The Notice of Intent (NOI) of the Public Review Draft IS/MND was posted on June 30, 2022 with the Ventura County Clerk Recorder. The Public Review Draft IS/MND was circulated for a 30-day public review until July 29, 2022. The NOI for the Public Review Draft IS/MND was circulated to state and local agencies and interested parties requesting a copy of the NOI. Copies of the Public Review Draft IS/MND were made available for review at the City of Oxnard Community Development Department located at 214 S. C Street, Oxnard, California, 93030 and at the Oxnard Public Library, 251 South “A” Street. The document was also available at the City of Oxnard website: <https://www.oxnard.org/city-department/community-development/planning/environmental-documents/>.

### Evaluation and Response to Comments

In accordance with Article 6 of the *CEQA Guidelines*, the City of Oxnard, as the Lead Agency, was required to evaluate substantive environmental comments received on the Public Review Draft IS/MND. This Response to Comments document provides written responses to each comment received on the Public Review Draft IS/MND.

## Final IS/MND Approval

As the Lead Agency, the City of Oxnard is required to determine the adequacy of the Final IS/MND (Public Review Draft IS/MND and Response to Comments). The City can adopt the Final IS/MND if they find on the basis of the whole record before it (including the Public Review Draft IS/MND and Response to Comments) that there is no substantial evidence that the project will have a significant effect on the environment and that the Final IS/MND reflects the City's independent judgment and analysis.

## Notice of Determination

Pursuant to Section 15094 of the *CEQA Guidelines*, the City of Oxnard will file a Notice of Determination (NOD) with the Ventura County Clerk Recorder within five working days of project approval.



This page intentionally left blank

## CHAPTER 2

---

### Comment Letters

The Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND) for the Ventura Road Electronic Billboard was circulated for public review for 30 days (June 30, 2022 through July 29, 2022). The City of Oxnard received five comment letters from public agencies during the public review period, as listed in the table below. Each comment letter has been assigned an alphabetical designation (A through E). Each comment within each letter has been assigned a numerical designation so that each comment could be cross-referenced with an individual response. The comments and responses are provided in Chapter 3.

#### COMMENT LETTERS RECEIVED

| Comment No. | Commenting Agency                                                           | Date of Comment |
|-------------|-----------------------------------------------------------------------------|-----------------|
| A           | California Department of Fish and Wildlife                                  | July 29, 2022   |
| B           | California Highway Patrol                                                   | July 27, 2022   |
| C           | County of Ventura Resource Management Agency, Planning Division             | July 29, 2022   |
| D           | County of Ventura Resource Management Agency, Watershed Protection District | July 29, 2022   |
| E           | Ventura County Air Pollution Control District                               | July 26, 2022   |

This page intentionally left blank

## CHAPTER 3

---

### Responses to Comments

Following are the comment letters and the written responses to each of the comments that were received during the public review period of the Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND). In some instances, in response to the comment, the City of Oxnard has made additions or deletions to the text of the Public Review Draft IS/MND; additions are included as underlined text and deletions are shown as ~~stricken text~~.



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
South Coast Region  
3883 Ruffin Road  
San Diego, CA 92123  
(858) 467-4201  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**

July 29, 2022

Mr. Joe Pearson  
City of Oxnard  
214 South C St.  
Oxnard, CA 93030  
[Joe.Pearson@Oxnard.org](mailto:Joe.Pearson@Oxnard.org)

**Subject: Venture Road Electronic Billboard, Mitigated Negative Declaration, SCH No. 2022060700; City of Oxnard, Ventura County**

Dear Mr. Pearson:

The California Department of Fish and Wildlife (CDFW) has reviewed the City of Oxnard's (City) Mitigated Negative Declaration (MND) for the Ventura Road Electronic Billboard (Project). The City, as Lead Agency, prepared a MND pursuant to the California Environmental Quality Act (CEQA; Pub. Resources Code, § 21000 *et seq.*) with the purpose of informing decision-makers and the public regarding potential environmental effects related to the Project. Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife or be subject to Fish and Game Code.

### **CDFW's Role**

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust for the people of the state [Fish & Game Code, §§ 711.7, subdivision (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act (CEQA) Guidelines, [§ 15386, subdivision (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802). CDFW is also directed to provide biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect state fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA (Public Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & Game Code, § 1600 *et seq.*). To the extent implementation of the Project as proposed may result in "take" of any species protected under the California Endangered Species Act (CESA; Fish & Game Code, § 2050 *et seq.*), or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & Game Code, §1900 *et seq.*), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

Mr. Joe Pearson  
City of Oxnard  
July 29, 2022  
Page 2 of 20

## Project Description and Summary

**Objective:** The City of Oxnard has proposed to erect an electronic billboard on a 1,000 square foot site adjacent to the State-Rout 101. The Billboard will extend 40 feet underground, 65.5 feet above the ground, and be illuminated on both sides. Light-emitting diodes (LEDs) will be used and will include components to block light from emitting towards the sky. Construction would occur over four days over a two-week period.

**Location:** The Project is located within bank and levee of the Santa Clara River, upstream of State-Rout 101 in the City of Oxnard. Surrounding land use includes office, commercial, and natural (Santa Clara River).

## Comments and Recommendations

CDFW offers the comments and recommendations below to assist the City in adequately identifying, avoiding, and/or mitigating significant, or potentially significant, direct and indirect impacts on fish and wildlife biological resources based on the planned activities of this proposed Project. CDFW recommends the measures below be included in a science-based monitoring program with adaptive management strategies as part of the Project's CEQA mitigation, monitoring and reporting program (Public Resources Code, § 21081.6 and CEQA Guidelines, § 15097). Additional comments or other suggestions may also be included to improve the document.

## Specific Comments

### Comment #1: Impacts to Aquatic and Riparian Resources, Lake and Streambed Alteration Agreement (LSA)

**Issue:** The Project may result in direct or indirect impacts to Santa Clara River and associated riparian and wetland vegetation.

**Specific Impacts:** Within the MND it states, "[t]he Project site is located on the southeast side of the Santa Clara River southbank levee along Ventura Road..." CDFW is concerned that project activities within and surrounding Santa Paula River may result in changes to the stream and/or the associated sensitive riparian vegetation communities which are subject to Fish and Game Code.

**Why impacts would occur:** Project implementation includes grading, excavating, material staging, grubbing, and vegetation clearing which may result in direct mortality and loss of sensitive vegetation communities and special status wildlife.

Moreover, S3 ranked willow riparian forest and woodland and red willow riparian woodland are present within close proximity to the Project site. Riparian habitats provide important food, nesting habitat, cover, and migration corridors for wildlife. Only 5 to 10% of California's original riparian habitat exists today and much of the remaining habitat is in a degraded condition. Increased sediment deposition can bury seedlings and saplings of riparian trees, resulting in increased mortality of new recruits (Kui and Stella 2016). Construction equipment, vehicles, import of fill material, disposal piles, and staging areas can introduce and spread non-native,

A-1  
(Cont)

A-2

Mr. Joe Pearson  
 City of Oxnard  
 July 29, 2022  
 Page 3 of 20

invasive plants. Invasive plant seeds, rhizomes, or stolons can be transported along streams and spread upstream and downstream. Impacts to sensitive vegetation communities should be considered significant under CEQA unless they are clearly mitigated below a level of significance. Inadequate avoidance, minimization, and mitigation measures for impacts to sensitive plant communities will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on any special status species or sensitive vegetation community.

**Evidence Impact Would Be Significant:** Debris, soil, silt, sawdust, rubbish, raw cement/concrete, or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous or deleterious to aquatic life, wildlife, or riparian habitat resulting from Project related activities may enter the stream.

**Mitigation Measure #1:** The Project applicant (or “entity”) should provide written notification to CDFW pursuant to section 1600 *et seq.* of the Fish and Game Code. Based on this notification and other information, CDFW shall determine whether a Lake and Streambed Alteration (LSA) Agreement is required prior to conducting the proposed activities. A notification package for a LSA may be obtained by accessing CDFW’s web site at <https://www.wildlife.ca.gov/conservation/lsa>.

If necessary, CDFW’s issuance of an LSA Agreement for a Project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document of the Lead Agency for the Project. To minimize additional requirements by CDFW pursuant to section 1600 *et seq.* and/or under CEQA, the CEQA document should fully identify the potential impacts to streams or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement.

**Mitigation Measure #2:** Any LSA Agreement issued for the Project by CDFW may include additional measures protective of streambeds on and downstream of the Project such as additional erosion and pollution control measures. To compensate for any on-site and off-site impacts to riparian resources, additional mitigation conditioned in any LSA Agreement may include the following: avoidance of resources, on-site or off-site creation, enhancement, or restoration, and/or protection and management of mitigation lands in perpetuity.

**Mitigation Measure #3:** If impacts to riparian habitat, such as arroyo willow thicket, mulefat thicket, and cattail marshes cannot be avoided, CDFW suggests mitigation should be achieved entirely on site if possible. CDFW recommends that impacts be mitigated at no less than 3:1. CDFW recommends that an on-site Habitat Mitigation and Monitoring Plan (HMMP) be developed. An HMMP should provide specific, detailed, and enforceable measures.

## **Comment #2: Potential Impacts to California Species of Special Concern due to Project Design**

**Issue:** CDFW is concerned that Project-related activities may result in significant impacts to the following Species of Special Concern (SSC):

A-2  
(Cont)

A-3

Mr. Joe Pearson  
City of Oxnard  
July 29, 2022  
Page 4 of 20

- Birds: Yellow warbler (*Setophaga petechia*) and;
- Reptiles: Coast horned lizard (*Phrynosoma blainvillii*), and western pond turtle (*Emys marmorata*)

**Specific impact:** Project construction and related activities, directly or through indirect effects, may result in direct injury or mortality of SSC. The MND acknowledged the potential for these species to occur in and around the Project site.

A-3  
(Cont)

**Why impact would occur:** Project implementation includes staging and using heavy equipment within and adjacent to the active river channel. These activities include increased ambient noise and vibration, night lighting, and other activities. These effects may result in direct mortality, population declines, or local extirpation of SSC fish, reptile, and mammal species.

Lights on elevated structures have been found to attract bird species causing them to veer off migration routes or cause avian collisions that result in mortality (Gehring 2009). Likewise, increased ambient lighting levels can increase predation risks and disorientation. This would disrupt normal behaviors of birds in adjacent feeding, breeding, and roosting habitat (Longcore and Rich 2004). The light emitted from the billboard may impact species which utilize the coastal sage scrub directly below the structure along the Santa Clara River.

A-4

Anthropogenic noise can disrupt the communication of many wildlife species including frogs, birds, and bats (Sun and Narins 2005, Patricelli and Blickley 2006, Gillam and McCracken 2007, Slabbekoorn and Ripmeester 2008). Noise has also been shown to reduce the density of nesting birds (Francis 2009) and cause increased stress that results in decreased immune responses (Kight and Swaddle 2011). Substantial noise may adversely affect wildlife species in several ways as wildlife responses to noise can occur at exposure levels of only 55-60 dB (Barber 2009). For reference, normal conversation is approximately 60 dB, and natural ambient noise levels (e.g., forest habitat) are generally measured at less than 50dB.

A-5

**Evidence impact would be significant:** Project construction and activities, directly or through habitat modification, may result in direct mortality, reduced reproductive capacity, population declines, or local extirpation of SSC. CEQA provides protection not only for State and federally listed species, but for any species including but not limited to SSC which can be shown to meet the criteria for State listing. These SSC meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15065). Take of SSC could require a mandatory finding of significance by the City (CEQA Guidelines, § 15065).

A-6

#### **Recommended Potentially Feasible Mitigation Measure(s):**

**Mitigation Measure #1:** Pursuant to the California Code of Regulations, title 14, section 650, the City/qualified biologist must obtain appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with Project construction and activities. Please visit CDFW's [Scientific Collection Permits](#) webpage for information. A LSA Agreement may provide similar take or possession of species as described in the conditions of the agreement.

A-7

CDFW has the authority to issue permits for the take or possession of wildlife, including mammals; birds, nests, and eggs; reptiles, amphibians, fish, plants; and invertebrates (Fish & Game Code, §§ 1002, 1002.5, 1003). Effective October 1, 2018, a Scientific Collecting Permit is



Mr. Joe Pearson  
City of Oxnard  
July 29, 2022  
Page 5 of 20

required to monitor project impacts on wildlife resources, as required by environmental documents, permits, or other legal authorizations; and, to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with otherwise lawful activities (Cal. Code Regs., tit. 14, § 650).

A-7  
(Cont)

**Mitigation Measure #2:** CDFW recommends including shields for the bottom of the billboard to further mitigate illumination of sensitive habitats directly below the structure. Within the MND it states, "Louvers will be located above each row of lights to prevent light from projecting upward into the sky." It is recommended that a component which will further shield light from the ground be included within the Project design. Additionally, the Project plans on using LEDs to light the billboard. CDFW suggests the Applicant avoids blue-light emitting and ultraviolet LEDs. Studies have found that LEDs emitting these spectrums of light attract a greater number of species (Longcore 2016). Birds have also been found to be especially attracted to solid full spectrum white lights and solid red lights (Gehring 2009).

A-8

**Mitigation Measure #3:** CDFW recommends monitoring noise generated by the Project operations during construction and post-construction operations to ensure noise from the Project does not affect wildlife in the adjacent river habitat. The MND should set acceptable noise thresholds that would be part of a daily monitoring and reporting program to ensure impact to adjacent habitat is below a threshold that would have an adverse effect.

**Mitigation Measure #4:** Construction equipment should use noise reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer. Stationary noise sources (e.g., generators, pumps) at staging areas within 1,400 feet of sensitive receptors should be shielded at the source by an enclosure, temporary sound walls, or acoustic blankets. Where feasible, sound walls or acoustic blankets should have a height of no less than 8 feet, a Sound Transmission Class (STC) of 27 or greater, and a surface with a solid face from top to bottom without any openings or cutouts. Unnecessary construction vehicle use and idling time should be minimized to the extent feasible, such that if a vehicle is not required for use immediately or continuously for safe construction activities, its engine should be shut off.

A-9

**Mitigation Measure #5:** The City should retain a qualified biologist(s) with experience surveying for or is familiar with the life history of each of the species mentioned above. The qualified biologist should conduct focused surveys for SSC and suitable habitat within the appropriate season to detect presence, and again no more than one month from the start of any ground-disturbing activities or vegetation removal where there may be impacts to SSC. In addition, the qualified biologist should conduct daily biological monitoring during any activities involving vegetation clearing (including ruderal areas), open ditches or pits, or modification of natural habitat. Positive detections of SSC and suitable habitat at the detection location should be mapped and photographed and reported to the California Natural Diversity Database. The qualified biologist should provide a summary report of SSC surveys to the City prior to implementing any Project-related ground-disturbing activities and vegetation removal. Depending on the survey results, a qualified biologist should develop species-specific mitigation measures for implementation during the Project.

**Mitigation Measure #6:** Wildlife should be protected, allowed to move away on its own (non-invasive, passive relocation), or relocated to adjacent appropriate habitat on site or to suitable habitat adjacent to the project area. SSC should be captured only by a qualified biologist with

Mr. Joe Pearson  
 City of Oxnard  
 July 29, 2022  
 Page 6 of 20

proper handling permits. The qualified biologist should prepare a species-specific list (or plan) of proper handling and relocation protocols and a map of suitable and safe relocation areas. A relocation plan should be submitted to the City prior to implementing any Project-related ground-disturbing activities and vegetation removal.

**Mitigation Measure #7:** The City, in consultation with a qualified biologist, should prepare a worker environmental awareness training. The qualified biologist should communicate to workers that upon encounter with an SSC (e.g., during construction or equipment inspections), work must stop, a qualified biologist must be notified, and work may only resume once a qualified biologist has determined that it is safe to do so.

A-9  
(Cont)

**Mitigation Measure #8:** If any SSC are harmed during relocation or a dead or injured animal is found, work in the immediate area should stop immediately, the qualified biologist should be notified, and dead or injured wildlife documented. A formal report should be sent to CDFW and the City within three calendar days of the incident or finding. Work in the immediate area may only resume once the proper notifications have been made and additional mitigation measures have been identified to prevent additional injury or death.

### **Comment #3: Special Status Species Survey Protocols**

**Issue:** The MND only offers protocol surveys for nesting birds and least Bell's vireo (*Vireo bellii pusillus*) though there are multiple special status species with the potential to occur on or near the Project site.

**Specific impacts:** Project activities may also impact other special status species in and around the Project site.

**Why impacts would occur:** A lack of protocol surveys will likely result in avoidable impacts to a variety of sensitive species. Protocol surveys are necessary to sensitive listed species and supporting habitat necessary for their survival. Within the MND the Applicant suggested protocol surveys only for nesting birds and least Bell's vireo. CDFW recommends standardized protocol surveys be conducted for other special status species which may be present and impacted by Project activities.

A-10

**Evidence impact would be significant:** Ground clearing and construction activities could lead to the direct mortality of a listed species or SSC. The loss of occupied habitat could yield a loss of foraging potential, nesting sites, roosting sites, or refugia and would constitute a significant impact absent appropriate mitigation.

### **Recommended Potentially Feasible Mitigation Measure(s) For Coast Horned Lizard (*Phrynosoma blainvillii*):**

**Mitigation Measure #1:** To disclose impacts to special-status reptiles within the MND, CDFW recommends focused surveys for species likely to occur within a Project(s) area. Surveys should typically be scheduled during the summer months (June and July) when these animals are most likely to be encountered. To achieve 100 percent visual coverage, CDFW recommends surveys be conducted with parallel transects at approximately 20 feet apart and walked on-site in appropriate habitat suitable for each species. Suitable habitat consists of

Mr. Joe Pearson  
 City of Oxnard  
 July 29, 2022  
 Page 7 of 20

areas of sandy, loose, and moist soils, typically under the sparse vegetation of scrub, chaparral, and within the duff of oak woodlands.

**Mitigation Measure #2:** Prior to any Project activities, a relocation plan (Plan) should be developed by a qualified biologist familiar with the respective reptile in consultation with CDFW. The Plan should include, but not be limited to, the timing and location of the surveys that will be conducted for the species, identify the locations where more intensive survey efforts will be conducted (based on high habitat suitability); identify the habitat and conditions in any proposed relocation site(s); the methods that will be utilized for trapping and relocating the individuals; and the District coordinate with CDFW and/or the U.S. Fish and Wildlife Service (USFWS) prior to any ground disturbing activities within potentially occupied habitat.

A-10  
(Cont)

#### **Recommended Potentially Feasible Mitigation Measure(s) For Raptors:**

**Mitigation Measure #1:** To protect nesting birds of prey that may occur on site, CDFW recommends that construction activities be avoided from January 1 through September 15. If construction is unavoidable during January 1 through September 15, a qualified biologist should complete surveys for nesting bird activity the orders *Falconiformes* and *Strigiformes* (raptors and owls) within a 500-foot radius of the construction site. The nesting bird surveys should be conducted at appropriate nesting times and concentrate on potential roosting or perch sites. If any nests of birds of prey are observed, these nests should be designated an ecologically sensitive area and protected (while occupied) by a minimum 500-foot radius during project construction. Pursuant to FGC Sections 3503 and 3503.5, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird or bird-of-prey.

A-11

**Mitigation Measure #2:** State-fully-protected species may not be taken or possessed at any time and no licenses or permits may be issued for its take except for collecting those species for necessary scientific research and relocation of the bird species for protection of livestock (Fish & G. Code, §§ 3511, 4700, 5050, 5515). CDFW recognizes that certain fully protected species are documented to occur on, or in, the vicinity of the Project area, or that such species have some potential to occur on, or in, the vicinity of Project, due to the presence of suitable habitat CDFW cannot authorize the take of any fully protected species as defined by state law.

A-12

#### **Comment #4: Impacts to Rare Plants including White Rabbit-Tobacco (*Pseudognaphalium leucocephalum*)**

**Issue:** It is unclear if the Project will impact rare plants including California Rare Plant Ranked (CRPR) 2B.2 white rabbit-tobacco that is known to occur on site.

**Specific impacts:** Project activities may directly impact white rabbit-tobacco during project construction if it occurs within the Project site.

A-13

**Why impacts would occur:** Within the MND it states, "Dominant vegetation around the Project site and surrounding property includes...sporadic cover of native mulefat (*Baccharis salicifolia*) saplings and rabbit tobacco (*Pseudognaphalium sp.*). Likewise, a review of the California Natural Diversity Database (CNDDB) revealed white rabbit-tobacco has potential to occur in the area. Project implementation includes grading, vegetation clearing, soil compaction, utilities construction, site staging, and the movement of work equipment and vehicles. These and other

Mr. Joe Pearson  
 City of Oxnard  
 July 29, 2022  
 Page 8 of 20

activities that may result in direct mortality, population declines, or local extirpation of vegetation communities.

**Evidence impact would be significant:** Impacts to special status plant species should be considered significant under CEQA unless they are clearly mitigated below a level of significance. Inadequate avoidance, minimization, and mitigation measures for impacts to special status plant species will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS. Likewise, plants that have a California Native Plant Society (CNPS) CRPR of 1A, 1B, 2A, and 2B are rare throughout their range, endemic to California, and are seriously or moderately threatened in California. All plants constituting CRPR 1A, 1B, 2A, and 2B meet the definitions of CESA and are eligible for State listing. Impacts to these species or their habitat must be analyzed during preparation of environmental documents relating to CEQA, as they meet the definition of rare or endangered (CEQA Guidelines, § 15380). Please see CNPS Rare Plant Ranks page for additional rank definitions.

**Mitigation Measure #1:** If rare or sensitive plants including white rabbit-tobacco are found on or near the footprint of the Project, the MND should provide species-specific measures to fully avoid impacts. This may include flagging all plants and/or perimeter of populations; no work buffers around plants and/or populations (e.g., flagged perimeter plus 50 feet); restrictions on ground disturbing activities within protected areas; relocation of staging and other material piling areas away from protected areas; restrictions on herbicide use and/or type of herbicide and/or application method within 100 feet of sensitive plants; and worker education and training.

**Mitigation Measure #2:** If rare or sensitive plants including white rabbit-tobacco are found on or near the footprint of the Project, CDFW recommends the MND provide measures to fully mitigate the loss of individual ESA- and CESA-listed plants and habitat.

1. CDFW recommends the MND be conditioned to provide a minimum mitigation ratio above 1:1 for sensitive plant species. CDFW recommends a replacement ratio of 3:1 to 10:1 depending on the population and occurrence status of the species (i.e., generally 5:1 for CRPR 3 and 4 species; 7:1 for CRPR 2; and 10:1 for CRPR 1). This should be for the number of plants replaced to number impacted, including acres of habitat created to acres of habitat impacted. Rare plants are habitat specialists that require specific conditions to persist such as vegetation composition (species abundance, diversity, cover), soils, substrate, slope, hydrology, and pollinators. Accordingly, mitigation for impacts to rare plants should also include habitat.
2. The MND should provide species-specific measures for on-site mitigation. Each species-specific mitigation plan should adopt an ecosystem-based approach and be of sufficient detail and resolution to describe the following at a minimum: 1) identify the impact and level of impact (e.g., acres or individual plants/habitat impacted); 2) location of on-site mitigation and adequacy of the location(s) to serve as mitigation; 3) assessment of appropriate reference sites; 4) scientific [Genus and species (subspecies/variety if applicable)] of plants being used for restoration; 5) location(s) of propagule source; 6) species-specific planting methods (i.e., container or seed); 7) measurable goals and

A-13  
 (Cont)

Mr. Joe Pearson  
 City of Oxnard  
 July 29, 2022  
 Page 9 of 20

success criteria for establishing self-sustaining populations (e.g. percent survival rate, absolute cover); 8) long-term monitoring, and; 9) adaptive management techniques.

Please note that CDFW generally does not support the use of salvaging, translocation, or transplantation as the primary mitigation strategy for unavoidable impacts to rare, threatened, or endangered plant species.

#### **Comment #5: Impacts to Non-Game Mammals and Wildlife**

**Issue:** Riparian and riverine areas often act as movement corridors for wildlife. As such, CDFW is concerned wildlife may still move through the Project site during the daytime or nighttime. CDFW is concerned that any wildlife potentially moving through or seeking temporary refuge on the Project site may be directly impacted during Project activities and construction.

**Specific impacts:** Project activities and construction equipment may directly impact wildlife and birds moving through or seeking temporary refuge on site. This could result in wildlife and bird mortality. Furthermore, depending on the final fencing design, the Project may cumulatively restrict wildlife movement opportunity.

**Why impacts would occur:** Direct impacts to wildlife may occur from: ground disturbing activities (e.g., staging, access, excavation, grading); wildlife being trapped or entangled in construction materials and erection of restrictive fencing; and wildlife could be trampled by heavy equipment operating in the Project site.

**Evidence impact would be significant:** Mammals occurring naturally in California are considered non-game mammals and are afforded protection by State law from take and/or harassment (Fish & Game Code, § 4150; Cal. Code of Regs, § 251.1).

**Recommended Potentially Feasible Mitigation Measure(s):** CDFW recommends the following four mitigation measures to avoid and minimize direct impacts to wildlife during Project construction and activities.

**Mitigation Measure #1:** If fencing is proposed for use during construction or during the life of the Project, fences should be constructed with materials that are not harmful to wildlife. Prohibited materials include, but are not limited to, spikes, glass, razor, or barbed wire. Fencing should also be minimized so as not to restrict free wildlife movement through habitat areas. CDFW recommends the City consider permeable fencing as part of its mitigation for Project-related impacts. Wildlife impermeable fencing is fencing that prevents or creates a barrier for the passage of wildlife from one side to the other. Los Angeles County's Significant Ecological Areas Ordinance Implementation Guide (<https://planning.lacounty.gov/site/sea/wp-content/uploads/2020/02/SEA-IG-2-6-20.pdf>) offers additional information on permeable fencing as well as design standards. CDFW recommends reviewing those design standards.

**Mitigation Measure #2:** To avoid direct mortality, a qualified biological monitor should be on site prior to and during ground and habitat disturbing activities to move out of harm's way special status species or other wildlife of low mobility that would be injured or killed by grubbing or Project-related construction activities. Salvaged wildlife of low mobility should be removed and placed onto adjacent and suitable (i.e., species appropriate) habitat out of harm's way.

A-13  
(Cont)

A-14

Mr. Joe Pearson  
 City of Oxnard  
 July 29, 2022  
 Page 10 of 20

It should be noted that the temporary relocation of on-site wildlife does not constitute effective mitigation for the purposes of offsetting Program impacts associated with habitat loss.

**Mitigation Measure #3:** Grubbing and grading should be done to avoid islands of habitat where wildlife may take refuge and later be killed by heavy equipment. Grubbing and grading should be done from the center of the Project site, working outward towards adjacent habitat off site where wildlife may safely escape.

A-14  
(Cont)

### Additional Recommendations

Mitigation and Monitoring Reporting Plan. Per Public Resources Code section 21081.6(a)(1), CDFW has provided the City with a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation and Monitoring Reporting Plan. A final MMRP should reflect results following additional plant and wildlife surveys and the Project's final on and/or off-site mitigation plans.

A-15

### Filing Fees

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the County and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required for the underlying Project approval to be operative, vested, and final (Cal. Code Regs., tit. 14, § 753.5; Fish & Game Code, § 711.4; Pub. Resources Code, § 21089).

A-16

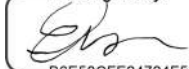
### Conclusion

We appreciate the opportunity to comment on the Project to assist the City in adequately analyzing and minimizing/mitigating impacts to biological resources. CDFW requests an opportunity to review and comment on any response that the City has to our comments and to receive notification of any forthcoming hearing date(s) for the Project [CEQA Guidelines, § 15073(e)]. If you have any questions or comments regarding this letter, please contact Angela Castanon, Environmental Scientist, at [Angela.Castanon@wildlife.ca.gov](mailto:Angela.Castanon@wildlife.ca.gov)

A-17

Sincerely,

DocuSigned by:



B6E58CFE24724F5  
 Erinn Wilson-Olgin

Environmental Program Manager I

EC: CDFW  
 Steve Gibson – Los Alamitos – [Steve.Gibson@wildlife.ca.gov](mailto:Steve.Gibson@wildlife.ca.gov)  
 Emily Galli – Fillmore – [Emily.Galli@wildlife.ca.gov](mailto:Emily.Galli@wildlife.ca.gov)  
 Susan Howell – San Diego – [Susan.Howell@wildlife.ca.gov](mailto:Susan.Howell@wildlife.ca.gov)  
 CEQA Program Coordinator – Sacramento – [CEQACommentLetters@wildlife.ca.gov](mailto:CEQACommentLetters@wildlife.ca.gov)

State Clearinghouse - [state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov)

### References:

Mr. Joe Pearson  
City of Oxnard  
July 29, 2022  
Page 11 of 20

- Barber, J. R., K. R. Crooks, and K. M. Fristrup. 2009. The costs of chronic noise exposure for terrestrial organisms. *Trends in Ecology and Evolution* 25:180–189.
- Bombay, H., T. Benson, B. Valentine, and R. Stefani. 2003. A willow Flycatcher Survey Protocol for California. Available from: [Microsoft Word - wifl\\_2003\\_protocol.doc \(ca.gov\)](#)
- [CDFW] California Department of Fish and Wildlife. 2012. Staff Report on Burrowing Owl Mitigation. Available from: [file:///C:/Users/ACASTA~1/AppData/Local/Temp/BUOW\\_MIT\\_StaffReport2012-1.pdf](#)
- Francis, C. D., C. P. Ortega, and A. Cruz. 2009. Noise pollution changes avian communities and species interactions. *Current Biology* 19:1415–1419.
- Gehring, J., P. Kerlinger, M. Manville. 2009. Communication Towers, Lights, and Birds: Successful Methods of Reducing the Frequency of Avian Collisions. Available from: [http://www.opc.ca.gov/webmaster/\\_media\\_library/2016/01/Gehring-et-al-2009-Communication-Towers-Lights-and-Birds.pdf](http://www.opc.ca.gov/webmaster/_media_library/2016/01/Gehring-et-al-2009-Communication-Towers-Lights-and-Birds.pdf)
- Gillam, E. H., and G. F. McCracken. 2007. Variability in the echolocation of *Tadarida brasiliensis*: effects of geography and local acoustic environment. *Animal Behaviour* 74:277–286.
- Hinshaw, J.M., G.L. Holmstead, B.L. Cypher, D.C. Anderson. 1998. Effects of Simulated Field Disturbance and Topsoil Salvage on *Eristrium Hooveri*. Accessed from: <http://www.jstor.org/stable/41425279>
- Kight, C. R., and J. P. Swaddle. 2011. How and why environmental noise impacts animals: An integrative, mechanistic review. *Ecology Letters* 14:1052–1061.
- Longcore, T. and C. Rich. 2004. Ecological light pollution. *Front Ecological Environment* 2(4):191-198.
- Longcore, T., Rich. 2016. Ecological and Organismic Effects of Light Pollution. Available from: [file:///C:/Users/ACASTA~1/AppData/Local/Temp/2016LongcoreRicheLS.pdf](#)
- Patricelli, G., and J. J. L. Blickley. 2006. Avian communication in urban noise: causes and consequences of vocal adjustment. *Auk* 123:639–649.
- Rabin, L. A., R. G. Coss, and D. H. Owings. 2006. The effects of wind turbines on antipredator behavior in California ground squirrels (*Spermophilus beecheyi*). *Biological Conservation* 131:410–420.
- Sawyer, J.O., Keeler Wolf, T., and Evens J.M. 2009. *A manual of California Vegetation*, 2<sup>nd</sup> ed. ISBN 978 0 943460 49 9.
- Slabbekoorn, H., and E. A. P. Ripmeester. 2008. Birdsong and anthropogenic noise: Implications and applications for conservation. *Molecular Ecology* 17:72–83.
- Sun, J. W. C., and P. M. Narins. 2005. Anthropogenic sounds differentially affect amphibian call rate. *Biological Conservation* 121:419–427.



State of California – Natural Resources Agency  
**DEPARTMENT OF FISH AND WILDLIFE**  
 South Coast Region  
 3883 Ruffin Road  
 San Diego, CA 92123  
 (858) 467-4201  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



### Attachment A: Draft Mitigation and Monitoring Reporting Plan

CDFW recommends the following language to be incorporated into a future environmental document for the Project. A final MMRP should reflect results following additional plant and wildlife surveys and the Project's final on and/or off-site mitigation plans.

| Biological Resources (BIO)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                     |                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|--------------------------------------|
| Mitigation Measure (MM) or Recommendation (REC)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Timing                                              | Responsible Party                    |
| <p><b>MM-BIO-1-LSA</b></p> <p>The Project applicant (or "entity") should provide written notification to CDFW pursuant to section 1600 <i>et seq.</i> of the Fish and Game Code. Based on this notification and other information, CDFW shall determine whether a Lake and Streambed Alteration (LSA) Agreement is required prior to conducting the proposed activities. A notification package for a LSA may be obtained by accessing CDFW's web site at <a href="https://www.wildlife.ca.gov/conservation/lisa">https://www.wildlife.ca.gov/conservation/lisa</a>.</p> <p>If necessary, CDFW's issuance of an LSA Agreement for a Project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document of the Lead Agency for the Project. To minimize additional requirements by CDFW pursuant to section 1600 <i>et seq.</i> and/or under CEQA, the CEQA document should fully identify the potential impacts to streams or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement.</p> | <p>Prior to Project construction and activities</p> | <p>City of Oxnard/<br/>Applicant</p> |



Mr. Joe Pearson  
City of Oxnard  
July 29, 2022  
Page 13 of 20

|                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                              |                              |
|-----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|------------------------------|
| <b>MM-BIO-2-<br/>LSA</b>                                  | Any LSA Agreement issued for the Project by CDFW may include additional measures protective of streambeds on and downstream of the Project such as additional erosion and pollution control measures. To compensate for any on-site and off-site impacts to riparian resources, additional mitigation conditioned in any LSA Agreement may include the following: avoidance of resources, on-site or off-site creation, enhancement, or restoration, and/or protection and management of mitigation lands in perpetuity.<br>If impacts to riparian habitat, such as arroyo willow thicket, mulefat thicket, and cattail marshes cannot be avoided, CDFW suggests mitigation should be achieved entirely on site if possible. CDFW recommends that impacts be mitigated at no less than 3:1. CDFW recommends that an on-site Habitat Mitigation and Monitoring Plan (HMMP) be developed. An HMMP should provide specific, detailed, and enforceable measures. | Prior to Project construction and activities | City of Oxnard/<br>Applicant |
| <b>MM-BIO-3-<br/>LSA</b>                                  | Pursuant to the California Code of Regulations, title 14, section 650, the City/qualified biologist must obtain appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with Project construction and activities. Please visit CDFW's <a href="#">Scientific Collection Permits</a> webpage for information (CDFW 2020d). A LSA Agreement may provide similar take or possession of species as described in the conditions of the agreement.                                                                                                                                                                                                                                                                                                                                                                                                                                            | Prior to Project construction and activities | City of Oxnard/<br>Applicant |
| <b>MM-BIO-4-<br/>Scientific<br/>Collection<br/>Permit</b> | CDFW has the authority to issue permits for the take or possession of wildlife, including mammals; birds, nests, and eggs; reptiles, amphibians, fish, plants; and invertebrates (Fish & G. Code, §§ 1002, 1002.5, 1003). Effective October 1, 2018, a Scientific Collecting Permit is required to monitor project impacts on wildlife resources, as required by environmental documents, permits, or other legal authorizations; and, to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with otherwise lawful activities (Cal. Code Regs., tit. 14, § 650).                                                                                                                                                                                                                                                                                                                                                   | Prior to Project construction and activities | City of Oxnard/<br>Applicant |

Mr. Joe Pearson  
City of Oxnard  
July 29, 2022  
Page 14 of 20

|                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                  |                              |
|--------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|------------------------------|
| <b>MM-BIO-5-<br/>Impacts due to<br/>Lighting</b> | <p>CDFW recommends including shields for the bottom of the billboard to further mitigate illumination of the sensitive habitats directly below the structure. Within the MND it states, "Louvers will be located above each row of lights to prevent light from projecting upward into the sky." It is recommended that a component that will further shield light from the ground be included within the Project design. Additionally, the Project plans on using LEDs to light the billboard. CDFW suggests the Applicant avoids blue-light emitting and ultraviolet LEDs. Studies have found that LEDs emitting these spectrums of light attract a greater number of species (Longcore 2016). Birds have also been found to be especially attracted to solid full spectrum white lights and solid red lights (Gehring 2009).</p>                                                 | Prior to<br>Project<br>construction<br>and activities            | City of Oxnard/<br>Applicant |
| <b>MM-BIO-6-<br/>Impacts due to<br/>Noise</b>    | <p>CDFW recommends monitoring noise generated by the Project operations during construction and post-construction operations to ensure noise from the Project does not affect wildlife in the adjacent river habitat. The MND should set acceptable noise thresholds that would be part of a daily monitoring and reporting program to ensure impact to adjacent habitat is below a threshold that would have an adverse effect.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                | Prior to/<br>During<br>Project<br>construction<br>and activities | City of Oxnard/<br>Applicant |
| <b>MM-BIO-7-<br/>Impacts due to<br/>Noise</b>    | <p>Construction equipment should use noise reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer. Stationary noise sources (e.g., generators, pumps) at staging areas within 1,400 feet of sensitive receptors should be shielded at the source by an enclosure, temporary sound walls, or acoustic blankets. Where feasible, sound walls or acoustic blankets should have a height of no less than 8 feet, a Sound Transmission Class (STC) of 27 or greater, and a surface with a solid face from top to bottom without any openings or cutouts. Unnecessary construction vehicle use and idling time should be minimized to the extent feasible, such that if a vehicle is not required for use immediately or continuously for safe construction activities, its engine should be shut off.</p> | During<br>Project<br>construction<br>and activities              | City of Oxnard/<br>Applicant |

Mr. Joe Pearson  
City of Oxnard  
July 29, 2022  
Page 15 of 20

|                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                  |                              |
|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|------------------------------|
| <b>MM-BIO-8-SSC</b>                 | <p>The City should retain a qualified biologist(s) with experience surveying for or is familiar with the life history of each of the species mentioned above. The qualified biologist should conduct focused surveys for SSC and suitable habitat within the appropriate season to detect presence, and again no more than one month from the start of any ground-disturbing activities or vegetation removal where there may be impacts to SSC. In addition, the qualified biologist should conduct daily biological monitoring during any activities involving vegetation clearing (including ruderal areas), open ditches or pits, or modification of natural habitat. Positive detections of SSC and suitable habitat at the detection location should be mapped and photographed and reported to the California Natural Diversity Database. The qualified biologist should provide a summary report of SSC surveys to the City prior to implementing any Project-related ground-disturbing activities and vegetation removal. Depending on the survey results, a qualified biologist should develop species-specific mitigation measures for implementation during the Project.</p> | Prior to/<br>During<br>Project<br>construction<br>and activities | City of Oxnard/<br>Applicant |
| <b>MM-BIO-9-Relocation</b>          | <p>Wildlife should be protected, allowed to move away on its own (non- invasive, passive relocation), or relocated to adjacent appropriate habitat on site or to suitable habitat adjacent to the project area. SSC should be captured only by a qualified biologist with proper handling permits. The qualified biologist should prepare a species-specific list (or plan) of proper handling and relocation protocols and a map of suitable and safe relocation areas. A relocation plan should be submitted to the City prior to implementing any Project-related ground- disturbing activities and vegetation removal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Prior to/<br>During<br>Project<br>construction<br>and activities | City of Oxnard/<br>Applicant |
| <b>MM-BIO-10-Awareness Training</b> | <p>The City, in consultation with a qualified biologist, should prepare a worker environmental awareness training. The qualified biologist should communicate to workers that upon encounter with an SSC (e.g., during construction or equipment inspections), work must stop, a qualified biologist must be notified, and work may only</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Prior to/<br>During<br>Project<br>construction<br>and activities | City of Oxnard/<br>Applicant |

Mr. Joe Pearson  
City of Oxnard  
July 29, 2022  
Page 16 of 20

|                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                              |                              |
|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|------------------------------|
|                                                 | resume once a qualified biologist has determined that it is safe to do so.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                              |                              |
| <b>MM-BIO-11-Reporting</b>                      | If any SSC are harmed during relocation or a dead or injured animal is found, work in the immediate area should stop immediately, the qualified biologist should be notified, and dead or injured wildlife documented. A formal report should be sent to CDFW and the City within three calendar days of the incident or finding. Work in the immediate area may only resume once the proper notifications have been made and additional mitigation measures have been identified to prevent additional injury or death.                                                                                                                                                 | During Project construction and activities   | City of Oxnard/<br>Applicant |
| <b>MM-BIO-12-Impacts to Coast Horned Lizard</b> | To disclose impacts to special-status reptiles within the MND, CDFW recommends focused surveys for species likely to occur within a Project(s) area. Surveys should typically be scheduled during the summer months (June and July) when these animals are most likely to be encountered. To achieve 100 percent visual coverage, CDFW recommends surveys be conducted with parallel transects at approximately 20 feet apart and walked on-site in appropriate habitat suitable for each species. Suitable habitat consists of areas of sandy, loose, and moist soils, typically under the sparse vegetation of scrub, chaparral, and within the duff of oak woodlands. | Prior to Project construction and activities | City of Oxnard/<br>Applicant |
| <b>MM-BIO-13-Impacts to Coast Horned Lizard</b> | Prior to any Project activities, a relocation plan (Plan) should be developed by a qualified biologist familiar with the respective reptile in consultation with CDFW. The Plan should include, but not be limited to, the timing and location of the surveys that will be conducted for the species, identify the locations where more intensive survey efforts will be conducted (based on high habitat suitability); identify the habitat and conditions in any proposed relocation site(s); the methods that will be utilized for trapping and relocating the individuals; and the District coordinate with CDFW                                                     | Prior to Project construction and activities | City of Oxnard/<br>Applicant |

Mr. Joe Pearson  
City of Oxnard  
July 29, 2022  
Page 17 of 20

|                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                         |                              |
|----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|------------------------------|
|                                                                | and/or the USFWS prior to any ground disturbing activities within potentially occupied habitat.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                         |                              |
| <b>MM-BIO-14-<br/>Impacts to<br/>Raptors</b>                   | To protect nesting birds of prey that may occur on-site, CDFW recommends that no construction should occur from January 1 through September 15. If construction is unavoidable during January 1 through September 15, a qualified biologist should complete surveys for nesting bird activity the orders <i>Falconiformes</i> and <i>Strigiformes</i> (raptors and owls) within a 500-foot radius of the construction site. The nesting bird surveys should be conducted at appropriate nesting times and concentrate on potential roosting or perch sites. If any nests of birds of prey are observed, these nests should be designated an ecologically sensitive area and protected (while occupied) by a minimum 500-foot radius during project construction. Pursuant to FGC Sections 3503 and 3503.5, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird or bird-of-prey. | Prior to/<br>During<br>Project<br>construction<br>and activities        | City of Oxnard/<br>Applicant |
| <b>MM-BIO-15-<br/>Impacts to<br/>Raptors</b>                   | State-fully-protected species may not be taken or possessed at any time and no licenses or permits may be issued for its take except for collecting those species for necessary scientific research and relocation of the bird species for protection of livestock (Fish & G. Code, §§ 3511, 4700, 5050, 5515). CDFW recognizes that certain fully protected species are documented to occur on, or in, the vicinity of the Project area, or that such species have some potential to occur on, or in, the vicinity of Project, due to the presence of suitable habitat CDFW cannot authorize the take of any fully protected species as defined by state law.                                                                                                                                                                                                                                                  | Prior to<br>Project<br>construction<br>and activities                   | City of Oxnard/<br>Applicant |
| <b>MM-BIO-16-<br/>Impacts to<br/>White Rabbit-<br/>Tobacco</b> | If rare or sensitive plants including white rabbit-tobacco are found on or near the footprint of the Project, the MND should provide species-specific measures to fully avoid impacts. This may include flagging all plants and/or perimeter of populations; no work buffers around plants and/or populations (e.g., flagged perimeter plus 50 feet); restrictions on ground disturbing activities within protected                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Prior to/<br>During/ After<br>Project<br>construction<br>and activities | City of Oxnard/<br>Applicant |

Mr. Joe Pearson  
City of Oxnard  
July 29, 2022  
Page 18 of 20

|                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                  |                              |
|----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|------------------------------|
|                                                                | areas; relocation of staging and other material piling areas away from protected areas; restrictions on herbicide use and/or type of herbicide and/or application method within 100 feet of sensitive plants; and worker education and training.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                  |                              |
| <b>MM-BIO-17-<br/>Impacts to<br/>Special-status<br/>Plants</b> | <p>If rare or sensitive plants including white rabbit-tobacco are found on or near the footprint of the Project, CDFW recommends the MND provide measures to fully mitigate the loss of individual ESA- and CESA-listed plants and habitat.</p> <ol style="list-style-type: none"> <li>1. CDFW recommends the MND be conditioned to provide a minimum mitigation ratio above 1:1 for sensitive plant species. CDFW recommends a replacement ratio of 3:1 to 10:1 depending on the population and occurrence status of the species (i.e., generally 5:1 for CRPR 3 and 4 species; 7:1 for CRPR 2; and 10:1 for CRPR 1). This should be for the number of plants replaced to number impacted, including acres of habitat created to acres of habitat impacted. Rare plants are habitat specialists that require specific conditions to persist such as vegetation composition (species abundance, diversity, cover), soils, substrate, slope, hydrology, and pollinators. Accordingly, mitigation for impacts to rare plants should also include habitat.</li> <li>2. The MND should provide species-specific measures for on-site mitigation. Each species-specific mitigation plan should adopt an ecosystem-based approach and be of sufficient detail and resolution to describe the following at a minimum: 1) identify the impact and level of impact (e.g., acres or individual plants/habitat impacted); 2) location of on-site mitigation and adequacy of the location(s) to serve as mitigation; 3) assessment of appropriate reference sites; 4) scientific [Genus and species (subspecies/variety if applicable)] of plants being used for restoration; 5)</li> </ol> | Prior to/<br>During<br>Project<br>construction<br>and activities | City of Oxnard/<br>Applicant |

Mr. Joe Pearson  
City of Oxnard  
July 29, 2022  
Page 19 of 20

|                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                     |                                      |
|--------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|--------------------------------------|
|                                                                                | <p>location(s) of propagule source; 6) species-specific planting methods (i.e., container or seed); 7) measurable goals and success criteria for establishing self-sustaining populations (e.g. percent survival rate, absolute cover); 8) long-term monitoring, and; 9) adaptive management techniques.</p> <p>Please note that CDFW generally does not support the use of salvaging, translocation, or transplantation as the primary mitigation strategy for unavoidable impacts to rare, threatened, or endangered plant species.</p>                                                                                                                                                                                                                                              |                                                     |                                      |
| <p><b>MM-BIO-18-<br/>Impacts to Non-<br/>Game Mammals<br/>and Wildlife</b></p> | <p>If fencing is proposed for use during construction or during the life of the Project, fences should be constructed with materials that are not harmful to wildlife. Prohibited materials include, but are not limited to, spikes, glass, razor, or barbed wire. Fencing should also be minimized so as not to restrict free wildlife movement through habitat areas. Los Angeles County's Significant Ecological Areas Ordinance Implementation Guide (<a href="https://planning.lacounty.gov/site/sea/wp-content/uploads/2020/02/SEA-IG-2-6-20.pdf">https://planning.lacounty.gov/site/sea/wp-content/uploads/2020/02/SEA-IG-2-6-20.pdf</a>) offers additional information on permeable fencing as well as design standards. CDFW recommends reviewing those design standards.</p> | <p>Prior to Project construction and activities</p> | <p>City of Oxnard/<br/>Applicant</p> |
| <p><b>MM-BIO-19-<br/>Impacts to Non-<br/>Game Mammals<br/>and Wildlife</b></p> | <p>To avoid direct mortality, a qualified biological monitor should be on site prior to and during ground and habitat disturbing activities to move out of harm's way special status species or other wildlife of low mobility that would be injured or killed by grubbing or Project-related construction activities. Salvaged wildlife of low mobility should be removed and placed onto adjacent and suitable (i.e., species appropriate) habitat out of harm's way.</p> <p>It should be noted that the temporary relocation of on-site wildlife does not constitute effective mitigation for the purposes of offsetting Program impacts associated with habitat loss.</p>                                                                                                          | <p>Prior to Project construction and activities</p> | <p>City of Oxnard/<br/>Applicant</p> |

Mr. Joe Pearson  
 City of Oxnard  
 July 29, 2022  
 Page 20 of 20

|                                                                         |                                                                                                                                                                                                                                                                                                                                                                                 |                                                       |                              |
|-------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|------------------------------|
| <b>MM-BIO-20-<br/>Impacts to Non-<br/>Game Mammals<br/>and Wildlife</b> | Grubbing and grading should be done to avoid islands of habitat where wildlife may take refuge and later be killed by heavy equipment. Grubbing and grading should be done from the center of the Project site, working outward towards adjacent habitat off site where wildlife may safely escape.                                                                             | Prior to<br>Project<br>construction<br>and activities | City of Oxnard/<br>Applicant |
| <b>REC-1-<br/>Mitigation and<br/>Monitoring<br/>Reporting Plan</b>      | Per Public Resources Code section 21081.6(a)(1), CDFW has provided the City with a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation and Monitoring Reporting Plan. A final MMRP should reflect results following additional plant and wildlife surveys and the Project's final on and/or off-site mitigation plans. | Prior to<br>Project<br>construction<br>and activities | City of Oxnard/<br>Applicant |



## **Comment Letter A: California Department of Fish and Wildlife – July 29, 2022**

### **Comment A-1**

This comment states that California Department of Fish and Wildlife (CDFW) reviewed the Public Review Draft IS/MND, and that CDFW's role is California's Trustee Agency for fish and wildlife resources and a Responsible Agency for lake and streambed alteration in accordance with Fish and Game Code Section 1600. The comment also describes the CDFW role as a Responsible Agency for potential "take" of any species protected under the California Endangered Species Act (CESA). In addition, this comment provides a summary of the Project description. Furthermore, this comment provides a reference to the specific comments provided in Comments A-2 through A-17.

### **Response to Comment A-1**

The City of Oxnard thanks CDFW for its review of the Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND) and its recommendations. This comment does not provide specific comments on the contents of the environmental analysis provided in the Public Review Draft IS/MND. The comment indicates under what circumstances CDFW would be considered a responsible agency for which a permit may be required under the State Fish and Game Code.

The description of the Project location is not accurate. The comment states that the Project is located within the bank and levee of the Santa Clara River. This description is incorrect. The Project location is within the current right-of-way of Ventura Road and east of the existing Santa Clara River Basin levee. The base of the proposed electronic billboard would not be located on the basin side of the existing levee.

The 1,000 square foot Project site includes ornamental landscaping, and no special-status species were observed on the Project site that would require a Section 2081 "take" permit of the Fish and Game Code. In addition, since the Project is located outside of the existing Santa Clara River Basin, a lake and streambed alteration agreement in accordance with Fish and Game Code Section 1600 would not be required.

### **Comment A-2**

This comment raises a concern that Project activities may result in changes to the stream and/or associated sensitive riparian vegetation communities which are subject to the Fish and Game Code. Specifically, the comment states grading, excavation, material staging, grubbing and vegetation clearing may result in direct mortality and loss of sensitive vegetation communities and special status wildlife. In addition, the comment includes recommended mitigation measures.

### **Response to Comment A-2**

Appendix E of the Public Review Draft IS/MND includes a map of the existing biological resources on the Project site as well as in the vicinity of the Project site. As illustrated, the Project

site contains ornamental landscaping, and there is currently a barrier (i.e., levee) that is located between the Project site and the Santa Clara River Basin. The removal of ornamental landscaping would not constitute the loss of sensitive vegetation communities. In addition, there were no special status wildlife species observed or expected to be located within the ornamental landscaping on the Project site. Therefore, the construction activities would not result in the direct mortality or loss of sensitive vegetation communities and special-status wildlife species.

### **Comment A-3**

This comment raises a concern that construction and related activities such as staging and using heavy equipment could result in direct injury or mortality of fish, reptile and mammal species of special concern (SSC). The comment also states that construction activities would increase ambient noise and vibration, night lighting and other activities.

### **Response to Comment A-3**

The comment is correct regarding construction activities increasing noise, vibration, and lighting in the Project vicinity. Construction activities are not expected to result in any direct impacts on sensitive plant or wildlife species on the Project site because the ornamental landscaping that is proposed to be removed does not support sensitive plant or sensitive wildlife species. Therefore, no direct impacts to the coast horned lizard would occur. As identified in Section 3.4 of the Public Review Draft IS/MND, construction activities that are expected to occur over a two-week period could result in impacts to special-status avian species such as the least Bell's vireo and yellow warbler. However, Mitigation Measure BIO-1 is recommended to ensure construction activities occur outside the nesting season (i.e., January 1<sup>st</sup> to September 15<sup>th</sup> as revised in Chapter 4, Errata of this Response to Comments Document) for the birds in the region. If construction activities occur within the nesting season, a pre-construction survey is required for active nests and if no sign of nesting activity is observed, construction could proceed. Mitigation Measure BIO-2 is recommended to avoid impacts to nesting least Bell's vireo whose existing suitable habitat is located approximately 220 feet northwest of the Project site.

Also provided in Section 3.4 of the Public Review Draft IS/MND was a discussion of general effects of light on migrating birds. Response 3.4 d) states that "it is known that migrating birds are attracted to artificial light sources... Direct effects of migrating birds becoming attracted to artificial light sources include collisions with lighting, communication and power structures, buildings, or even the ground." As discussed in the Public Review Draft IS/MND, areas surrounding the Project site and Santa Clara River riparian area are highly developed and urbanized with commercial and residential development, all of which contribute to increased nighttime illuminance. In addition, U.S. 101 crosses over the Santa Clara River Basin immediately adjacent to and southwest of Project site and is lined on either side with street lighting. Based on a lighting study conducted for the Project, a maximum illuminance value from the proposed electronic billboard of less than 0.2 foot-candles (fc) would occur at the edge of the willow riparian woodland habitat. Although it is understood that increased ambient lighting can affect wildlife behavior, no quantitative increase in illuminance above ambient light is agreed

upon as a threshold for significant impacts to wildlife. Based on information from the International Commission on Illuminance (CIE), impacts on natural areas would occur with an illuminance of 0.2 fc or greater. Because the Project would result in an illuminance of less than 0.2 fc, the Project would result in a less than significant lighting impact.

#### **Comment A-4**

The comment asserts that lights on elevated structures have been found to attract bird species causing them to veer off migration routes or cause collisions. In addition, the comment asserts that birds in adjacent habitat such as the coastal sage scrub could be impacted from light emitted from the proposed billboard.

#### **Response to Comment A-4**

As discussed above in Response to Comment A-3, the increase in lighting onto the adjacent sensitive willow riparian woodland habitat would be limited to less than 0.2 fc which would result in a less than significant impact due to the existing illumination in the Project vicinity.

As discussed in Section 3.4 and illustrated in Appendix E of the Public Review Draft IS/MND, coastal sage scrub is located on the basin side of the existing levee. The coastal sage scrub habitat is located between the levee and an access road within the Santa Clara River Basin. The area of the coastal sage scrub habitat is approximately 60 feet wide and approximately 500 feet in length. During project operation, the proposed billboard would result in a range of illuminance onto an approximately 150 linear foot by 60-foot wide portion of the coastal sage scrub of 0.2-fc to approximately 0.9 fc. No sensitive avian species are associated with the coastal sage scrub habitat, and this habitat currently is exposed to existing lighting systems associated with the U.S. 101 freeway lights that line the U.S. 101 bridge over the Santa Clara River Basin. In addition, there are existing street lights located along Ventura Road that provide illumination of this area that is directly adjacent to the existing levee.

#### **Comment A-5**

This comment identifies that noise can disrupt wildlife species behavior such as nesting birds.

#### **Response to Comment A-5**

As discussed in Section 3.4 a) of the Public Review Draft IS/MND, the Project construction activities that are expected to extend over an approximately two-week time-frame could increase noise levels for nesting bird species in the Project vicinity. Mitigation Measures BIO-1 and BIO-2 are identified to reduce the potential noise impact to nesting birds to less than significant.

#### **Comment A-6**

This comment asserts that Project construction activities may directly or through habitat modification, result in direct mortality, reduced reproductive capacity, population declines or local extirpation of special status species. The comment also asserts that Project activities could result in a take of a special-status species.

**Response to Comment A-6**

As identified in Response to Comment A-2, the Project site contains ornamental landscaping, and there is currently a barrier (i.e., levee) that is located between the Project site and the Santa Clara River Basin. The removal of ornamental landscaping would not constitute the loss of sensitive vegetation communities. In addition, there were no special-status wildlife species observed or expected to be located within the ornamental landscaping on the Project site. Therefore, the construction activities would not result in the direct mortality or loss of sensitive vegetation communities and special-status wildlife or result in a take of a special-status species.

**Comment A-7**

This comment states that appropriate handling permits are required to capture, temporarily possess, and relocate wildlife to avoid harm or mortality from Project construction activities.

**Response to Comment A-7**

As stated in Response to Comment A-2, the Project site contains ornamental landscaping. Project construction activities would not result in the direct mortality or loss of sensitive vegetation communities and special-status wildlife or result in a take of a special-status species.

**Comment A-8**

This comment includes a recommendation to include shields for the bottom of the proposed electronic billboard to further reduce the illumination of habitats immediately adjacent to the Project site. This comment also suggest that the design of the proposed electronic billboard avoid the use of blue-light emitting and ultraviolet light-emitting diodes (LEDs).

**Response to Comment A-8**

As discussed in Section 1.7 of the Public Review Draft IS/MND, louvers will be located above each row of lights to prevent light from projecting upward into the sky. The recommendation of using louvers to reduce the illumination of the ground surface is not feasible because the use of louvers below each row of LED lighting would eliminate the ability of motorists to read the electronic billboard due to the viewing angle of the motorists. As discussed in Section 3.1 d) of the Public Review Draft IS/MND, light impacts on the existing willow riparian habitat area within the Santa Clara River Basin would not increase illumination by more than 0.2 fc. Therefore, the implementation of the proposed electronic billboard would result in less than significant lighting impacts on the adjacent habitat. The proposed electronic billboard includes the use of each color of LED including blue-light; however, the electronic billboard does not use ultraviolet LEDs.

**Comment A-9**

This comment recommends the inclusion of six mitigation measures.

Mitigation measure #3 recommends the monitoring of noise generated during Project construction activities as well as post-construction activities.

Mitigation measure #4 recommends that construction equipment should use noise reduction features. This measure also states that stationary noise sources such as generators and pumps used during construction be shielded and that vehicle use and idling time be minimized.

Mitigation measure #5 recommends that a qualified biologist is retained during vegetation removal to conduct focused surveys for species of special concern and suitable habitat.

Mitigation measure #6 recommends moving wildlife species so that there would not be a direct impact during construction activities.

Mitigation measure #7 recommends the preparation of a worker environmental awareness training for construction personnel.

Mitigation measure #8 recommends construction activities to stop if species of special concern (special-status species) are harmed during relocation or are injured or die.

### **Response to Comment A-9**

Following are responses to each of the recommended mitigation measures.

Recommended mitigation measure #3 - Mitigation Measure BIO-1 in Section 3.4 a) of the Public Review Draft IS/MND includes conducting construction activities outside of the nesting season. The measure also includes requirements if construction activities occur during the nesting season. These requirements include a pre-construction nesting bird survey and creation of a buffer to ensure that no direct or indirect impacts to an active nest or nesting activities occur.

Recommended mitigation measure #4 - As discussed in Section 3.12 f) of the Public Review Draft IS/MND, the implementation of Mitigation Measures BIO-1 and BIO-2 would reduce potential noise impacts to nesting birds to less than significant. In addition, construction activities would not include the use of generators or pumps that could require shielding.

Recommended mitigation measure #5 – As discussed in Mitigation Measure BIO-1, a biological monitor will be required if construction activities occur during the nesting season. However, because the Project site includes only ornamental landscaping, no special-status species would be directly impacted from vegetation removal. Therefore, no natural habitat would be removed.

Recommended mitigation measure #6 – As stated previously in Response to Comment A-1, the Project site includes ornamental landscaping, and no special-status species were observed on the Project site. Therefore, no special-status species are present in the onsite ornamental landscaping and would not require relocation.

Recommended mitigation measure #7 – Because the Project site only includes ornamental landscaping, a worker environmental awareness training would not be required because the ornamental landscaping does not provide habitat for special-status species.

Recommended mitigation measure #8 – Because no special-status species are located on the Project site, special-status species would not be harmed during onsite construction activities.

#### **Comment A-10**

The comment asserts that protocol surveys for special-status species need to be conducted because ground clearing and construction activities could lead to direct mortality of listed species or species of special concern (special status species) including the coast horned lizard. In addition, this comment also infers that the Project site includes occupied habitat for listed species or species of special concern and recommends measures (mitigation measure #1 and #2) to reduce impacts.

#### **Response to Comment A-10**

Because the Project site only includes ornamental landscaping, the Project site's vegetation does not provide habitat for the coast horned lizard or any species of special concern. In addition, the habitat for the coast horned lizard is within the Santa Clara River Basin which is physically separated from the Project site by the existing levee on the east side of the River Basin. As a result, the recommended measures (mitigation measures #1 and #2) are not appropriate for the proposed removal of ornamental landscaping.

#### **Comment A-11**

This comment recommends that Mitigation Measure BIO-1 be modified to avoid nesting birds, including raptors, from January 1<sup>st</sup> through September 15<sup>th</sup> and if nests are observed that nests are protected by a minimum 500-foot radius during construction.

#### **Response to Comment A-11**

Although Mitigation Measure BIO-1 provides adequate mitigation to reduce potential impacts to active nests, the measure on page 27 is modified as follows:

**Mitigation Measure BIO-1:** Construction activities involving vegetation removal as well as installation of the proposed billboard shall be conducted between September 16 and ~~December~~ January 31, outside the ~~typical~~ nesting season for birds and raptors in the region. If vegetation removal or installation must occur during the ~~typical~~ nesting season (~~January February 1 – September 15~~ August 31), a qualified biologist shall conduct a pre-construction survey for active nests within areas that will be subject to vegetation removal, construction noise, and/or ground disturbances, including a ~~100 to 3~~ 500-foot buffer around existing trees and landscaped areas, to identify any potential active nests within seven days prior to work activities. Buffer distances can be adjusted at the discretion of the biologist based on the location of the nest, species, and surrounding land uses. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds.

If an active nest is observed during the pre-construction clearance survey, an adequate buffer determined by the City-approved qualified biologist shall be established around the

active nest depending on sensitivity of the species and proximity to construction activity and impact areas. Onsite construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest or nesting activities. Construction activities shall be avoided within the buffer, unless otherwise approved by the City-approved monitoring biologist (e.g., vehicles could pass through buffer areas while jackhammering would be restricted). Buffers shall be clearly marked and defined to restrict certain activities where they could result in nest failure, and shall remain in place until nests are no longer active, as determined by the City-approved monitoring biologist.

**Comment A-12**

The comment states that State fully protected species such as the coast horned lizard may not be taken or possessed any time.

**Response to Comment A-12**

The City of Oxnard understands that a State fully protected species may not be taken or possessed any time. As discussed in Response to Comment A-1, the Project site only includes ornamental landscaping which does not provide suitable habitat for State fully protected species.

**Comment A-13**

The comment asserts that Project activities may directly impact rare plants and recommends mitigation measures.

**Response to Comment A-13**

As discussed in Response to Comment A-1, the Project site only contains ornamental landscaping. No rare plants exist on the Project site, and therefore, no mitigation measures related to rare plants are required.

**Comment A-14**

The comment asserts that Project activities and construction equipment may directly impact wildlife and birds moving through or seeking temporary refuge on site. The comment also recommended mitigation measures to reduce impact on wildlife movement.

**Response to Comment A-14**

As stated in Response to Comment A-1, the Project site includes ornamental landscaping. The Project site is located within the existing right-of-way of Ventura Road and is physically separated from the Santa Clara River Basin by an existing levee. The construction activities associated with the Project would not directly impact wildlife and birds moving through or seeking temporary refuge on site during the approximately two weeks of construction. The recommended mitigation measures related to wildlife movement are not required.

**Comment A-15**

This comment references mitigation measures recommended within the above comments and is provided in the form of a Mitigation Monitoring and Reporting Program provided as Attachment A to this comment letter.

**Response to Comment A-15**

The recommended mitigation measures have been discussed above. As identified in Response to Comment A-11, Mitigation Measures BIO-1 has been modified to address commenter's comments to further reduce less than significant impacts to nests. Chapter 5 of this Response to Comments Document includes a Mitigation Monitoring and Reporting Program as required by CEQA.

**Comment A-16**

This comment references the filing fee that is required to be paid when the Notice of Determination is filed.

**Response to Comment A-16**

The City of Oxnard acknowledges that submittal of the California Department of Fish and Wildlife fee along with the filing of the Notice of Determination is required for this Project.

**Comment A-17**

This comment expresses appreciation for the opportunity to comment on the Project and assist the City in identifying potential impacts to biological resources. The comment also requests an opportunity to review and comment on responses provided by the City.

**Response to Comment A-17**

The City of Oxnard acknowledges the appreciation. The City has reviewed each of the biological issues that were raised as well as the recommended mitigation measures. As identified above in Response to Comment A-11, the City has modified the bird nest mitigation (Mitigation Measure BIO-1) to further reduce less than significant impacts. The City of Oxnard intends to provide responses to those agencies and organizations that provided comments on the Public Review Draft IS/MND. In addition, when responses are provided, the City of Oxnard will identify the date, time and location of the public hearing that will be held by the City for the Project.





## Comment Letter B

Pearson II, Joe &lt;joe.pearson@oxnard.org&gt;

**Environmental Impact Report (SCH # 2022060700)**

1 message

**Primicerio, Jarod@CHP** <JPrimicerio@chp.ca.gov>

Wed, Jul 27, 2022 at 12:40 PM

To: "Joe.Pearson@Oxnard.org" &lt;Joe.Pearson@oxnard.org&gt;

Cc: CHP-701\_AA\_Desk &lt;701\_AA\_Desk@chp.ca.gov&gt;, CHP-EIR &lt;EIR@chp.ca.gov&gt;, "state.clearinghouse@opr.ca.gov" &lt;state.clearinghouse@opr.ca.gov&gt;

The California Highway Patrol's (CHP) Ventura Area office received an Environmental Impact Report (SCH # 2022060700) for a proposed digital billboard adjacent to the US-101 Freeway, located within the City of Oxnard. The CHP Ventura Area was requested to evaluate the proposal; specifically, in regard to the potential impact it may have on departmental operations, public safety, increased calls to the communications center/dispatch, increased response times, and traffic congestion.

This proposed digital billboard, coupled with the two additional proposed digital billboards (SCH # 2022060701 and SCH # 2022060706), all adjacent to the US-101 Freeway within the City of Oxnard, will likely cause a drastic increase to traffic congestion already severely impacted in the region. There are currently two digital billboards adjacent to the US-101 Freeway within the City of Oxnard, thus adding three additional, there would be a total of five digital billboards within less than a four mile stretch along this portion of the Freeway. The magnitude of the project may place a greater strain on limited public safety resources with an expected increase in vehicular traffic on US-101. A potential delay of emergency response due to extended response times places the public at risk. The potential increase in traffic may cause an increase in motor services, crashes, and injuries to motorists. Consequently, these incidents will cause an increase in calls to the CHP Ventura Communications Center and dispatchers. The proposed area is currently experiencing significant growth with the construction of retail and residential properties. The digital sign(s) will exacerbate the traffic congestion and may create long-term detrimental impact to the residents, visitors, and first responders within the Ventura Area.

B-1

Should you have any questions, please contact Lieutenant Sergio Perez or myself at (805) 662-2640.

Sincerely,

Jarod Primicerio



**CONFIDENTIALITY NOTICE:** This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

## **Comment Letter B: California Highway Patrol – July 27, 2022**

### **Comment B-1**

The comment asserts that the proposed Ventura Road Electronic Billboard along with the Riverpark Boulevard Electronic Billboard and potential additional electronic billboards implemented under the proposed Freeway Adjacent Digital Display Billboards Ordinance could cause a drastic increase in traffic congestion along U.S. 101 within the City of Oxnard. The comment further states that the increase in traffic volumes and congestion on U.S. 101 would result in a potential delay on emergency response and could result in an increase in motor services, crashes, and injuries.

### **Response to Comment B-1**

The implementation of the proposed electronic billboard along Ventura Road as well as additional electronic billboards including the Riverpark Boulevard Electronic Billboard and electronic billboards implemented under the proposed Freeway Adjacent Digital Display Billboards Ordinance would not result in a substantial amount of traffic. The proposed Ventura Road Electronic Billboard would not generate any employment growth or population growth as discussed in Section 3.13 of the Public Review Draft IS/MND. The implementation of the cumulative electronic billboards would not increase daily operational traffic volumes along U.S. 101. As discussed in Section 3.15 of the Public Review Draft IS/MND, construction activities would generate a nominal number of construction vehicular trips over an approximately two-week construction period.

The concerns raised in this comment do not appear to be a direct result of implementing electronic billboards, but may result from cumulative development throughout the City of Oxnard. Because the Project would not result in an increase in daily or weekly operational traffic volumes, the Project would not contribute to potential cumulative traffic volume increases resulting from development of additional residential, commercial and other urban uses along U.S. 101 that would contribute to increases in motor services, crashes, and injuries to motorists.

As discussed in Section 3.15 c) in the Public Review Draft IS/MND, the proposed billboard as well as future billboards implemented under the Freeway Adjacent Digital Display Billboards Ordinance would be required to comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5. The billboard proposes to include different images, but each image will be displayed for at least eight seconds and the images would not move or present the appearance of motion and would not flash or blink or any other means that does not provide a constant illumination. These features associated with the proposed electronic billboard would not substantially increase hazards to drivers along U.S. 101 and less than significant impacts would occur. Furthermore, the Project will require an Outdoor Advertising Act Permit from the California Department of Transportation to ensure that the proposed electronic billboard does not represent a danger to motorists traveling along U.S. 101.



## Comment Letter C

July 29, 2022

Joe Pearson II, AICP  
Community Development Department, Planning Division  
City of Oxnard  
214 South C Street  
Oxnard, CA 93030

**SUBJECT: Response to Notice of Intent to Adopt a Mitigated Negative Declaration (MND) for the Proposed Freeway Adjacent Digital Display Billboards Ordinance, a Notice of Intent to Adopt the Proposed Riverpark Boulevard Electronic Billboard MND and the proposed Notice of Intent to Adopt the Ventura Road Electronic Billboard MND**

Dear Joe Pearson,

Thank you for providing the Ventura County Planning Division with the opportunity to comment regarding the following Mitigated Negative Declarations:

1. City of Oxnard (City) Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND) for the Proposed Freeway Adjacent Digital Display Billboards Ordinance project (proposed ordinance).
2. City of Oxnard NOI to adopt an MND for the Ventura Road Electronic Billboard project
3. City of Oxnard NOI to adopt an MND for the Riverpark Boulevard Electronic Billboard project.

The proposed Freeway Adjacent Billboards ordinance would permit the siting of digital display billboards within 400 feet of the U.S. 101 right-of-way, on the City's property or in its right-of-way, and in non-residential zones. No digital display billboards may be sited less than 100 feet from the property line of any residential zoned parcel. The proposed development standards would limit billboards to a maximum face display area of 14 feet in height and 48 feet in width, require orientation primarily for viewing from the freeway, and the maximum height of the entire structure cannot exceed 55 feet as measured from the pavement level of the adjacent freeway to the bottom of each display. Each digital display billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet. The permitting path process would be a Special Use Permit. Section 16-530 of the Oxnard Municipal Code describes that a Special Use Permit is authorized by the Planning Commission.

C-1

The County has calculated the distance of the proposed ordinance planning area in relationship with unincorporated area of the County. Calculating the stretch of Highway U.S. 101 from the easternmost portion of the proposed ordinance project area to the westernmost portion, the total length of the project area was estimated at 4.09 miles. Using this estimate, the total of length of unincorporated area in the ordinance planning area totaled approximately 1.3 miles or 30% of the total project planning area distance along the Highway U.S. 101. This calculation represents a significant portion of unincorporated area that may be impacted by the proposed ordinance, particularly along unincorporated areas of El Rio/ Del Norte and Nyeland Acres.

C-1  
(Cont)

The project area for the proposed ordinance is located adjacent to portions of the El Rio/ Del Norte and Nyeland Acres unincorporated communities. There are also two billboards proposed. The Riverpark Boulevard Electronic Billboard project would be located approximately 1,800 feet from an unincorporated zone for residential high-density development (RHD-20 du/ac). The Ventura Road Electronic Billboard would be located near a wildlife habitat corridor that lies in the Santa Clara Riverbed. Based on these circumstances, the proposed projects may have direct and cumulative impacts on existing development and sensitive habitat in the County's jurisdiction.

Since it is difficult to evaluate cumulative impacts due to the three separate MND's for these projects; prior to taking any action on the proposed projects, the City should consolidate its review of potential environmental impacts of the Ordinance MND, Ventura Road and RiverPark project MND's into one environmental analysis and document. Given that these projects are being processed concurrently, and the fact that Ventura Road and RiverPark projects cannot be adopted until the billboard ordinance is adopted, consolidation of the three MND's will enable to the County to understand direct, indirect and cumulative environmental impacts of the ordinance programmatic and billboard projects.

C-2

The revised analysis should evaluate potential environmental impacts for the unincorporated areas adjacent to and in the vicinity of the proposed projects; , particularly residential areas in the El Rio/Del Norte and Nyeland Acres communities. Specific issue area to consider are neighborhood compatibility, scenic resources, and biological resource issues areas discussed below.

### **Impacts to Neighborhood Compatibility**

The MNDs evaluate aesthetic impacts, and the Ordinance MND states that, "because specific electronic billboard projects are not known at this time, project-level environmental impacts cannot be assessed. As each individual electronic billboard project is proposed, a project level environmental evaluation will be required" (MND Chapter 3, Aesthetics and Urban Design). However, there are MNDs for two proposed billboards within the proposed ordinance planning area. As stated above, for adequate CEQA review, these projects should be combined onto one study and the projects should be processed in accordance with the proposed ordinance.

C-3

The proposed ordinance should require projects to be designed to meet development standards that reduce or eliminate potential impacts without deferring to an evaluation for consistency with lighting and other standards until after the billboards are authorized and built. Please consider the following amendments to the draft ordinance to reduce potential impacts:

- Clarify that setback distances to residential zones also apply to unincorporated residential zones.
- Clarify how height is measured and require height to be measured from the adjacent average grade.
- Limit the number of billboards that can be sited within the planning area.
- Clarify how the ordinance will benefit disadvantaged communities.

C-3  
(Cont)

Setbacks: The ordinance should be revised to consider residential zoned unincorporated properties located adjacent to the proposed ordinance planning area where electronic billboards could be sited (see circled areas in Figure 1 below). As drafted, the ordinance could allow billboards to be sited within a few feet of residential zones in the unincorporated area.

It would be helpful if the proposed Ordinance MND, Figures 2, 2b, and 2d accurately delineate unincorporated areas relative to the planning area. As of now, the program location areas do not display the difference between the separate jurisdictional boundaries, specifically the City of Oxnard and unincorporated community planning areas and therefore potential impacts cannot be adequately evaluated. The City should update the program location index images in the proposed ordinance MND to accurately reflect the location of planning area boundaries in relation to unincorporated County boundaries.

C-4

Height: As stated in the proposed Ordinance MND, the “maximum height of any Freeway Adjacent Digital Display Billboard shall not exceed 55 feet as measured from the pavement level of the adjacent freeway to the bottom of the digital display” (MND Page 9). The height standards of electronic billboards in the Ordinance MND should be clarified so the public can understand maximum heights of the billboards from the top of the billboard to ground level, as slope and topography changes will site billboards lower or higher in relation to adjacent land uses and cause impacts that were not evaluated in the Ordinance MND. For example, the proposed Riverpark Boulevard Electronic Billboard (MND No.22-03) has a proposed height of 80 feet measured from the top of the billboard to the ground. This height standard used in this specific proposal is more accurate than the method of measurement proposed in the ordinance and could be inconsistent with the ordinance. One method of measurement is needed that evaluates the maximum height as measured from the adjacent grade to the top of the billboard itself. The County requests that you please verify in the Response to Comments that the height in the ordinance for billboards will not exceed 55 feet as measured from the pavement level of the adjacent freeway to the bottom of the digital display for any proposed billboard projects. If this height assumption is inaccurate, please verify the maximum height that any billboard can be pursuant to the ordinance.

C-5

Limit the Number of Billboards: Another potential cumulative impact on unincorporated areas is there are no maximum quantity of allowable digital billboard displays identified in the proposed ordinance. As of now, the Ordinance MND makes no indication for a maximum allowable number throughout the entirety of the planning area. There should be calculations to understand the potential maximum number of digital display billboards, taking into consideration that they must be placed 2,000 feet away from one another. The proposed ordinance should include reference that existing digital display billboards must comply with the all development standards, including setbacks set forth in the Caltrans Outdoor Advertising Act and Regulations.

C-6

Community Benefits: El Rio/ Del Norte and Nyeland Acres communities are identified in the County General Plan as designated disadvantaged communities. The City should take into consideration how the ordinance and billboards would affect these disadvantaged communities and update the Required Findings of Public Benefit section of the proposed Ordinance MND (page 10) to describe how public benefits will be provided to affected disadvantaged communities that could be adversely affected by the proliferation of digital display billboards.

C-7

The City and digital display billboard applicants should also meet with the El Rio/ Del Norte Municipal Advisory Council to further clarify potential public benefits and impacts from the proposed ordinance and XX project and XX project . Furthermore, the El Rio/Del Norte Area Plan includes the following policy that encourages the City to present proposed ordinances and discretionary projects to the Council for review and comment (*italics added for emphasis*):

**Policy, ED-21.1- Public Review Authority**

The El Rio/Del Norte Municipal Advisory Council shall continue to be the Board of Supervisors' recognized public review group for the El Rio/Del Norte area. All County *and city applications for discretionary permits* and all environmental documents for projects which would affect the El Rio/Del Norte area shall be sent to the Board of Supervisors' Office for transmittal to the El Rio/Del Norte Municipal Advisory Council as early in the process as possible.

C-8

**Scenic Resources**

To address concerns with light pollution, light trespass illuminance standards were discussed in the proposed Ordinance MND. However, there are still concerns with glare and light pollution, specifically in the evening with respect to the nearby residential communities. The analysis within Chapter 3 of the proposed Ordinance MND did not evaluate potential impacts from public viewing locations such as roadways in the unincorporated area of Ventura County, particularly the El Rio and Nyeland Acres communities. Since there is no numerical limit on the proliferation of billboards under the proposed ordinance, the Ordinance MND should also evaluate cumulative impacts from glare and illuminance from the perspective of public roads and hiking trails in the hillside areas with views of the Oxnard Plain.

C-9

When assessing the distance from Digital Billboard Display's to residential parcels, Los Angeles County's zoning code, Section 22.114.070 prescribes standards for outdoor advertising signs, and states that such signs shall not be permitted within 200 feet of a residential zone located on the same side of the street or highway. The City should adopt the same or greater 200-foot setback requirement from residential zones (including unincorporated residential zones) rather than the proposed 100-foot setback. The City should also include the following standard from Los Angeles County zoning code Section 22.114.050 in the MNDs and conditions of approval for light protection to surrounding premises, with the additional reference added for applicability to unincorporated areas in parenthesis:

- In no case shall a lighted sign or lighting device thereof be so placed or directed so as to permit the beams and illumination therefrom to be directed or beamed upon a public street, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.

The proposed Ordinance MND states that, "light pollution or obtrusive light is highly subjective. To address concerns with light pollution, recommendations to limit light trespass onto adjacent properties from the International Commission on Illumination (CIE) were reviewed. The CIE identifies a light trespass illuminance of 0.5 fc or greater for light-sensitive urban areas such as residential areas and 0.2 fc or greater for natural areas such as the Santa Clara River Basin" (MND page 19). The Ordinance MND should also include references to compliance with the Caltrans Outdoor Advertising Act and Regulations and ensure compliance with California Vehicle Code Section 21466.5 for enforcing sign brightness and reads as follows:

- No person shall place or maintain or display, upon or in view of any highway, any light of any color of such brilliance as to impair the vision of drivers upon the highway. A light source shall be considered vision impairing when its brilliance exceeds the values listed below.
- The brightness reading of an objectionable light source shall be measured with a 11/2-degree photoelectric brightness meter placed at the driver's point of view. The maximum measured brightness of the light source within 10 degrees from the driver's normal line of sight shall not be more than 1,000 times the minimum measured brightness in the driver's field of view, except that when the minimum measured brightness in the field of view is 10 foot-lamberts or less, the measured brightness of the light source in foot-lambert shall not exceed 500 plus 100 times the angle, in degrees, between the driver's line of sight and the light source.

Lastly, Federal Highway Administration guidance on off-premise changeable message signs recommend adjusting brightness in response to changes in light levels so that signs are not unreasonably bright for the safety of the motoring public. Brightness should be adjusted accordingly and if a billboard has the potential to illuminate uses in unincorporated residential zones, an evening time shut off period should be required for mitigation of potential brightness and illumination light spill.

The City should include mitigation measures and comparable brightness standards for the intensity of lighting identified in the City of Ventura's Auto Center Specific Plan Amendments for the Final Initial Study Mitigated Negative Declaration that was approved in 2017 as either mitigation measures in the Ordinance MND or development standards in the Billboard Ordinance. The City of Ventura's Auto Center electronic billboard display is routinely turned off at 10 p.m. to mitigate light emittance and nuisance in the evening time. The following measures from the Auto Center Specific Plan should also be included in the proposed ordinance, and digital display billboard projects should be conditioned as follows:

Mitigation Measure AES-1: Electronic Sign Brightness. The Auto Center Specific Plan shall include the following standards for the Auto Center freeway sign and Auto Center entry sign:

- Lighting levels on the digital sign shall not exceed 0.3 foot candles above ambient light from a distance of 250 feet, as measured according to standards of the Outdoor Advertising Association of America.
- Brightness shall not exceed 800 nits (candela per square meter) from sunset to sunrise. At all other times, brightness will not exceed 7500 nits.
- Illumination shall be directed such that minimal light spill will occur on either side or the top or bottom of the sign face.
- A light sensor shall be installed with the sign to measure ambient light levels and to adjust light intensity to respond to such conditions. The light sensor adjusts the sign's brightness in order to compete with ambient light. The darker the surrounding ambient light, the less bright the sign is.
- The sign shall not display any moving, flashing, scrolling, fading, brightening or animated text or video.
- Signage shall be controlled remotely and include remote maintenance software.
- LED lighting has a directional nature, and the projected viewing angle values for this sign shall be  $\pm 30^\circ$  vertically and  $\pm 60^\circ$  horizontally. Louvers shall be located above each row of lights to prevent light from projecting upward into the sky.

Mitigation Measure AES-2: City Approval of Brightness. Within 14 days of the freeway sign being operational, annually, and as required by City staff (after maintenance, malfunctions, multiple complaints) the applicant shall submit to the satisfaction of the Community Development Director, the following information:

- A third-party test conducted after installation to verify that the billboard complies with the requirements not to exceed 0.3 foot-candle above ambient light at 250 feet from the face of the freeway sign. If the value exceeds industry standards, additional lighting output reduction shall be required until the 0.3 foot-candle requirement is satisfied.



## Biological Resources

The proposed Ordinance MND (page 32) evaluates potential impacts to critical habitat, special status plant species and avian species. The electronic billboards could impact wildlife corridor movement due to electronic light displays that deter and disorient wildlife movement. The Santa Clara River riparian area is identified by the County of Ventura as an important Habitat Connectivity and Wildlife Corridor. Without precise mapping that identifies the extent that billboards could be placed closest to the Santa Clara River basin, and the proposed approach to test billboards for impacts after they are built, there is insufficient information to determine whether there will be direct, indirect, or cumulative impacts to wildlife movement. CEQA requires protecting wildlife corridors/movement areas and the proposed ordinance development standards, environmental impact analyses, and project-specific conditions of approval should include measures to conserve the natural state of the habitat wildlife corridor and ensure species can move throughout the region. The City should consider the following mitigation measure in the Ordinance MND for impacts to biological resources. This mitigation measure should also apply to the Riverpark Boulevard MND and as needed to future digital billboard projects' conditions of approval:

AES-2: City Approval of Brightness. Within 14 days of the freeway sign being operational, annually, and as required by City staff (after maintenance, malfunctions, multiple complaints) the applicant shall submit to the satisfaction of the Community Development Director, the following information:

- A third-party test conducted after installation to verify that the billboard complies with the requirements not to exceed 0.2 foot-candle above ambient light at 250 feet from the face of the freeway sign, as measured from within the Habitat Corridor. If the value exceeds industry standards, additional lighting output reduction shall be required until the 0.2 foot-candle requirement is satisfied.

The Santa Clara River is the longest continuous river system in Southern California and runs over 100 miles in length, originating from the San Gabriel Mountains in Los Angeles County and traverses throughout Ventura County to reach the Pacific Ocean. Extensive patches of high-quality riparian habitat are present along the length of the river and its tributaries. Numerous state and federally listed species have been found in and nearby the undeveloped areas (e.g., least bell's vireo (*Vireo bellii pusillus*), mesa horkelia (*Horkelia cuneata*), California legless lizard (*Anniella pulchra*), Lyon's pentachaeta (*Pentachaeta lyonia*), and coastal California gnatcatcher (*Poliophtila californica californica*). Please see Figure 2 below for a map of the Habitat Connectivity and Wildlife Corridor in the South Coast Ventura County region. The proposed Ordinance MND should be revised to adequately analyze the impacts to the wildlife corridor and include additional mitigation measures as appropriate. Lastly, the following El Rio Area Plan Goals and Policies should be considered for standards in the proposed ordinance, and as a basis for biological mitigation measures to offset environmental impacts:

C-9  
(Cont)

Goal, ED-32: To protect the biological resources of the Santa Clara River and adjoining natural habitat areas including significant stands of Southern Willow within the Santa Clara River bounding the El Rio/Del Norte area.

Goal, ED-33: To encourage revegetation or landscaping in natural habitat areas and the Santa Clara River that incorporates native plant species in order to restore habitat in already disturbed areas.

Policy, ED-33.1: To encourage revegetation or landscaping in natural habitat areas and the Santa Clara River that incorporates native plant species in order to restore habitat in already disturbed areas.

C-9  
(Cont)

In closing, thank you again for the opportunity to comment on the three MNDs for the proposed ordinance and digital display billboard projects. The County is hopeful that the City will combine these three MND's into one environmental document and recirculate for public review and comment. This action would facilitate meaningful public disclosure of the potential direct, indirect, and cumulative environmental impacts of the Ordinance MND and associated Ventura Road and RiverPark projects on the unincorporated County. If you have any questions about this letter, please contact Joel Hayes at Joel.Hayes@ventura.org or 805.654.2834.

C-10

Sincerely,



Dave Ward, AICP | Planning Director  
County of Ventura, Planning Division

**Wildlife Crossing Structures**

**Incorporated Cities**

**Habitat Connectivity and Wildlife Corridors (HCWC) Boundaries**

**Surface Water Feature Buffer**

## **Comment Letter C: County of Ventura Resources Management Agency, Planning Division – July 29, 2022**

### **Comment C-1**

This comment states that the Planning Division reviewed three separate Mitigated Negative Declaration (MNDs) related to proposed Ventura Road Electronic Billboard, potential additional electronic billboards implemented under the proposed Freeway Adjacent Digital Display Billboards Ordinance and Riverpark Boulevard Electronic Billboard. The comment specifically states that the proposed Ventura Road Electronic Billboard would be located near a wildlife habitat corridor that lies in the Santa Clara Riverbed and may have direct and cumulative impacts on sensitive habitat in the County's jurisdiction.

### **Response to Comment C-1**

The potential Ventura Road Electronic Billboard Project impacts to biological resources associated with construction and operational activities are discussed in Section 3.4 of the Public Review Draft IS/MND. As discussed, the proposed construction activities would be located outside of the existing Santa Clara River Basin and physically separated from the Basin by the existing levee that borders the eastern edge of the Basin. The Project site is located within the existing right-of-way of Ventura Road. The Project site currently contains ornamental landscaping. The analysis identifies potential impacts to birds during the nesting season and includes mitigation measures to reduce the potential impacts to less than significant (see Response to Comment A-11 for a modification to the nesting season identified in Mitigation Measure BIO-1). An operational lighting study was conducted and modifications to the design of the electronic billboard have been incorporated into the Project so that the maximum illuminance from the electronic billboard at the edge of the willow riparian habitat would be less than 0.2 foot candles. Based on recommendations from the International Commission on Illumination (CIE). The CIE identifies impacts on natural areas as an illuminance of 0.2 foot-candle (fc) or greater. Therefore, due to the absence of a current local illumination standard impact on natural areas, a significant light impact on adjacent natural areas and associated species would occur if light level increases are 0.2 fc or greater. Because the increase in light level would be less than 0.2 fc, the Project would result in a less than significant lighting impact on the existing sensitive willow riparian habitat area or associated species.

The cumulative impact of implementing the proposed electronic billboard within the existing Ventura Road right-of-way, the proposed electronic billboard along Riverpark Boulevard, and the adoption of an ordinance to allow additional electronic billboards along U.S. 101 but separated by at least 2,000 feet in distance is discussed in Section 3.18 b) of the Public Review Draft IS/MND. As discussed, the proposed Project could result in potential significant impacts related to biological resources, cultural resources, and noise on wildlife species prior to the implementation of mitigation measures. With the implementation of Mitigation Measures BIO-1, BIO-2, CR-1, and CR-2, the potential impacts associated with the Project would be reduced to less than significant. Given that the potential related billboard projects would need to occur at least 2,000

feet from the Project site, and the Project impacts to biological resources, cultural resources, and noise on wildlife species are site specific and would not combine with potential impacts associated with other electronic billboards implemented along U.S. 101, the Project's contribution to cumulative impacts would be considered less than cumulatively considerable and less than significant.

#### **Comment C-2**

This comment asserts that evaluating the cumulative impacts of the three projects that are addressed within the three separate Public Review Draft IS/MNDs is difficult and recommends that the City consolidates its review into one environmental document.

#### **Response to Comment C-2**

The potential effects resulting from the Freeway Adjacent Digital Display Billboards Ordinance is evaluated at a Program-level and as each individual electronic billboard project is proposed, a project-level environmental evaluation will be required. The Riverpark Boulevard and Ventura Road Electronic Billboard Projects are evaluated at a Project-level, and specific impacts and applicable mitigation measures are provided in their respective Public Review Draft IS/MND. As stated in Response to Comment C-1, a discussion of cumulative impacts is provided for each Public Review Draft IS/MND in Section 3.18 b). The City thanks the County for their input, but will proceed with the separate IS/MNDs for the program and two specific projects.

#### **Comment C-3**

This comment states that an analysis of potential environmental impacts to unincorporated areas such as the El Rio/Del Norte and Nyeland Acres communities and sensitive biological resources adjacent to and in the vicinity of the proposed Project should be evaluated.

The comment also requests amendments to the draft Freeway Adjacent Digital Display Billboards Ordinance.

#### **Response to Comment C-3**

The Ventura Road Electronic Billboard Project is not located in the vicinity of the El Rio/Del Norte and Nyeland Acres communities, and therefore, the implementation of the Project would not result in impacts to these communities. The Project site is located near the Santa Clara River Basin which includes biological resources and is an unincorporated area of the County. As discussed in Response to Comment C-1, potential significant impacts associated with the implementation of the Ventura Road Electronic Billboard Project could occur to biological resources, cultural resources, and noise on wildlife species prior to the implementation of mitigation measures. With the implementation of Mitigation Measures BIO-1, BIO-2, CR-1, and CR-2, the potential impacts associated with the Project would be reduced to less than significant. Given that the potential related billboard projects (i.e., Riverpark Electronic Billboard and additional electronic billboards implemented as part of the Freeway Adjacent Digital Display Billboards Ordinance) would need to occur at least 2,000 feet from the Project site, and the

Project impacts to biological resources, cultural resources, and noise on wildlife species are site specific and would not combine with potential impacts associated with other electronic billboards implemented along U.S. 101, the Project's contribution to cumulative impacts would be considered less than cumulatively considerable and less than significant.

This comment's recommended amendments to the Billboards Ordinance are not pertinent to the proposed Ventura Road Electronic Billboard Project. The Project's specific potential impacts are evaluated in the Public Review Draft IS/MND.

**Comment C-4**

This comment references the proposed Ordinance and requests setbacks.

**Response to Comment C-4**

Because this comment references the proposed Ordinance, it does not provide a specific comment on the Ventura Road Electronic Billboard Public Review Draft IS/MND.

**Comment C-5**

This comment references the proposed Ordinance and requests more specific information on maximum heights.

**Response to Comment C-5**

Because this comment references the proposed Ordinance, it does not provide a specific comment on the Ventura Road Electronic Billboard Public Review Draft IS/MND.

**Comment C-6**

This comment references the proposed Ordinance and requests more specific information on limiting the number of billboards.

**Response to Comment C-6**

Because this comment references the proposed Ordinance, it does not provide a specific comment on the Ventura Road Electronic Billboard Public Review Draft IS/MND.

**Comment C-7**

This comment asserts that the City should take into consideration how the ordinance and proposed billboards would affect disadvantage communities and how public benefits will be provided to affected disadvantage communities

**Response to Comment C-7**

The El Rio/Del Norte and Nyeland Acres communities are within the jurisdiction of the County of Ventura. These communities are outside of the City of Oxnard. Potential impacts associated with the construction and operation of the Ventura Road Electronic Billboard Project would not

impact these communities because the Project site is located more than one mile from the El Rio/Del Norte community and more than 3 miles from the Nyeland Acres community.

#### **Comment C-8**

This comment asserts that all County and City applications for discretionary permits and all environmental documents for Projects should be sent to the Board of Supervisor's Office for transmittal to the El Rio/Del Norte Municipal Advisory Council.

#### **Response to Comment C-8**

A Notice of Intent to Adopt a Mitigated Negative Declaration was mailed to the County of Ventura for distribution. Potential impacts associated with the construction and operation of the Ventura Road Electronic Billboard Project would not impact El Rio/Del Norte community because the Project site is located approximately one mile from this unincorporated community.

#### **Comment C-9**

This comment addresses evaluations of scenic resources and biological resources provided in the Freeway Adjacent Digital Display Billboards Ordinance Public Review Draft IS/MND.

#### **Response to Comment C-9**

This comment does not address contents within the Ventura Road Electronic Billboard Public Review Draft IS/MND. Therefore, no further response is required.

#### **Comment C-10**

This comment thanks the City for providing an opportunity to comment on the three Public Review Draft IS/MNDs for the proposed Ordinance and the electronic billboard projects. The County reiterated the request to provide the environmental documentation for the IS/MNDs into one environmental document.

#### **Response to Comment C-10**

As discussed in Response to Comment C-2, the potential effects resulting from the Freeway Adjacent Digital Display Billboards Ordinance is evaluated at a Program-level and as each individual electronic billboard project is proposed, a project-level environmental evaluation will be required. The Riverpark Boulevard and Ventura Road Electronic Billboard Projects are evaluated at a Project-level, and specific impacts and applicable mitigation measures are provided in their respective Public Review Draft IS/MND. The City thanks the County for their input, but will proceed with the separate IS/MNDs for the program and two specific projects.



Comment Letter D

Pearson II, Joe <joe.pearson@oxnard.org>

---

## FW: Ventura County Agency Comments for Proposed Billboard Ordinance & Projects

1 message

---

**Ciuffetelli, Anthony** <Anthony.Ciuffetelli@ventura.org>  
To: "joe.pearson@oxnard.org" <joe.pearson@oxnard.org>

Fri, Jul 29, 2022 at 3:47 PM

Good Afternoon,

Attached to this e-mail are the following comments regarding the proposed ordinance and projects:

- VC Air Pollution Control District (Ordinance & projects)
- VC Watershed Protection District (Ventura rd project)

Please feel free to contact me with any questions regarding this submission. Responses to these comments should be sent directly to the commenter with a copy to me. Additional comments are expected from the VC Planning Division and will be sent directly from staff.

Regards,

*-Tony C.*

**Anthony Ciuffetelli**

**Ventura County Planning Division**

**Planning Programs**

**(805)654-2443**



---

**4 attachments**





**RMA 22-018\_APCD.pdf**  
152K



**RMA 22-019\_APCD.pdf**  
149K



**RMA 22-020\_APCD.pdf**  
149K



**RMA 22-020\_WPD.pdf**  
316K

Hello Anthony,

Watershed has the following conditions. Please let us know if you have any questions.

## **Encroachment Permit**

**Purpose:** To comply with the *Ventura County Watershed Protection District (County) Ordinance*, and mitigate potential impacts such as obstructing, impairing, diverting, impeding, or altering the characteristics of the flow of water to jurisdictional channels by designing and constructing appropriate surface drainage and flood control facilities to protect life and property from damage or destruction from flood and storm waters. Facilities requiring permits may include, but are not limited to, channel improvements, and lateral storm drain connections. Permits are also required for any activities in, on, over, under, or across a jurisdictional red-line channel or within District Right of Way.

**Requirement:** The Permittee shall obtain an Encroachment Permit. The permit application shall include the following:

- a. Construction plans prepared, signed, and stamped by a California licensed civil engineer including but not limited to, a site plan depicting general drainage trends, existing and proposed topography with elevations, proposed improvements in both plan and profile, and construction details that meet the standards of the County and the WP.
- b. Site specific hydrology for existing and proposed conditions that conforms to the Watershed Protection District's Hydrology Manual.
- c. Hydraulics using a methodology and/or computer model applicable to the proposed improvements and acceptable to the Watershed Protection District. The final model shall confirm there are no adverse impacts to Stroube Drain and Santa Clara River including no loss of storage volume and no increase in water surface elevation for the 1-percent chance flood peak discharge on adjacent parcels.
- d. Any other information or studies required by the Permit Section to administer the requirements of watershed Ordinance WP-2.

D-1

**Documentation:** A WP Permit application package shall be prepared and signed by the Permittee or a duly authorized agent and submitted to and logged by the WP Permit Section.

**Timing:** The applicant shall obtain an encroachment permit prior to obtaining a building permit or grading permit or prior to project start date if no grading or building permits are required.

**Monitoring and Reporting:** Prior to permit closure, WP staff shall inspect the improvements to assure that construction was completed, in accordance with the approved plans and the Permit.

Thank you,

Dawn Husted

Management Assistant II

Watershed Protection – Planning & Permits



800 S. Victoria Ave. / #1610

Ventura, CA 93009

P: 805.662-6882

[VCPWA Online](#) | [Facebook](#) | [Twitter](#)

## **Comment Letter D: County of Ventura Resources Management Agency, Watershed Protection District – July 29, 2022**

### **Comment D-1**

This comment states that permits are required for activities in, on, over, under, or across a jurisdictional red-line channel or within District right-of-way.

### **Response to Comment D-1**

Because the Project is located on a site that is within the City of Oxnard and within the Ventura Road right-of-way as well as physically separated from the Santa Clara River Basin by the existing levee, the Project would not encroach upon jurisdictional channels or within District right-of-way. Therefore, a permit from the Watershed Protection District is not required for the Project.



**VENTURA COUNTY  
AIR POLLUTION CONTROL DISTRICT**  
Memorandum

TO: Joe Pearson II, Sr. Planner, City of Oxnard

DATE: July 26, 2022

FROM: Nicole Collazo, Air Quality Specialist, Planning Division

A handwritten signature in black ink, appearing to read 'NC', followed by a horizontal line.

SUBJECT: Draft Mitigated Negative Declaration for the Ventura Road Electronic Billboard  
(RMA 22-020)

Air Pollution Control District (APCD) staff have reviewed the subject mitigated negative declaration (MND) of the Ventura Road Electronic Billboard project (project). The proposed project includes a request for approval of a Special Use Permit for the installation and operation of an LED electronic billboard. The electronic billboard would include a digital display of advertisements of various businesses, activities, services or products. The project is located on the north side of the U.S. 101 and immediately west of Ventura Road. The Lead Agency is the City of Oxnard. APCD submits the following comments for the project's MND.

**GENERAL COMMENTS**

*Air Quality Section*

1) Item a, Page 17. VCOG is no longer responsible for developing the AQMP. This is language contained in our 2003 Ventura County Air Quality Assessment Guidelines and no longer applies. The AQMP is developed by the APCD using SCAG's population growth forecasts in its air quality modeling and forecasting. We recommend amending this section. We also note that our 2022 AQMP is currently in development and scheduled to be adopted at the end of 2022.

Thank you for the opportunity to comment on the project's MND. If you have any questions, you may contact me at [nicole@vcapcd.org](mailto:nicole@vcapcd.org).

## **Comment Letter E: Ventura County Air Pollution Control District – July 26, 2022**

### **Comment E-1**

This comment states that the Ventura Council of Governments (VCOG) no longer responsible for developing the Ventura County Air Quality Management Plan (VCAQMP) but Ventura County APCD is responsible.

### **Response to Comment E-1**

The City of Oxnard thanks the Ventura County Air Pollution Control District in clarifying that the VCOG no longer provides forecasted regional population, housing, and employment for the VCAQMP.

The fourth sentence of the first paragraph on page 17 is revised as follows:

~~VCOG and the Ventura Council Association of Governments (VCOG)~~ are responsible for preparing the air quality management plan (AQMP), which addresses federal and state Clean Air Act (CAA) requirements.

The second paragraph on page 17 of the Public Review Draft IS/MND is revised as follows:

The proposed Project is located within the Ventura County portion of the SCCAB, which is under the jurisdiction of the VCAPCD for air quality planning and control. As such, VCAPCD's 2016 AQMP is the applicable air quality plan for the proposed Project. Projects that are consistent with the regional population, housing, and employment forecasts identified by the VCAPCD ~~VCOG~~ are deemed consistent with the AQMP growth projections, since the forecast assumptions by VCAPCD ~~VCOG~~ forms the basis of the land use and transportation control portions of the AQMP. Additionally, because VCAPCD's ~~VCOG's~~ regional growth forecasts are based upon, among other things, land uses designated in general plans, a project that is consistent with the land use designated in a general plan would also be consistent with the VCAPCD's ~~VCOG's~~ regional forecast projections, and thus also with the AQMP growth projections.

# CHAPTER 4

---

## Errata

The following text changes are made to the Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND) and incorporated as part of the Final Initial Study/Mitigated Negative Declaration (Final IS/MND). These changes are minor and do not alter the conclusions of the Public Review Draft IS/MND. Changes to the text are noted with underline (for added text) or ~~strikeout~~ (for deleted text).

### Page 17, fourth sentence of the first paragraph

~~VCAPCD and the Ventura Council Association of Governments (VCOG) are~~ is responsible for preparing the air quality management plan (AQMP), which addresses federal and state Clean Air Act (CAA) requirements.

### Page 17, second paragraph

The proposed Project is located within the Ventura County portion of the SCCAB, which is under the jurisdiction of the VCAPCD for air quality planning and control. As such, VCAPCD's 2016 AQMP is the applicable air quality plan for the proposed Project. Projects that are consistent with the regional population, housing, and employment forecasts identified by the VCAPCD ~~VCOG~~ are deemed consistent with the AQMP growth projections, since the forecast assumptions by VCAPCD ~~VCOG~~ forms the basis of the land use and transportation control portions of the AQMP. Additionally, because VCAPCD's ~~VCOG's~~ regional growth forecasts are based upon, among other things, land uses designated in general plans, a project that is consistent with the land use designated in a general plan would also be consistent with the VCAPCD's ~~VCOG's~~ regional forecast projections, and thus also with the AQMP growth projections.

### Page 27, second and third paragraphs

**Mitigation Measure BIO-1:** Construction activities involving vegetation removal as well as installation of the proposed billboard shall be conducted between September 16 and ~~December~~ January 31, outside the ~~typical~~ nesting season for birds and raptors in the region. If vegetation removal or installation must occur during the ~~typical~~ nesting season (~~January February 1 – September 15~~ August 31), a qualified biologist shall conduct a pre-construction survey for active nests within areas that will be subject to vegetation removal, construction noise, and/or ground disturbances, including a ~~100 to 3~~ 500-foot buffer around existing trees and landscaped areas, to identify any potential active nests

within seven days prior to work activities. Buffer distances can be adjusted at the discretion of the biologist based on the location of the nest, species, and surrounding land uses. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds.

If an active nest is observed during the pre-construction clearance survey, an adequate buffer determined by the City-approved qualified biologist shall be established around the active nest depending on sensitivity of the species and proximity to construction activity and impact areas. Onsite construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest or nesting activities. Construction activities shall be avoided within the buffer, unless otherwise approved by the City-approved monitoring biologist (e.g., vehicles could pass through buffer areas while jackhammering would be restricted). Buffers shall be clearly marked and defined to restrict certain activities where they could result in nest failure, and shall remain in place until nests are no longer active, as determined by the City-approved monitoring biologist.

## CHAPTER 5

### Mitigation Monitoring and Reporting Program

| Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Timing                                                          | Responsible for Implementation                                    | Responsible for Enforcement      | Date of Compliance |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|-------------------------------------------------------------------|----------------------------------|--------------------|
| <b>AES-1:</b> The proposed light emitting diode (LED) billboard shall include an operating mechanism (hardware or software controlled) that turns off the display or turns it to all black in the event of a malfunction or failure in any system or subsystem that results in the display wholly or partly appearing to flash.                                                                                                                                                                                                                                                                                                                                                                                  | Prior to construction completion                                | Project Construction Contractor                                   | Community Development Department |                    |
| <b>AES-2:</b> Within 14 days of the proposed electronic billboard being operational, annually, and as required by City staff (i.e., after maintenance, malfunctions, multiple complaints), the Applicant shall submit to the satisfaction of the Community Development Director the following information: <ul style="list-style-type: none"> <li>A third party test conducted after installation to verify that the electronic billboard complies with the requirements not to exceed 0.3 foot-candle above ambient light at 250 feet from the face of the electronic billboard or exceed the 0.5 foot-candle at any residential uses or 0.2 fc at natural areas.</li> </ul>                                    | Ongoing                                                         | Applicant                                                         | Community Development Department |                    |
| <b>BIO-1:</b> Construction activities involving vegetation removal as well as installation of the proposed billboard shall be conducted between September 16 and December 31, outside the nesting season for birds in the region. If vegetation removal or installation must occur during the nesting season (January 1 – September 15), a qualified biologist shall conduct a pre-construction survey for active nests within areas that will be subject to vegetation removal, construction noise, and/or ground disturbances, including a 500-foot buffer around existing trees and landscaped areas, to identify any potential active nests within seven days prior to work activities. Buffer distances can | Survey prior to construction and monitoring during construction | Applicant, Project Construction Contractor, and Project Biologist | Community Development Department |                    |



| Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Timing                                                          | Responsible for Implementation                                    | Responsible for Enforcement      | Date of Compliance |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|-------------------------------------------------------------------|----------------------------------|--------------------|
| <p>be adjusted at the discretion of the biologist based on the location of the nest, species, and surrounding land uses. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds.</p> <p>If an active nest is observed during the pre-construction clearance survey, an adequate buffer determined by the City-approved qualified biologist shall be established around the active nest depending on sensitivity of the species and proximity to construction activity and impact areas. Onsite construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest or nesting activities. Construction activities shall be avoided within the buffer, unless otherwise approved by the City-approved monitoring biologist (e.g., vehicles could pass through buffer areas while jackhammering would be restricted). Buffers shall be clearly marked and defined to restrict certain activities where they could result in nest failure, and shall remain in place until nests are no longer active, as determined by the City-approved monitoring biologist.</p>                                                                                                                                                                       |                                                                 |                                                                   |                                  |                    |
| <p><b>BIO-2:</b> To avoid impacts to nesting least Bell's vireo, construction activities within 500 feet of suitable nesting habitat shall be timed to avoid the season when nests may be active for this species (March 15 to September 15). If avoidance of work activities within this time period is not feasible, a focused nest survey for least Bell's vireo shall be conducted within suitable nesting habitat the season prior to initiation of work activities, to determine their presence or absence within 500 feet of proposed work limits. In accordance with the USFWS survey protocol, eight focused surveys spaced a minimum of 10 days apart shall be conducted during the period of April 10 to July 31. The results shall be submitted in a report to the USFWS.</p> <p>If the focused protocol nest surveys do not indicate the presence of least Bell's vireo, no further mitigation is required. A negative finding is considered valid until the following breeding season. Additional surveys shall be required each year that work is conducted in least Bell's vireo breeding habitat during the breeding season. If focused surveys indicate the presence of least Bell's vireo, a formal Endangered Species Act consultation with the USFWS shall occur prior to disturbance of this species or its habitat.</p> | Survey prior to construction and monitoring during construction | Applicant, Project Construction Contractor, and Project Biologist | Community Development Department |                    |

| Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Timing                                                                                                                                                            | Responsible for Implementation                                       | Responsible for Enforcement             | Date of Compliance |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|-----------------------------------------|--------------------|
| <p>If occupied habitat and/or nesting individuals are determined to be present based on the focused survey, and work cannot be avoided during the nesting season, a preconstruction clearance survey shall be performed by a qualified City-approved biologist within 7 days prior to work activities to determine the approximate location of nesting territories within 500 feet of work areas. Surveys shall be conducted by a biologist approved by the USFWS and CDFW for conducting least Bell's vireo nest surveys, or by a biologist with least Bell's vireo survey experience, so long as the nest is not approached and/or disturbed. If a nest is detected or active breeding is determined, work shall halt within 500 feet of the nesting territory, and the area shall be monitored on a weekly basis until a City-approved qualified biologist determines the nest is no longer active and the young have fledged.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                   |                                                                      |                                         |                    |
| <p><b>CUL-1:</b> Prior to ground disturbance, the applicant is required to retain a City-approved archaeologist and Native American Monitor. In the event that historic or archaeological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer of at least 50 feet shall be established around the find where construction activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside the buffer area. All historic and archaeological resources unearthed by construction activities associated with the proposed Program shall be evaluated by a qualified professional archaeologist who meets the U.S. Secretary of Interior's Professional Qualifications and Standards. Should the newly discovered artifacts be determined to be historic, Native American Tribes/Individuals shall be contacted and consulted and Native American construction monitoring shall be initiated. The Applicant and the City shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis.</p> | <p>Retain Archaeologist and Native American Monitor prior to ground disturbance and halt or divert activities if resources are found until they are evaluated</p> | <p>Applicant, Project Archaeologist, and Native American Monitor</p> | <p>Community Development Department</p> |                    |

| Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Timing                                                                                                                          | Responsible for Implementation       | Responsible for Enforcement      | Date of Compliance |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------|--------------------|
| <b>CUL-2:</b> Prior to ground disturbance, the applicant is required to retain a paleontologist for monitoring of ground disturbing activities. In the event that paleontological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find until it is assessed for scientific significance and collected. Monitoring shall include matrix screening for the presence of microfossils; however, monitoring is largely a visual inspection of sediment. | Retain Paleontologist prior to ground disturbance and halt or divert activities if resources are found until they are evaluated | Applicant and Project Paleontologist | Community Development Department |                    |

# VENTURA ROAD ELECTRONIC BILLBOARD

## Initial Study/Mitigated Negative Declaration

Prepared for  
City of Oxnard  
Community Development Department

June 2022





# VENTURA ROAD ELECTRONIC BILLBOARD

## Initial Study/Mitigated Negative Declaration

Prepared for  
City of Oxnard  
Community Development Department  
214 South C Street  
Oxnard, California 93030  
805.385.8272

June 2022

16755 Von Karman Avenue, Suite 200  
Irvine, California 92606  
949.753.7001  
[www.esassoc.com](http://www.esassoc.com)



|             |                |
|-------------|----------------|
| Irvine      | Sacramento     |
| Los Angeles | San Diego      |
| Oakland     | San Francisco  |
| Orlando     | Santa Monica   |
| Pasadena    | Seattle        |
| Petaluma    | Tampa          |
| Portland    | Woodland Hills |

202000387.02

**OUR COMMITMENT TO SUSTAINABILITY** | ESA helps a variety of public and private sector clients plan and prepare for climate change and emerging regulations that limit GHG emissions. ESA is a registered assessor with the California Climate Action Registry, a Climate Leader, and founding reporter for the Climate Registry. ESA is also a corporate member of the U.S. Green Building Council and the Business Council on Climate Change (BCC3). Internally, ESA has adopted a Sustainability Vision and Policy Statement and a plan to reduce waste and energy within our operations. This document was produced using recycled paper.

# TABLE OF CONTENTS

---

## Ventura Road Electronic Billboard Initial Study/Mitigated Negative Declaration

|                                                            | <u>Page</u> |
|------------------------------------------------------------|-------------|
| <b>Initial Study</b> .....                                 | <b>1</b>    |
| 1.0 Project Information.....                               | 1           |
| 2.0 Environmental Factors Potentially Affected.....        | 8           |
| 3.0 Environmental Checklist.....                           | 10          |
| 3.1 Aesthetics and Urban Design.....                       | 10          |
| 3.2 Agricultural Resources.....                            | 16          |
| 3.3 Air Quality .....                                      | 17          |
| 3.4 Biological Resources .....                             | 25          |
| 3.5 Climate Change and Greenhouse Gas Emissions.....       | 33          |
| 3.6 Cultural Resources and Tribal Cultural Resources ..... | 41          |
| 3.7 Geology and Soils.....                                 | 45          |
| 3.8 Hazards and Hazardous Materials .....                  | 48          |
| 3.9 Hydrology and Water Quality.....                       | 51          |
| 3.10 Land Use and Planning.....                            | 54          |
| 3.11 Mineral Resources .....                               | 56          |
| 3.12 Noise .....                                           | 57          |
| 3.13 Population, Education, and Housing .....              | 62          |
| 3.14 Public Services and Recreation.....                   | 64          |
| 3.15 Transportation and Circulation.....                   | 66          |
| 3.16 Utilities and Energy .....                            | 68          |
| 3.17 Wildfire.....                                         | 73          |
| 3.18 Mandatory Findings of Significance.....               | 74          |

### Appendices

- A Project Plans
- B Native American Assembly Bill 52 Notification
- C Photometric Analysis
- D Air Quality Assumptions and Modeling
- E Biological Site Visit Field Map
- F Greenhouse Gas Assumptions and Modeling
- G Energy Assumptions and Modeling



**List of Figures**

|          |                                                    |   |
|----------|----------------------------------------------------|---|
| Figure 1 | Project Vicinity Map .....                         | 4 |
| Figure 2 | Project Site Location Map .....                    | 5 |
| Figure 3 | Project Site Plan.....                             | 6 |
| Figure 4 | Electronic Billboard Elevation and Plan Views..... | 7 |

**List of Tables**

|             |                                                                                                    |    |
|-------------|----------------------------------------------------------------------------------------------------|----|
| Table AQ-1  | Construction Schedule and Equipment.....                                                           | 20 |
| Table AQ-2  | Maximum Daily Total Construction Emissions .....                                                   | 21 |
| Table GHG-1 | GHG Emissions from Project Construction.....                                                       | 36 |
| Table GHG-2 | GHG Emissions from Project Operations.....                                                         | 37 |
| Table GHG-3 | Project Compliance with Applicable 2017 Climate Change Scoping<br>Plan Actions and Strategies..... | 38 |
| Table N-1   | Construction Noise Level .....                                                                     | 58 |
| Table UE-1  | Summary of Fuel Consumption During Installation of the Proposed<br>Electronic Billboard.....       | 69 |

## ENVIRONMENTAL CHECKLIST

---

### Initial Study

#### 1.0 Project Information

1. **Project Title:** Ventura Road Electronic Billboard
2. **City of Oxnard Contact Person and Phone Number and Address:**

City of Oxnard  
Community Development Department  
Planning Division  
214 South C Street  
Oxnard, California 93030  
Joe Pearson, II, Senior Planner  
805-385-8272
3. **Project Location:**

The Project site is located on an approximately 1,000 square foot site located in the northern portion of the City of Oxnard within the County of Ventura (**Figure 1**). Specifically, the site is located on the north side of the U.S. 101 and immediately west of Ventura Road (**Figure 2**). The Project site is currently undeveloped.
4. **Project Sponsor's Name and Address:**

Foster Interstate Media, Inc.  
1111 Broadway, Suite 1515  
Oakland, CA 94607  
T: 510-832-7070 x 1103  
F: 510-832-7071  
C: 415.385.1781
5. **General Plan Designation(s):**

The Project site is designated under the City of Oxnard 2030 General Plan as Regional Commercial, according to the General Plan Land Use Map. The proposed Project conforms to the 2030 General Plan land use designation.
6. **Zoning:**

The zoning designation for the proposed Project is RiverPark Specific Plan with a Commercial Retail Land Use.

## 7. Description of Project:

The Ventura Road Electronic Billboard is located on the north side of U.S. 101 and immediately west of Ventura Road. The Project site is located within the RiverPark Specific Plan and designated as Commercial Retail. The implementation of the proposed Ventura Road Electronic Billboard would require the approval of a Special Use Permit, a Development Agreement, and Street Vacation. The Project plans are provided in **Appendix A**.

### Special Use Permit

The proposed Project includes a request for approval of a Special Use Permit for the installation and operation of an electronic billboard (**Figure 3**). The electronic billboard would include a digital display of advertisements of various businesses, activities, services or products. The proposed billboard would be supported by a pole that ranges in diameter from approximately 7 feet to 3 feet. The pole would extend approximately 40 feet below ground and approximately 65.5 feet above ground. The portion of the pole above ground would be painted primarily gray except for the upper 10.5 feet that would be painted black. The top of the billboard would be approximately 80 feet in height above the ground and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width (**Figure 4**). The existing ground level is at approximately the same elevation as the travel lanes along Ventura Road. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width.

Electricity for the electronic billboard will be provided by electrical service located immediately adjacent to the Project site and require approximately 200 feet of trenching along the west side of Ventura Road right-of-way to an existing Edison electrical box for the electrical connection. The average electricity use is approximately 150 kilowatt hour (kwh) per day and approximately 54,000 kwh per year. Lighting levels on the digital sign will not exceed 0.3 foot candles above ambient light from a distance of 250 feet, as measured according to standards of the Outdoor Advertising Association of America. Brightness shall not exceed 300 nitere (nits) or candela per square meter from sunset to sunrise. At all other times, brightness will not exceed 7,500 nits. Illumination shall be directed such that minimal light spill will occur on either side or the top or bottom of the sign face. A light sensor will be installed with the sign to measure ambient light levels and adjust light intensity and brightness based on ambient conditions. The electronic sign will not display any moving, flashing, scrolling, fading, brightening or animated text or video. The signage will be controlled remotely and include remote maintenance software. LED lighting has a directional nature, and the projected viewing angle values for the proposed sign will be +14.9°/-34.6° vertically and ±45° horizontally. Louvers will be located above each row of lights to prevent light from projecting upward into the sky.

Construction activities would occur in approximately four days over a two-week period. There is ornamental landscaping located along Ventura Road right-of-way. Up to two days will be required to drill the footing and haul/dispose of excess dirt and pour concrete to set the column. After the concrete sets, the structure is built. Finally, the digital displays are built and set.

### Development Agreement

The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard. The agreement would also outline the required public benefits to be provided by the future development, including fiscal benefits to the City, such as revenue sharing. No other physical improvements are allowed or required by the development agreement.

## Street Vacation

The Project site is within the current street right-of-way and is proposed to be vacated. As the underlying property owner, the City of Oxnard will retain ownership, making it a City-owned property.

### 8. Surrounding Land Uses and Setting.

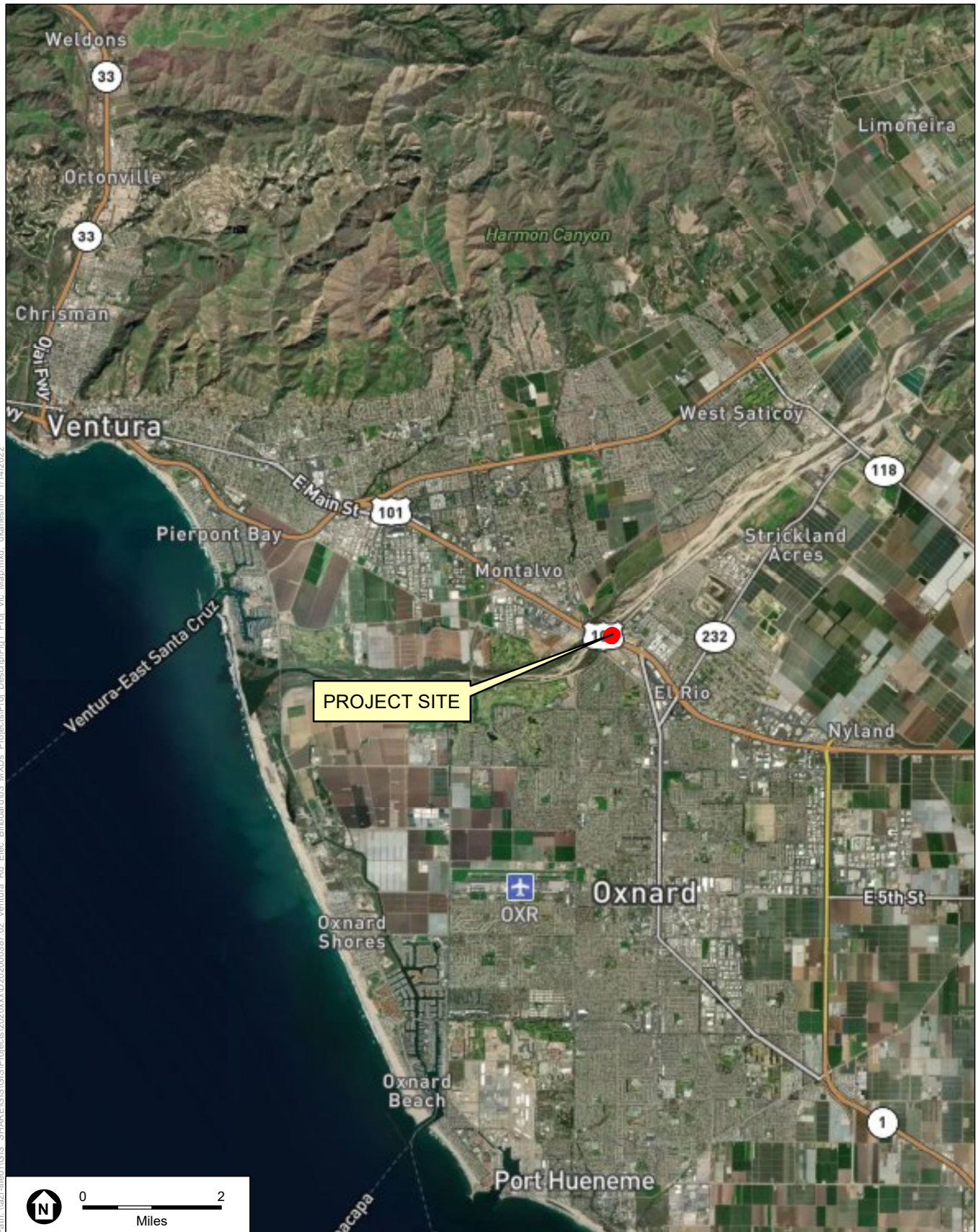
The area surrounding the Project site consists of a mix of office and commercial land uses. U.S. 101 is located immediately south of the Project site. Across U.S. 101 to the South, adjacent to Ventura Road, is The Wagon Wheel development which is currently under construction with residential townhomes, condominiums, and limited commercial development. To the north and west is The Santa Clara River Basin that includes vegetation. Recently, the vegetation within the Santa Clara River Basin and adjacent to U.S. 101 was removed by the County of Ventura for maintenance purposes. Northeast of and approximately 600 feet from the Project site is a senior housing facility, and other approved commercial development including a gas station and drive through restaurants.

### 9. Other public agencies whose approval is required.

The proposed Project will require an Outdoor Advertising Act Permit from the California Department of Transportation to ensure the proposed electronic sign does not represent a danger to motorists traveling along U.S. 101. No additional permits, financing approval or participation agreement will be required from other public agencies.

### 10. Have California Native American tribes traditionally and culturally affiliated with the Project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

The City of Oxnard sent a notification letter on November 23, 2021 to the Native American tribe that is on the City's Assembly Bill (AB) 52 list (**Appendix B**). This list includes only one tribe, Barbareno/Ventureno Band of Mission Indians, that has requested notification of projects within the City in accordance with AB 52. The Barbareno/Ventureno Band of Mission Indians did not request consultation with the City of Oxnard regarding the proposed Project.



SOURCE: OpenStreetMap, 2022

Ventura Road Electronic Billboard Project

**Figure 1**  
Project Vicinity Map



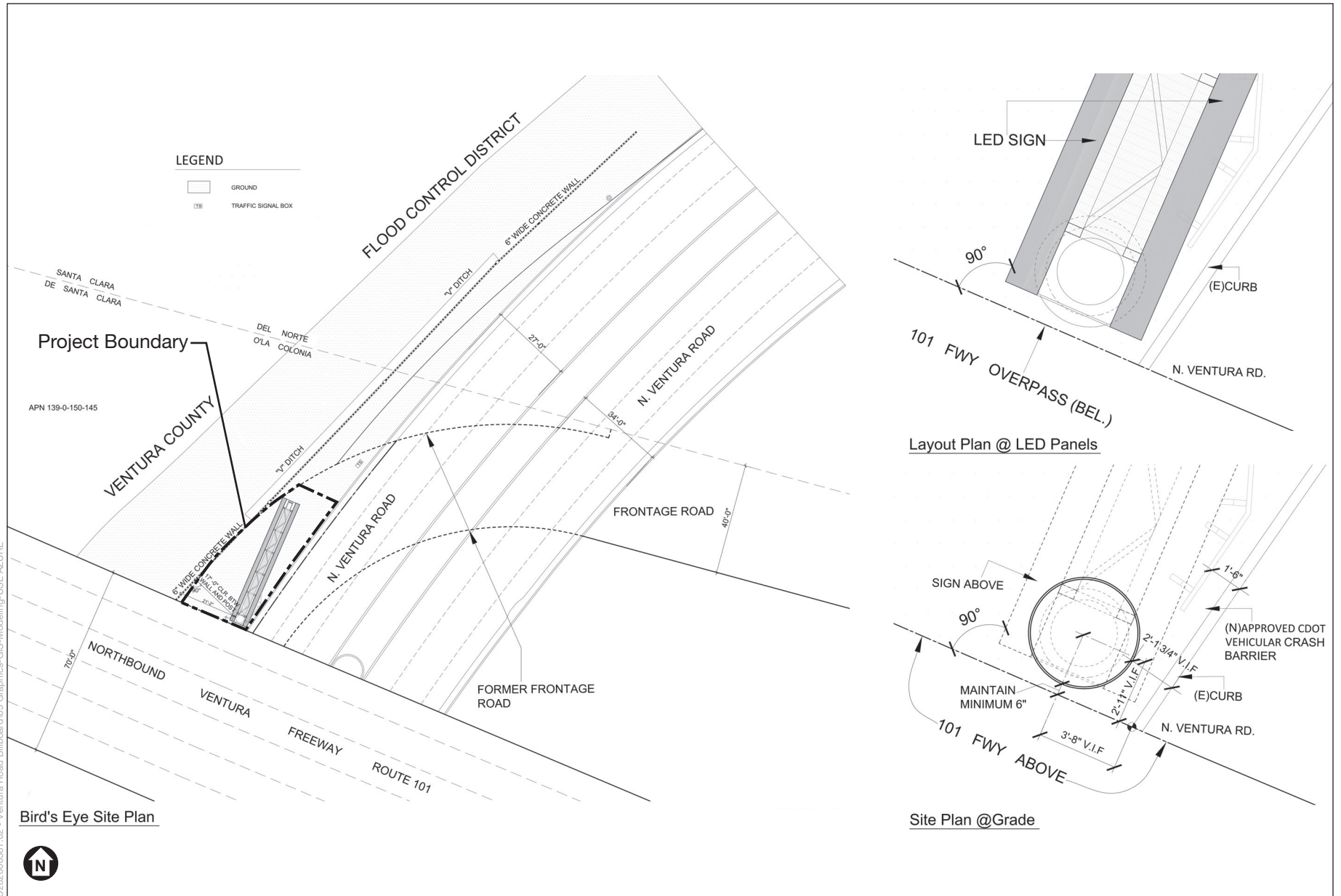


SOURCE: OpenStreetMap, 2022

Ventura Road Electronic Billboard Project

**Figure 2**  
Project Site Location Map

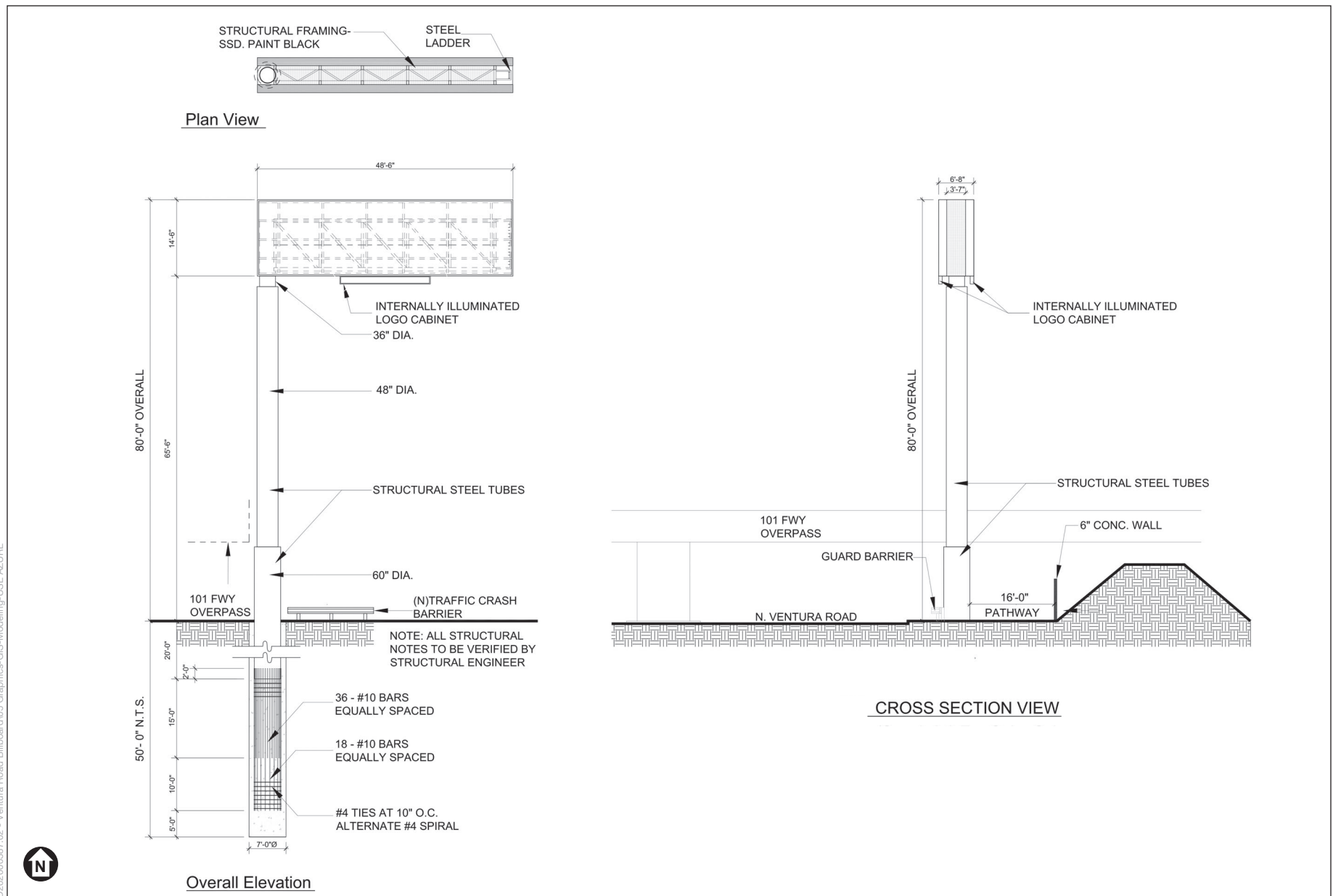




SOURCE: ib+a architecture, 2020

Ventura Road Electronic Billboard Project

**Figure 3**  
Project Site Plan



SOURCE: ib+a architecture, 2020

Ventura Road Electronic Billboard Project

**Figure 4**  
Electronic Billboard Elevation and Plan Views



## 2.0 Environmental Factors Potentially Affected

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

- |                                                                      |                                                                                      |                                                             |                                                                        |
|----------------------------------------------------------------------|--------------------------------------------------------------------------------------|-------------------------------------------------------------|------------------------------------------------------------------------|
| <input type="checkbox"/> Aesthetics and Urban Design                 | <input checked="" type="checkbox"/> Cultural Resources and Tribal Cultural Resources | <input type="checkbox"/> Mineral Resources                  | <input type="checkbox"/> Utilities and Energy                          |
| <input type="checkbox"/> Agricultural Resources                      | <input type="checkbox"/> Geology and Soils                                           | <input checked="" type="checkbox"/> Noise                   | <input type="checkbox"/> Wildfire                                      |
| <input type="checkbox"/> Air Quality                                 | <input type="checkbox"/> Hazards and Hazardous Materials                             | <input type="checkbox"/> Population, Education, and Housing | <input checked="" type="checkbox"/> Mandatory Findings of Significance |
| <input checked="" type="checkbox"/> Biological Resources             | <input type="checkbox"/> Hydrology and Water Quality                                 | <input type="checkbox"/> Public Services and Recreation     |                                                                        |
| <input type="checkbox"/> Climate Change and Greenhouse Gas Emissions | <input type="checkbox"/> Land Use and Planning                                       | <input type="checkbox"/> Transportation and Circulation     |                                                                        |

### DETERMINATION:

On the basis of this initial study:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

\_\_\_\_\_

\_\_\_\_\_

Printed Name

For

\_\_\_\_\_

\_\_\_\_\_

### 3.0 Environmental Checklist

#### 3.1 Aesthetics and Urban Design

| <i>Issues:</i>                                                                                                                                                                                                                                                                                                                                              | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|--------------------------|
| a) Would the project have a substantial adverse effect on a scenic vista such as an ocean or mountain view from an important view corridor or location as identified in the 2030 General Plan or other City planning documents?                                                                                                                             | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, or route identified as scenic by the County of Ventura or City of Oxnard?                                                                                                        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| c) Would the project substantially degrade the existing visual character or quality of the site or its surroundings such as by creating new development or other physical changes that are visually incompatible with surrounding areas or that conflict with visual resource policies contained in the 2030 General Plan or other City planning documents? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| d) Would the project add to or compound an existing negative visual character associated with the project site?                                                                                                                                                                                                                                             | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| e) Would the project create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?                                                                                                                                                                                                                 | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |

#### Discussion

- a) **Less than Significant Impact.** Based on a review of the Oxnard General Plan Background Report (City of Oxnard, 2006), there are scenic areas and view corridors within the City of Oxnard. The scenic areas and view corridors include local waterways, agricultural open space, beaches and coastline, scenic highways/roadways, and urban landscapes that maintain original historic architectural features and contain park/plaza features.

The proposed Project is located adjacent to U.S. 101 that is identified as part of the City's Scenic Highway System along the entire length of U.S. 101 from the eastern city limits to the western city limits at Ventura Road. The current views from U.S. 101 in the vicinity of the Project site include urban development such as commercial and residential uses as well as vegetation associated with the Santa Clara River Basin. The view from motorists traveling northbound on U.S. 101 from Oxnard Boulevard includes urban development on the north side of the freeway and construction activities for commercial and residential development on the south side of the freeway. Caltrans billboard signs are located along the north and south sides of the freeway, and limited landscaping is located on both sides of the freeway. Background views include the Coastal Mountain Range. The view from motorists traveling southbound on U.S. 101 from Johnson Drive and across the Santa Clara River Basin includes vegetation that is located within the Basin and includes Caltrans billboard signs. The bridge includes light poles that are spaced approximately 60 to 65 feet

apart from each other along the north side of the bridge and along the entire length of the approximately 1,700-foot long bridge. As southbound U.S. 101 motorists approach Ventura Road, views include urban development as well as construction areas. An advertisement billboard with a width of approximately 48 feet is on the south side of the freeway and immediately adjacent to the Ventura Road right-of-way. Background views from the southbound lanes include the Morgan Stanley Bank Tower and hills of Point Mugu State Park that bound the southeastern portion of the City of Oxnard.

The implementation of the Development Agreement, Street Vacation, and placement of the proposed electronic billboard on the Project site would include the placement of an 80-foot high pole (approximately 60 feet high as seen by motorists along U.S. 101) with an electronic billboard that would be 14.5 feet in height and 48.5 feet in width. A visual simulation of the proposed electronic billboard is provided in the Project Plans located in Appendix A. The implementation of the Project would result in an impact on motorist views traveling along U.S. 101. Northbound views of the Project area from U.S. 101 consist of urban development and background views include a portion of the Coastal Mountain Range. Southbound motorists' who approach Ventura Road from the U.S. 101 bridge over the Santa Clara River Basin include urbanized views in the Project area. Northbound and southbound motorists' views of the proposed electronic billboard would add another typical view of an urban landscape (i.e., billboards and Caltrans signs) that occurs along U.S. 101 outside of the Santa Clara River Basin views obtained by motorists traveling on the U.S. 101 bridge. Due to the urbanized setting of the Project area, Project impacts on northbound motorists' views that include an urban landscape as well as partial distant views of the Coastal Mountain Range would not be considered a substantial adverse effect on a scenic vista. Southbound motorists' views also include an urban landscape and minimal background views of the hills of Point Mugu State Park. The southbound motorists' views would be minimally impacted with the implementation of the proposed electronic billboard, and the impact would not be considered a substantial adverse effect on a scenic vista. Therefore, implementation of the proposed electronic billboard would result in less than significant effects on a scenic vista.

- b) **Less than Significant Impact.** The Project site is located along the north side of U.S. 101. Currently, U.S. 101 is an eligible State scenic highway; however, it is not an official State-designated scenic highway (Caltrans, 2019). The nearest officially State-designated highway is State Route 33 located approximately 7 miles west of the Project site. Oxnard Boulevard is also an eligible State scenic highway as well as a City-designated scenic highway to U.S. 101. However, Oxnard Boulevard is approximately 0.4 mile east of the Project site and due to existing terrain as well as existing development, very limited views of the upper elevations of the proposed electronic billboard would be viewable. These limited views would not substantially alter the characteristics of existing views from Oxnard Boulevard. Therefore, the implementation of the proposed Project would result in a less than significant impact on existing scenic resources within a state or local scenic highway.

- c) **Less than Significant Impact.** As discussed above, the Project would add a structure to motorists' view along the U.S. 101. The addition of the proposed electronic billboard would alter the existing visual characteristics along U.S. 101; however, because the area contains urban development and the proposed electronic billboard provides a typical view of an urban landscape (i.e., billboards and Caltrans signs) that occurs along U.S. 101, the visual alteration caused by the Project would not be considered a substantial change. Therefore, potential impacts from the visual alteration of adding the proposed electronic billboard to the visual landscape would be less than significant.

The City of Oxnard 2030 General Plan includes aesthetic policies to protect and enhance natural setting and scenic resources. A discussion of the Project's consistency with the applicable aesthetic policies is provided below.

Policy ER-6.1 includes the incorporation of views in new development. This policy requires development to provide physical breaks to allow views into scenic vistas and view corridors. Because the proposed Project includes a free-standing electronic billboard, the implementation of the Project would not conflict with this policy because motorists would briefly view the proposed billboard as they travel along U.S. 101. Therefore, the Project would be consistent with this policy.

Policy ER-6.2 includes the protection and enhancement of major scenic resources including the surrounding mountains. As discussed above, motorists traveling northbound along U.S. 101 would have a background view of the Coastal Mountain Range as well as partial views of the vegetation located within the Santa Clara River Basin; however, this background view would be bordered by foreground urban development for northbound U.S. 101 motorists. For southbound U.S. 101 motorists, the vegetation within the Santa Clara River provides a foreground view; however, this foreground view also includes urban development as the motorists' travel toward Ventura Road. Therefore, the addition of the proposed electronic billboard would not substantially impact the background views of the Coastal Mountain Range and Santa Clara River Basin or the foreground views of the Santa Clara River Basin. Thus, the Project would not conflict with this policy, and the Project would be consistent with this policy.

Policy ER-6.5 includes the control of light and glare. The policy requires advertising displays and billboards to use low-energy, shielded light fixtures which direct light downward and, where public safety would not be compromised, encourage the use of low-pressure sodium lighting for all outdoor fixtures. The proposed electronic billboard would utilize energy efficient light emitting diode (LED) technology, which is recognized by the U.S. Department of Energy as the most energy efficient lighting technology. The lighting of the proposed electronic billboard would be designed to allow the message on the display visible to passing motorists. The digital LED billboard technology allows sign brightness to be adjusted automatically depending on ambient weather conditions. The display, for example, would be brighter in the daytime than at night-time and responds to changes in the ambient light conditions. The proposed electronic billboard would require a California Department of Transportation Outdoor Advertising Act Permit from Caltrans. The

proposed billboard would comply with the brightness requirements outlined in the Outdoor Advertising Act in that the illumination shall not be of such brilliance or so positioned as to cause a hazardous condition on adjacent highways. The implementation of the proposed electronic billboard would not conflict with this policy. Therefore, the Project would be consistent with this policy.

Based on a review of the existing City of Oxnard sign regulations within the City of Oxnard Municipal Code, the proposed electronic billboard is not currently an allowed use within the City of Oxnard. However, as discussed above, the implementation of the proposed electronic billboard would result in less than significant impact to scenic vistas, scenic resources, and scenic highways, and the Project would result in a less than significant visual alteration of the existing visual characteristics as well as less than significant light and glare.

- d) **Less than Significant Impact.** Currently, the Project site includes ornamental shrubs of oleander within the existing Ventura Road right-of-way. The Project site is landscaped and does not represent an existing negative view from the surrounding areas. The addition of the proposed electronic billboard would alter the existing visual characteristics of the Project area; however, as discussed above, this alteration would be considered less than significant. Therefore, the addition of the proposed electronic billboard would not add to or compound to an existing negative view of the Project site, and as a result the Project's impact would be less than significant.
- e) **Less than Significant Impact.** The operation of the proposed Project would increase nighttime lighting in the Project vicinity. Currently, the City of Oxnard does not have a quantitative exterior light standard. Typically, lighting is quantified using footcandles which is the unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a surface one-foot square from a distance of one foot.

Light pollution or obtrusive light is highly subjective. To address concerns with light pollution, recommendations to limit light trespass onto adjacent properties from the International Commission on Illumination (CIE) were reviewed. The CIE identifies a light trespass illuminance of 0.5 fc or greater for urban areas such as the Project site and 0.2 fc or greater for natural areas such as the Santa Clara River Basin (CIE, 2003). Therefore, due to the absence of a current local light pollution standard, a significant light impact on the adjacent residents would occur if light levels are 0.5 fc or greater and a significant impact on adjacent natural areas would occur if light levels are 0.2 fc or greater.

The lighting associated with the proposed electronic billboard would be directed toward the travel lanes along U.S. 101. Louvers will be located above each row of lights to prevent light from projecting upward into the sky. As discussed above, the digital LED billboard technology allows sign brightness to be adjusted automatically depending on ambient weather conditions. The display, for example, would be brighter in the daytime than at night-time and responds to changes in the ambient light conditions.

The nearest current multifamily residential use is located approximately 600 feet east of the site; however, the City is processing an amendment to the RiverPark Specific Plan to allow for high density multifamily residential uses approximately 200 feet east of the Project site. Based on the Photometric Analysis provided in **Appendix C**, the light levels at the existing multifamily residential uses and the current multifamily uses that are currently being processed would be 0.1 fc or less. Because the light level would be less than 0.5 fc, the Project would result in a less than significant lighting impact on the existing and future adjacent residential uses. The sensitive willow riparian habitat area is located approximately 135 feet west of the Project site (i.e., west of the access road within the Santa Clara River Basin) and would result in an illumination of less than 0.2 fc based on the Photometric Analysis provided in Appendix C. Because the light level would be less than 0.2 fc, the Project would result in a less than significant lighting impact on the existing sensitive willow riparian habitat area.

To ensure that the images on the electronic billboard do not cause hazardous conditions to motorists, the billboard may show a series of still images, each displayed for at least eight seconds. The still images may not move or present the appearance of motion and may not use flashing or blinking lights or any other means not providing constant illumination. Transition or blank screen time between one still image and the next may not exceed one second. The implementation of these design features as well as complying with all applicable federal, state, and local laws, including the Highway Beautification Act of 1965 (23 United States Code Section 131) and the Outdoor Advertising Act (California Business and Professions Code Section 5200 et seq.), when constructing, operating, improving, maintaining, and repairing the proposed billboard would reduce potential light and glare impacts from the proposed electronic billboard to less than significant.

Although less than significant lighting impacts would occur, the following mitigation measures are recommended to further reduce less than significant light impacts.

**Mitigation Measure AES-1:** The proposed light emitting diode (LED) billboard shall include an operating mechanism (hardware or software controlled) that turns off the display or turns it to all black in the event of a malfunction or failure in any system or subsystem that results in the display wholly or partly appearing to flash.

**Mitigation Measure AES-2:** Within 14 days of the proposed electronic billboard being operational, annually, and as required by City staff (i.e., after maintenance, malfunctions, multiple complaints), the Applicant shall submit to the satisfaction of the Community Development Director the following information:

- A third party test conducted after installation to verify that the electronic billboard complies with the requirements not to exceed 0.3 foot-candle above ambient light at 250 feet from the face of the electronic billboard or exceed the 0.5 foot-candle at any residential uses or 0.2 fc at the sensitive willow riparian habitat.

As identified above, the implementation of the above mitigation measures would further reduce a less than significant impact.

## References

- Caltrans. 2019. California State Scenic Highways. Available at:  
<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed on February 10, 2022.
- City of Oxnard. City of Oxnard General Plan Background Report. Available at:  
[https://www.oxnard.org/wp-content/uploads/2016/08/OxnardDraftBackgroundReport2006\\_04.21.06.pdf](https://www.oxnard.org/wp-content/uploads/2016/08/OxnardDraftBackgroundReport2006_04.21.06.pdf). Accessed on February 10, 2022.
- exp. 2020. Digital Billboards Photometric Analysis. December 7, 2020. Appendix C of this IS/MND.
- International Commission on Illumination (CIE). 2003. Guide on the Illumination of the Effects of Obtrusive Light from Outdoor Lighting Installations.
-



### 3.2 Agricultural Resources

| <i>Issues:</i>                                                                                                                                                                         | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant<br/>with Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?                                                             | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?                                                                                 | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| c) Would the project involve other changes in the existing environment that, due to their location or nature, could result in conversion of off-site farmland to non-agricultural use? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **No Impact.** The Project site is currently identified as Urban and Built-Up Land and not designated as Prime Farmland, Unique Farmland, Farmland, or Statewide Importance based on a review of the California Department of Conservation's California Important Farmland Finder (CDC, 2016). Therefore, the implementation of the proposed Project would not convert farmland to an urban use, and no impact to farmland would occur.
- b) **No Impact.** Williamson Act contracts are formed between a county or city and a landowner for the purposes of restricting specific parcels of land to agricultural preserve areas. The Project site does not contain any agricultural uses. It is currently zoned for Specific Plan with a Commercial Retail land use. Because there are no active Williamson Act contracts associated with the Project site, the Project would not conflict with existing agricultural zoning or a Williamson Act contract. No Project impact would occur.
- c) **No Impact.** Because there are no agricultural or forest lands located in the immediate vicinity of the Project site, the construction and operation of the proposed electronic billboard would not involve other changes in the existing environment that would result in the conversion of agricultural or forest lands. No impacts would occur.

### References

California Department of Conservation (CDC), 2016. Available at: California Important Farmland Finder <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed on February 10, 2022.

### 3.3 Air Quality

| <i>Issues:</i>                                                                                                                                                                                           | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|--------------------------|
| a) Would the project conflict with or obstruct implementation of the Ventura County AQMP?                                                                                                                | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| b) Would the project result in a cumulatively considerable net increase of any criteria pollutant in excess of quantitative thresholds recommended by the VCAPCD?                                        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| c) Would the project expose sensitive receptors to substantial pollutant concentrations exceeding state or federal standards or in excess of applicable health risk criteria for toxic air contaminants? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| d) Would the project create objectionable odors affecting a substantial number of people?                                                                                                                | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |

### Discussion

- a) **Less than Significant Impact.** Ventura County Air Pollution Control District (VCAPCD) is responsible for attaining and maintaining air quality standards in the Ventura County portion of the South Central Coast Air Basin (SCCAB) through a comprehensive program of planning, regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues. The clean air strategy of VCAPCD includes preparation of plans for attainment of ambient air quality standards, adoption and enforcement of rules and regulations concerning sources of air pollution, and issuance of permits for stationary sources of air pollution. The Ventura County portion of the SCCAB is designated as nonattainment for ozone for the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) and for respirable particulate matter 10 micrometers in diameter and smaller (PM10) for the CAAQS. VCAPCD and the Ventura Council Association of Governments (VCOG) are responsible for preparing the air quality management plan (AQMP), which addresses federal and state Clean Air Act (CAA) requirements. The VCAPCD has adopted Air Quality Management Plans (AQMPs) to meet the CAAQS and NAAQS. The VCAPCD Governing Board adopted the 2016 AQMP on February 14, 2017. The goals of the VCAQMP are to ensure that city and county population growth do not interfere with emission reductions and progress in meeting the state and national ambient air quality standards.

The proposed Project is located within the Ventura County portion of the SCCAB, which is under the jurisdiction of the VCAPCD for air quality planning and control. As such, VCAPCD's 2016 AQMP is the applicable air quality plan for the proposed Project. Projects that are consistent with the regional population, housing, and employment forecasts identified by VCOG are deemed consistent with the AQMP growth projections, since the forecast assumptions by VCOG forms the basis of the land use and transportation control portions of the AQMP. Additionally, because VCOG's regional growth forecasts are based upon, among other things, land uses designated in general plans, a project that is consistent with the land use designated in a general plan would also be consistent with the VCOG's regional forecast projections, and thus also with the AQMP growth projections.

The billboard Project would generate temporary emissions that would occur during the construction associated with installation activities. These emissions would be short-term in nature (approximately 4 days of construction for the billboard installation) over a two-week period. The billboard operations would not generate additional employment or population growth or transportation impacts from increased vehicle trips. Ongoing operation of the billboards would require power in the form of purchased electricity and would not generate any direct emissions of criteria pollutants or ozone precursors at the Project site, aside from minimal emissions from occasional site visits for maintenance or repairs.

The VCAPCD Ventura County Air Quality Assessment Guidelines exempts projects with de minimis emissions from Consistency Assessments. According to Section 4.2.1, Projects Exempt from Consistency Assessments, a project that conforms to the applicable General Plan designation and has emissions below two pounds per day of reactive organic compounds (ROC), and below two pounds per day of nitrogen oxides (NO<sub>x</sub>), is not required to assess consistency with the AQMP. According to Section 5.2, Calculating Ozone Precursor Emissions from Project Construction, the VCAPCD does not consider emissions from construction activities towards VCAPCD thresholds since construction emissions are temporary.

The Project would not generate air pollutant emissions during operations, and is thus not required to assess consistency with the AQMP. Further, as discussed above, the billboard operations would not generate additional employment or population growth or transportation impacts from increased vehicle trips. Therefore, the Project would have no impact with respect to conflicts with or obstruction of implementation of the applicable air quality plan.

- b) **Less than Significant Impact.** The City of Oxnard has not developed specific air quality thresholds for air quality impacts. However, as stated in Appendix G of the CEQA Guidelines, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the above determinations. As such, the significance thresholds and analysis methodologies in VCAPCD's CEQA Air Quality Handbook are used in evaluating Project impacts. The VCAPCD's CEQA Air Quality Handbook focuses on reducing ozone precursor emissions, which includes ROCs (also referred to as volatile organic compounds [VOCs]) and NO<sub>x</sub> because emissions of these pollutants could jeopardize attainment of the NAAQS and CAAQS for ozone in Ventura County. The other criteria pollutants of concern include: carbon monoxide (CO), which is a colorless and odorless gas and can cause dizziness, confusion, unconsciousness or even death at high levels; sulfur dioxide (SO<sub>2</sub>), which is also colorless and can cause asthma exacerbation, including bronchoconstriction accompanied by symptoms of respiratory irritation, such as wheezing, shortness of breath and chest tightness; and PM<sub>10</sub> and fine particulate matter 2.5 micrometers or less in diameter (PM<sub>2.5</sub>), which can worsen respiratory diseases, including asthma and chronic obstructive pulmonary disease, leading to hospitalization and emergency department visits and respiratory mortality. The

VCAPCD has not established mass emission significance thresholds for CO, SO<sub>2</sub>, PM<sub>10</sub> or PM<sub>2.5</sub>.

### **Construction**

Construction emissions from projects are considered short term and temporary but could adversely affect air quality. Emissions of ozone precursors and particulate matter are a potential concern in the Ventura County portion of the SCCAB since the area is designated as nonattainment for ozone (NAAQS and CAAQA) and PM<sub>10</sub> (CAAQS). Emissions of ozone precursors ROC and NO<sub>x</sub> are primarily generated from heavy-duty equipment and motor vehicle exhaust and vary as a function of vehicle trips per day associated with soil hauling, delivery of construction materials, and worker commute trips, and the types and number of heavy-duty, off-road equipment used and the intensity and frequency of their operation. Particulate matter (i.e., PM<sub>10</sub> and PM<sub>2.5</sub>) is among the pollutants of greatest localized concern with respect to construction activities given that particulate concentrations tend to be higher near the source of the emissions. Particulate emissions from construction activities can lead to adverse health effects and nuisance concerns, such as reduced visibility and soiling of exposed surfaces. Particulate emissions can result from a variety of construction activities, including drilling/excavation, vehicle travel on paved and unpaved surfaces, and vehicle and equipment exhaust. Construction emissions of PM can vary greatly depending on the level of activity, the specific operations taking place, the number and types of equipment operated, local soil conditions, weather conditions, and the amount of earth disturbance.

Proposed construction activities associated with billboard installations would generate temporary pollutant emissions from the following construction activities: (1) drilling and haul of excavated soil; (2) column set/concrete pour; (3) build and set of the billboard structure; and (4) build & set digital displays. These construction activities would create emissions of dust, fumes, equipment exhaust, and other air contaminants. The daily quantity of emissions generated would vary, depending on the intensity and types of construction activities occurring during each task.

Construction emissions from the proposed billboard Project is estimated to require four days of construction activity. For the purposes of the air quality analysis, the construction activities were modeled for the earliest potential time frame to provide for a conservative analysis. Construction of the Project is assumed to occur in 2022. If construction occurs subsequent to 2022, the emissions presented in this IS/MND would be conservative as emissions occurring in future years would be lower than those calculated for 2022 due to the use of a more energy-efficient and cleaner burning construction vehicle fleet mix, pursuant to State regulations that require vehicle fleet operators to phase-in less polluting heavy-duty equipment. Assumptions, including information on equipment horsepower, hours of operation, vehicle trip distances and the model output, are included in **Appendix D**. CalEEMod version 2020.4.0 was used with Ventura County defaults whenever appropriate to ensure a location specific, but generic emission model that would apply to a range of installation scenarios. **Table AQ-1, Construction Schedule and**

*Equipment*, below summarizes the basic construction schedule, equipment and on-road vehicle types and trips.

**TABLE AQ-1**  
**CONSTRUCTION SCHEDULE AND EQUIPMENT**

|                              | Days | Equipment                                                                       | Daily Haul / Equipment<br>Delivery Trips <sup>a</sup> | Daily Worker<br>Trips <sup>a</sup> |
|------------------------------|------|---------------------------------------------------------------------------------|-------------------------------------------------------|------------------------------------|
| Drilling / Haul Soil         | 1    | Excavator/Drill<br>Skid Steer Loader<br>Dump Trucks                             | 12                                                    | 8                                  |
| Column Set / Concrete Pour   | 1    | Crane<br>Truck mounted Aerial Lift<br>Concrete Pump<br>Concrete Mixers (trucks) | 12                                                    | 10                                 |
| Build & Set Structure        | 1    | Crane<br>Truck Mounted Aerial Lift<br>Air Compressor                            | 8                                                     | 10                                 |
| Build & Set Digital Displays | 1    | Crane<br>Truck Mounted Aerial Lift                                              | 8                                                     | 10                                 |

<sup>a</sup> Haul and construction worker trips are inbound and outbound trips, with one inbound and one outbound trip comprising a roundtrip. Haul and delivery trips are for the export of soil, import of cement and delivery of the billboard columns, display, and associated materials.

SOURCE: City of Oxnard, 2022

It is mandatory for all construction projects in the SCCAB to comply with VCAPCD Rule 55 for controlling fugitive dust. Incorporating Rule 55 into the proposed Project reduces regional PM10 and PM2.5 emissions from construction activities. Specific Rule 55 control requirements may include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, covering all trucks hauling soil with a fabric cover and maintaining a freeboard height of 12 inches, and maintaining effective cover over exposed areas. Compliance with Rule 55 was accounted for in the construction emissions modeling.

Ventura County Guidance specifies that construction-related emissions are not counted towards the significance thresholds for the ozone precursors (ROC and NO<sub>x</sub>) since the emissions are temporary. However, they should be mitigated if they are predicted to exceed the threshold level (25 pounds per day of ROC or NO<sub>x</sub> in the Project area).

The VCAPCD has not established a quantitative threshold for fugitive dust emissions, but provides qualitative criteria in its Air Quality Assessment Guidelines.

A project that may be reasonably expected to generate fugitive dust emissions in such quantities as to cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which may endanger the comfort, repose, health, or safety of any such person or the public, or which may cause, or have a natural tendency to cause,

injury or damage to business or property (see California Health and Safety Code, Division 26, §41700) will have a significant adverse air quality impact.

**Table AQ-2, *Maximum Daily Total Construction Emissions***, summarizes the estimated emissions of criteria air pollutants and ozone precursors associated with a typical billboard installation for each individual construction phase (day) along with the maximum daily emissions. These emissions are compared to VCAPCD's daily operational significance threshold for ROG and NO<sub>x</sub> emissions to determine if mitigation should be implemented. As shown, the maximum daily emissions would be below the operational thresholds. Therefore, the proposed Project would not result in any significant construction emission impacts for these nonattainment pollutants, nor require any mitigation measures beyond those incorporated into the Project design (e.g., fugitive dust control according to VCAPCD Rule 55, compliance with state truck regulations).

**TABLE AQ-2**  
**MAXIMUM DAILY TOTAL CONSTRUCTION EMISSIONS**

|                                                               | Maximum Regional Emissions (lbs/day) |                 |            |                 |                  |                   |
|---------------------------------------------------------------|--------------------------------------|-----------------|------------|-----------------|------------------|-------------------|
|                                                               | ROG                                  | NO <sub>x</sub> | CO         | SO <sub>2</sub> | PM <sup>10</sup> | PM <sup>2.5</sup> |
| Drilling / Haul Soil                                          | <1                                   | 5.5             | 6.1        | <1              | <1               | <1                |
| Column Set / Concrete Pour                                    | <1                                   | 8.1             | 5.6        | <1              | <1               | <1                |
| Build & Set Structure                                         | <1                                   | 7.9             | 6.0        | <1              | <1               | <1                |
| Build & Set Digital Displays                                  | <1                                   | 6.0             | 3.6        | <1              | 4                | 4                 |
| <b>Maximum Daily Emissions<sup>a</sup></b>                    | <b>&lt;1</b>                         | <b>8.1</b>      | <b>6.1</b> | <b>&lt;1</b>    | <b>&lt;1</b>     | <b>&lt;1</b>      |
| <i>Operational Significance Thresholds / Screening Levels</i> | 25 <sup>b</sup>                      | 25 <sup>b</sup> | —          | —               | —                | —                 |
| Significant Impact?                                           | No                                   | No              | NA         | NA              | NA               | NA                |

<sup>a</sup> Maximum daily emissions are for each individual pollutant that results in the greatest emissions on a peak day of construction.  
Note: All emissions shown above include VCAPCD Rule 55 fugitive dust reduction measures.

<sup>b</sup> VCAPCD operational significance thresholds.

SOURCE: ESA, 2022

## Operation

Proposed operational activities associated with the operation of the proposed electronic billboard would not generate any direct emissions of criteria pollutant and ozone precursors. Furthermore, the operation of the billboard would not generate any employment or population growth and related emissions nor any additional daily vehicle trips or transportation related emissions of criteria pollutants or ozone precursors (minimal emissions from occasional site visits for maintenance or repairs may occur periodically).

The operation of the billboard would not result in emissions of ozone precursors in excess of the ROG and NO<sub>x</sub> operational significance thresholds, and impacts from these pollutants would be less than significant. Operation of the billboard would also not generate PM10 or PM2.5 emissions from fugitive dust are minimal and would not cause injury, nuisance

or health impacts to a significant number of persons of the public. Therefore, impacts from fugitive dust (PM10 and PM2.5) emissions would be less than significant.

### **Cumulative**

The geographic scope for regional air quality impacts consists of the air basin(s) in which Project emissions would occur. The VCAPCD's approach for assessing cumulative impacts is based on attainment of ambient air quality standards in accordance with the requirements of the CAA and California Clean Air Act. As discussed earlier, the VCAPCD has developed a comprehensive plan, the 2016 AQMP, which addresses the region's cumulative air quality condition. CEQA Guidelines Section 15064(h)(3) provides guidance in determining the significance of cumulative impacts, stating in part that:

*A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem (e.g., water quality control plan, air quality plan, integrated waste management plan) within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency.*

For purposes of the cumulative air quality analysis with respect to CEQA Guidelines Section 15064(h)(3), the proposed Project's incremental contribution to cumulative air quality impacts is determined based on compliance with the VCAPCD's adopted 2016 AQMP. With respect to the Project's short-term construction-related air quality emissions and cumulative conditions, VCAPCD has developed strategies to reduce criteria pollutant emissions outlined in the AQMP pursuant to the federal CAA mandates. Construction of the Project would comply with VCAPCD Rule 55 fugitive dust control requirements and the ATCM to limit heavy duty diesel motor vehicle idling to no more than five minutes at any location. These measures would also be imposed on trucks used for construction in the State, which would include the cumulative projects in the Project area. Additionally, with respect to operational emissions, the Project's emissions would be less than the significance thresholds, and the Project would not conflict with the AQMP. Since the Project's construction and operational emissions would not exceed the VCAPCD's regional significance thresholds, and the proposed Project would not conflict with the AQMP, cumulative construction and operational impacts would be less than significant.

- c) **Less than Significant Impact.** Sensitive receptors are individuals who are considered more sensitive to air pollutants than others. The reasons for greater than average sensitivity may include pre-existing health problems, proximity to emissions sources, or duration of exposure to air pollutants. Schools, hospitals, and convalescent homes are considered as relatively sensitive to poor air quality because children, elderly people, and the infirm are more susceptible to respiratory distress and other air quality-related health problems than the general public. Residential areas are considered sensitive to poor air quality because

people usually stay home for extended periods of time, with associated greater exposure to ambient air quality. Because the installation of the proposed billboard would occur approximately 600 feet from an existing residence, construction air emissions would disperse in the environment and decrease with distance from the source. The limited emissions from construction activities would not cause a significant impact to sensitive receptors as discussed below.

### ***Carbon Monoxide Hotspots***

Emissions of carbon monoxide (CO) are generated in greatest quantities from motor vehicle combustion of fossil fuels and are usually concentrated at or near ground level because they do not readily disperse into the atmosphere, particularly under cool, stable (i.e., low or no wind) atmospheric conditions. Localized areas where ambient concentrations exceed State and/or federal standards are termed CO hotspots. Traffic impacts and the potential for CO hot spots from the operation of motor vehicles related construction of the proposed Project would be minimal as there are less than 20 additional one-way trips per day from construction related haul vehicles and construction worker automobiles combined. In fact, the VCAPCD requires a screening analysis to determine the potential for CO Hotspots for any Project with indirect emissions greater than the applicable ozone (ROG and NO<sub>x</sub>) Project significance levels as analyzed Section 3.3 b) above where roadway intersections are currently operating at or are expected to operate at a Level of Service (LOS) of E or F. As indicated in Table AQ-2 above, the proposed Project would be below significance thresholds for ROG and NO<sub>x</sub>, indicating the low potential for Project impacts.

Operation of the billboards would not result in any regular vehicular activity, though there may be the occasional site visit for maintenance or repairs. These would result in negligible emissions and result in a negligible impact on traffic, and impacts would be less than significant.

### ***Localized Air Quality Impacts – TACs***

Project construction would result in short-term emissions of diesel PM, a TAC. Diesel particulate matter poses a carcinogenic health risk that is measured using an exposure period of 70 years for a lifetime exposure or 30 years for a residential exposure. The exhaust of off-road heavy-duty diesel equipment would emit diesel particulate matter from off-road construction vehicles and from on-road cement trucks and haul trucks, delivery tractor trailers during the short construction phase for the proposed billboard. The dose to which receptors are exposed is the primary factor used to determine health risk (i.e., the potential exposure to TACs to be compared to applicable standards). Dose is a function of the concentration of a substance or substances in the environment and the duration of exposure to the substance. Dose is positively correlated with time, meaning that a longer exposure period would result in a higher exposure level for the maximally exposed individual. Thus, the risks estimated for a maximally exposed individual are higher if a fixed exposure occurs over a longer time period. According to the Office of Environmental Health Hazard Assessment (OEHHA), carcinogenic health risk assessments, which



determine the exposure of sensitive receptors to TAC emissions, should be based on a 70-year exposure period for a lifetime exposure or 30 years for a residential exposure; however, such assessments should be limited to the period or duration of activities associated with the proposed Project.

The construction period for the proposed billboard installation is approximately four days in duration over approximately two weeks and would not represent a significant dose. Additionally, the billboard would be located approximately 600 feet from the nearest residence. Given the short duration of the construction activities, and the distance of the sensitive receptors from the Project, the proposed Project would not expose sensitive receptors to substantial pollutant concentrations, and impacts would be less than significant.

Operation of the billboard would not result in any direct emissions, as it would utilize purchased electricity to power for lighting. Further, operation of the billboard would not generate daily vehicle trips or transportation related emissions of criteria pollutants or ozone precursors (minimal emissions from occasional site visits for maintenance or repairs may occur periodically). Therefore, implementation of the proposed electronic billboard would not result in emissions of TACs that would substantially impact sensitive receptors, and the impact would be less than significant.

- d) **Less than Significant Impact.** During installation of billboard, diesel exhaust from diesel trucks and off-road construction equipment construction equipment may emit odors. Such odors would be a temporary source of nuisance to adjacent uses but would not affect a substantial number of people. As odors associated with Project construction would be temporary and intermittent in nature, the odors would not be considered as a significant environmental impact. Therefore, construction activities would result in less than significant impacts with respect to other emissions, including those leading to odors.

There are no direct emissions associated with the operation of the billboard, and operational impacts would not result in any odor impacts and, therefore, would be less than significant with respect to odors. The Project would not generate other emissions that would adversely affect a substantial number of people as discussed in Section 3.3 b) and c) above, and impacts would be less than significant.

## References

City of Oxnard. 2022. Construction Assumptions for Electronic Billboard.

VCAPCD 2003. *Ventura County Air Quality Assessment Guidelines*. October. Available: <http://www.vcapcd.org/environmental-review.htm>.

VCAPCD 2017. *Final 2016 Ventura County Air Quality Management Plan*. February 14. Available: <http://www.vcapcd.org/pubs/Planning/AQMP/2016/Final/Final-2016-Ventura-County-AQMP.pdf>

### 3.4 Biological Resources

| <i>Issues:</i>                                                                                                                                                                                                                                                                                                                                                                                                          | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?                                                                                      | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                    | <input type="checkbox"/>            |
| b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?                                                                                                                                                   | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| c) Would the project have a substantial adverse effect on federally protected waters of the U.S. as defined by Section 404 of the federal Clean Water Act or protected waters of the state as defined by Section 1600 et seq. of the California Fish and Game Code (including, but not limited to, marshes, vernal pools, coastal wetlands) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?                                                                                                                                                                    | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| e) Would the project conflict with any local policies or ordinances protecting biological resources?                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| f) Would the project conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?                                                                                                                                                                                                                                    | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **Less than Significant with Mitigation Incorporated.** The Project site is located on the southeast side of the Santa Clara River southbank levee along Ventura Road in the City of Oxnard. The Project site is planted with ornamental shrubs of oleander (*Nerium oleander*). Dominant vegetation around the Project site and surrounding property includes non-native grasses and herbaceous species along with sparse, sporadic cover of native mulefat (*Baccharis salicifolia*) saplings and rabbit tobacco (*Pseudognaphalium* sp.). The Santa Clara River is located on the opposite side of the levee from the Project site, and approximately 135 feet to the northwest is where riparian habitat was observed. The active channel of the Santa Clara River is greater than 380 feet from the Project site. Willow riparian woodland habitat dominates the southbank of the river and transitions to coastal sage scrub habitat located between the northwest side of the levee and the southeast side of the Santa Clara River Basin access road (**Appendix E**). During a site visit on February 16, 2022, an ESA biologist observed large patches of both willow riparian woodland habitat and coastal sage scrub habitat had been recently removed. Willow riparian woodland habitat that had once been located along U.S. 101 has been removed. There was approximately 0.5 acre of willow riparian woodland along U.S. 101 that has been removed.

Upstream of the approximately 0.5 acre, the willow riparian habitat previously extended approximately 200 feet from the mainstem of the Santa Clara River; however, now extends approximately 100 feet from the mainstem because of recent vegetation removal (Appendix E).

A database review showed that the Project site itself is not overlain within U.S. Fish and Wildlife Service (USFWS)-designated Critical Habitat for any special-status plant or wildlife species (USFWS 2022a); however, southwestern willow flycatcher (*Empidonax traillii extimus*) Critical Habitat is mapped as occurring throughout the Santa Clara River riparian area. Additionally, the California Natural Diversity Data Base (CNDDB) and California Native Plant Society (CNPS) Rare Plant Inventory identified 25 special-status species being recorded within the Oxnard USGS 7.5-minute quadrangle (CDFW 2022; CNPS 2022). Based on the results of the CNDDB search and presence of willow riparian habitat adjacent to and northwest of the Project site, special-status avian species with a high potential to occur within or surrounding the Project site include least Bell's vireo (*Vireo bellii pusillus*) and yellow warbler (*Setophaga petechia*). Additionally, State-protected reptile species, coast horned lizard (*Phrynosoma blainvillii*) and western pond turtle (*Emys marmorata*), and special-status plant species (California Rare Plant Rank [CRPR] 2B.2), white rabbit-tobacco (*Pseudognaphalium leucocephalum*), were recorded by CNDDB as occurring in close proximity to the Project site.

Both southwestern willow flycatcher and least Bell's vireo are listed as Endangered by the USFWS. In 2013, southwestern willow flycatcher and least Bell's vireo protocol surveys were conducted by Werner Biological Consulting along a 7-mile stretch of the Santa Clara River, including adjacent to and northwest of the Project site, as part of the Ventura County Watershed Protection District's (VCWPD) Levee Maintenance Program. Although no southwestern willow flycatcher territories were identified near the Project site during the protocol surveys, one least Bell's vireo territory was identified within the willow riparian habitat located approximately 220 feet northwest of the Project site and in an area that did not have recent vegetation removed in 2013 (Werner 2013a, b).

### **Direct Effects of Billboard Installation**

The Project site and immediately surrounding area has limited native vegetation present as the Project site is located immediately adjacent to a constructed and maintained levee adjacent to busy roadways. Plant and animal species that are most likely to use the area surrounding the Project site would include common species that are associated with urban developed conditions as habitat likely to support special-status species is limited. However, native riparian habitat important for various plant and wildlife species is present approximately 50 feet away on the northwest side of the levee and the willow habitat suitable to support least Bell's vireo starts approximately 220 feet from the Project site.

While no special-status species are expected to use the Project site, all native bird species that occur adjacent to or surrounding the Project site are protected from 'take' by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGF). The proposed Project has the potential to affect nesting birds, including special-status species,

because suitable habitat occurs for nesting birds such as least Bell's vireo surrounding the Project site. As a result, the implementation of the proposed Project would result in potentially significant impacts.

**Mitigation Measure BIO-1:** Construction activities involving vegetation removal as well as installation of the proposed billboard shall be conducted between September 1 and January 31, outside the typical nesting season for birds in the region. If vegetation removal or installation must occur during the typical nesting season (February 1 – August 31), a qualified biologist shall conduct a pre-construction survey for active nests within areas that will be subject to vegetation removal, construction noise, and/or ground disturbances, including a 100 to 300-foot buffer around existing trees and landscaped areas, to identify any potential active nests within seven days prior to work activities. Buffer distances can be adjusted at the discretion of the biologist based on the location of the nest, species, and surrounding land uses. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds.

If an active nest is observed during the pre-construction clearance survey, an adequate buffer determined by the City-approved qualified biologist shall be established around the active nest depending on sensitivity of the species and proximity to construction activity and impact areas. Onsite construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest or nesting activities. Construction activities shall be avoided within the buffer, unless otherwise approved by the City-approved monitoring biologist (e.g., vehicles could pass through buffer areas while jackhammering would be restricted). Buffers shall be clearly marked and defined to restrict certain activities where they could result in nest failure, and shall remain in place until nests are no longer active, as determined by the City-approved monitoring biologist.

**Mitigation Measure BIO-2:** To avoid impacts to nesting least Bell's vireo, construction activities within 500 feet of suitable nesting habitat shall be timed to avoid the season when nests may be active for this species (March 15 to September 15). If avoidance of work activities within this time period is not feasible, a focused nest survey for least Bell's vireo shall be conducted within suitable nesting habitat the season prior to initiation of work activities, to determine their presence or absence within 500 feet of proposed work limits. In accordance with the USFWS survey protocol, eight focused surveys spaced a minimum of 10 days apart shall be conducted during the period of April 10 to July 31. The results shall be submitted in a report to the USFWS.

If the focused protocol nest surveys do not indicate the presence of least Bell's vireo, no further mitigation is required. A negative finding is considered valid until the following breeding season. Additional surveys shall be required each year that work is conducted in least Bell's vireo breeding habitat during the breeding season. If focused surveys indicate the presence of least Bell's vireo, a formal Endangered Species Act consultation with the USFWS shall occur prior to disturbance of this species or its habitat.

If occupied habitat and/or nesting individuals are determined to be present based on the focused survey, and work cannot be avoided during the nesting season, a

preconstruction clearance survey shall be performed by a qualified City-approved biologist within 7 days prior to work activities to determine the approximate location of nesting territories within 500 feet of work areas. Surveys shall be conducted by a biologist approved by the USFWS and CDFW for conducting least Bell's vireo nest surveys, or by a biologist with least Bell's vireo survey experience, so long as the nest is not approached and/or disturbed. If a nest is detected or active breeding is determined, work shall halt within 500 feet of the nesting territory, and the area shall be monitored on a weekly basis until a City-approved qualified biologist determines the nest is no longer active and the young have fledged.

Implementation of Mitigation Measure BIO-1 and BIO-2 would reduce potentially significant impacts to special-status and nesting birds during construction to less than significant.

### **Indirect Effects of Electronic Billboard Lighting on Off Site Areas**

Many wildlife species have evolved physiological and behavioral responses to light cues from day-night cycles, moon phases, and seasonal light levels. The intensity, duration, spectral quality (distribution of light spectrum colors emitted by light source), and periodicity of light exposure affects the biochemistry, physiology, and behavior of organisms (Royal Commission on Environmental Pollution 2009). Processes, such as movement patterns, breeding behavior, feeding, growth, and many more, can be affected by light for birds, mammals, and other wildlife species (de Molenaar et al. 2006). Therefore, it is suggested that increased ambient lighting, including artificial lighting, may interfere with these natural processes ultimately impacting wildlife populations (Royal Commission on Environmental Pollution 2009). It was found that habitat availability and quality was negatively affected by increased artificial lighting as it caused birds to avoid the well-lit areas (de Molenaar et al. 2006).

Areas surrounding the Project site and Santa Clara River riparian area are highly developed and urbanized with commercial and residential development, all of which contribute to increased nighttime illuminance. Additionally, the U.S. 101 crosses over the Santa Clara River Basin immediately adjacent to and southwest of the Project site and is lined on either side with freeway street lighting. While most of the surrounding developed areas do not support special-status species, the Santa Clara River riparian habitat is known to support least Bell's vireo, yellow warbler, coast horned lizard, western pond turtle, and white rabbit-tobacco.

A study of existing lighting levels and proposed lighting levels after the installation of the electronic billboard was conducted by lighting specialist, exp, in 2020 (Appendix C). The study determined that illuminance from the billboard will have a maximum illuminance value of 0.2 foot candles (fc) at the edge of the willow riparian woodland habitat (exp, 2022). Although it is understood that increased ambient lighting can affect wildlife behavior, no quantitative increase in illuminance above ambient light is agreed upon as a threshold for significant impacts to wildlife.

As discussed in Section 3.1 e) above, illuminance impacts on natural areas are based on recommendations from the International Commission on Illumination (CIE). The CIE identifies impacts on natural areas as an illuminance of 0.2 foot-candle (fc) or greater (CIE, 2003). Therefore, due to the absence of a current local illumination standard impact on natural areas, a significant light impact on adjacent natural areas and associated species would occur if light levels are 0.2 fc or greater. Based on the Photometric Analysis provided in Appendix C and the Biological Site Visit Field Map provided in Appendix E, the sensitive willow riparian habitat area is located approximately 135 feet west of the Project site (i.e., west of the access road within the Santa Clara River Basin) and would result in an illumination of less than 0.2 fc. Because the light level would be less than 0.2 fc, the Project would result in a less than significant lighting impact on the existing sensitive willow riparian habitat area or associated species. Therefore, due to the relatively low illuminance resulting from the proposed electronic billboard, a less than significant impact on wildlife behavior, physiological processes, decreased habitat availability, or increased predation would occur.

- b) **No Impact.** No riparian habitat or other sensitive natural communities are present within the Project site. The Santa Clara River, which supports the sensitive willow riparian natural community, is located on the opposite side of the levee from the Project site, approximately 115 feet to the northwest. Additionally, the Stroube Drain outflow enters the willow riparian woodland habitat associated with the Santa Clara River approximately 450 feet northeast of the Project site and flows meanders through the willow riparian woodland habitat for approximately 600 feet before entering the Santa Clara River mainstem near the US-101 overpass. Since construction of the billboard would not extend into riparian habitat, no impacts are expected from construction or operation of the billboard.
- c) **No Impact.** Wetlands (including swamps, bogs, seasonal wetlands, seeps, marshes, and similar areas) are considered waters of the U.S., and are defined by USACE as “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions” (33 CFR 328.3[b]; 40 CFR 230.3[t]). No wetland features are identified by the National Wetlands Inventory (NWI) as occurring within or immediately adjacent to the Project site (USFWS 2022b), and no wetlands were observed within the immediate Project site. As mentioned above, the Santa Clara River is located on the opposite side of the levee from the Project site and contains a large swath of willow riparian woodland habitat that may contain wetlands. Since construction of the billboard would not extend into riparian habitat and standard measures will be taken to avoid potential impacts on water quality as a result of increased erosion or sedimentation from construction, no impacts would occur.
- d) **Less than Significant Impact.** While the physical structure of the billboard itself would not impact the movement of wildlife species, the electronic billboard illuminance could affect the movement of birds and mammals in and around the Project site. It is known that migrating birds are attracted to artificial light sources and hundreds of species migrate nocturnally, including least Bell’s vireo (Gauthreaux and Belser 2006). Direct effects of

migrating birds becoming attracted to artificial light sources include collisions with lighting, communication, and power structures, buildings, or even the ground; while orientation mistakes and increased migration lengths are indirect effects of artificial lighting (Gauthreaux and Belser 2006). Additionally, migrating birds are especially susceptible to disorienting effects of billboard illuminance when visibility is poor during fog or rain events (Gauthreaux and Belser 2006). Research also shows that birds have the ability to orient to the Earth's magnetic field under certain colors of light: monochromatic blue or green light, but not under red or white light (van de Laar 2007; Poot et al. 2008; Ritz et al. 2009). Local movement by passerine birds, including those songbirds migrating along the Pacific Flyway, could also be attracted to the increased illuminance within the Santa Clara River riparian area. Studies have shown passerine birds foraging nocturnally and displaying territorial defense behaviors as a result of increased artificial illuminance (de Molenaar et al. 2006).

The beam angle of the proposed electronic billboard relative to the flight lines of birds and brightness of the billboard perceived by the bird results in the risk the electronic billboard poses to birds in flight. The projected viewing angle values of the proposed billboard are  $\pm 45^\circ$  vertically and  $\pm 90^\circ$  horizontally, potentially being narrow enough during clear nights to prevent attracting migrating birds as they will be flying high enough to be outside of the viewing angle of the billboard. A light sensor will be installed with the sign to measure ambient light levels and adjust light intensity and brightness. The electronic sign will not display any moving, flashing, scrolling, fading, brightening or animated text or video. The signage will be controlled remotely and include remote maintenance software. Louvers will be located above each row of lights to prevent light from projecting upward into the sky. Therefore, birds flying more than  $45^\circ$  above the center of the beam angle on either side of the billboard will not be attracted or affected by the billboard luminance. However, fog and rain conditions could force migrating birds to fly low, potentially bringing them into the billboard's beam angle.

It is possible that some birds moving locally within the nearby riparian habitat at night may end up near the center of the billboard's beam angle and be attracted to it. However, this would be uncommon and limited as majority of the species using the riparian habitat are diurnal and not typically active at night, including least Bell's vireo. Additionally, the willow riparian woodland habitat is relatively low in stature (10-15 feet in height) and is located much lower in elevation than the planned electronic billboard, with the top of the planned billboard being 80 feet in height. Birds moving locally at any time of the day or night would be at these lower elevations, rarely rising the height of the billboard's center beam angle.

While it is possible the birds could be attracted to the billboard while flying at the appropriate beam angle, it is not expected to substantially interfere with bird movement or result in increased bird-strike mortalities as the billboard will be oriented toward the US-101 freeway and not on airspace above the freeway. Additionally, the surrounding area is heavily urbanized with a substantial amount of lighting including the residences, business parks and commercial uses immediately east and south of the Project site as well as existing

street and freeway lighting and billboard lighting. The surrounding area is not known to support large numbers of migrating seabirds or shorebirds. Therefore, it is not expected that migrating birds and birds moving locally will be attracted to the proposed electronic billboard for a long enough duration to result in direct impacts. The projected viewing angle, light sensor, louvers, and location of bird habitat in relation to the billboard will reduce any impacts on avian flight behavior to less than significant.

- e) **No Impact.** The proposed Project will remove ornamental landscaping and will not involve the removal of trees. Therefore, there are no applicable local (City of Oxnard) policies or ordinances protecting biological resources associated with the proposed Project. As a result, no impact would occur.
- f) **No Impact.** The Project site does not occur within any habitat conservation plan or natural community conservation plan areas. Therefore, the proposed Project would not conflict with provisions of an adopted natural community conservation plan or other approved local, regional, or state habitat conservation plan, and no impact would occur.

## References

- California Department of Fish and Wildlife (CDFW). 2022. California Natural Diversity Database (CNDDB) RareFind 5. CDFW's Electronic database, Sacramento, California. Available at: <https://www.dfg.ca.gov/biogeodata/cnddb>. Accessed on February 22, 2022.
- de Molenaar, J. G., M. E. Sanders, and D. A. Jonkers. 2006. Road lighting and grassland birds: Local influence of road lighting on a black-tailed godwit population. Pages 114-136 in Rich, C., and T. Longcore, editors. *Ecological Consequences of Artificial Night Lighting*. Covelo, CA: Island Press.
- exp. 2020. Digital Billboards Photometric Analysis. December 7, 2020. Appendix C of this IS/MND.
- Gauthreaux, S. A., and C. G. Belser. 2006. Effects of artificial night lighting on migrating birds. Pages 67-93 in Rich, C., and T. Longcore, editors. *Ecological Consequences of Artificial Night Lighting*. Covelo, CA: Island Press.
- International Commission on Illumination (CIE). 2003. *Guide on the Illumination of the Effects of Obtrusive Light from Outdoor Lighting Installations*.
- Poot, H., B. J. Ens, H. de Vries, M. A. H. Donners, M. R. Wernand, and J. M. Marquenie. 2008. Green light for nocturnally migrating birds. *Ecology and Society* 13:47.
- Ritz, T., R. Wiltschko, P. J. Hore, C. T. Rodgers, K. Stapput, P. Thalau, C. R. Timmel, and W. Wiltschko. 2009. Magnetic compass of birds is based on a molecule with optimal directional sensitivity. *Biophysical Journal* 96:3451–3457
- Royal Commission on Environmental Pollution. 2009. *Artificial Light in the Environment*. Available at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/228832/9780108508547.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/228832/9780108508547.pdf). Accessed on February 22, 2022.



- U.S. Fish and Wildlife Service (USFWS). 2022a. IPAC Information for Planning and Consultation. Available at: <https://ecos.fws.gov/ipac/>. Accessed on February 22, 2022.
- U.S. Fish and Wildlife Services (USFWS). 2022b. National Wetland Inventory (NWI) Data Mapper. Available at: <https://www.fws.gov/wetlands/Data/Mapper.html>.. Accessed on February 22, 2022.
- van de Laar, F. J. T. 2007. Green light to birds: investigation into the effect of bird-friendly lighting. NAM Locatie L15-FA-1, Assen, The Netherlands.
- Werner, S. 2013a. Least Bell's Vireo (*Vireo bellii pusillus*) Protocol Survey and Territory Mapping on the Santa Clara River, Oxnard, Ventura County, September 2013. Prepared by Werner Biological Consulting for Ventura County Watershed Protection District.
- Werner, S. 2013b. Southwestern Willow Flycatcher (*Empidonax traillii extimus*) Protocol Survey on the Santa Clara River, Oxnard, Ventura County, September 2013. Prepared by Werner Biological Consulting for Ventura County Watershed Protection District.
-

### 3.5 Climate Change and Greenhouse Gas Emissions

| <i>Issues</i>                                                                                                                                                                                                                                    | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-----------------------------------------------------------|-------------------------------------|--------------------------|
| a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?                                                                                                    | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases or otherwise conflict with the state goal for reducing greenhouse gas emissions in California? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Would the project contribute or be subject to potential secondary effects of climate change (e.g., sea level rise, increase fire hazard)?                                                                                                     | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

#### Discussion

- a, b) **Less than Significant Impact.** State regulated GHGs include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), nitrogen trifluoride (NF<sub>3</sub>), and sulfur hexafluoride (SF<sub>6</sub>). CO<sub>2</sub> is the most abundant GHG in the atmosphere. Not all GHGs exhibit the same ability to induce climate change; as a result, GHG contributions are commonly quantified in equivalent mass of CO<sub>2</sub>, denoted as CO<sub>2</sub>e. Mass emissions are calculated by converting pollutant specific emissions to CO<sub>2</sub>e emissions by applying the proper global warming potential (GWP) value. These GWP ratios are available from the U.S. Environmental Protection Agency (USEPA) and are published in the California Climate Action Registry (CCAR) General Reporting Protocol. By applying the GWP ratios, Project related CO<sub>2</sub>e emissions can be tabulated in metric tons per year.

Neither the City nor the VCAPCD have adopted a numerical significance threshold for assessing impacts related to GHG emissions from a project, and the City has not formally adopted a local plan for reducing GHG emissions. When no guidance exists under CEQA, the lead agency may look to and assess general compliance with comparable regulatory schemes.<sup>1</sup> In its January 2008 CEQA and Climate Change white paper, the California Air Pollution Control Officers Association (CAPCOA) identified a number of potential approaches for determining the significance of GHG emissions in CEQA documents. In its white paper, CAPCOA suggests making significance determinations on a case-by-case basis when no significance thresholds have been formally adopted by a lead agency.

Amendments to Section 15064.4 of the CEQA Guidelines were adopted to assist lead agencies in determining the significance of the impacts of GHG emissions. Consistent with

<sup>1</sup> See *Protect Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal. App. 4th 1099, 1107 [“[A] lead agency’s use of existing environmental standards in determining the significance of a project’s environmental impacts is an effective means of promoting consistency in significance determinations and integrating CEQA environmental review activities with other environmental program planning and resolution.”]. Lead agencies can, and often do, use regulatory agencies’ performance standards. A project’s compliance with these standards usually is presumed to provide an adequate level of protection for environmental resources. See, e.g., *Cadiz Land Co. v. Rail Cycle* (2000) 83 Cal.App.4th 74, 99 (upholding use of regulatory agency performance standard).

existing CEQA practice, Section 15064.4 gives lead agencies the discretion to determine whether to assess those emissions quantitatively or qualitatively. If a qualitative analysis is used, in addition to quantification, this section recommends certain qualitative factors that may be used in the determination of significance (i.e., extent to which the Project may increase or reduce GHG emissions compared to the existing environment; whether the Project exceeds an applicable significance threshold; and extent to which the Project complies with regulations or requirements adopted to implement a reduction or mitigation of GHGs). The amendments do not establish a threshold of significance; rather, lead agencies are granted discretion to establish significance thresholds for their respective jurisdictions, including looking to thresholds developed by other public agencies, or suggested by other experts, such as CAPCOA, so long as any threshold chosen is supported by substantial evidence (see Section 15064.7(c)). The California Natural Resources Agency has also clarified that the CEQA Guidelines amendments focus on the effects of GHG emissions as cumulative impacts, and that they should be analyzed in the context of CEQA's requirements for cumulative impact analysis (see Section 15064(h)(3)).<sup>2</sup>

Although GHG emissions can be quantified, CARB, VCAPCD and the City of Oxnard have not adopted Project-level significance thresholds for GHG emissions that would be applicable to the Project. The Governor's Office of Planning and Research (OPR) released a technical advisory on CEQA and climate change that provided some guidance on assessing the significance of GHG emissions, and states that "lead agencies may undertake a project-by-project analysis, consistent with available guidance and current CEQA practice," and that while "climate change is ultimately a cumulative impact, not every individual project that emits GHGs must necessarily be found to contribute to a significant cumulative impact on the environment."<sup>3</sup> Furthermore, the technical advisory states that "CEQA authorizes reliance on previously approved plans and mitigation programs that have adequately analyzed and mitigated GHG emissions to a less than significant level as a means to avoid or substantially reduce the cumulative impact of a project."<sup>4</sup>

Per CEQA Guidelines Section 15064(h)(3), a project's incremental contribution to a cumulative impact can be found not cumulatively considerable if the Project would comply with an approved plan or mitigation program that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area of the project.<sup>5</sup> To qualify, such a plan or program must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process

<sup>2</sup> See generally California Natural Resources Agency, Final Statement of Reasons for Regulatory Action (December 2009), pp. 11-13, 14, 16. [http://resources.ca.gov/ceqa/docs/Final\\_Statement\\_of\\_Reasons.pdf](http://resources.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf) [http://resources.ca.gov/ceqa/docs/Final\\_Statement\\_of\\_Reasons.pdf](http://resources.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf), accessed November 2019; see also Letter from Cynthia Bryant, Director of the Office of Planning and Research to Mike Chrisman, Secretary for Natural Resources, April 13, 2009. Available at: [http://www.valleyair.org/Programs/CCAP/documents/Transmittal\\_LetterOPRApril2009.pdf](http://www.valleyair.org/Programs/CCAP/documents/Transmittal_LetterOPRApril2009.pdf) [http://opr.ca.gov/docs/Transmittal\\_Letter.pdf](http://opr.ca.gov/docs/Transmittal_Letter.pdf), accessed November 2019.

<sup>3</sup> Governor's Office of Planning and Research, Technical Advisory – CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review, (2008).

<sup>4</sup> Governor's Office of Planning and Research, Technical Advisory – CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review, (2008).

<sup>5</sup> 14 CCR § 15064(h)(3).

to implement, interpret, or make specific the law enforced or administered by the public agency.<sup>6</sup> Examples of such programs include a “water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, [and] plans or regulations for the reduction of greenhouse gas emissions.”<sup>7</sup> Thus, CEQA Guidelines Section 15064(h)(3) allows a lead agency to make a finding of non-significance for GHG emissions if a project complies with a program and/or other regulatory schemes to reduce GHG emissions.<sup>8</sup>

In the absence of any adopted, quantitative threshold, the Project would not have a significant effect on the environment if the Project is found to be consistent with the applicable regulatory plans and policies to reduce GHG emissions, including the emissions reduction measures discussed within CARB’s Climate Change Scoping Plan and City of Oxnard’s policies established for the purpose of increasing energy efficiency and reducing GHG emissions. The proposed Project would generate GHG emissions during construction of the Project from the use of off-road construction equipment and on-road trucks and construction worker vehicles. Once fully installed, the Project’s operations would generate GHG emissions from electrical consumption for the billboard lighting. The proposed electronic billboard is estimated to consume an average of approximately 150 kWh per day and approximately 54,000 kWh per year.

### ***Emissions Estimates***

Consistent with calculations in Section 3.3, Air Quality, construction emissions were forecasted by assuming a conservative estimate of construction activities (i.e., assuming all construction occurs at the earliest feasible date) and applying the mobile source emissions factors. The emissions were estimated using the CalEEMod software and EMFAC2017. The output values used in this analysis were adjusted to be Project-specific based on equipment types and the construction schedule. These values were then applied to the same construction phasing assumptions used in the criteria pollutant analysis in Section 3.3, Air Quality, to generate GHG emissions values for the proposed Project (**Appendix F** includes the assumptions and modeling). Industry standards recommend that construction Project GHG emissions should be “amortized over a 30-year Project lifetime, so that construction GHG emissions are included as part of the operational GHG life cycle. In accordance with

<sup>6</sup> 14 CCR § 15064(h)(3).

<sup>7</sup> 14 CCR § 15064(h)(3).

<sup>8</sup> See, for example, San Joaquin Valley Air Pollution Control District (SJVAPCD), CEQA Determinations of Significance for Projects Subject to ARB’s GHG Cap-and-Trade Regulation, APR-2025 (June 25, 2014), in which the SJVAPCD “determined that GHG emissions increases that are covered under ABR’s Cap-and-Trade regulation cannot constitute significant increases under CEQA...” Furthermore, the SCAQMD has taken this position in CEQA documents it has produced as a lead agency. The SCAQMD has prepared three Negative Declarations and one Draft Environmental Impact Report that demonstrate the SCAQMD has applied its 10,000 MTCO<sub>2</sub>e/yr significance threshold in such a way that GHG emissions covered by the Cap-and-Trade Program do not constitute emissions that must be measured against the threshold. See SCAQMD, Final Negative Declaration for Ultramar Inc. Wilmington Refinery Cogeneration Project, SHC No. 2012041014 (October 2014); SCAQMD Final Negative Declaration for Phillips 99 Los Angeles Refinery Carson Plant—Crude Oil Storage Capacity Project, SCH No. 2013091029 (December 2014); SCAQMD Final Mitigated Negative Declaration for Toxic Air Contaminant Reduction for Compliance with SCAQMD Rules 1420.1 and 1402 at the Exide Technologies Facility in Vernon, CA, SCH No. 2014101040 (December 2014); and SCAQMD Final Environmental Impact Report for the Breitburn Santa Fe Springs Blocks 400/700 Upgrade Project, SCH No. 2014121014 (August 2015).

this, GHG emissions from construction have been amortized over the 30-year lifetime of the Project and are added to the operational emissions for the determination of significance. Total estimated construction-related GHG emissions for the Project are estimated at 1.77 metric tons of CO<sub>2</sub>e (MTCO<sub>2</sub>e) for off-road construction equipment and 1.38 MTCO<sub>2</sub>e per year for on-road vehicles for a total of 3.1 MTCO<sub>2</sub>e. This would equal to approximately 0.1 MTCO<sub>2</sub>e per year after amortization over 30 years. The construction related GHG emissions are summarized in **Table GHG-1, GHG Emissions from Project Construction**.

Emissions of GHGs were estimated for operation of the proposed electronic billboard from electricity usage in base year 2022 (based on 2021 energy intensity factor where renewable sources are projected to account for approximately 35 percent of SCEs overall energy mix) and were extrapolated for several milestone years (2030 based on 60 percent renewable sources as required by Senate Bill 100 and (2040 based on 85 percent renewable energy sources) based on a linear projection of 100 percent renewable in 2045 as targeted in SB 100. GHG emissions from construction activities are not adjusted for future year GHG reductions that will occur from medium- and heavy-duty emissions regulations at the federal and state level that will phase in lower emitting, and potentially electric-powered, trucks and equipment over time. This analysis conservatively assumed that the construction equipment and on-road vehicles would be diesel fueled in future years. The operational related GHG emissions are summarized in **Table GHG-2, GHG Emissions from Project Operations**.

**TABLE GHG-1**  
**GHG EMISSIONS FROM PROJECT CONSTRUCTION**

| Single Billboard Installation GHG Emissions (MT CO <sub>2</sub> e/year) |      |      |      |
|-------------------------------------------------------------------------|------|------|------|
| Source                                                                  | 2022 | 2030 | 2040 |
| Construction On-Road                                                    | 1.38 | 1.38 | 1.38 |
| Construction (off-Road)                                                 | 1.77 | 1.77 | 1.77 |
| Total Construction                                                      | 3.1  | 3.1  | 3.1  |
| Amortized Construction: <sup>a</sup>                                    | 0.1  | 0.1  | 0.1  |

<sup>a</sup> Construction Emissions are amortized over 30 years  
SOURCE: ESA, 2022

**TABLE GHG-2**  
**GHG EMISSIONS FROM PROJECT OPERATIONS**

**Single Billboard Installation GHG Emissions (MT CO<sub>2</sub>e/year)**

| Source                  | 2022 | 2030 | 2040 |
|-------------------------|------|------|------|
| Operational (lighting)  | 9.6  | 7.3  | 2.4  |
| Amortized Construction: | 0.1  | 0.1  | 0.1  |
| Total Project:          | 9.7  | 7.4  | 2.5  |

SOURCE: ESA, 2022

### ***Compliance with Applicable Plans, Policies, or Regulations***

#### **Assembly Bill 32/Senate Bill 32 and Executive Order B-30-15**

In support of Assembly Bill 32 and Senate Bill 32, the state has promulgated specific laws aimed at GHG reductions applicable to the Project. Executive Order B-30-15 sets a goal of Statewide GHG emissions 40 percent less than 1990 levels by 2030 (this goal was codified in Senate Bill 32). In order to achieve the Statewide GHG reduction target, CARB is required to adopt a Climate Change Scoping Plan that outlines GHG reduction strategies.

The Project would generate GHG emissions due to construction and operational activities; however, its annual GHG emissions would be minimized due to the utilization of fuel-efficient equipment consistent with State and federal regulations, such as fuel efficiency regulations in accordance with the California Air Resources Board (CARB) Pavley Phase II standards, the anti-idling regulation in accordance with Section 2485 in Title 13 of the California Code of Regulations, and fuel requirements in accordance with Section 93115 in Title 17 of the California Code of Regulations. The Project would also utilize energy efficient light emitting diode (LED) technology, which is recognized by the U.S. Department of Energy as the most energy efficient lighting technology (U.S. DOE, n.d.). The Project's potential to generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment and conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs is discussed below.

#### **2017 Climate Change Scoping Plan**

According to the CARB 2017 Climate Change Scoping Plan, reductions needed to achieve the 2030 goal are expected to be achieved by targeting specific emission sectors, including those sectors that are not directly controlled or influenced by the Project, but nonetheless contribute to Project-related GHG emissions. **Table GHG-3, *Project Compliance with Applicable 2017 Climate Change Scoping Plan Actions and Strategies***, contains a list of GHG emission reduction actions and strategies from the 2017 Climate Change Scoping Plan that would be applicable and relevant to the Project and describes the Project's compliance with those applicable actions and strategies.

**TABLE GHG-3**  
**PROJECT COMPLIANCE WITH APPLICABLE**  
**2017 CLIMATE CHANGE SCOPING PLAN ACTIONS AND STRATEGIES**

| Actions and Strategies                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Responsible Party(ies)                                       | Compliance Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Senate Bill 350 (SB 350):</b></p> <p>The Clean Energy and Pollution Reduction Act of 2015 increases the standards of the California Renewable Portfolio Standard (RPS) program by requiring that the amount of electricity generated and sold to retail customers per year from eligible renewable energy resources be increased to 50 percent by 2030.<sup>a</sup></p> <p>Required measures include:</p> <p>Increase RPS to 50 percent of retail sales by 2030.</p> <p>Establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas end uses by 2030.</p> <p>Reduce GHG emissions in the electricity sector through the implementation of the above measures and other actions as modeled in IRPs to meet GHG emissions reductions planning targets in the IRP process. Load-serving entities and publicly owned utilities meet GHG emissions reductions planning targets through a combination of measures as described in IRPs.</p> | <p>CPUC, CEC, CARB</p>                                       | <p><b>No Conflict.</b> The Project would use electricity provided by Southern California Edison (SCE), which is required to meet the energy performance standard of 60 percent renewable energy by 2030 pursuant to Senate Bill 100 (which was adopted after SB 350 and is a more stringent target). The Project would not conflict with this action and strategy.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p><b>Implement Mobile Source Strategy (Cleaner Technology and Fuels):</b></p> <ul style="list-style-type: none"> <li>Implementation of federal phase 2 standards for medium- and heavy-duty vehicles.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>CARB, CalSTA, SGC, Caltrans, CEC, OPR, Local Agencies</p> | <p><b>No Conflict.</b> In 2011 the U.S. Environmental Protection Agency (USEPA) and National Highway Transportation Safety Administration (NHTSA) announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014–2018. The standards for CO<sub>2</sub> emissions and fuel consumption are tailored to three main vehicle categories: combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles. According to the USEPA, this regulatory program would reduce GHG emissions and fuel consumption for the affected vehicles by 6 to 23 percent over the 2010 baseline. Building on the first phase of standards, in August 2016, the USEPA and NHTSA finalized Phase 2 standards for medium and heavy-duty vehicles through model year 2027 that will improve fuel efficiency and cut carbon pollution. The Phase 2 standards are expected to lower CO<sub>2</sub> emissions by approximately 1.1 billion metric tons.</p> <p>Project-related heavy-duty mobile source GHG emissions would be reduced accordingly as the phase-in of lower emitting trucks occurs in compliance with the regulation. The Project would not conflict with this action and strategy.</p> |

| Actions and Strategies                                                           | Responsible Party(ies) | Compliance Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------------------------------------------------------------------------------|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Adopt a Low Carbon Fuel Standard with a CI reduction of 18 percent.</b>       | CARB                   | <p><b>No Conflict.</b> This regulatory program applies to fuel suppliers, not directly to land use development. GHG emissions related to vehicular travel associated with the Project would benefit from this regulation because fuel used by Project-related vehicles would be required to comply with Low Carbon Fuel Standard (LCFS). Mobile source GHG emissions provided in Table GHG-1 were calculated using CalEEMod and EMFAC. However, CalEEMod and EMFAC do not fully include implementation of the LCFS into mobile source emission factors. Thus, Table GHG-1 provides conservatively estimated GHG emissions.</p> <p>On September 27, 2018, CARB approved an amendment to the LCFS regulation to require a 20 percent reduction in carbon intensity from a 2010 baseline by 2030. Reductions in carbon intensity are phased in starting in 2019 with a reduction of 6.25 percent and increases by 1.25 percent each year. Thus, in 2021, LCFS emissions reductions are 8.75 percent reduced carbon intensity relative to the 2010 baseline. Project-related mobile source GHG emissions would be reduced accordingly, and would increase as LCFS compliance increases to 20 percent reduce carbon intensity by 2030 relative to the 2010 baseline year. The Project would not conflict with this action and strategy.</p> |
| <b>Implement the post-2020 Cap-and-Trade Program with declining annual caps.</b> | CARB                   | <p><b>No Conflict.</b> Assembly Bill 398 (AB 398) was enacted in 2017 to extend and clarify the role of the State's Cap-and-Trade Program from January 1, 2021, through December 31, 2030. As part of AB 398, refinements were made to the Cap-and-Trade program to establish updated protocols and allocation of proceeds to reduce GHG emissions. Under the Cap-and-Trade program, entities such as power generation companies and natural gas processing plants would be required to limit or reduce GHG emissions. While the Project itself is not a regulated entity under the Cap-and-Trade Program, it would result in a reduction of GHG emissions associated with the Project's energy usage, since energy supplied to the Project would be from a regulated entity. As the Project would not impede the Program's progress, the Project is considered compliant. The Project would not conflict with this action and strategy.</p>                                                                                                                                                                                                                                                                                                                                                                                           |

<sup>a</sup> Senate Bill 350 (2015–2016 Regular Session) Stats 2015, Ch. 547.

SOURCE: ESA, 2022

### City of Oxnard 2030 General Plan and Energy Action Plan

The City of Oxnard adopted its 2030 General Plan in October 2011 and includes amendments through December 2016. The 2030 General Plan includes the following applicable goals and implementing policies aimed to reduce GHG emissions.

- **Goal SC-3 Energy Generation and Increased Efficiency.** Energy efficiency performance standards and generation from renewable sources.



- **General Plan Policy SC-3.10, Alternatives to Power Plant Generation:** Evaluate the feasibility of incorporating alternative sources of power generation such as wind and tidal power into the regional existing power supply grid to reduce reliance on GHG emission producing public utility and privately-owned power plants.

The Oxnard General Plan Goal SC-3 addresses energy efficiency performance standards and generation from renewable sources and includes Policy SC-3.10, which has the goal of incorporating alternative sources of power generation such as wind and tidal power into the regional existing power supply grid to reduce reliance on GHG emission producing public utility and privately-owned power plants. This policy would support the availability of progressively clean forms of electricity, which would minimize the energy impact and GHG emissions from the Project. The Project would not conflict with this action and strategy.

As discussed above, GHG emissions for the Project have been analyzed and disclosed demonstrating that the Project would not generate GHG emissions that would have a significant impact and that the Project would not conflict with applicable plans, policies, and regulations adopted for the purpose of reducing the emissions of GHGs. Therefore, impacts would be less than significant.

- c) **Less than Significant Impact.** As discussed above, the proposed electronic billboard would result in the annual generation of greenhouse gas emissions that would contribute to potential secondary effects of climate change; however, due to the relatively small amount of annual greenhouse gas emissions (less than 10 MTCO<sub>2</sub>e and progressively reducing in future years as shown in Table GHG-2), the Project's contribution to climate change impacts is nominal and considered less than significant.

## References

- California Air Pollution Control Officers Association (CAPCOA), 2008. CEQA & Climate Change Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act. <http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA-White-Paper.pdf>
- California Air Pollution Control Officers Association (CAPCOA), 2010, Model Policies for Greenhouse Gases in General Plans A Resource for Local Government to Incorporate General Plan Policies to Reduce Greenhouse Gas Emissions, <http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA-ModelPolicies-6-12-09-915am.pdf>
- City of Oxnard, 2013, Energy Action Plan, A Component of the Climate Action and Adaptation Plan. <https://www.oxnard.org/wp-content/uploads/2016/04/OxnardEAP4.2013.pdf>
- U.S. Department of Energy, n.d., LED Lighting, <https://www.energy.gov/energysaver/led-lighting>, accessed February 2022.

### 3.6 Cultural Resources and Tribal Cultural Resources

| <i>Issues:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Would the project cause a substantial adverse change in the significance of a unique archaeological resource pursuant to State CEQA Guidelines Section 15064.5?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                    | <input type="checkbox"/>            |
| c) Would the project directly destroy a unique paleontological resource or site or unique geologic feature?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                    | <input type="checkbox"/>            |
| d) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| e) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).                                                                                                                                           | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| f) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **No Impact.** The Project site is located within the RiverPark Specific Plan that encompasses 701 acres. An archival and historic records search was conducted as part of the RiverPark Specific Plan EIR that was prepared in 2001. Two prehistoric archaeological sites were identified within one-half mile radius of the 701-acre RiverPark Specific Plan. No archaeological sites were recorded within the 701-acre site. A Phase I Archaeological Survey was conducted in 2000 as part of the RiverPark Specific Plan EIR. In 2000, the ground surface was examined by walking transects across the 701-acre RiverPark Specific Plan site. The transects were spaced at 15-meter intervals to identify artifacts that might be present on the ground surface. No archaeological artifacts were found in the vicinity of the Project site during the Phase I survey, but a mixed scatter of historical debris was found in the extreme southeastern portion of the RiverPark Specific Plan area approximately one mile southeast of the Project site. The survey did not find evidence of an intact historical

deposit or site within this area (W&S Consultants, 2000 and Impact Sciences, Inc. 2001). In 2016, the area of the previously known historical debris was developed as a commercial center in 2016.

In 2001, buildings and structures within the RiverPark Specific Plan were also evaluated to determine if they were eligible for the National or the California Registers. There were no buildings or structures in the immediate vicinity of the Project site. Therefore, no impacts to historical resources would occur with Project implementation.

- b) **Less than Significant with Mitigation Incorporated.** As discussed above, no archaeological resources were found in the immediate vicinity of the Project site. Although no known resources were discovered, there could be an inadvertent discovery. Therefore, there is a negligible potential for archaeological resources to be found and if they are found, construction activities could cause significant impacts to the unknown resources.

**Mitigation Measure CUL-1:** Prior to ground disturbance, the applicant is required to retain a City-approved archaeologist and Native American Monitor for monitoring of ground disturbing activities. In the event that archaeological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer of at least 50 feet shall be established around the find where construction activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside the buffer area. All archaeological resources unearthed by Project construction activities shall be evaluated by a qualified professional archaeologist who meets the U.S. Secretary of Interior's Professional Qualifications and Standards. Should the newly discovered artifacts be determined to be historic, Native American Tribes/Individuals shall be contacted and consulted and Native American construction monitoring shall be initiated. The Applicant and the City shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis.

Implementation of the above mitigation measure would reduce the potential impacts on unknown archaeological resources to less than significant.

- c) **Less than Significant with Mitigation Incorporated.** Based on a review of the U.S. Geological Survey map for Oxnard, the Project site is underlain by Holocene alluvial deposits (CDC, 2003). Holocene alluvium is thought to be too young to contain significant paleontological resources. Therefore, near surface grading would result in less than significant impacts to paleontological resources. However, based on the drilling depth of 40 feet for the proposed billboard pole, the Holocene alluvium could be underlain by more sensitive geologic sediment that could have a high potential to contain paleontological resources. Therefore, construction activities associated with the proposed billboard pole, could result in significant impacts to paleontological resources.

**Mitigation Measure CUL-2:** Prior to ground disturbance, the applicant is required to retain a paleontologist for monitoring of ground disturbing activities. In the event that paleontological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find until it is assessed for scientific significance and collected. Monitoring shall include matrix screening for the presence of microfossils; however, monitoring is largely a visual inspection of sediment.

With the implementation of Mitigation Measure CUL-2, potential impacts on paleontological resources would be reduced to less than significant.

- d) **Less than Significant.** No human remains are known to exist on or in the immediate vicinity of the Project site. If human remains are inadvertently encountered, all work is required to halt, and the Ventura County Coroner is required to be contacted in accordance with California Public Resources Code 5097.98 and Health and Safety Code Section 7050.5. If the coroner determines that the remains are Native American, the California Native American Heritage Commission (NAHC) would be notified in accordance with State law. Compliance with the State law would ensure that potential impacts on human remains would be reduced to less than significant.
- e, f) **No Impact.** The City of Oxnard sent a notification letter on November 23, 2021 to the Native American tribe that is on the City's Assembly Bill (AB) 52 list (Appendix B). This list includes only one tribe, Barbareno/Ventureno Band of Mission Indians, that has requested notification of projects within the City in accordance with AB 52.

The act amended California Public Resources Code (PRC) Section 5097.94, and added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. AB 52 applies specifically to projects for which a NOP or a Notice of Intent to Adopt a Negative Declaration or MND will be filed on or after July 1, 2015. The primary intent of AB 52 was to include California Native American Tribes early in the environmental review process and to establish a new category of resources related to Native Americans that require consideration under the CEQA, known as tribal cultural resources (as defined in PRC Section 21074(a)). On July 30, 2016, the California Natural Resources Agency adopted the final text for tribal cultural resources update to *CEQA Guidelines* Appendix G, which was approved by the Office of Administrative Law on September 27, 2016.

PRC Section 21080.3.1 requires that within 14 days of a lead agency determining that an application for a project is complete, or a decision by a public agency to undertake a project, the lead agency provide formal notification to the designated contact, or a tribal representative, of California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the Project (as defined in PRC Section 21073) and who have requested in writing to be informed by the lead agency (PRC Section 21080.3.1(b)). Tribes interested in consultation must respond in writing within 30 days from receipt of the lead agency's formal notification and the lead agency must begin

consultation within 30 days of receiving the tribe's request for consultation (PRC Sections 21080.3.1(d) and 21080.3.1(e)).

PRC Section 21080.3.2(a) identifies the following as potential consultation discussion topics: the type of environmental review necessary; the significance of tribal cultural resources; the significance of the Project's impacts on the tribal cultural resources; Project alternatives or appropriate measures for preservation; and mitigation measures. Consultation is considered concluded when either: (1) the parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or (2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached (PRC Section 21080.3.2(b)).

If a California Native American tribe has requested consultation pursuant to Section 21080.3.1 and has failed to provide comments to the lead agency, or otherwise failed to engage in the consultation process, or if the lead agency has complied with Section 21080.3.1(d) and the California Native American tribe has failed to request consultation within 30 days, the lead agency may certify an EIR or adopt a Mitigated Negative Declaration (PRC Section 21082.3(d)(2) and (3)).

The Barbareno/Ventureno Band of Mission Indians was notified of the Project, but did not request consultation with the City of Oxnard regarding the proposed Project. There are no known tribal cultural resources located on the Project site, and therefore, no impacts to known tribal cultural resources would occur.

## References

California Department of Conservation (CDC), California Geological Survey. 2003. Geologic Map of the Oxnard 7.5' Quadrangle, Ventura County, California: A Digital Database, Version 1.0.

Impact Sciences, Inc. 2001. RiverPark Specific Plan Draft EIR. Available at: <https://www.oxnard.org/environmental-document-archives/>. Accessed on February 11, 2022.

W&S Consultants. 2000. Phase I Archaeological Survey for the RiverPark Specific Plan Area. December 14.

### 3.7 Geology and Soils

| <i>Issues:</i>                                                                                                                                                                                                                                                                                                                       | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:                                                                                                                                                                                   |                                               |                                                                       |                                             |                                     |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist or based on other substantial evidence of a known fault?                                                                                                                           | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| ii) Strong seismic ground shaking that cannot be addressed through compliance with standard Code requirements?                                                                                                                                                                                                                       | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| b) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse that cannot be addressed through compliance with standard Code requirements? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| c) Would the project be located on expansive soil, creating substantial risk to life or property that cannot be addressed through compliance with standard Code requirements?                                                                                                                                                        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| d) Would the project expose people or structures to inundation by seiche or tsunami?                                                                                                                                                                                                                                                 | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| e) Would the project rely on dredging or other maintenance activity by another agency that is not guaranteed to continue?                                                                                                                                                                                                            | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a.i) **Less than Significant Impact.** A fault is a plane or surface in the earth along which failure has occurred and materials on opposite sides have moved relative to one another in response to the accumulation and release of stress. The U.S. Geological Survey defines active faults as those that have had surface displacements within Holocene time (about the last 11,000 years). Potentially active faults are those that have had surface displacement during Quaternary time, within the last 1.6 million years. Based on a review of the City of Oxnard General Plan Background Report, the most regionally active faults in the vicinity of the City of Oxnard are the Oak Ridge, Pitas Point-Ventura, Red Mountain, Anacapa, and Malibu Coast faults. The nearest active fault to the Project site is the Pitas Point-Ventura fault which is located approximately three miles north of the Project site (Matrix Design Group, Inc., 2006). Due to the distance to the nearest active fault, impacts from a fault rupture at the Project site would be less than significant.
- a.ii) **Less than Significant Impact.** The Project site is located in Southern California, an area that is subject to strong seismic ground shaking. Seismically induced ground acceleration is the shaking motion that is produced by an earthquake. As noted in Section 3.7 a.i) above, there are regionally active faults in the vicinity of the City of Oxnard. Earthquake activity associated with these faults could cause ground shaking at the Project site. The proposed

Project is subject to the seismic design criteria of the most recent California Building Code (CBC) which has been adopted within the Oxnard City Code. The criteria contain seismic safety provisions with the aim of preventing building and structural collapse during an earthquake. Adherence to these criteria would result in less than significant seismic ground shaking impacts on the proposed Project.

- b) **Less than Significant Impact.** Unstable geologic units or soils commonly occur when there are landslides, lateral spreading, subsidence/collapse, or liquefaction.

### ***Landslides***

Because the Project site is located on relatively flat terrain, the Project would not be subject to potential unstable soils due to landslides.

### ***Lateral Spreading***

Lateral spreading movement occurs when a soil mass slides laterally on liquefied soil layers, moving downslope or towards a free face. Based on a review of the RiverPark Specific Plan EIR, the potential for lateral spreading in the Project area appears to be low. Therefore, less than significant lateral spreading impacts would occur on the Project site.

### ***Subsidence/Collapse***

Subsidence or collapse is the sinking of the ground surface caused by the compression of earth materials resulting from manmade activities, such as groundwater or oil and gas withdrawal. The resulting compression typically occurs only once within affected soils and cannot be repeated during fluctuations of the groundwater level or from peat oxidation. Historic groundwater withdrawals have caused some regional subsidence. There are no known active groundwater wells in the immediate vicinity of the Project site, therefore, there is a low potential for subsidence/collapse at the site. As a result, potential effects from land subsidence/collapse would be less than significant. The potential for subsidence/collapse from peat oxidation on the Project site is not likely because of the absence of peat deposits in the borings that were taken as part of the RiverPark Specific Plan. Similarly, subsidence/collapse from oil and gas withdrawal is not likely because there are no known active oil or natural gas wells in the Project vicinity over the past 20 years. Overall, effects from land subsidence/collapse on the Project would be less than significant.

### ***Liquefaction***

Liquefaction is a phenomenon that occurs when soil undergoes transformation from a solid state to a liquefied condition due to the effects of increased pore-water pressure. This typically occurs where susceptible soils (particularly soils in the medium sand to silt range) are located over a high groundwater table. A high groundwater table is described as one within 50 feet of the surface. Because the proposed Project is subject to the seismic design criteria of the most recent California Building Code (CBC) which has been adopted within the Oxnard City Code and the CBC includes provisions to prevent liquefaction impacts, the potential liquefaction impacts to the Project would be less than significant.

- c) **Less than Significant Impact.** Expansive soil is characterized by a clay composition whereby clay particles expand dramatically upon wetting. Structures constructed on expansive soils require special design considerations that are identified within the CBC. Based on a review of the RiverPark Specific Plan EIR, the Specific Plan area generally consists of granular materials (silty sand, well-graded sand, sandy silt, and some clayey silt) that are not expected to be expansive. Conformance with the design criteria within the CBC would prevent substantive expansive soils. Therefore, potential expansive soil impact to the Project would be less than significant.
- d) **No Impact.** Seiches and tsunamis are caused by earthquakes. Seiches are waves caused by large-scale, short-duration oscillation of confined bodies of water (such as reservoirs and lakes) during earthquakes that may damage low-lying adjacent areas, although not as severely as a tsunami. The closest enclosed body of water that could result in earthquake-induced seiche is Lake Piru which is approximately 30 miles northeast of the Project site. Due to the distance of Lake Piru, potential seiches in the lake would not impact the Project site. Tsunamis are earthquake-induced surge waves that can cause severe coastal flooding. Because the Project site is located approximately five miles from the coast and at approximately elevation 60 feet above mean sea level, the Project site is not at risk from a tsunami. Implementation of the Project would not be impacted by seiches or tsunamis.
- e) **No Impact.** The Project is located in a developed area adjacent to U.S. 101, and the Project would be located on a city-owned parcel. The operation of the Project would not rely on maintenance activities under the purview of other agencies aside from the City of Oxnard. The Project would have no impact.

## References

Matrix Design Group, Inc. 2006. City of Oxnard General Plan Draft Background Report. Available at [https://www.oxnard.org/wp-content/uploads/2016/08/OxnardDraftBackgroundReport2006\\_04.21.06.pdf](https://www.oxnard.org/wp-content/uploads/2016/08/OxnardDraftBackgroundReport2006_04.21.06.pdf). Accessed on February 16, 2022.

---



### 3.8 Hazards and Hazardous Materials

| <i>Issues</i>                                                                                                                                                                                                                                      | <i>Potentially Significant Impact</i> | <i>Less Than Significant with Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i>                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-----------------------------------------------------------|-------------------------------------|-------------------------------------|
| a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?                                                                                          | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment?                                   | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Would the project emit hazardous substances or involve handling hazardous or acutely hazardous substances, or waste within one-quarter mile of an existing or proposed school in quantities or a manner that would create a substantial hazard? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?    | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?                                                                                                        | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

### Discussion

- a) **Less than Significant Impact.** Construction activities required for the proposed electronic billboard would involve site clearing, grading, drilling, trenching and other ground-disturbing activities. The trenching would be required to connect the proposed electronic billboard to an existing Southern California Edison facility. The trenching would extend approximately 200 feet northeast of the Project site along the dirt portion of Ventura Road right-of-way. The Project's construction activities would temporarily require the use of equipment such as trucks, drill, concrete mixer, crane, and other powered equipment, and would use potentially hazardous materials, such as fuels (gasoline and diesel) and lubricants (oil and grease). In addition, construction may use hazardous materials, such as solvents, paints, thinners, or other chemicals. Such materials would be used only in small quantities based on the minimal activities associated with the installation of an electronic billboard. These materials would be transported, handled, stored and disposed of in accordance with applicable laws and regulations and manufacturers' instructions. Compliance with these existing regulations would result in a less than significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials. As such, impacts during construction would be less than significant.

Operation of the proposed electronic billboard would result in periodic maintenance activities of the billboard. These activities may include the limited use of paints, solvents and other chemicals. However, given the periodic nature of maintenance, the potential to create a hazard to the public or the environment through the routine transport, use or disposal of hazardous materials during operational activities would be less than significant.

- b) **Less than Significant Impact.** As stated above, the maintenance activities associated with the proposed new electronic billboard may use a limited quantity of hazardous materials such as paints, solvents and other chemicals. However, because these activities are periodic and the use of potential hazardous materials is limited, the Project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The Project would result in a less than significant impact.
- c) **Less than Significant Impact.** There are no existing or proposed schools within 0.25-mile of the Project site. The nearest school is Rio Del Sol School that is located approximately 0.5-mile northeast of the Project site. Since there are no schools within 0.25-mile of the Project site, construction and operational activities associated with the Project are not expected to cause risk to the public or nearby attendees of schools. Therefore, impacts would be less than significant.
- d) **No Impact.** Government Code Section 65962.5 requires CalEPA to develop and annually update the Hazardous Waste and Substances Sites (Cortese) List. The information contained in the Cortese List is provided by the Department of Toxic Substances Control (DTSC) and other state and local government agencies. A review of the DTSC EnviroStor and State Water Resources Control Board (SWRCB) GeoTracker databases did not indicate any hazardous materials sites within the Project site. A Leaking Underground Storage Tank (LUST) cleanup site was identified approximately 350 feet southeast of the Project site, where existing commercial retail buildings are located. The site was investigated for potential contamination of underlying groundwater due to the accidental release of diesel and the case for the LUST was closed by the Los Angeles Regional Water Quality Control Board (RWQCB) in 1998, indicating that the LUST no longer poses a threat for groundwater contamination (SWRCB 1998). The proposed Project would not require ground disturbing activities in close proximity to the closed LUST cleanup site. Therefore, the proposed Project would not create a significant hazard to the public or the environment. The Project site is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.19. Therefore, the proposed Project would not create a significant hazard to the public or the environment.
- e) **Less than Significant Impact.** The Project site is located within the existing right-of-way of Ventura Road immediately north of U.S. 101. Project construction activities may require temporary partial lane closure along Ventura Road during the drilling for the electronic billboard pole and the trenching along the Ventura Road right-of-way to connect an electrical line from the Project site to a Southern California Edison facility located approximately 200 feet to the northeast. Ventura Road currently has two southbound lanes and an approximately 6-foot wide paved shoulder lane. If a closure of the shoulder lane and a portion of one of the southbound lanes occurs, the painted median could allow emergency vehicles to pass. Operational activities occurring on the Project site would not result in changes to the transportation circulation. Therefore, construction and operational

activities associated with the Project would result in less than significant impacts to an existing emergency response plan, or evacuation plan.

## References

State Water Resources Control Board (SWRCB), 1998. GeoTracker Database. MacValley/McCaslin Oil (T0611100537). Available at: [http://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=T0611100537](http://geotracker.waterboards.ca.gov/profile_report?global_id=T0611100537). Accessed on February 28, 2022.

---

### 3.9 Hydrology and Water Quality

| <i>Issues:</i>                                                                                                                                                                                                                                                                                                                                                                                                 | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project violate any water quality standards or waste discharge requirements?                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| b) Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in on- or off-site flooding or exceed the capacity of existing or planned stormwater drainage systems?                                                                                                         | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| a) Would the project place new structures within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?                                                                                                                                                                                                                  | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Would the project impede or redirect flood flows such that it would increase on- or off-site flood potential?                                                                                                                                                                                                                                                                                               | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| c) Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?                                                                                                                                                                                                                           | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| d) Would the project be exposed to a substantial risk related to inundation by seiche, tsunami, or mudflow?                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **Less than Significant Impact.** Construction activities associated with the Project could result in short-term surface water quality impacts. These potential impacts could occur from construction-related activities such as drilling for the electronic sign pole foundation and pouring concrete as well as the trenching for the electrical line. Runoff of loose soils and/or construction wastes and fuel during a rainstorm could flow into local storm drains as a result of Project construction. Such contaminated runoff could potentially threaten downstream water resources that receive runoff from the local drainage network. Standard construction BMPs such as silt fencing, storm drain inlet protection, and proper material and waste storage will ensure surface water quality is not substantially degraded during construction. Compliance with the City's standard stormwater runoff provisions for construction activities, such as runoff control and other measures set forth in the City of Oxnard Code Section 22-222 would ensure that the Project does not violate any water quality standards or any waste discharge requirements during construction (City of Oxnard, nd). Due to the lack of significant grading, earth-moving activities, and paving as part of the Project, the potential water quality impact from construction activities would be less than significant.

Operation activities associated with the electronic billboard would not involve the use of water or the generation of wastewater. Therefore, no violation of any water quality standards or any waste discharge requirements would occur, and thus no water quality impact would result.

- b) **Less than Significant Impact.** The proposed Project includes construction activities to install an electronic billboard, the trenching for an electrical line and the placement of landscaping. The proposed billboard would not require water to operate. The proposed billboard will include an approximately 7-foot diameter hole for the proposed 5-foot diameter pole that will be set into concrete. The Project also includes the trenching for an electrical line from the Project site for approximately 200 feet. The Project site currently provides little to no infiltration of water into groundwater aquifers. The Project site does not support any groundwater production systems, and construction and operation of the proposed electronic billboard would not interfere with the operation of any production system. The proposed Project would not substantially change the amount of existing impervious surface area and would not have a substantial impact on groundwater recharge. The Project includes trenching for the proposed electric power line to connect with the existing line and would extend approximately 200 linear feet. The construction of the 7-foot diameter hole that would extend approximately 50 feet into the ground may encounter groundwater that would need to be extracted for construction of the pole location. The extraction of the groundwater would not be substantial because it would be limited for a 7-foot diameter pole. Implementation of the proposed Project would result in less than significant groundwater impacts.
- c) **No Impact.** The Project site is undeveloped and has relatively flat topography. No stream or water resource features occur on the Project site. In addition, the proposed Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of a course, stream or river, or through the addition of impervious surfaces as the installation of the proposed electronic billboard would nominally increase impervious surfaces on the site. As such, no impact would occur.
- d) **No Impact.** Based on a review of the Flood Insurance Rate Map, the Project site is not located in a flood prone area including a 100-year flood zone (FEMA, 2010). Therefore, the Project would not place the pole for the electronic billboard or trench for the proposed electrical line within a flood prone area. No impact would occur.
- e) **No Impact.** The implementation of the Project includes the placement of a 5-foot diameter pole within a 7-foot diameter hole on the Project site and includes approximately 200 linear feet of trenching for the placement of an electrical line. The placement of the pole and electrical line would not impede or redirect existing surface drainage flows from the Project site.
- f) **Less than Significant Impact.** Based on a review of the Ventura County Multi-Hazard Mitigation Plan, the majority of the City of Oxnard including the Project site is within a dam inundation area (AECOM, 2015). Although the Project site is subject to inundation

due to a failure of a dam upstream along the Santa Clara River, the probability of dam failure inundation is not known but such an event would likely be the result of an extreme storm. The Division of Safety and Dams periodically checks the conditions of dams so that the likelihood for a dam failure is further reduced. The existing levee along the Santa Clara River is currently being evaluated to be reconstructed to provide greater protection for urban uses. There is a potential for a breach of the levee prior to reconstruction of the levee. Because the proposed electronic billboard would be installed with concrete approximately 40 feet below ground surface, a potential breach of the levee would result in a less than significant impact on the proposed electronic billboard. Overall, the potential inundation at the Project site would result in a less than significant impact on the proposed electronic billboard and would not result in exposing people to injury or death.

- g) **No Impact.** Based on a review of the Flood Insurance Rate Map, the Project site is not located in a flood prone area (FEMA, 2010). As discussed in Section 3.9 d) above, the Project site would not be subject to seiches or tsunamis. The Project site and surrounding area contain relatively flat terrain and are not subject to mudflows. Therefore, the Project would not be exposed to substantial risk related to inundation by a seiche, tsunami or mudflow at the Project site.

## References

- AECOM. 2015. Ventura County Multi-Hazard Mitigation Plan. Available at: <https://www.vcfloodinfo.com/pdf/2015%20Ventura%20County%20Multi-Hazard%20Mitigation%20Plan%20and%20Appendices.pdf>. Accessed on February 18, 2022.
- City of Oxnard. Nd. City of Oxnard Code of Ordinances, Section 22-222, Construction Development. Available at: [https://codelibrary.amlegal.com/codes/oxnard/latest/oxnard\\_ca/0-0-0-45944](https://codelibrary.amlegal.com/codes/oxnard/latest/oxnard_ca/0-0-0-45944). Accessed on February 17, 2022.
- Federal Emergency Management Agency. 2010. Flood Insurance Rate Map, Ventura County, California, Panel 910 of 1275, Map Number 06111C0910E. Available at: <https://msc.fema.gov/portal/search?AddressQuery=Riverpark%20Oxnard%20Ca#searchresultsanchor>. Accessed on February 18, 2022.

### 3.10 Land Use and Planning

| <i>Issues:</i>                                                                                                                                                                                                                            | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project conflict with an applicable land use plan, policy or regulation of the City or other agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating a significant environmental effect? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| b) Would the project involve land uses that are not allowed under any applicable airport land use compatibility plan?                                                                                                                     | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| a) Would the project conflict with an applicable habitat conservation plan or natural community conservation plan?                                                                                                                        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Would the project physically divide an established community?                                                                                                                                                                          | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **Less than Significant Impact.** As discussed in Section 3.1 c), based on a review of the existing City of Oxnard sign regulations within the City of Oxnard Municipal Code, the proposed electronic billboard is not currently an allowed use within the City of Oxnard. However, as discussed within Section 3.1, Aesthetics, the implementation of the proposed electronic billboard would result in less than significant impacts to scenic vistas, scenic resources, and scenic highways, and the Project would result a less than significant visual alteration of the existing visual characteristics as well as less than significant light and glare. In addition, the City is currently processing a separate Ordinance amendment to allow electronic billboards prior to approval of the Project. The Project includes a Development Agreement, Street Vacation and a design that complies with the proposed Ordinance regulations. Therefore, the proposed Project would not conflict with a regulation of the City (i.e., the City of Oxnard Municipal Code) that was adopted for the purpose of avoiding or mitigating a significant environmental effect.
- b) **Less Than Significant Impact.** The Project is located approximately 2.8 miles from the Oxnard Airport. According to the Oxnard Airport Master Plan, obstructions to air navigation in the vicinity of the Project site would occur if structures exceeded 350 feet in elevation (Coffman Associates, Inc., 2004). Because the Project includes an electronic billboard that will include a height of 80 feet above the ground, the implementation of the Project would not impact air navigation.
- c) **No Impact.** According to the City of Oxnard 2030 General Plan EIR, no established or planned Habitat Conservation Plan, Natural community Conservation Plan, or other approved local, regional, or state habitat conservation plan exists within the City of Oxnard (Matrix Design Group, 2009). Therefore, the Project would not result in any impact associated with these plans.
- d) **No Impact.** Construction of the proposed electronic billboard includes the placement of a pole in the ground. The proposed billboard would not physically divide the surrounding

community since the proposed sign would not obstruct or in any way change access to the existing community. The Project site is along an existing roadway right-of-way and would not impact any roadways or traffic circulation patterns within the existing community. The proposed electronic billboard Project would not create any barriers to access to a community or require removal of any housing. As such, the proposed Project would have no impact.

## References

- Coffman Associates, Inc. 2004. Airport Master Plan for Oxnard Airport. Available at: [https://vcportal.ventura.org/AIRPORTS/docs/document\\_library/Master\\_Plan\\_OXR\\_2004.pdf](https://vcportal.ventura.org/AIRPORTS/docs/document_library/Master_Plan_OXR_2004.pdf). Accessed on February 18, 2022.
- Matrix Design Group. 2009. City of Oxnard General Plan Program Environmental Impact Report. Available at: <https://www.oxnard.org/city-department/community-development/planning/2030-general-plan/>. Accessed on February 18, 2022.
-



### 3.11 Mineral Resources

| <i>Issues:</i>                                                                                                                                                                    | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project result in the loss of availability of a known mineral resource of value to the region or state?                                                              | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated in the 2030 General Plan or other adopted land use plan? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **No Impact.** Based on a review of the RiverPark Specific Plan EIR, the Project site is located in an area identified as RiverPark Specific Plan Area ‘A’. The City has designated this area for urban uses since 1986 and mining within this area, including the Project site, would be economically infeasible due to its location and expected poor quality of materials recovered (Impact Sciences, 2001). The proposed Project would not result in the loss of availability of important mineral resources. No impacts to mineral resources would occur with the implementation of the proposed Project.
- b) **No Impact.** Because the Project site has been designated for urban development since 1986 and currently designated Regional Commercial uses, the City of Oxnard General Plan has not designated the Project site as a mineral resource recovery area (City of Oxnard, 2014). Therefore, the implementation of the Project would not impact a locally-important mineral resource recovery site.

### References

City of Oxnard. 2014. City of Oxnard 2030 General Plan Map. Available at: <https://www.oxnard.org/wp-content/uploads/2016/03/203020GENERAL20PLAN2030x402009.14V3-1.pdf>. Accessed on February 22, 2022.

Impact Sciences. RiverPark Specific Plan Draft EIR. 2001. Available at: <https://www.oxnard.org/environmental-document-archives/>. Accessed on February 22, 2022.

### 3.12 Noise

| <i>Issues:</i>                                                                                                                                                                                                                                   | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project generate or expose persons to noise levels exceeding standards established in the Oxnard 2030 General Plan or Noise Ordinance, or applicable standards of other agencies?                                                   | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| b) Would the project generate or expose persons to excessive groundborne vibration or groundborne noise levels?                                                                                                                                  | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| c) Would the project generate a substantial temporary or periodic increase in ambient noise in the project vicinity above levels existing without the project?                                                                                   | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| d) Would the project generate a substantial permanent increase in ambient noise in the project vicinity above levels existing without the project?                                                                                               | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| e) For a project located within the airport land use plan for Oxnard Airport or within two miles of Naval Base, Ventura County at Point Mugu, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| f) Would the project expose non-human species to excessive noise?                                                                                                                                                                                | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                    | <input type="checkbox"/>            |

### Discussion

- a) **Less than Significant Impact.** Implementation of the proposed electronic billboard would result in noise increases during construction activities and noise increases during operation due to periodic maintenance activities.

Construction activities will include the placement of a pole 50 feet into the ground and extension of the pole 80 feet above the ground as well as trenching for the proposed electrical line. The placement of the proposed pole will result in the highest noise levels during construction and would require the following construction equipment for each construction activity:

#### **Drill footing/haul and dispose dirt (1 to 2 days)**

- 48' Flatbed Truck & Trailer
- Caterpillar 262D Skid Steer Loader
- LoDril HT Drill Mounted on a John Deere 270D
- 5 Super 10 Dump Trucks rotating dumps

#### **Column Set/Concrete Pour (1 to 2 days)**

- Link Belt HTC8690 90 Ton Mobile Crane Truck
- Elliott L140 Hireach Crane Truck

- 4 Concrete Mixing Trucks
- Concrete Rock Pump Trailer

#### **Set Top of Column and Build & Set Structure (1 to 2 days)**

- 2 - 48' Flatbed Truck & Trailer
- Grove GMK5275 – 275 Ton Mobile Crane Truck
- Elliott L140 Hireach Crane Truck
- Ingersoll Rand P-1000-W-D Towable Air Compressor

#### **Build and Set Digital Displays (1 to 2 days)**

- 2 - 48' Flatbed Truck & Trailer
- Link Belt HTC8690 90 Ton Crane Mounted on flatbed truck
- Elliott L140 Hireach Crane Truck

As a worst-case evaluation, there is an assumption that the drill footing/haul and dirt disposal as well as the column set/concrete pour activities could occur in one day. **Table N-1** provides estimated construction noise levels at 50 feet, 100 feet and 200 feet.

**TABLE N-1**  
**CONSTRUCTION NOISE LEVEL<sup>a</sup>**

| <b>Activity</b>                                                   | <b>Noise Level, dBA Leq</b> |
|-------------------------------------------------------------------|-----------------------------|
| Drill Footing/Haul and Dispose Dirt, and Column Set/Concrete Pour |                             |
| At 50 feet                                                        | 82/83                       |
| At 100 feet                                                       | 76/77                       |
| At 200 feet                                                       | 70/71                       |
| <b>Set Top of Column and Build &amp; Set Structure</b>            |                             |
| At 50 feet                                                        | 80                          |
| At 100 feet                                                       | 74                          |
| At 200 feet                                                       | 68                          |
| <b>Build and Set Digital Displays</b>                             |                             |
| At 50 feet                                                        | 79                          |
| At 100 feet                                                       | 73                          |
| At 200 feet                                                       | 67                          |

<sup>a</sup> Based on equipment identified above that was provided by the Project applicant.

SOURCE: Client and ESA 2022

The nearest existing residences to the Project site is approximately 600 feet east of the site. As shown above, the highest construction noise levels at 200 feet would be approximately 71 dBA Leq. Based on a distance attenuation of 6 dBA for each doubling of distance, construction noise levels at 400 feet would be approximately 65 dBA Leq. Because the

existing residences would be approximately 600 feet east from the proposed construction activities, noise levels at these existing residences would be less than 65 dBA Leq. Based on the Community Noise Exposure standards for residential uses and specifically multi-family uses that are located approximately 600 feet from the Project site, normally acceptable noise exposure is less than 65 dB.

Construction noise levels are considered significant if noise levels are not consistent with the City of Oxnard Noise Ordinance or are not consistent with the 2030 General Plan noise policies.

### ***City of Oxnard Noise Ordinance***

In accordance with Section 7-188 of the City's Municipal Code, sound sources associated with or created by construction, repair, remodeling or grading of any real property are exempt, provided the activities occur between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, including Saturday. Because the Project would include construction activities between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, including Saturday, the construction noise levels are considered less than significant.

Operational noise levels would occur during periodic maintenance activities. These activities would be required to repair and maintain the proposed electronic billboard. These maintenance activities would include a nominal number of trucks traveling to the Project site and result in less than significant truck traffic noise. In addition, the repair and maintenance activities that would periodically occur onsite would be considered exempt and result in nominal increases in noise levels to the surrounding uses. These periodic maintenance activities would only occur during the hours of 7:00 a.m. and 6:00 p.m. on weekdays, including Saturday. Therefore, long-term operational activities associated with the proposed electronic billboard would result in less than significant noise impacts.

### ***City of Oxnard Safety & Hazards Element***

The Safety & Hazards Element includes noise policies. The applicable policies are related to construction noise (City of Oxnard, 2016). Because the operational activities would include periodic maintenance activities that would generate nominal noise levels, the operational-related noise policies are not applicable to the Project. The following construction noise policies are applicable to the Project.

**SH-6.1 Construction Noise Control** – Provide best practices guidelines to developers for reducing potential noise impacts on surrounding land uses.

As described above, noise levels associated with construction activities at the nearest residences would be less than 65 dBA Leq which is considered a normally acceptable noise exposure for multi-family residences. Therefore, construction activities would not require best practices to reduce anticipated construction noise.

SH-6.2 Limiting Construction Activities – Continue to limit construction activities to the hours of 7 am to 7 pm, Monday through Saturday. No construction shall occur after hours, on Sundays, or national holidays without permission from the city.

As also described above, construction activities would be limited to the hours of 7:00 a.m. and 6:00 p.m. on weekdays, including Saturday. Therefore, the Project would be consistent with this goal.

- b) **Less than Significant Impact.** Construction equipment generates ground vibration. Operational activities associated with the Project would generate ground vibration with vehicles traveling on roadways.

The City of Oxnard does not have vibration criteria standards; however, there are federal vibration criteria that have been adopted by the Federal Transit Administration (FTA). The vibration damage criteria for structures in the Project vicinity is 0.5 peak particle velocity (PPV). The vibration criteria for human annoyance is 72 vibration decibels (VdB) (Federal Transit Authority, 2018). Based on the review of the FTA vibration levels by type of equipment, the highest level of vibration from a piece of equipment that would be used during the Project construction activities would occur from a loaded truck that generates 0.076 PPV and 86 VdB at 25 feet. At the nearest residence, located at approximately 600 feet east of the Project site, the residence would be exposed to 0.0007 PPV and 45 VdB that are less than the 0.5 PPV vibration damage criteria and less than the 72 VdB human annoyance criteria. Therefore, construction activities associated with the Project would result in less than significant vibration impacts.

Long-term maintenance activities would result in periodic trucks accessing the Project site; however, trucks accessing the site would result in nominal increases in the typical vibration levels that are experienced from daily vehicles traveling along Ventura Road. Therefore, long-term vibration impacts associated with the Project would be less than significant.

- c) **Less than Significant Impact.** The implementation of the Project would result in temporary and periodic increases in noise levels. As discussed above, temporary noise levels would occur during construction activities associated with the electronic billboard and the trenching for the electrical line. As a worst-case assumption, noise levels at the nearest residence would be less than 65 dBA Leq which would be considered less than significant for multi-family residences. In addition, the City considers construction activities as significant if construction noise does not occur within the Noise Ordinance timing restriction. Because the Project would include construction activities within the allowed times of day, the Project would result in a less than significant temporary noise impact.

As discussed above, long-term maintenance activities associated with the proposed electronic billboard would occur. However, these periodic activities would result in nominal increases in noise and would be considered less than significant.

- d) **No Impact.** Operation of the proposed electronic billboard would not generate permanent noise. Therefore, the implementation of the Project would result in no long-term permanent noise impact.
- e) **No Impact.** There are no public airports or private airstrips within two miles of the Project site. The closest airport is the Oxnard Airport located approximately 2.8 miles southwest of the Project site in the City of Oxnard. The next closest airport is the Camarillo Airport which is located approximately 4.9 miles southeast of the Project site. Because the Project does not include people residing on the site, and the site is over two miles from the nearest airport, the Project would not expose people to excessive airport noise levels. Therefore, no impact would occur.
- f) **Less than Significant with Mitigation Incorporated.** As discussed in Section 3.4 a) above, construction activities from the implementation of the Project could increase noise levels for nesting bird species in the Project vicinity. This increase in noise could result in a significant noise impact to nesting birds.

Implementation of Mitigation Measures BIO-1 and BIO-2 from Section 3.4 a) is required.

With the implementation of Mitigation Measures BIO-1 and BIO-2 for nesting birds, potential impacts to nesting birds would be reduced to less than significant.

## References

City of Oxnard. 2016. 2030 General Plan Goals and Policies, Safety & Hazards Element. Available at: <https://www.oxnard.org/wp-content/uploads/2017/06/Oxnard-2030-General-Plan-Amend-06.2017-SM.pdf>. Accessed on February 28, 2022.

Federal Transit Administration. 2018. Transit Noise and Vibration Impact Analysis.

### 3.13 Population, Education, and Housing

| <i>Issues:</i>                                                                                                                                                                                                                                                                  | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project involve a General Plan amendment that could result in an increase in population beyond that projected in the 2030 General Plan that may result in one or more significant physical environmental effects?                                                  | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Would the project induce substantial growth on the project site or surrounding area, resulting in one or more significant physical environmental effects?                                                                                                                    | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| c) Would the project result in a substantial (15 single-family or 25 multi-family dwelling units – about one-half block) net loss of housing units through demolition, conversion, or other means that may necessitate the development of replacement housing?                  | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| d) Would the project result in a net loss of existing housing units affordable to very low- or low-income households (as defined by federal and/or City standards), through demolition, conversion, or other means that may necessitate the development of replacement housing? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| e) Would the project cause an increase in enrollment at local public schools that would exceed capacity and necessitate the construction of new or expanded facilities?                                                                                                         | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| f) Would the project directly or indirect interfere with the operation of an existing or planned school?                                                                                                                                                                        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **No Impact.** The proposed Project includes the installation of a digital electronic billboard on a site that currently is designated Regional Commercial within the 2030 General Plan (City of Oxnard, 2014). The placement of the billboard does not require a general plan amendment and would not increase population beyond that projected in the 2030 General Plan. Therefore, the Project would result in no impact on population.
- b) **No Impact.** The proposed Project includes the installation of a digital electronic billboard. The operation of the billboard would not result in the inducement of growth on the Project site or surrounding area because the operation would not require an onsite employee to operate the billboard.
- c) **No Impact.** The implementation of the electronic billboard is on a site that does not contain any existing housing. Therefore, the implementation of the Project would result in no impact on existing housing.
- d) **No Impact.** As stated above, the implementation of the electronic billboard is on a site that does not contain any existing housing. Therefore, the implementation of the Project would result in no impact on existing housing, including existing affordable housing units.

- e) **No Impact.** Because the Project would not result in new housing or employment opportunities, the implementation of the Project would not impact enrollment at local public schools.
- f) **No Impact.** The nearest school to the Project site is Rio del Sol School located approximately 0.5-mile northeast of the Project site. Construction and operation of the proposed billboard would not directly or indirectly interfere with the operation of a school.

## References

City of Oxnard. 2014. City of Oxnard 2030 General Plan Map. Available at:  
<https://www.oxnard.org/wp-content/uploads/2016/03/203020GENERAL20PLAN2030x402009.14V3-1.pdf>. Accessed on February 28, 2022.

---



### 3.14 Public Services and Recreation

| <i>Issues:</i>                                                                                                                                                                                                                                                | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project increase demand for fire protection service such that new or expanded facilities would be needed to maintain acceptable service levels, the construction of which may have significant environmental effects?                            | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Would the project increase demand for law enforcement service such that new or expanded facilities would be needed to maintain acceptable service levels, the construction of which may have significant environmental effects?                            | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| c) Would the project increase the use of existing park facilities such that substantial physical deterioration of the facilities would occur or be accelerated or that new or expanded park facilities would be needed to maintain acceptable service levels? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| d) Would the project increase the need for or use of existing library or other community facilities such that substantial physical deterioration of the facilities would occur or be accelerated?                                                             | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **No Impact.** The operation of the proposed electronic billboard would add a structure that would be served by the City of Oxnard Fire Department Station 7 that is located approximately 1.6 miles east of the Project site (City of Oxnard, 2022a). No employees would be located on the Project site, and therefore, the addition of the proposed billboard would not require the addition of a new fire station or modifications to an existing fire station to serve the Project site. Therefore, the proposed Project would have no impact on fire protection services.
- b) **No Impact.** The Project site is located approximately 3 miles north of the City of Oxnard Police Department and located within Neighborhood Policing Beat 14 (City of Oxnard, 2022b). The proposed Project includes an electronic billboard that would not result in a demand for police protection services because there are no employees that would be located on the Project site. Therefore, the Project would have no impact on police protection services.
- c) **No Impact.** The proposed Project would not generate employees and would not increase the use of existing park facilities. Therefore, the Project would not result in the physical deterioration of existing park facilities.
- d) **No Impact.** The proposed Project would not generate employees and would not increase the use of existing libraries or other community facilities. Therefore, the Project would not impact libraries or community facilities.

## References

City of Oxnard. 2022a. City of Oxnard Fire Department, Fire Station Locations. Available at: <https://www.oxnard.org/fire-station-locations-fire-department/>. Accessed on February 28, 2022.

City of Oxnard. 2022b. Oxnard Police Department, Neighborhood Policing Beat Coordinator Map. Available at: <https://sites.google.com/oxnardpd.org/2020-beat-map/police-beat-map> Accessed on February 28, 2022.

---

### 3.15 Transportation and Circulation

| <i>Issues:</i>                                                                                                                                                                     | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?           | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?                                                                            | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| d) Would the project result in inadequate emergency access?                                                                                                                        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |

### Discussion

- a) **Less than Significant Impact.** Construction of the proposed electronic billboard would generate a nominal number of construction vehicle trips for the activities to place the electronic billboard on the Project site and trench for approximately 200 feet to an existing Southern California Edison electrical facility north of the Project site along Ventura Road. Project construction activities would result in a nominal number of trips and may require a temporary partial lane closure along Ventura Road. However, these activities would occur over a short term, and the existing painted median could be used for access. Construction activities would not substantially conflict with the circulation system. Therefore, potential impacts would be less than significant impacts. In addition, long-term activities associated with the Project include periodic visits to the site for maintenance. These periodic visits would also result in less than significant impacts to the surrounding circulation system.
- b) **No Impact.** The proposed Project would include periodic maintenance vehicle trips to the site and would not require daily vehicle trips to the site for operation of the electronic billboard. Therefore, the Project would have no impact on vehicle miles traveled.
- c) **Less than Significant Impact.** The proposed Project includes the placement of an electronic billboard adjacent to U.S. 101. The proposed billboard will be oriented for viewing primarily from U.S. 101. The proposed billboard will comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5. The billboard proposes to include different images, but each image will be displayed for at least eight seconds and the images would not move or present the appearance of motion and would not flash or blink or any other means that does not provide a constant illumination. These features associated with the proposed electronic billboard would not substantially increase hazards to drivers along U.S. 101 and less than significant impacts would occur.

- d) **Less than Significant Impact.** The implementation of the proposed electronic billboard and installation of an electrical line may require temporary partial lane closure along Ventura Road during the drilling for the electronic billboard pole and the trenching along the Ventura Road right-of-way to connect an electrical line from the Project site to a Southern California Edison facility located approximately 200 feet to the northeast. Ventura Road currently has two southbound lanes and an approximately 6-foot wide paved shoulder lane. If a closure of the shoulder lane and a portion of one of the southbound lanes occurs, the painted median could allow adequate southbound emergency access along Ventura Road. Operational activities occurring on the Project site would not result in changes to the transportation circulation. Therefore, construction and operational activities associated with the Project would result in less than significant impacts to emergency access.

## References

No references.

---

### 3.16 Utilities and Energy

| <i>Issues:</i>                                                                                                                                                | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|-------------------------------------|
| a) Would the project need new or expanded water supply entitlements that are not anticipated in the current Urban Water Management Plan?                      | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| b) Would the project require additional wastewater conveyance or treatment capacity to serve project demand and existing commitments?                         | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| c) Would the project generate solid waste that would exceed the permitted capacity of a landfill serving the City?                                            | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| d) Would the project conflict with federal, state, or local statutes or regulations related to solid waste?                                                   | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| e) Would the project involve wasteful, inefficient, or unnecessary consumption of energy during project construction, operation, maintenance, and/or removal? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| f) Would the project require additional energy facilities, the provision of which may have a significant effect on the environment?                           | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |
| g) Would the project be inconsistent with existing energy standards?                                                                                          | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/>            |
| h) Would the project preempt future energy development or future energy conservation, or inhibit the future use of renewable energy or energy storage?        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input type="checkbox"/>                    | <input checked="" type="checkbox"/> |

### Discussion

- a) **No Impact.** The operational activities associated with the proposed electronic billboard would not require the use of water, and therefore, the Project would not require new or expanded water supply entitlements. Therefore, the Project would have no impact.
- b) **No Impact.** The proposed Project would not result in wastewater generation, and therefore, would not result in a need for wastewater treatment. As a result, the Project would not impact the capacity of the existing wastewater treatment facilities servicing the City of Oxnard.
- c) **No Impact.** The proposed electronic billboard would not include any employees and would not generate solid waste. Temporary construction waste would be hauled off site in accordance with all Federal, State, and local regulations. The Project would not exceed current permitted capacities of landfills because the Project would not generate operational waste. As such, the proposed Project would have no long-term impact.
- d) **No Impact.** As discussed above, temporary construction waste would be generated during installation of the proposed billboard as well as trenching for the electrical line. However, the construction waste would be hauled off site in accordance with all Federal, State, and local regulations, and therefore, would not conflict with these regulations.

- e) **Less than Significant Impact.** As described below, the proposed Project would not involve wasteful, inefficient, or unnecessary consumption of energy.

### **Construction**

The Project would consume energy during construction activities, primarily from on- and off-road vehicle fuel consumption in the form of diesel and gasoline, necessary to install a typical billboard. Construction of a typical billboard is assumed to require up to four workdays, depending on the nature of the soil and the extent of the column footing required. For the purposes of evaluating energy usage, the analysis conservatively assumes a construction scenario of four days of construction. The construction would consist of the following tasks: 1) drilling and haul of excavated soil, 2) column set and concrete pour, 3) building the structure and 4) installation of digital display. These activities would occur over a two-week period with a five to seven-day break between the drilling/column set and the installation to allow for concrete setting.

Energy consumption would occur from the operation of heavy-duty construction equipment, on-road trucks, and from on-road light-duty passenger vehicles from construction workers commuting to and from the Project site. Heavy-duty construction equipment was conservatively assumed to be primarily diesel-fueled. Diesel fuel would also be used for heavy-duty on-road trucks used for hauling of excavated soils, cement delivery, on-road transport of construction equipment and materials (i.e., aerial lift trucks, cranes, and billboard construction materials such as columns and electronic displays). Natural gas and electricity are not anticipated to be used during construction activities in any substantial quantities. A summary of the Project's construction fuel usage is provided in **Table UE-1, Summary of Fuel Consumption During Installation of the Proposed Electronic Billboard**. Energy calculations for fuel consumption are based on the same assumptions used for the Air Quality analysis and used for the CalEEMod Emissions Modeling.

**TABLE UE-1**  
**SUMMARY OF FUEL CONSUMPTION DURING INSTALLATION OF THE PROPOSED ELECTRONIC BILLBOARD**

| Activity                        | Fuel     | Gallons <sup>a</sup> |
|---------------------------------|----------|----------------------|
| Off-Road Construction Equipment | Diesel   | 203                  |
| Construction Haul Vehicles      | Diesel   | 117                  |
| Construction Worker Commuting   | Gasoline | 14                   |

<sup>a</sup> Fuel estimates are based on installation of the proposed electronic billboard in 2022.

SOURCE: ESA, 2022

As shown, the estimated total diesel fuel consumed by construction equipment and on-road haul/delivery trucks would be approximately 320 gallons for the installation of the proposed electronic billboard. Transportation fuel from workers traveling to and from the Project site would be limited and are estimated as less than 15 gallons of gasoline which is considered minimal fuel consumption.

Transportation fuels (gasoline and diesel) are produced from crude oil, which can be domestic or imported from various regions around the world. Based on current proven reserves, crude oil production would be sufficient to meet 50 years of worldwide consumption (BP Global, 2022). Vehicles that would be used by construction workers would comply with Corporate Average Fuel Economy fuel economy standards, which would result in more efficient use of transportation fuels (lower consumption). Vehicles that would be used by construction workers would also comply with Pavley and Low Carbon Fuel Standards which are designed to reduce vehicle GHG emissions, but would also result in fuel savings in addition to compliance with Corporate Average Fuel Economy standards.

Construction of the Project would utilize fuel-efficient equipment consistent with State and federal regulations, such as fuel efficiency regulations in accordance with the California Air Resources Board (CARB) Pavley Phase II standards, the anti-idling regulation in accordance with Section 2485 in Title 13 of the California Code of Regulations, and fuel requirements in accordance with Section 93115 in Title 17 of the California Code of Regulations, and would comply with State measures to reduce the inefficient, wasteful, and unnecessary consumption of energy, such as petroleum-based transportation fuels. While these regulations are intended to reduce construction emissions, compliance with the anti-idling and emissions regulations discussed above would also result in fuel savings from the use of more fuel-efficient engines. Therefore, Project construction would not result in wasteful, inefficient, or unnecessary consumption of energy resources and energy impacts would still be less than significant. Calculation details for fuel and energy consumption are included in **Appendix G**.

### **Operation**

Operations of the proposed electronic billboard would consume energy in the form of purchased electricity to power the lighting. Electricity in the Project area (Ventura County) is provided by Southern California Edison (SCE). SCE is required to commit to the use of renewable energy sources for compliance with the Renewable Portfolio Standards (RPS). SCE has already met its requirement to procure at least 33 percent of its energy portfolio from renewable sources by 2020 with approximately 33.1 percent of its 2020 electric supply power mix from renewable power (SCE 2020). With the passage of SB 100 in September 2018, SCE will be required to update its long-term plans to demonstrate compliance including providing 60 percent of its energy portfolio from renewable sources by December 31, 2030, and ultimately planning for 100 percent eligible renewable energy resources and zero-carbon resources by December 31, 2045.

Predicted energy use for the proposed electronic billboard is estimated at an average of approximately 150 kilowatt hours (kWh) per day and approximately 54,000 kWh per year.

Based on SCE's 2020 Annual Report, SCE total system sales for 2020 was 85,399 million kWh of electricity (SCE 2021). As such, the Project-related net increase in annual electricity consumption of 54,000 kWh per year would represent less than 0.0001 percent of SCE's total energy sales. The proposed electronic billboard would utilize energy

efficient light emitting diode (LED) technology, which is recognized by the U.S. Department of Energy as the most energy efficient lighting technology (U.S. DOE, n.d.). Therefore, Project operations would not result in wasteful, inefficient, or unnecessary consumption of energy resources and energy impacts would still be less than significant.

As discussed above, Project construction would utilize fuel-efficient equipment consistent with State and federal regulations, such as fuel efficiency regulations in accordance with the California Air Resources Board (CARB) Pavley Phase II standards, the anti-idling regulation in accordance with Section 2485 in Title 13 of the California Code of Regulations, and fuel requirements in accordance with Section 93115 in Title 17 of the California Code of Regulations, to reduce the use of petroleum-based transportation fuels. Operation of the Project would utilize energy efficient light emitting diode (LED) technology, which is recognized by the U.S. Department of Energy as the most energy efficient lighting technology (U.S. DOE, n.d.). As a result, the proposed Project would support Statewide efforts to implement fuel saving strategies and utilize energy efficient technologies. Overall, the Project would not be inconsistent with existing energy standards and impacts would be less than significant.

- f) **No Impact.** Implementation of the proposed electronic billboard would include the extension of an electrical line for approximately 200 linear feet to an existing electrical facility located north of and within the existing Ventura Road right-of-way. The electronic billboard would not require additional energy facilities, beyond the proposed extension of an electrical line, to serve the proposed Project. Therefore, the Project would result in no impact.
- g) **Less than Significant Impact.** As discussed above, Project construction would utilize fuel-efficient equipment consistent with State and federal regulations, such as fuel efficiency regulations in accordance with the California Air Resources Board (CARB) Pavley Phase II standards, the anti-idling regulation in accordance with Section 2485 in Title 13 of the California Code of Regulations, and fuel requirements in accordance with Section 93115 in Title 17 of the California Code of Regulations, to reduce the use of petroleum-based transportation fuels. Operation of the Project would utilize energy efficient light emitting diode (LED) technology, which is recognized by the U.S. Department of Energy as the most energy efficient lighting technology (U.S. DOE, nd.). As a result, the proposed Project would support Statewide efforts to implement fuel saving strategies and utilize energy efficient technologies. Overall, the Project would not be inconsistent with existing energy standards and impacts would be less than significant.
- h) **No Impact.** The implementation of the proposed electronic billboard would not preempt energy development or future energy conservation, or inhibit the future use of renewable energy or energy storage due to the Project's limited use of energy resources.



## References

- BP Global. 2022. Oil reserves. Available at: <https://www.bp.com/en/global/corporate/energy-economics/statistical-review-of-world-energy/oil.html>. Accessed February 2022.
- Edison International. 2021. Edison International and Southern California Edison 2020 Annual Report, page 2. Available at: <https://www.edison.com/content/dam/eix/documents/investors/sec-filings-financials/2020-eix-sce-annual-report.pdf>. Accessed February 2022.
- Southern California Edison. 2020, 2020 Power Content Label, Southern California Edison.
- U.S. Department of Energy. nd. LED Lighting. Available at: <https://www.energy.gov/energysaver/led-lighting>. Accessed February 2022.
-

### 3.17 Wildfire

| <i>Issues:</i>                                                                                                                                                                                                                                                     | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|--------------------------|
| If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:                                                                                                                                   |                                               |                                                                       |                                             |                          |
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan?                                                                                                                                                                           | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?                                                        | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?                                                                            | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |

### Discussion

- a - d) **Less than Significant Impact.** The proposed digital electronic billboard is located in an urban area of the City of Oxnard. Based on a review of the fire hazards severity zones prepared as part of the CalFire fire and resource assessment program, the Project site is not located within or near an area that is designated as a very high fire hazard severity zone (VHFHSZ). The nearest VHFHSZ designated in a Local Responsibility Area as well as a State Responsibility Area is approximately 3.5 miles to the northwest. Due to the distance from a VHFHSZ, the Project would result in less than significant impacts related to wildfires.

### References

CalFire. 2020. FHSZ Viewer. Available at: [gis.fire.ca.gov/FHSZ/](https://gis.fire.ca.gov/FHSZ/). Accessed on March 2, 2022.

### 3.18 Mandatory Findings of Significance

| <i>Issues:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <i>Potentially<br/>Significant<br/>Impact</i> | <i>Less Than<br/>Significant with<br/>Mitigation<br/>Incorporated</i> | <i>Less Than<br/>Significant<br/>Impact</i> | <i>No Impact</i>         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------|--------------------------|
| a) Would the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                    | <input type="checkbox"/> |
| b) Would the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?                                                                                                                                       | <input type="checkbox"/>                      | <input checked="" type="checkbox"/>                                   | <input type="checkbox"/>                    | <input type="checkbox"/> |
| c) Would the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>                      | <input type="checkbox"/>                                              | <input checked="" type="checkbox"/>         | <input type="checkbox"/> |

### Discussion

- a) **Less than Significant with Mitigation Incorporated.** The implementation of the Project would include installation activities for the proposed billboard and electrical line. These activities could result in significant impacts to nesting birds in the Project vicinity. The implementation of Mitigation Measure BIO-1 and BIO-2 would reduce these potential impacts to less than significant. In addition, construction activities for the Project could result in potential significant impacts to archaeological resources. The implementation of Mitigation Measure CUL-1 would reduce these potential impacts to less than significant.
- b) **Less than Significant with Mitigation Incorporated.** The potential for cumulative impacts occur when the impacts of a Project are combined with impacts from related development projects and result in impacts that are greater than the impacts of a project alone. The City of Oxnard currently includes an additional electronic billboard proposed between Riverpark Boulevard and the northside of U.S. 101. This related project is located approximately 4,600 feet east of the Project site. The City of Oxnard is also contemplating the adoption of an ordinance that would allow additional electronic billboards to be constructed and operate along U.S. 101; however, these billboards would not be allowed to be placed within 2,000 feet of an existing electronic billboard and would be required to be located at least 100 feet from an existing residence. In addition, commercial and residential projects in the vicinity of the Project site are currently in different planning and construction phases. Multi-family residential units currently exist approximately 600 feet east of the Project site while multi-family residential units are currently being planned within 200 feet east of the Project site. Because the Project site is adjacent to U.S. 101 and bound by the Santa Clara River Basin and a currently undeveloped site planned for multi-family residences on the east side, construction activities would result in less than significant impact on human beings. As discussed in Sections 3.1 through 3.17 above, the

proposed Project could result in potential significant impacts related to biological resources, cultural resources, and noise on wildlife species prior to the implementation of mitigation measures. With the implementation of Mitigation Measures BIO-1, BIO-2, CR-1, and CR-2, the potential impacts associated with the Project would be reduced to less than significant. Given that the potential related billboard projects would need to occur at least 2,000 feet from the Project site and the Project impacts to biological resources, cultural resources, and noise on wildlife species are site specific and would not combine with potential impacts associated with other electronic billboards implemented along U.S. 101, the Project's contribution to cumulative impacts would be considered less than cumulatively considerable and less than significant.

- c) **Less than Significant Impact.** The implementation of the proposed electronic billboard includes potential significant impacts to nesting birds and potential archeological and paleontological resources. The Project would result in less than significant direct or indirect impacts on human beings.

## References

No references.

---

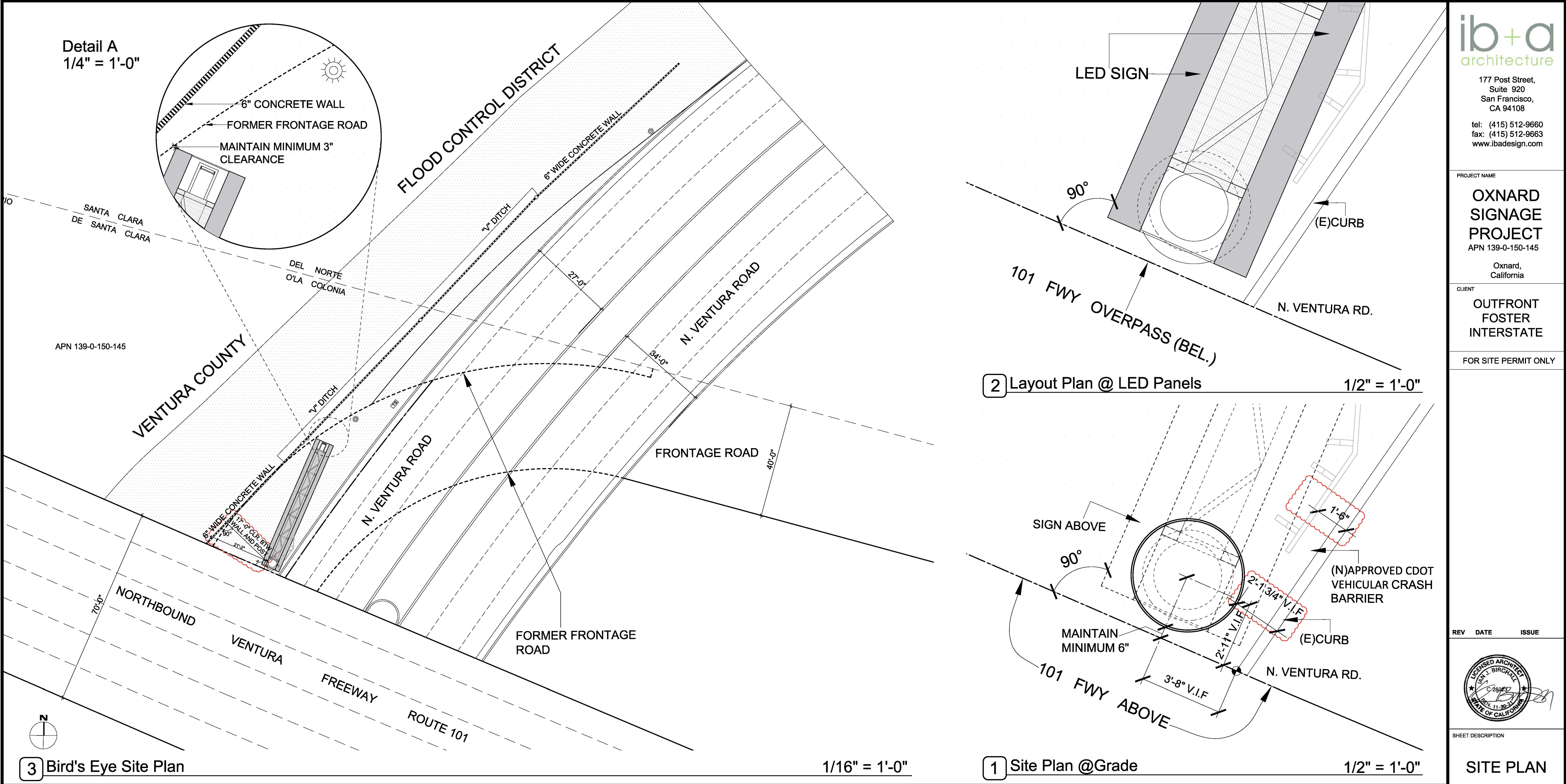
This page intentionally left blank

# Appendix A

## **Project Plans**







PROJECT NAME

OXNARD  
SIGNAGE  
PROJECT  
APN 139-0-150-145

Oxnard,  
California

CLIENT

OUTFRONT  
FOSTER  
INTERSTATE

FOR SITE PERMIT ONLY

REV DATE ISSUE



SHEET DESCRIPTION

SITE PLAN

DATE 8/6/2020

SCALE 1/16" = 1'-0"

DRAWN BY

CHECKED BY

JOB NO. 1814

A-1.0

SHEET NO.

All drawings and written material appearing herein constitute the original and unpublished work of the designer and the same may not be duplicated, used, or disclosed without the written consent of the designer.

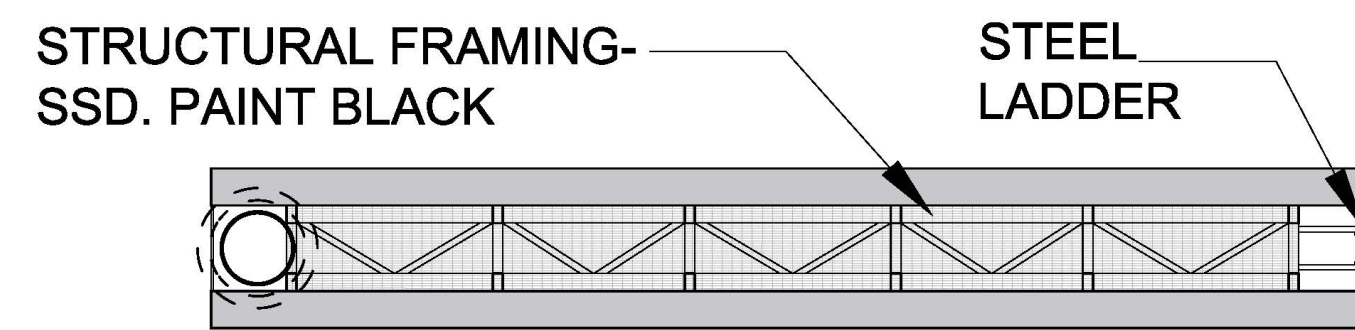
© Ian Birchall & Associate 2020

SHEET NOTES

- ALL WORK SHALL CONFORM WITH APPLICABLE BUILDING CODES, COMPLETE WITH ALL STATE AND CITY AMENDMENTS AND ORDINANCES WHEREIN THE SPECIFIED DO NOT EXCEED THE REQUIREMENTS OF THE LAWS OR ORDINANCES. THE LAWS OR ORDINANCES SHALL GOVERN. CONTRACTOR TO NOTIFY ARCHITECT OF ALL CONFLICTS.
- DO NOT SCALE DRAWINGS. THE CONTRACTOR SHALL USE DIMENSIONS SHOWN ON THE DRAWINGS AND ACTUAL FIELD MEASUREMENTS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION AND COORDINATION WITH SUB-CONTRACTORS TO ENSURE THEIR WORK IS IN COMPLIANCE WITH DRAWINGS AND SPECIFICATIONS.
- THE WORK, INFORMATION, DESIGNS, CONCEPTS AND IDEAS SHOWN ON THESE DRAWINGS ARE SITE AND PROJECT SPECIFIC, AND ARE INTENDED TO BE USED FOR THIS ONE PROJECT ONLY. NO WARRANTY IS EXPRESSED OR IMPLIED FOR ANY USE OR PURPOSE BEYOND THAT FOR WHICH THESE DRAWINGS WERE CREATED AND INTENDED.
- CONTRACTOR SHALL SECURE AND PAY FOR ALL BUILDING PERMITS PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR SHALL PROVIDE A SCHEDULE SHOWING TIME LINES TO COMPLETE ALL WORK AND INCLUDING A DATE FOR FINAL COMPLETION.
- UPON COMPLETION OF THE WORK CONTRACTOR SHALL PROVIDE TO OWNER A SET OF REPRODUCIBLE "AS-BUILT" DRAWINGS.
- CONTRACTOR SHALL ENSURE ADEQUATE FIRE AND SAFETY PRECAUTIONS ARE MAINTAINED ON SITE AT ALL TIMES. ALL FIRES AND ACCIDENTS SHALL BE IMMEDIATELY REPORTED TO OWNER, BUILDING MANAGEMENT, AND ARCHITECT AND SHALL BE DISCUSSED AT PROJECT MEETING.
- UPON SUBSTANTIAL COMPLETION OF WORK, CONTRACTOR ALONG WITH ARCHITECT AND OWNER SHALL PREPARE A PUNCH LIST TO INCLUDE ALL INCOMPLETE AND/OR CORRECTIVE WORK AND SCHEDULE TO COMPLETE SAID WORK.
- CONTRACTOR TO PROVIDE ENGINEERING DRAWINGS, CALCULATIONS, TITLE 24 ENERGY DOCUMENTATION AND CONSTRUCTION OF NEW AND RETROFIT OF EXISTING POWER, SIGNAL, LIGHTING, ALARM, AND LIFE SAFETY SYSTEMS.
- CONTRACTOR TO SUBMIT ENGINEERING DRAWINGS TO THE CITY OF OXNARD BUILDING AUTHORITIES AND OBTAIN ALL REQUIRED BUILDING PERMITS.
- CONTRACTOR TO SUBMIT ENGINEERING DRAWINGS, CALCULATIONS, TITLE 24 ENERGY DOCUMENTATION, AND CUT SHEETS OF ALL EQUIPMENT, LIGHTING, SWITCHES, COVER PLACES, ETC. TO ARCHITECT FOR REVIEW BY ARCHITECT AND OWNER.
- CONTRACTOR SHALL COORDINATE ALL WORK REQUIREMENTS OF DESIGN-BUILD SUBCONTRACTORS.
- CONSTRUCTION HOURS AND WORK IN THE CITY PUBLIC RIGHT-OF-WAY ARE LIMITED. SEE LOCAL JURISDICTION REQUIREMENTS.
- ANY HIDDEN CONDITIONS THAT REQUIRE WORK TO BE PERFORMED BEYOND THE SCOPE OF THE BUILDING PERMIT ISSUED FOR THESE PLANS MAY REQUIRE FURTHER CITY APPROVALS INCLUDING REVIEW BY THE PLANNING COMMISSION. THE BUILDING OWNER, PROJECT DESIGNER, AND/OR CONTRACTOR MUST SUBMIT A REVISION TO THE CITY FOR ANY WORK NOT GRAPHICALLY ILLUSTRATED ON THE JOB COPY OF THE PLANS PRIOR TO PERFORMING THE WORK. AT THE TIME OF BUILDING PERMIT APPLICATION, WHEN APPLICABLE, PLANS AND ENGINEERING WILL BE SUBMITTED FOR SHORING AS REQUIRED BY 2016 CBC, CHAPTER 31 REGARDING THE PROTECTION OF ADJACENT PROPERTY AND AS REQUIRED BY OSHA. THE FOLLOWING WILL BE ADDRESSED:
- WALLS OF EXCAVATIONS SHALL BE PROPERLY SHORED PRIOR TO CONSTRUCTION ACTIVITY. WHERE TEMPORARY SHORING IS NEEDED A COMPETENT CONTRACTOR SHALL BE CONSULTED FOR RECOMMENDATIONS AND DESIGN OF THE SHORING SCHEME FOR THE EXCAVATION. THE RECOMMENDED DESIGN AND TYPE OF SHORING SHALL BE APPROVED BY THE ENGINEER OF RECORD OR SOILS ENGINEER PRIOR TO USAGE.

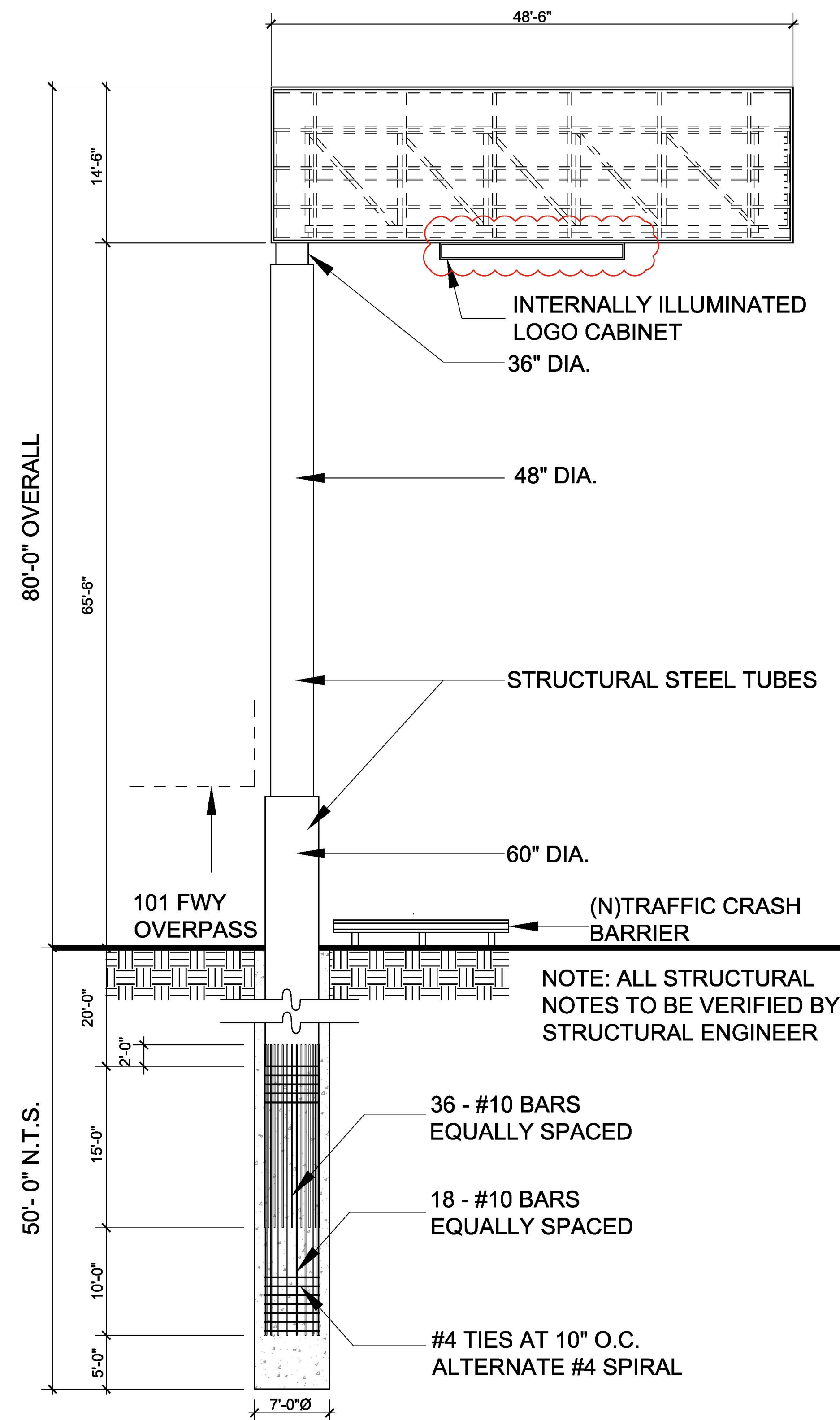
- ALL APPROPRIATE GUIDELINES OF OSHA SHALL BE INCORPORATED INTO THE SHORING DESIGN AND IMPLEMENTED BY THE CONTRACTOR. WHERE SPACE PERMITS, TEMPORARY CONSTRUCTION SLOPES MAY BE UTILIZED IN LIEU OF SHORING. MAXIMUM ALLOWABLE VERTICAL CUT FOR THE SUBJECT PROJECT WILL BE FIVE (5) FEET. BEYOND THAT HORIZONTAL BENCHES OF 5 FEET WIDE WILL BE REQUIRED. TEMPORARY SHORES SHALL NOT EXCEED 1 TO 1 (HORIZONTAL TO VERTICAL). IN SOME AREAS DUE TO HIGH MOISTURE CONTENT / WATER TABLE, FLATTER SLOPES MAY BE REQUIRED IF SO RECOMMENDED BY THE SOILS ENGINEER IN THE FIELD.
- IF SHORING IS REQUIRED, THE PLANS WILL SPECIFY THE LICENSED DESIGN PROFESSIONAL THAT HAS SOLE RESPONSIBILITY TO DESIGN AND PROVIDE ADEQUATE SHORING, BRACING, FORMWORK, ETC. AS REQUIRED FOR THE PROTECTION OF LIFE AND PROPERTY DURING CONSTRUCTION OF THE SIGN.
- SHORING PLANS SHALL BE WET-STAMPED AND SIGNED BY THE ENGINEER-OF-RECORD AND SUBMITTED TO THE CITY FOR REVIEW PRIOR TO CONSTRUCTION. IF APPLICABLE, INCLUDE SURCHARGE LOADS FROM ADJACENT STRUCTURES THAT ARE WITHIN THE ZONE OF INFLUENCE (45 DEGREE WEDGE UP THE SLOPE FROM THE BASE OF THE EXCAVATION) AND / OR DRIVEWAY SURCHARGE LOADS.
- AN OSHA PERMIT WILL BE OBTAINED IF NEEDED PER CAL / OSHA REQUIREMENTS. SEE THE CAL / OSHA HANDBOOK AT: [HTTP://WWW.CA-OSHA.COM/PDF/PUBS/OSHA USERGUIDE.PDF](http://www.ca-osh.com/PDF/PUBS/OSHA%20USERGUIDE.PDF) \* CONSTRUCTION SAFETY ORDERS : CHAPTER 4, SUBCHAPTER 4, ARTICLE 6, SECTION 1541.1.
- A GRADING PERMIT WILL BE OBTAINED FROM THE DEPARTMENT OF PUBLIC WORKS IF REQUIRED.
- PLANS SUBMITTED FOR BUILDING CODE PLAN CHECK WILL INCLUDE A COMPLETE UNDERGROUND PLUMBING PLAN INCLUDING DETAILS FOR THE LOCATION OF ALL REQUIRED OIL INTERCEPTORS AND CITY-REQUIRED BACKWATER PREVENTION DEVICES.





## 2 Plan View

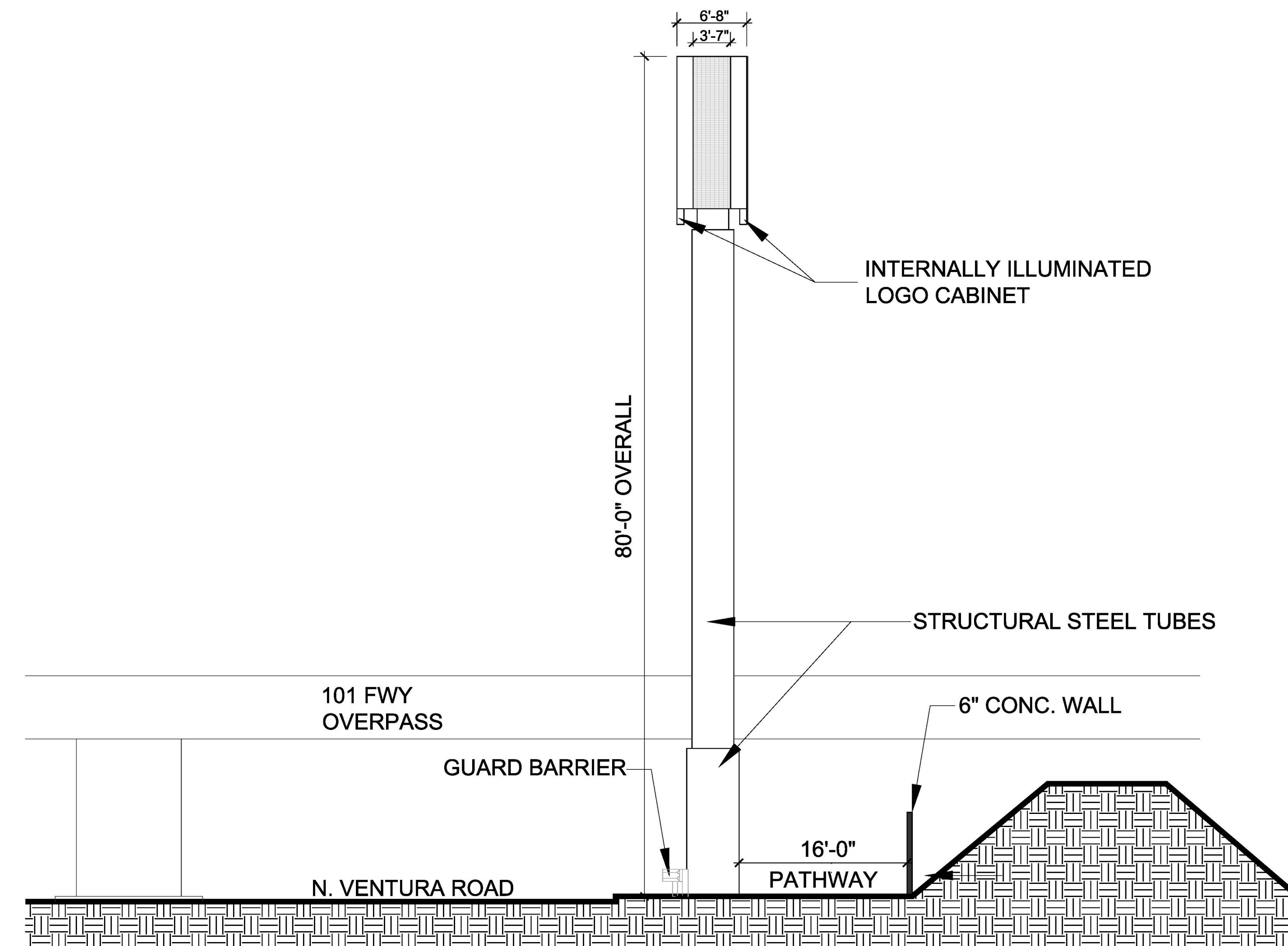
SCALE - 1/8" : 1'0"



## 1 Overall Elevation

SCALE - 1/8" : 1'0"

(See A-3.0 For Color Scheme)

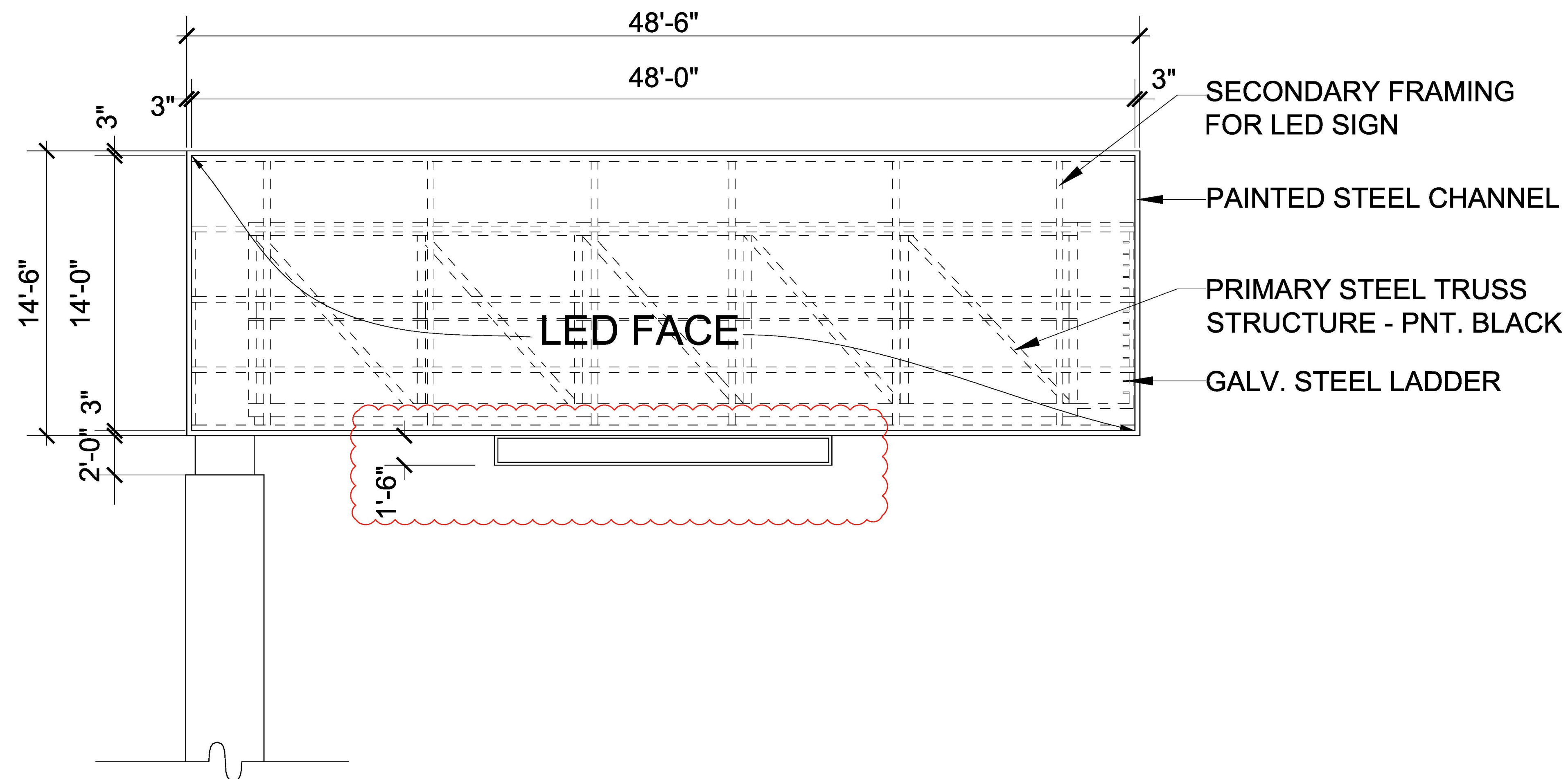
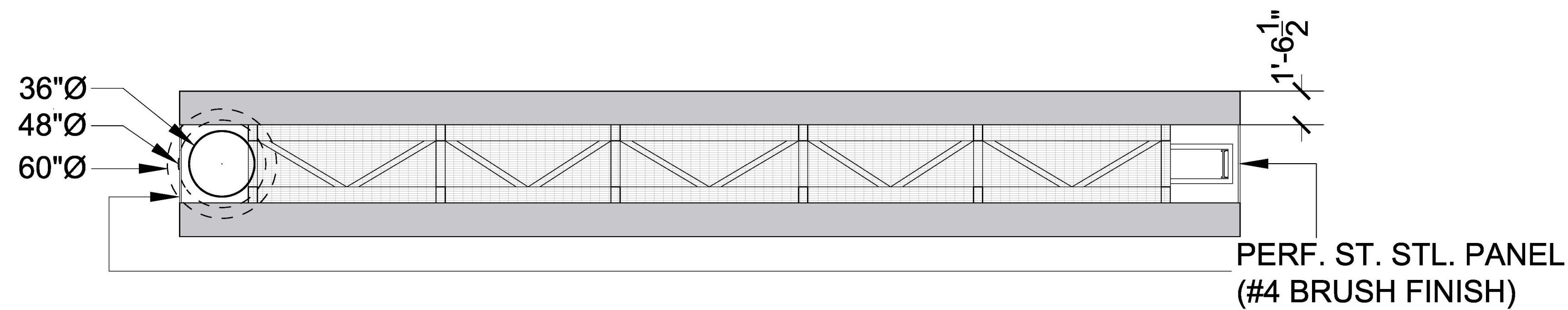


## 3 CROSS SECTION VIEW

SCALE - 1/8" : 1'0"

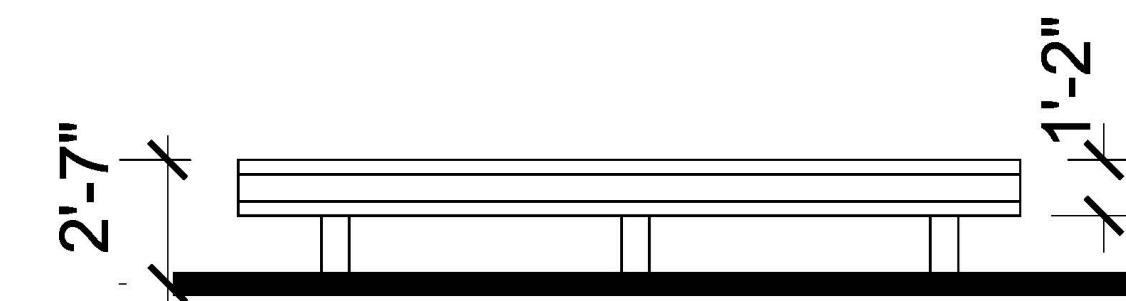
(See A-3.0 For Color Scheme)





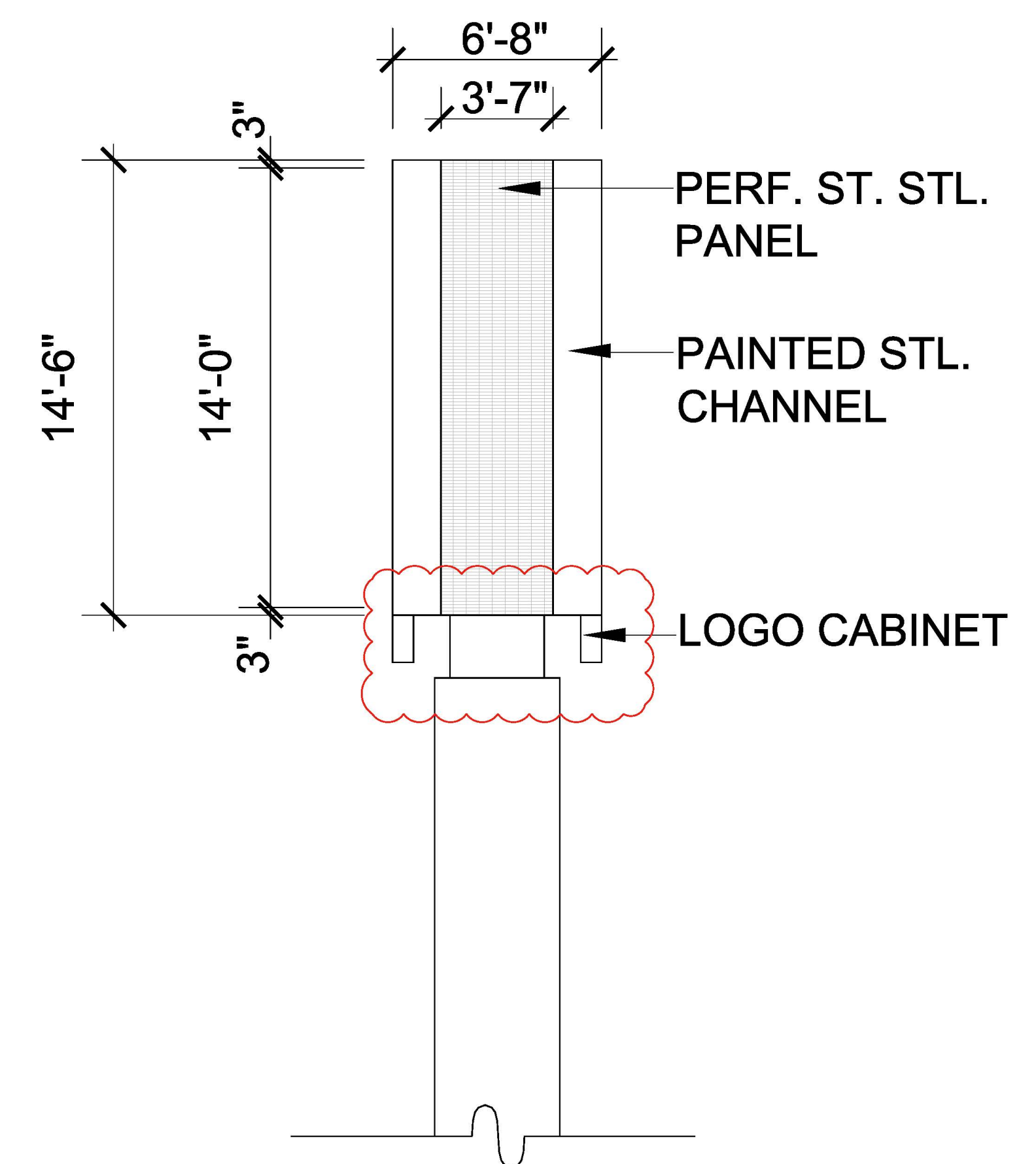
1 Face Elevation

SCALE - 1/4" : 1'0"



2 GUARD BARRIER FRONT VIEW

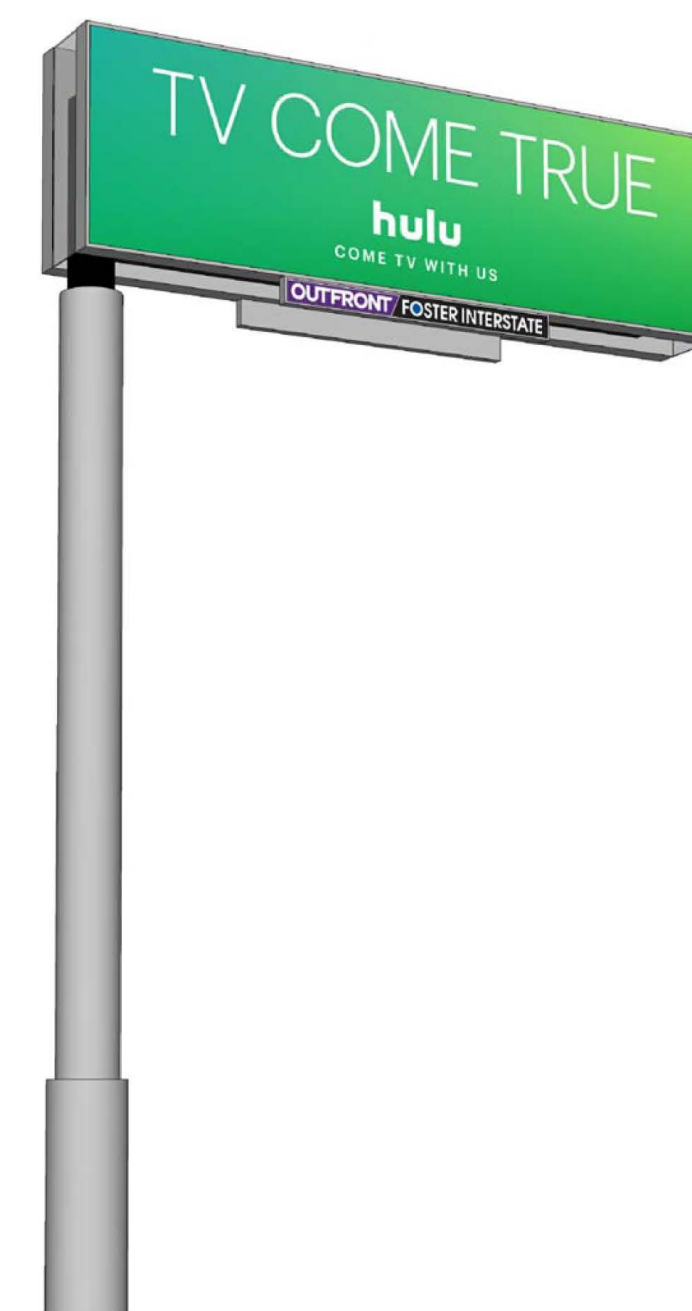
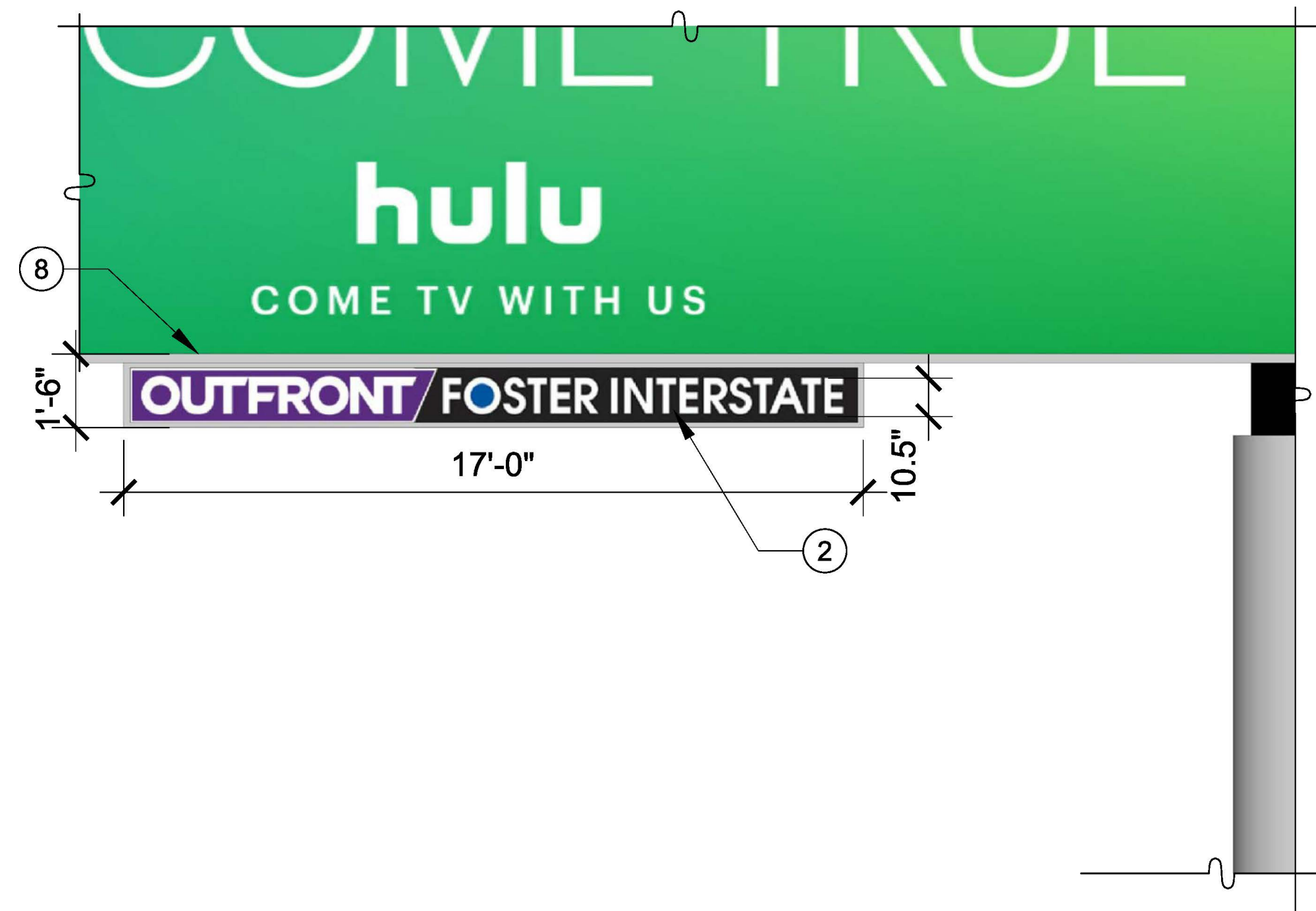
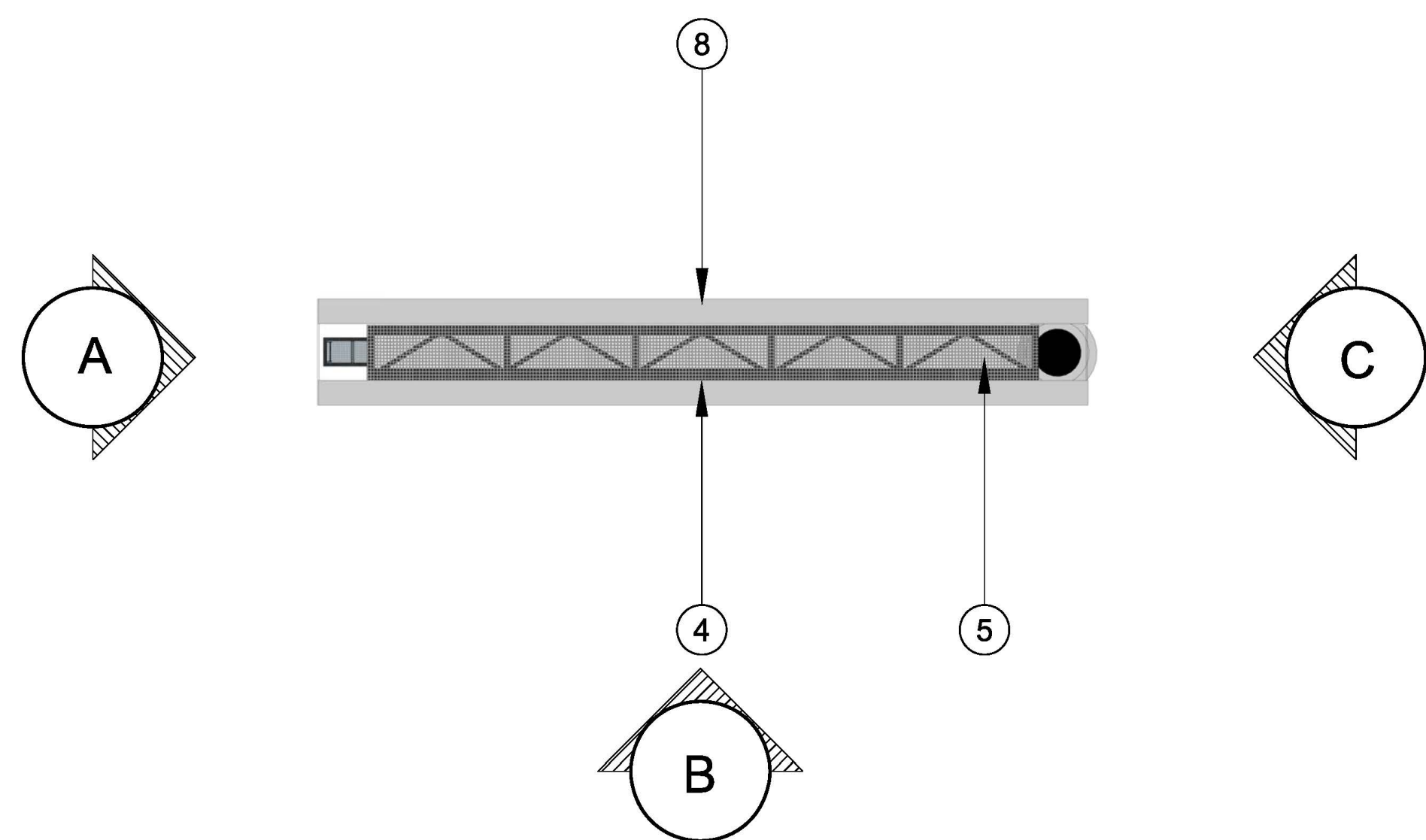
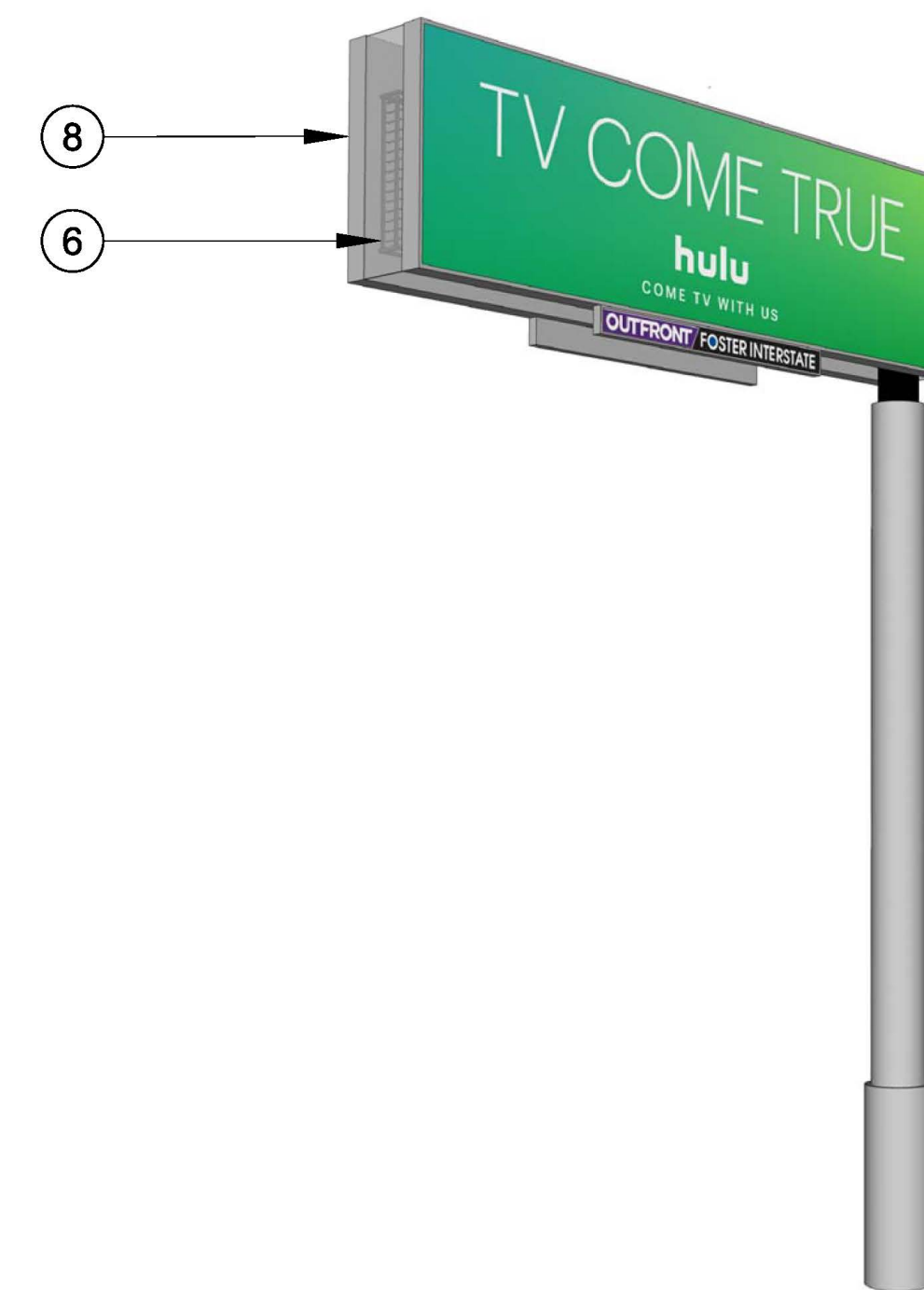
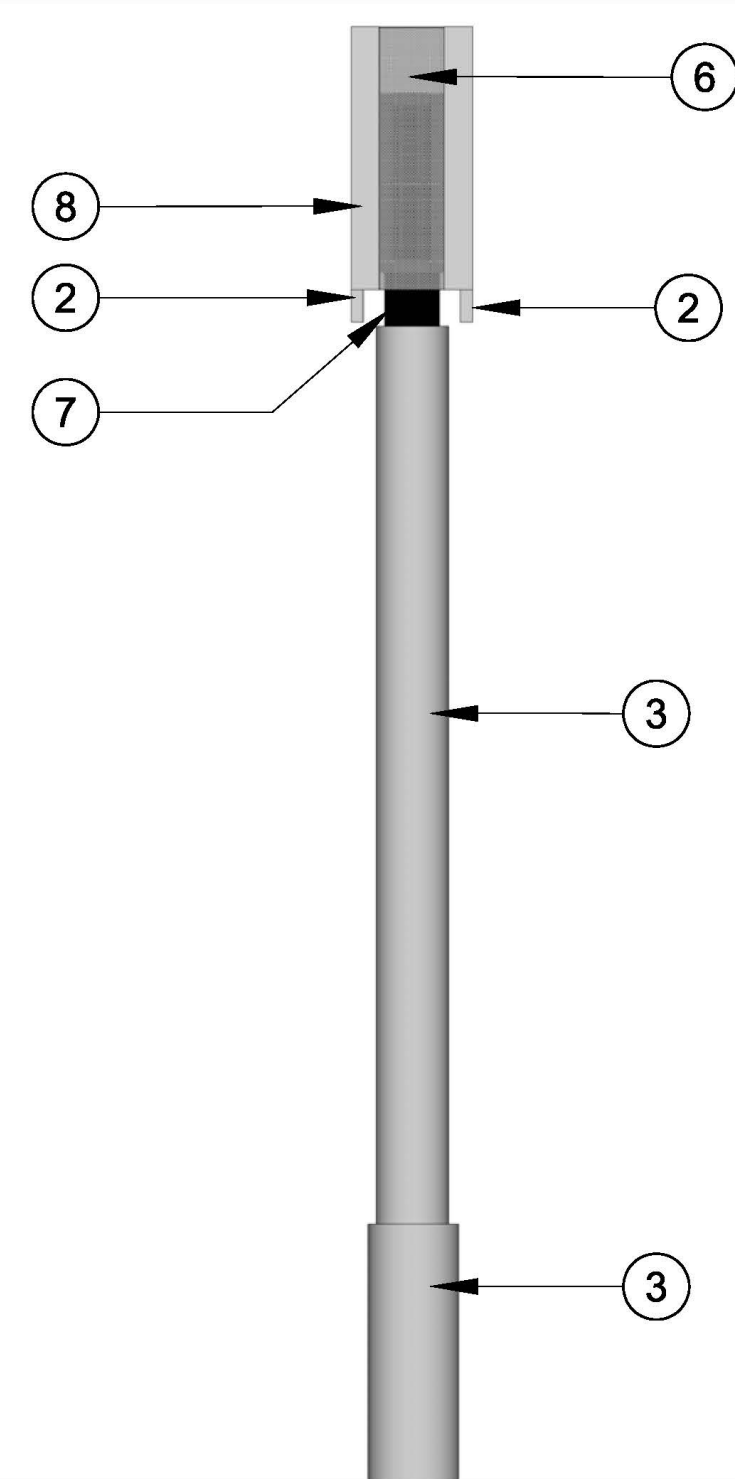
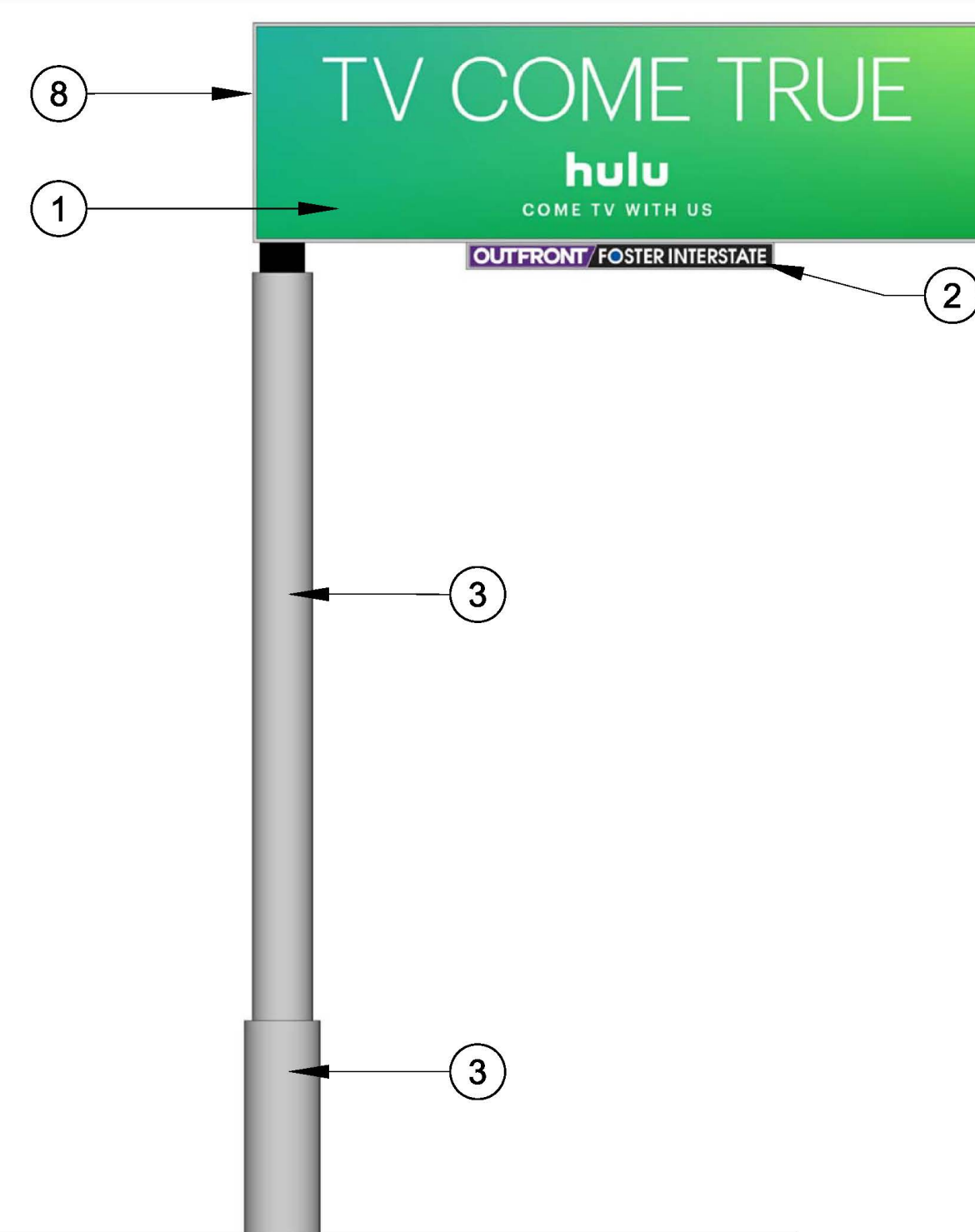
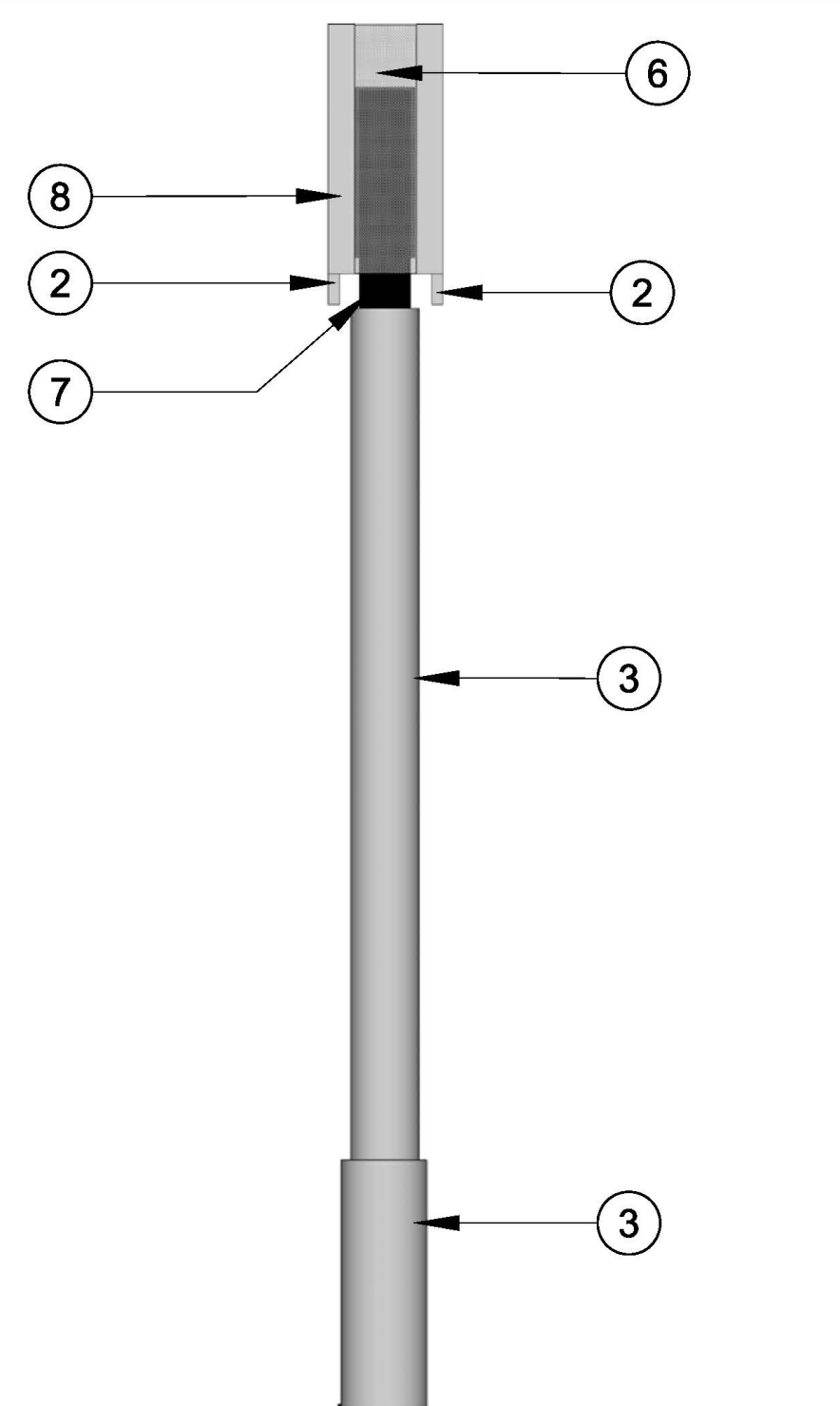
SCALE - 1/4" : 1'0"



3 End Elevation

SCALE - 1/4" : 1'0"









2 View From Northbound On U.S.101



1 View From Southbound On U.S.101

ib+a  
architecture

177 Post Street,  
Suite 920  
San Francisco,  
CA 94108  
tel: (415) 512-9660  
fax: (415) 512-9663  
www.ibadesign.com

PROJECT NAME  
**OXNARD  
SIGNAGE  
PROJECT**  
APN 139-0-150-145  
Oxnard,  
California

CLIENT  
**OUTFRONT  
FOSTER  
INTERSTATE**

FOR SITE PERMIT ONLY

REV DATE ISSUE



SHEET DESCRIPTION  
**RENDERINGS**

DATE 8/6/2020

SCALE

DRAWN BY

CHECKED BY

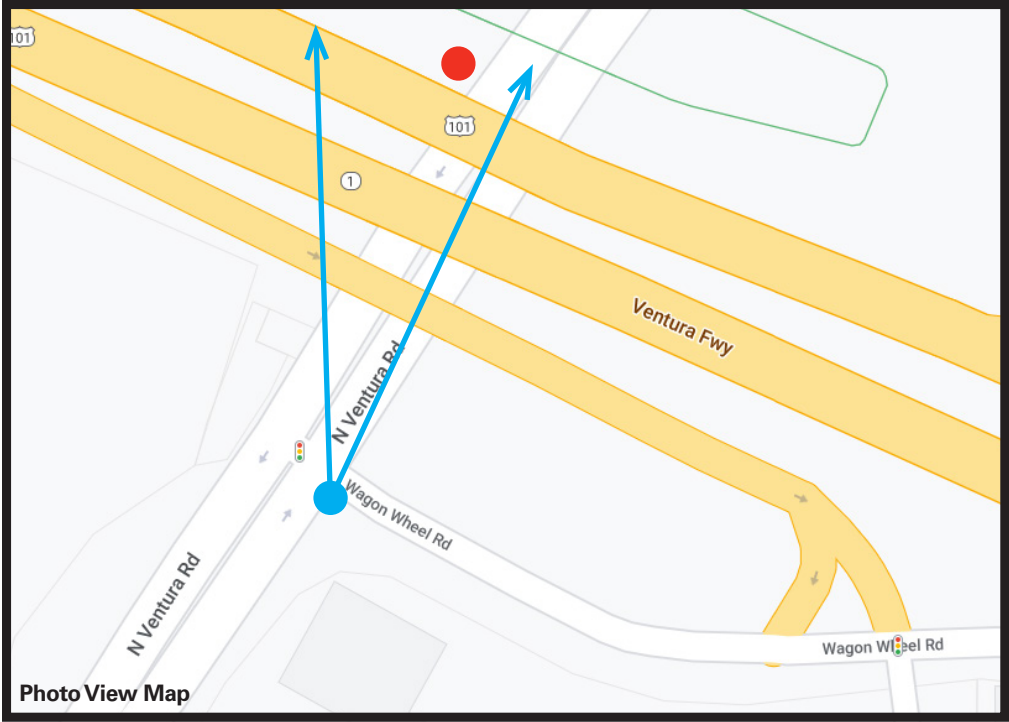
JOB NO. 1814

**A-4.0**

SHEET NO.

All drawings and written material appearing herein constitute the original and unpublished work of the designer and the same may not be duplicated, used, or disclosed without the written consent of the designer.  
© IanBirchall&Associate 2020





# Appendix B

## **Native American Assembly Bill 52 Notification**





COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION  
214 SOUTH C STREET  
OXNARD, CALIFORNIA 93030  
(805)385-7858  
Fax (805) 385-7417



November 23, 2021

Julie Tumamait-Stenslie, Chairperson  
Barbareño/Ventureño Band of Mission Indians  
365 North Poli Avenue  
Ojai, California 93023

RE: Tribal Cultural Resources under the California Environmental Quality Act, AB 52 (Gatto, 2014).  
Formal Notification of determination that a Project Application is Complete or Decision to Undertake  
a Project, and Notification of Consultation Opportunity, pursuant to Public Resources Code §  
21080.3.1 (hereafter PRC).

Dear Chair Tumamait-Stenslie

The City of Oxnard has determined that a project application is complete for the Ventura Road Electronic  
Billboard Project.

Below please find a description of the proposed project, a map showing the project location, and the  
name of our project point of contact, pursuant to PRC § 21080.3.1 (d).

The project is a request for a Special Use Permit (PZ 20-500-06) and Development Agreement (PZ  
20-670-05) for the construction of a new double sided digital freeway oriented electronic billboard  
West-Side of Ventura Road north of Hwy 101. The property is currently a vacant City owned property.  
The project is subject to the California Environmental Quality Act (CEQA) and the City of Oxnard is the  
lead agency under CEQA.

The project is located on the West-Side of Ventura Road north of Hwy 101, between Ventura Road and  
the Santa Clara River (Right of Way).

The proposed project must comply with California Public Resources Code § 21080.3.1 (Assembly Bill [AB]  
52 of 2014), which requires local governments to conduct meaningful consultation with California Native  
American tribes that have requested to be notified by CEQA lead agencies of proposed projects in the  
geographic area with which the tribe is traditionally and culturally affiliated.

Your tribe's input is important to the City's planning process. We request that you advise us as early as  
possible if you wish to consult on the proposed project. Pursuant to PRC § 21080.3.1 (b), you have 30  
days from the receipt of this letter to request consultation, in writing, with the City of Oxnard. If you



require any additional information or have any questions, please contact me 805-385-8272 or via e-mail at Joe.Pearson@oxnard.org. Thank you for your assistance.

Very Respectfully,

A handwritten signature in blue ink, appearing to read 'JP II', with a long, sweeping horizontal line extending to the right.

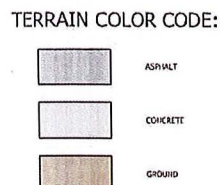
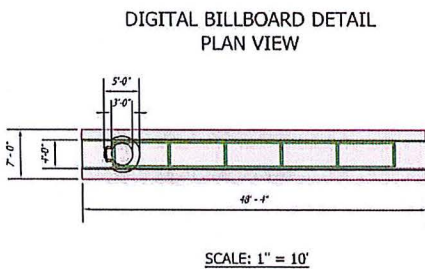
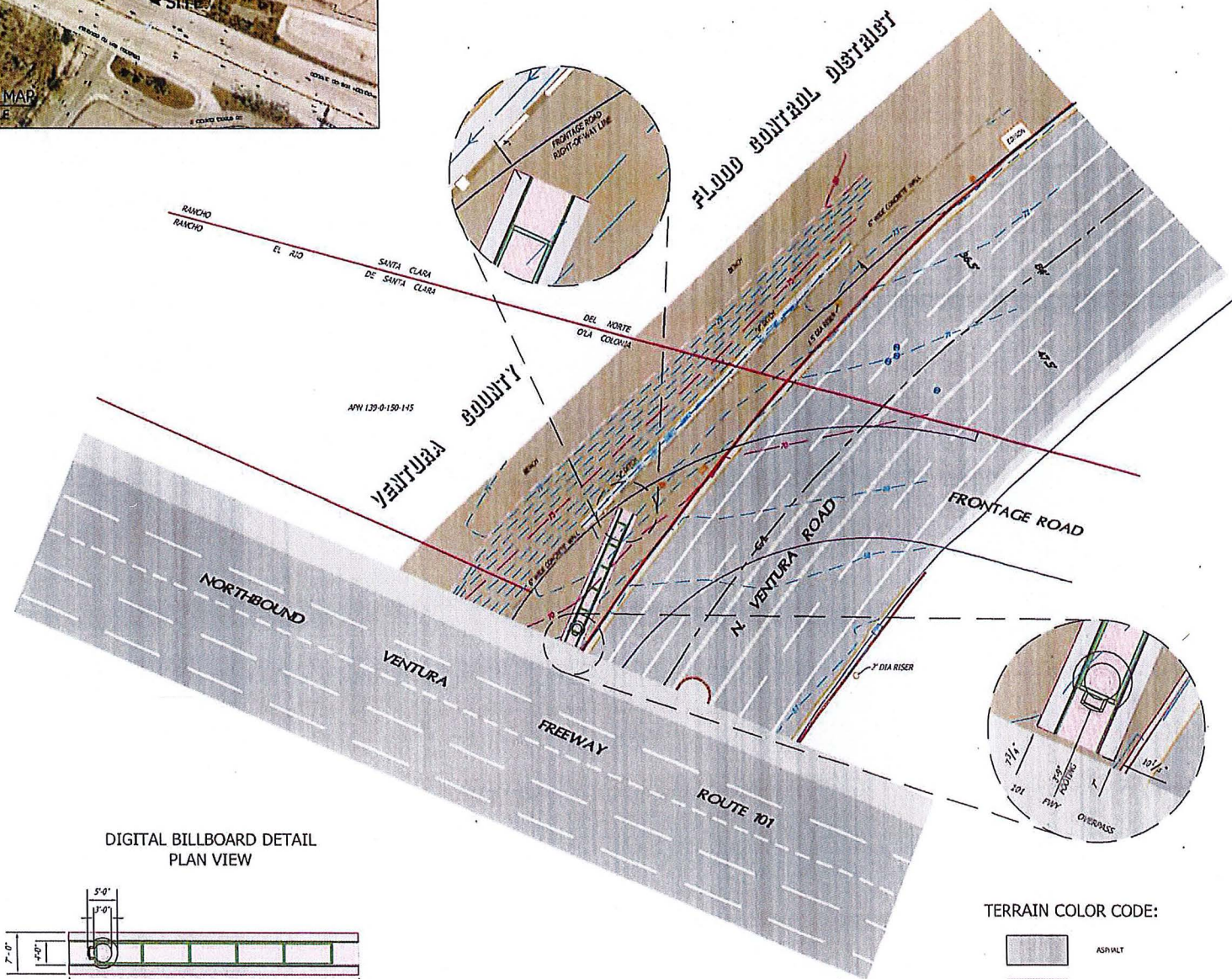
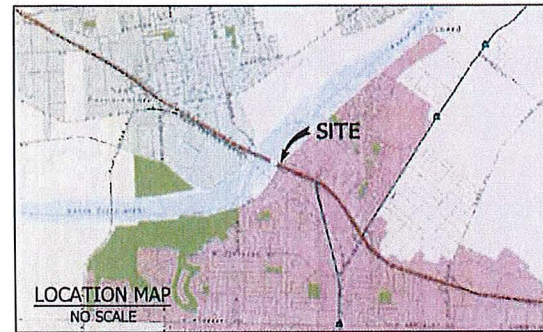
Joe Pearson II, AICP | Senior Planner  
Community Development Department  
City of Oxnard

Enclosed: Project Location Map and Site Plan





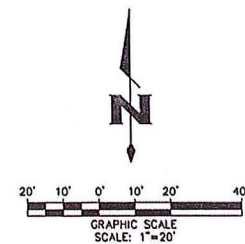
# SITE 1



- NOTE:**
- BOUNDARY SHOWN HEREON IS BASED ON FOUND MONUMENTS PER COUNTY PUBLIC WORKS FIELD BOOKS, TRACT NO. 5852, 159 HR 81, AND CALIFORNIA R/W MAP NO. F 2232-11 07-VEN-101-23.0.
  - LANDSCAPING AND LANDSCAPE IRRIGATION DEVICES MAY EXIST WITHIN THE PROPERTY AND ARE NOT SHOWN.
  - TREES AND OTHER FOLIAGE MAY EXIST WITHIN THE PROPERTY AND ARE NOT SHOWN.
  - ROAD STRIPING IS PICTORIAL AND REPRESENTS ONLY APPROXIMATE, RELATIVE LOCATIONS.
  - DIGITAL BILLBOARD AND PROPOSED LOCATION PROVIDED BY CLIENT.
  - IF RETAINING WALLS OR SIMILAR STRUCTURES ARE TO BE DESIGNED FROM TOPOGRAPHY SHOWN HEREON, THE ELEVATIONS OF CRITICAL POINTS CONTROLLING THE DESIGN MUST BE VERIFIED PRIOR TO ADOPTION OF FINAL DESIGN.
  - THIS MAP WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. EXISTING EASEMENTS (IF ANY) ARE NOT SHOWN HEREON.
  - ATTENTION: IF THIS MAP IS PROVIDED IN AN ELECTRONIC FORMAT (IE: CAD) AS A COURTESY TO A CLIENT, THE DELIVERY OF THE ELECTRONIC FILE DOES NOT CONSTITUTE THE DELIVERY OF OUR PROFESSIONAL WORK PRODUCT. ONLY THE SURVEYOR'S SIGNED AND SEALED PAPER PRINT OR PDF FORMATTED DRAWING CONSTITUTES OUR PROFESSIONAL WORK PRODUCT. IN THE EVENT THAT THE ELECTRONIC FILE IS ALTERED, THE SURVEYOR'S SIGNED AND SEALED PAPER PRINT OR PDF FORMATTED DRAWING MUST BE REFERRED TO FOR THE ORIGINAL AND CORRECT SURVEY INFORMATION. CHRIS NELSON AND ASSOCIATES, INC., SHALL NOT BE RESPONSIBLE FOR ANY MODIFICATION MADE TO THE PROVIDED CAD FILE, OR FOR ANY PRODUCTS THAT HAVE BEEN DERIVED FROM THE CAD FILE, WHICH ARE NOT REVIEWED, SIGNED AND SEALED BY US.

**BENCH MARK:**  
B.M. NO. R 30 1920 VCPID 193 NAVD 1988 COUNTY OF VENTURA DATUM  
3.2 MILES ALONG THE SOUTHERN PACIFIC RAILROAD FROM THE STATION AT OXNARD, AT A LONG STEEL BRIDGE OVER THE SANTA CLARA RIVER, 2.3 FEET NORTHWEST OF THE SOUTHEAST END OF THE ABUTMENT, IN THE TOP OF THE SOUTHWEST END OF THE SOUTHEAST ABUTMENT, 5.1 FEET SOUTHWEST OF THE SOUTHWEST RAIL, AND ABOUT 1 FOOT LOWER THAN THE RAIL.  
ELEVATION = 80.6383 FEET (24.578 METERS) (VENTURA COUNTY ADJ PUB 1992)

- LEGEND:**
- CLUB
  - V-CUTTER
  - PAVED ROAD
  - GRASS BARRI
  - WALL
  - INDEX CONTOUR
  - BOUNDARY LINE
  - RIGHT-OF-WAY LINE
  - INTERMEDIATE CONTOUR
  - LIGHT POLE
  - TRAFFIC SIGNAL BOX
  - STREET SIGN
  - WATER VALVE
  - PROPOSED BILLBOARD



DATED: 12/6/2019

| REVISION NOTES |                            |     |
|----------------|----------------------------|-----|
| DATE           | DESCRIPTION                | BY  |
| 12/6/19        | CHANGED OVERALL AESTHETICS | CJD |
|                |                            |     |
|                |                            |     |
|                |                            |     |

PREPARED BY:  
**Chris Nelson & Associates, Inc.**  
31238 Via Colinas Suite H, Westlake Village, CA, 91362  
Voice: 818.991.1040 Fax: 818.991.0814

PREPARED FOR:  
**FOSTER INTERSTATE MEDIA, INC.**  
1111 BROADWAY, SUITE 1515  
OAKLAND, CA, 94607

**TOPOGRAPHIC SURVEY**  
PORTION OF CALIFORNIA R/W MAP NO. F 2232-11 07-VEN-101-23.0  
CITY OF OXNARD, COUNTY OF VENTURA

JOB NO. 19-5125  
SCALE: 1" = 20'  
DATE: OCT. 2019  
DRAFTED: SJN

SHEET NO.  
**1**  
OF 1 SHEET



# Appendix C

## **Photometric Analysis**







330 N. Brand Blvd. Suite 950  
Glendale, CA 91203  
818.539.1111 • [www.exp.com](http://www.exp.com)

# **City of Oxnard Ventura County Site # 1**

## **Digital Billboards**

### **Photometric Analysis**

**Project Number**  
2020239.00

**Prepared By:**  
Michael Schrupp

**Date Submitted**  
23 October, 2020

**Date Revised**  
7 December, 2020

**TABLE OF CONTENTS**

|            |                                                          |          |
|------------|----------------------------------------------------------|----------|
| <b>1.0</b> | <b>NARRATIVE .....</b>                                   | <b>1</b> |
| <b>2.0</b> | <b>APPENDIX - FOOT-CANDLE LEVEL GRAPHIC SHEETS .....</b> | <b>3</b> |

## **1.0 NARRATIVE**

We (exp engineering) have conducted a photometric review of the digital billboards being proposed by Outfront Foster Interstate to be located on N. Ventura Dr. near the 101 freeway and Santa Clara River Basin, in Oxnard, CA.

Using the photometric software AGI32, we studied the screen's output brightness to determine

- a) what if any modifications to the sign would be needed to comply with the OAAA (Outdoor Advertising Association of America) lighting level standards, and
- b) What impact will the sign have at night on the surrounding community, including the new Fore Riverpark Complex.
- c) What are the specific impacts on the Santa Clara River Basin that may effect the wildlife in the area.

The photometry is based on the specified Nichia series 336 LED modules, which output light horizontally at 90° and 45° vertically.

The proposed billboard is to be 14'x48' with the top of the sign mounted at +80' above the ground with maximum screen brightness of 300 NITS (300 Candela per Square Meter) in the evening.

Per OAAA guidelines, the proposed sign, displaying a full white image (for maximum brightness) should not exceed .3 footcandles over the surrounding ambient light levels at a distance of 250' in any direction.

As we are unable to determine what the ambient light levels will be at the location, the studies were done assuming the worst-case scenario of no ambient light.

We have included graphical illustrations demonstrating the light levels in footcandles (fc) we expect from the screen.

**Sheet 1** of the attachment is a location plan indicating the 250' boundary overlaid on a map of the proposed site, as well as the projected relative angle of light emanating from the sign

**Sheet 2** shows the photometric calculations at the ground over the entire map area, graphically shown as both footcandle points and as a pseudocolor graph.

**Sheet 3** is a graphic representation of the light levels impacting the area to the south of the sign.

**Sheet 4** is a graphic representation of the light levels impacting the area to the north of the sign.

**Sheet 5** is a graphic representation of the light levels impacting the adjacent river basin area

**Sheet 5** is a graphic representation of the light levels impacting the Fore Riverpark Complex.



## Conclusions

We see no light levels in excess of .3fc beyond the 250' radius of the signs, nor do we find any significant impact to the surrounding public area provided the sign brightness is reduced after dark to the 300 NIT level. While there is some highlight to the west face of the Fore Riverpark complex, the levels are minimal enough so as we feel it will not be a disruption to the residents on that corner of the building.

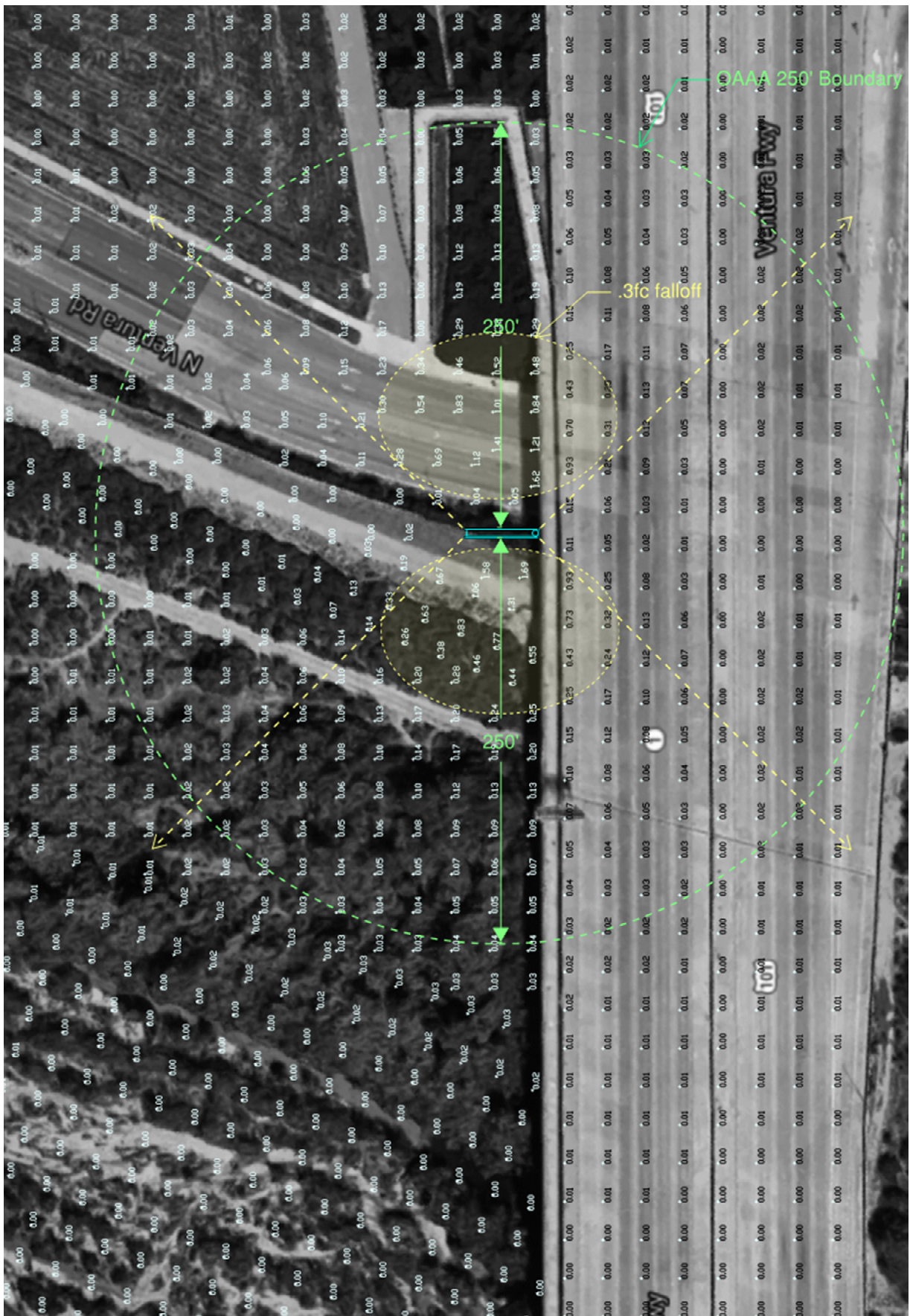
As it relates to the Santa Clara River Basin area, we find that a minimal amount of light will impact the immediate area in front of the North facing sign, with light levels quickly dropping below that of full-moon light (.025fc). Roughly 14,000sf would fall between .3fc and .1fc, with the rest falling below the 1/10<sup>th</sup> fc mark. Also of note, the adjacent freeway overpass has pedestrian light poles that likely contribute light on the basin below in much greater levels than the proposed billboard and over a much larger area.

It is our assessment that given the extremely low levels of illumination and minimal area of light spill, the proposed billboard would provide little to no impact to the river basin ecosystem.

This report, prepared by exp Services Inc., is intended for the exclusive use of the City of Oxnard, Ventura County, and Outfront Foster Interstate Media. Neither exp Services Inc., City of Oxnard, Ventura County, or Outfront Foster Interstate Media assume any liability for the use of this report, or for the use of any information disclosed in the report, or for damages resulting from the use of this report, by other parties.

## ***Appendix***

### ***Foot-candle Level Graphic Sheets***

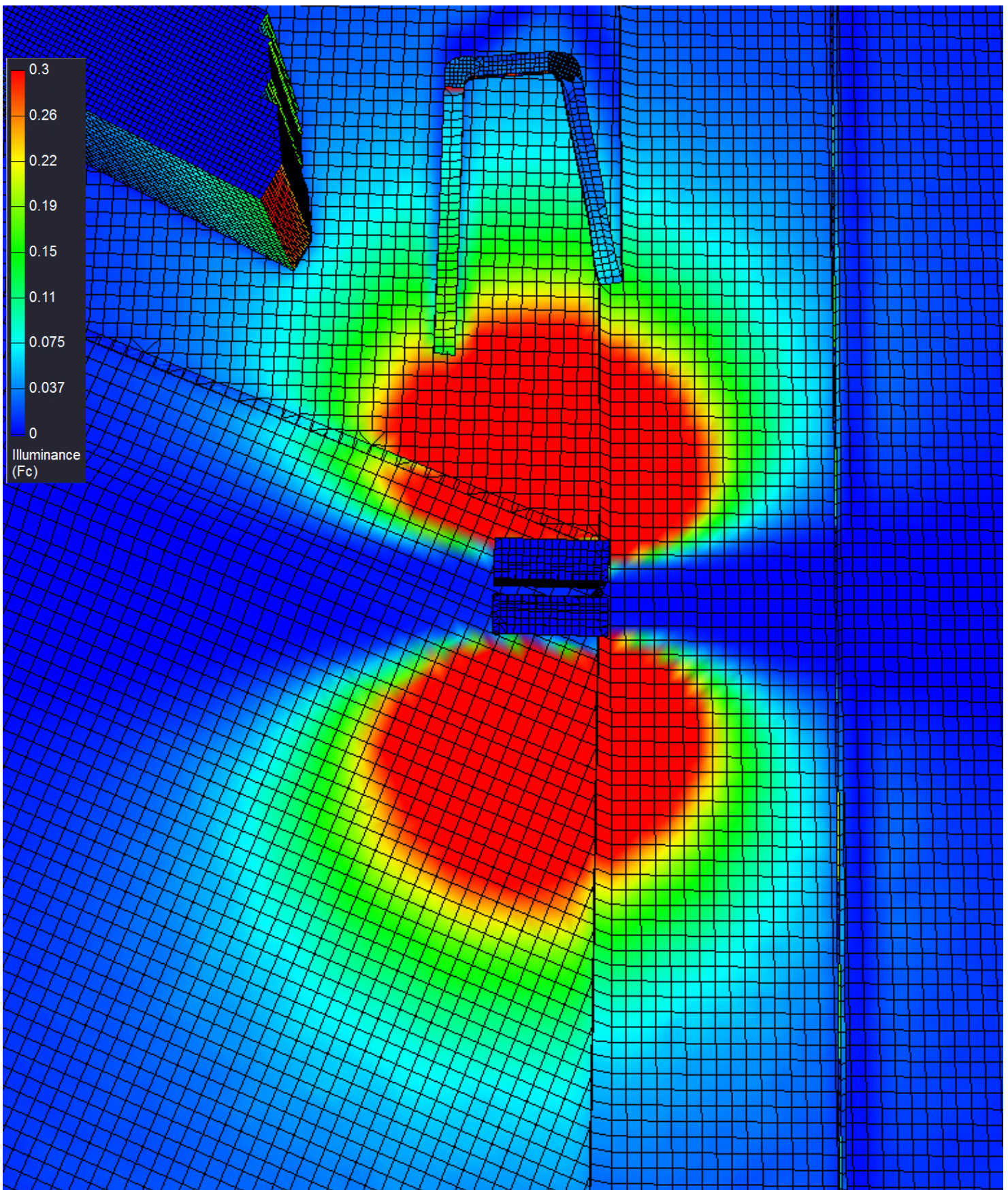


# Outfront Foster Interstate OXNARD BILLBOARD SITE 1

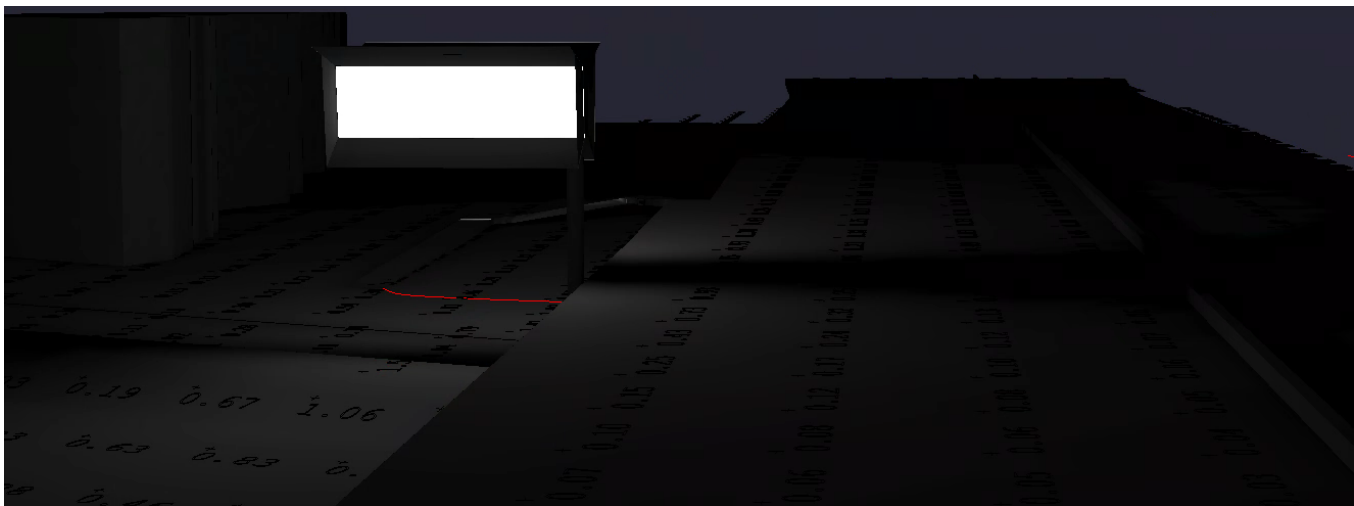
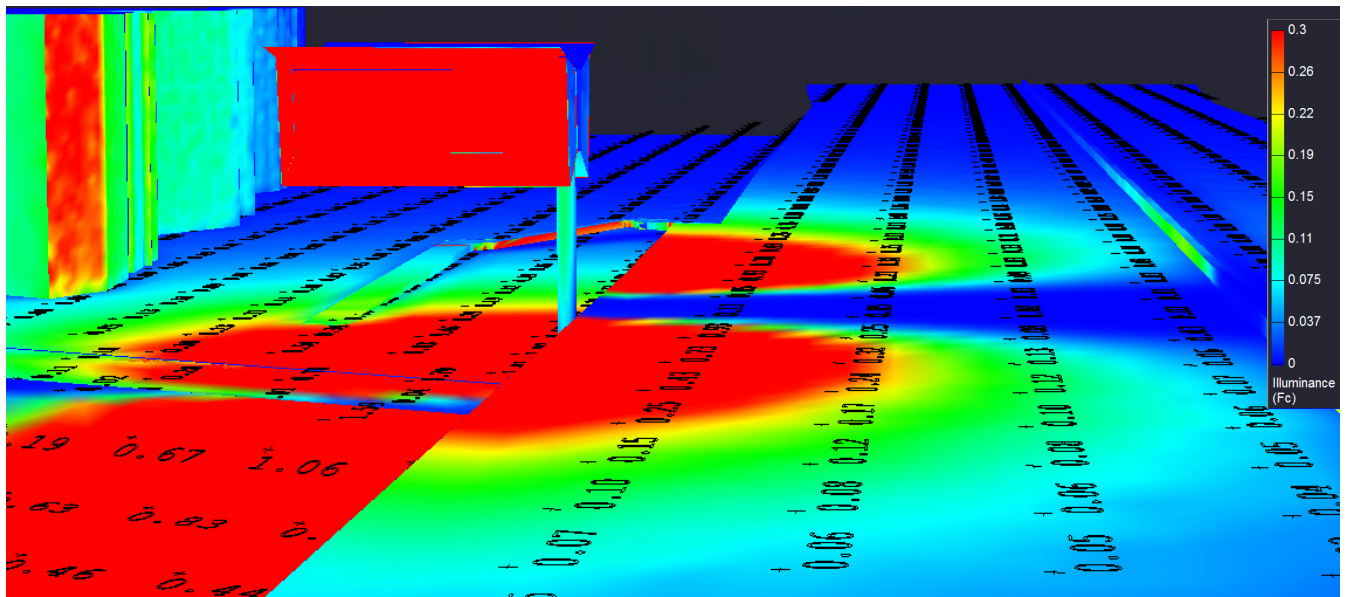
## N. Ventura Rd. Overall Plan w/250' Boundary

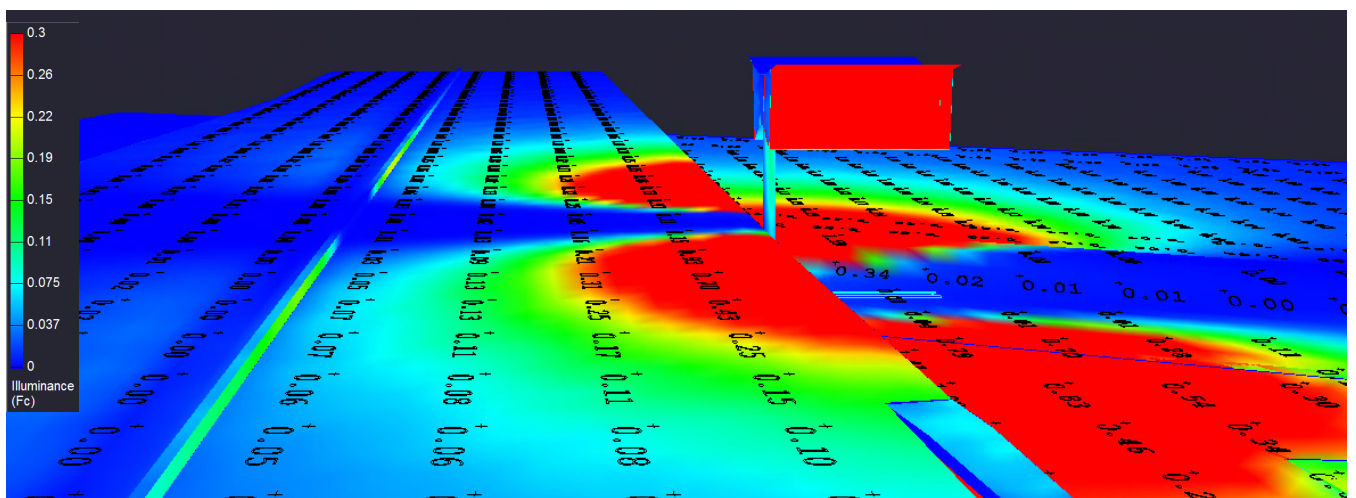
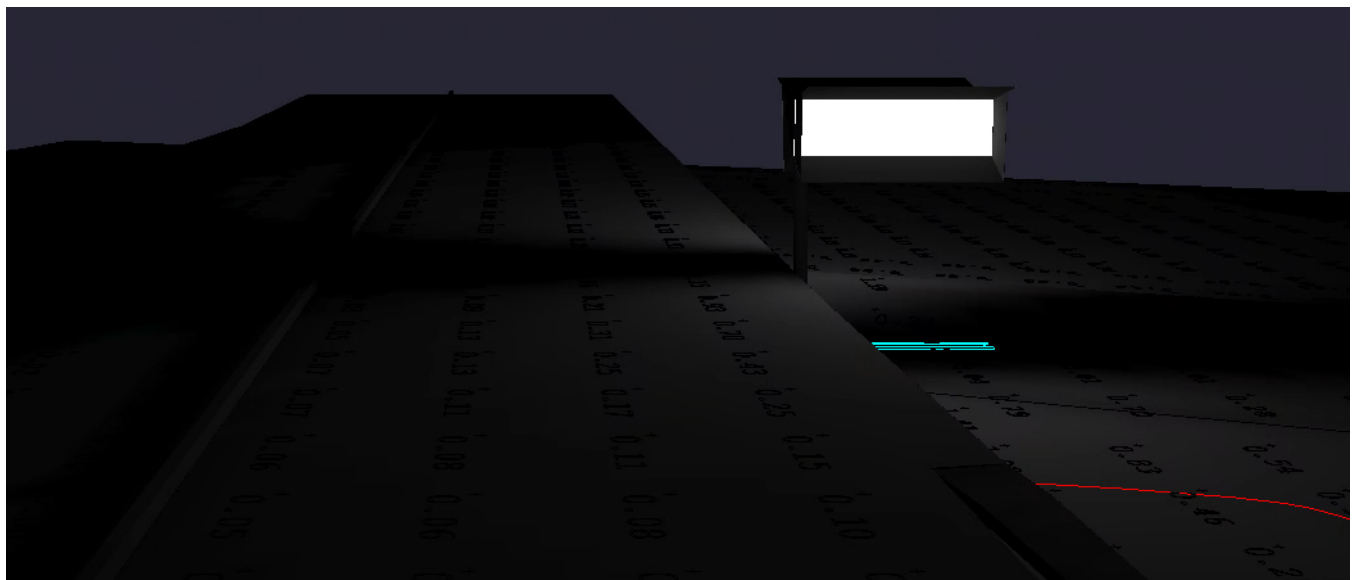
Release: 03/29/2022  
Revision: 0



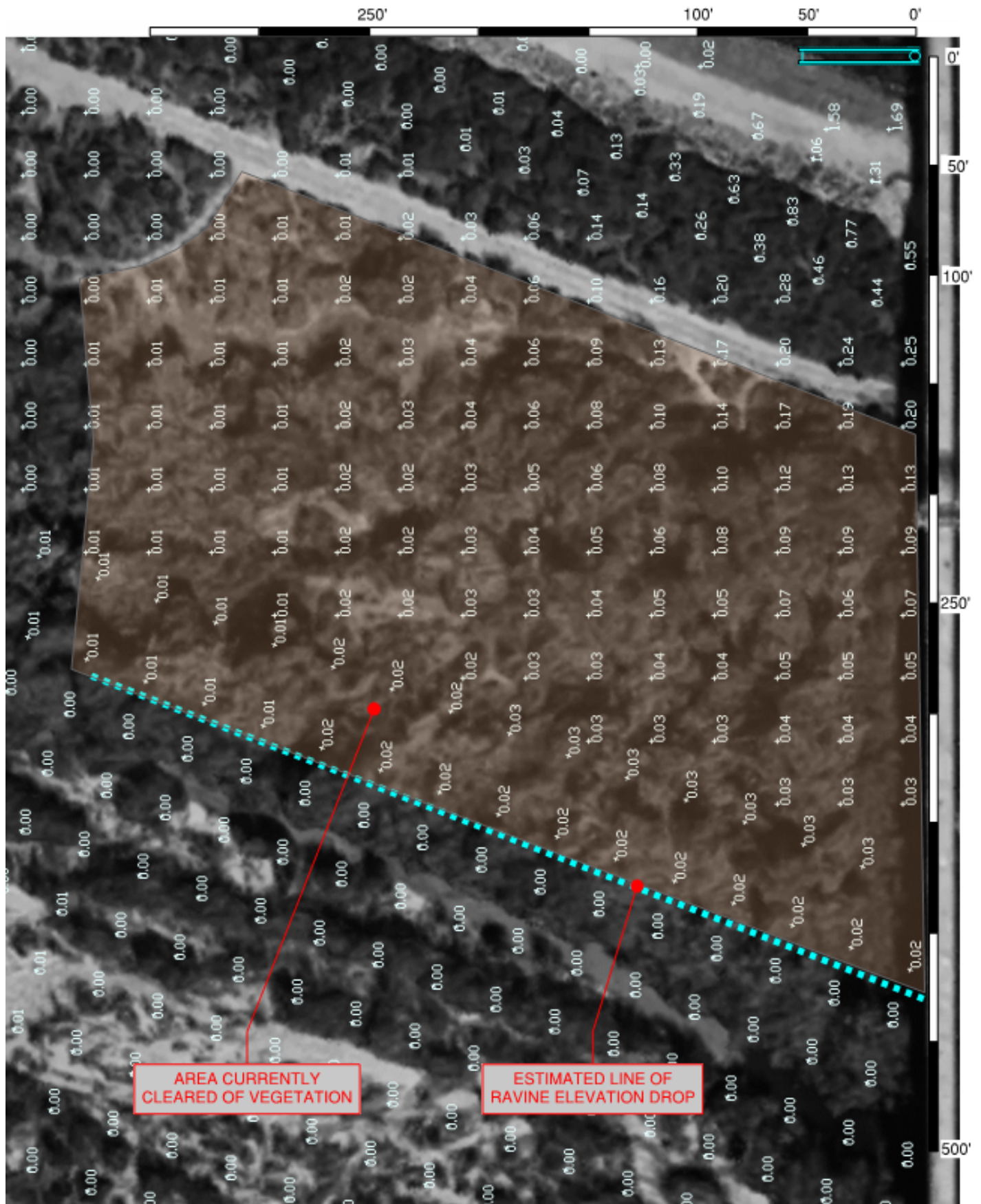








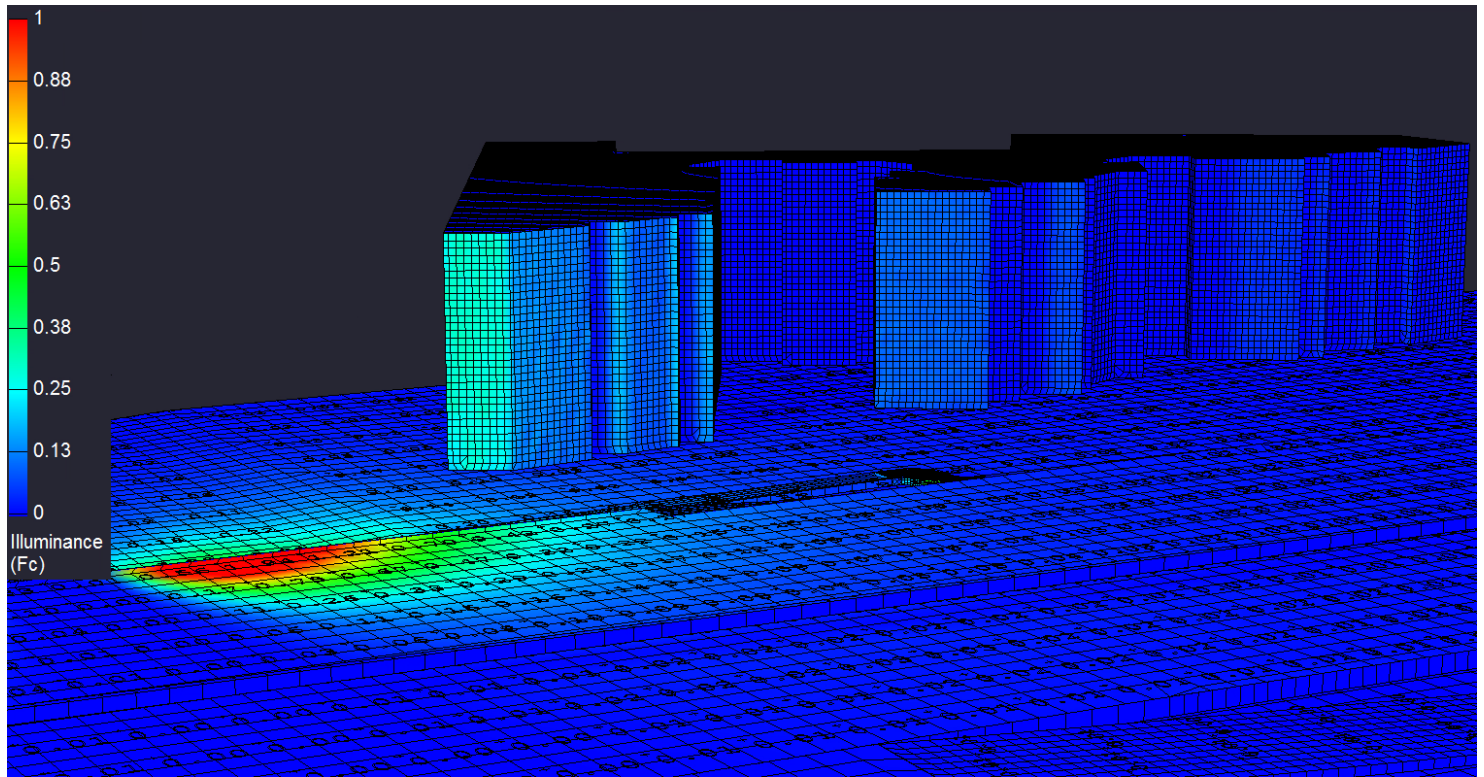




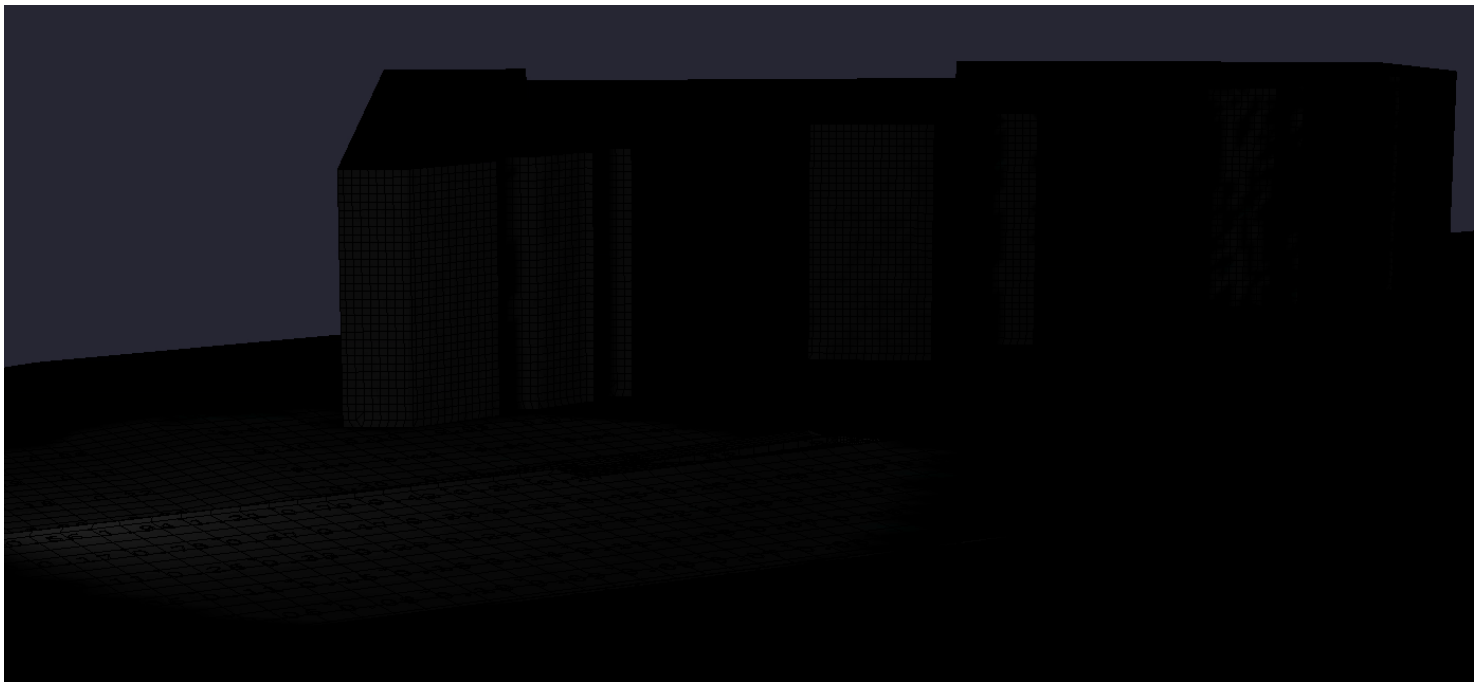
330 N. Brand Blvd. Suite 950

Outfront Foster Interstate  
OXNARD BILLBOARD SITE 1

N. Ventura Rd.  
Impact on Santa Clara River Basin



Pseudocolor Map



Rendered View





# Appendix D

## **Air Quality Assumptions and Modeling**



Ventura Road Electronic Billboard MND  
Air Quality Assumptions and Modeling

Location: Oxnard, Ventura County CA  
CEC Forecasting Climate Zone: 8  
Utility: SCE

Construction Schedule

| Phase                                  | Start Date | Completion Date | Work Days | Notes                                                           | Total Haul Trucks - round trip |
|----------------------------------------|------------|-----------------|-----------|-----------------------------------------------------------------|--------------------------------|
| Drill Footing / Haul & Disposal Dirt   | 6/6/2022   | 6/7/2022        | 1         | 1 flat-bed truck<br>5 super 10 dump                             | 6                              |
| Column Set / Concrete Pour             | 6/6/2022   | 6/7/2022        | 1         | 4 concrete mixing trucks<br>90 ton crane<br>hireach crane truck | 6                              |
| Set Top Column / Build & Set Structure | 6/8/2022   | 6/8/2022        | 1         | 2 48ft flatbed trailer<br>275 ton crane<br>hireach crane truck  | 4                              |
| Build & Set Digital Displays           | 6/9/2022   | 6/9/2022        | 1         | 2 48ft flatbed trailer<br>90 ton crane<br>hireach crane truck   | 4                              |

Construction Trips

| Phase                                  | # Workers/Day <sup>1</sup> | # Worker Trips/Day (one-way) <sup>2</sup> | # Vendor Trips/Day (one-way) | # Haul Truck Trips Total |
|----------------------------------------|----------------------------|-------------------------------------------|------------------------------|--------------------------|
| Drill Footing / Haul & Disposal Dirt   | 4                          | 8                                         | 0                            | 12                       |
| Column Set / Concrete Pour             | 5                          | 10                                        | 0                            | 12                       |
| Set Top Column / Build & Set Structure | 5                          | 10                                        | 0                            | 8                        |
| Build & Set Digital Displays           | 5                          | 10                                        | 0                            | 8                        |

**Construction By SubPhase**

| Phase                                  | Equipment Type     | # | Engine hp | Hrs/day |
|----------------------------------------|--------------------|---|-----------|---------|
| Drill Footing / Haul & Disposal Dirt   | Excavators         | 1 | 188       | 8       |
|                                        | Skid Steer Loaders | 1 | 405       | 8       |
|                                        | Off-Highway Truck  | 1 | 75        | 2       |
|                                        |                    |   |           |         |
| Column Set / Concrete Pour             | Aerial Lift        | 1 | 63        | 8       |
|                                        | Crane              | 1 | 231       | 8       |
|                                        | Concrete Mixer*    | 1 | 80        | 4       |
|                                        | Concrete Pump      | 1 | 84        | 4       |
|                                        |                    |   |           |         |
| Set Top Column / Build & Set Structure | Aerial Lift        | 1 | 63        | 8       |
|                                        | Crane              | 1 | 231       | 8       |
|                                        | Air Compressor     | 1 | 78        | 8       |
|                                        |                    |   |           |         |
| Build & Set Digital Displays           | Aerial Lift        | 1 | 63        | 8       |
|                                        | Crane              | 2 | 231       | 8       |
|                                        |                    |   |           |         |

All Equipment specified as part of typical construction equipment phasing for projects

CalEEMod default horsepower and load defaults typical of construction equipment with exception noted below.

\*Concrete Mixer included to include Hydraulic pump for truck mounted mixer utilizing Power Take-Off mode of concrete trucks during unloading/delivery (1 hr per truck)

## Maximum Daily Construction Emissions

|                            | (lb/day) |       |       |       |               |              |            |                |               |             |          |
|----------------------------|----------|-------|-------|-------|---------------|--------------|------------|----------------|---------------|-------------|----------|
| On + Off-Site Construction | ROG      | NOX   | CO    | SO2   | Fugitive PM10 | Exhaust PM10 | Total PM10 | Fugitive PM2.5 | Exhaust PM2.5 | Total PM2.5 | CO2e     |
| Max Daily Emissions        | 0.741    | 8.060 | 6.143 | 0.019 | 0.482         | 0.304        | 0.655      | 0.097          | 0.289         | 0.349       | 1939.197 |

### Phase Emissions (lbs

| Off-Road Const. Eqpt  |       |        |        |       | Fugitive | Exhaust | Total | Fugitive | Exhaust | Total |        |
|-----------------------|-------|--------|--------|-------|----------|---------|-------|----------|---------|-------|--------|
|                       | ROG   | NOX    | CO     | SO2   | PM10     | PM10    | PM10  | PM2.5    | PM2.5   | PM2.5 | CO2e   |
| Drill Footing         | 0.404 | 3.709  | 5.482  | 0.011 | 0.207    | 0.157   | 0.364 | 0.022    | 0.144   | 0.167 | 1028   |
| Column Set            | 0.585 | 6.229  | 4.852  | 0.011 | -        | 0.262   | 0.262 | -        | 0.247   | 0.247 | 1039   |
| Build & Set Structure | 0.682 | 6.623  | 5.404  | 0.011 | -        | 0.293   | 0.293 | -        | 0.278   | 0.278 | 1103   |
| Build & Set Displays  | 0.409 | 4.745  | 2.986  | 0.007 | -        | 0.184   | 0.184 | -        | 0.169   | 0.169 | 727    |
| total offroad         | 2.080 | 21.305 | 18.725 | 0.040 | 0.207    | 0.896   | 1.103 | 0.022    | 0.839   | 0.862 | 3898.0 |
| On-Road Mobile        |       |        |        |       | Fugitive | Exhaust | Total | Fugitive | Exhaust | Total |        |
|                       | ROG   | NOX    | CO     | SO2   | PM10     | PM10    | PM10  | PM2.5    | PM2.5   | PM2.5 | CO2e   |
| Drill Footing         | 0.067 | 1.827  | 0.661  | 0.008 | 0.275    | 0.016   | 0.291 | 0.075    | 0.015   | 0.090 | 885    |
| Column Set            | 0.074 | 1.831  | 0.717  | 0.008 | 0.292    | 0.016   | 0.307 | 0.079    | 0.015   | 0.094 | 900    |
| Build & Set Structure | 0.059 | 1.227  | 0.570  | 0.005 | 0.222    | 0.011   | 0.233 | 0.060    | 0.010   | 0.070 | 625    |
| Build & Set Displays  | 0.059 | 1.227  | 0.570  | 0.005 | 0.222    | 0.011   | 0.233 | 0.060    | 0.010   | 0.070 | 625    |
| total on-road         | 0.259 | 6.113  | 2.519  | 0.027 | 1.010    | 0.053   | 1.063 | 0.274    | 0.051   | 0.325 | 3034.5 |
| Total Construction    |       |        |        |       | Fugitive | Exhaust | Total | Fugitive | Exhaust | Total |        |
|                       | ROG   | NOX    | CO     | SO2   | PM10     | PM10    | PM10  | PM2.5    | PM2.5   | PM2.5 | CO2e   |
| Drill Footing         | 0.471 | 5.5    | 6.1    | 0.018 | 0.5      | 0.2     | 0.7   | 0.1      | 0.2     | 0.3   | 1913.6 |
| Column Set            | 0.659 | 8.1    | 5.6    | 0.019 | 0.292    | 0.278   | 0.569 | 0.079    | 0.262   | 0.342 | 1939   |
| Build & Set Structure | 0.741 | 7.8    | 6.0    | 0.017 | 0.222    | 0.304   | 0.526 | 0.060    | 0.289   | 0.349 | 1728   |
| Build & Set Displays  | 0.468 | 6.0    | 3.6    | 0.013 | 0.222    | 0.195   | 0.417 | 0.060    | 0.180   | 0.240 | 1352   |
| Project Total (lbs)   | 2.339 | 27.418 | 21.244 | 0.067 | 1.217    | 0.949   | 2.166 | 0.296    | 0.890   | 1.186 | 6933   |

## Oxnard Billboard MND - Ventura County, Summer

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied****Oxnard Billboard MND**  
**Ventura County, Summer****1.0 Project Characteristics****1.1 Land Usage**

| Land Uses               | Size | Metric            | Lot Acreage | Floor Surface Area | Population |
|-------------------------|------|-------------------|-------------|--------------------|------------|
| User Defined Commercial | 1.00 | User Defined Unit | 0.25        | 1.00               | 0          |

**1.2 Other Project Characteristics**

|                                 |                            |                                 |       |                                  |       |
|---------------------------------|----------------------------|---------------------------------|-------|----------------------------------|-------|
| <b>Urbanization</b>             | Urban                      | <b>Wind Speed (m/s)</b>         | 2.6   | <b>Precipitation Freq (Days)</b> | 31    |
| <b>Climate Zone</b>             | 8                          |                                 |       | <b>Operational Year</b>          | 2022  |
| <b>Utility Company</b>          | Southern California Edison |                                 |       |                                  |       |
| <b>CO2 Intensity (lb/MW hr)</b> | 390.98                     | <b>CH4 Intensity (lb/MW hr)</b> | 0.033 | <b>N2O Intensity (lb/MW hr)</b>  | 0.004 |

**1.3 User Entered Comments & Non-Default Data**

Project Characteristics - Oxnard Billboard Ordinance - MND - Typical Installation

Land Use - Default Lot size of 11,000 sq ft (Range: 1,000 - 15,000)

Sq Ft = 1 is a unity rate for 1 Billboard for Operational Energy

Construction Phase - From Billboard Installation Schedule

1 Day for each phase. (5-7 days between Column Set and Build)

Off-road Equipment - Typical Construction Eqpt

Off-road Equipment - From Installation Schedule

Off-road Equipment - Truck Mounted Cement Mixer 80 HP for typical 10 CY Concrete Mixing Truck - uses Power Take-off from Truck Engine

-runs continuously during Unloading (1 hr per truck)

Off-road Equipment - Off-Highway Trucks included to include On-site Maneuvering and Idle time for Dump Trucks; Crawler Tractor included (but set to 0) to activate fugitive dust calcs

Trips and VMT - Haul Trips for Column Set based on Pieces of Eqpt (4) using CalEEMod methodology =  $4 \times 1.25 = 5$

Build & Set Structures and Displays also assume 5 workers per day

Grading - Fugitive dust emissions

Vehicle Emission Factors -

Vehicle Emission Factors -

Vehicle Emission Factors -

Consumer Products - No Consumer Products used as part of Operations

Area Coating - No Coatings

Landscape Equipment - No Landscape Operations

Energy Use - 54,000 kw-hr per year Avg Billboard Energy Usage

| Table Name            | Column Name                  | Default Value | New Value        |
|-----------------------|------------------------------|---------------|------------------|
| tblAreaCoating        | Area_Nonresidential_Exterior | 1             | 0                |
| tblAreaCoating        | Area_Nonresidential_Interior | 2             | 0                |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 2.00          | 1.00             |
| tblConsumerProducts   | ROG_EF                       | 2.14E-05      | 0                |
| tblEnergyUse          | T24E                         | 0.00          | 54,000.00        |
| tblGrading            | AcresOfGrading               | 0.00          | 0.50             |
| tblLandscapeEquipment | NumberSummerDays             | 180           | 0                |
| tblLandUse            | LandUseSquareFeet            | 0.00          | 1.00             |
| tblLandUse            | LotAcreage                   | 0.00          | 0.25             |
| tblOffRoadEquipment   | HorsePower                   | 9.00          | 80.00            |
| tblOffRoadEquipment   | LoadFactor                   | 0.43          | 0.43             |
| tblOffRoadEquipment   | OffRoadEquipmentType         |               | Crawler Tractors |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 12.00            |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 12.00            |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 8.00             |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 8.00             |
| tblTripsAndVMT        | WorkerTripNumber             | 10.00         | 8.00             |
| tblTripsAndVMT        | WorkerTripNumber             | 0.00          | 10.00            |
| tblTripsAndVMT        | WorkerTripNumber             | 0.00          | 10.00            |
| tblTripsAndVMT        | WorkerTripNumber             | 0.00          | 10.00            |



### Unmitigated Construction

|         | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O    | CO2e       |
|---------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|--------|------------|
| Year    | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |        |            |
| 2022    | 0.7410 | 8.0601 | 6.1432 | 0.0186 | 0.8054        | 0.3038       | 0.9781     | 0.1321         | 0.2886        | 0.3486      | 0.0000   | 1,893.7113 | 1,893.7113 | 0.3821 | 0.1273 | 1,939.1974 |
| Maximum | 0.7410 | 8.0601 | 6.1432 | 0.0186 | 0.8054        | 0.3038       | 0.9781     | 0.1321         | 0.2886        | 0.3486      | 0.0000   | 1,893.7113 | 1,893.7113 | 0.3821 | 0.1273 | 1,939.1974 |

|         | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O    | CO2e       |
|---------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|--------|------------|
| Year    | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |        |            |
| 2022    | 0.7410 | 8.0601 | 6.1432 | 0.0186 | 0.4820        | 0.3038       | 0.6546     | 0.0971         | 0.2886        | 0.3486      | 0.0000   | 1,893.7113 | 1,893.7113 | 0.3821 | 0.1273 | 1,939.1974 |
| Maximum | 0.7410 | 8.0601 | 6.1432 | 0.0186 | 0.4820        | 0.3038       | 0.6546     | 0.0971         | 0.2886        | 0.3486      | 0.0000   | 1,893.7113 | 1,893.7113 | 0.3821 | 0.1273 | 1,939.1974 |

[illegible]

### 3.0 Construction Detail

#### Construction Phase

| Phase Number | Phase Name                   | Phase Type            | Start Date | End Date | Num Days Week | Num Days | Phase Description                      |
|--------------|------------------------------|-----------------------|------------|----------|---------------|----------|----------------------------------------|
| 1            | Drill Footing                | Grading               | 6/1/2022   | 6/1/2022 | 5             | 1        | Drill Footing / Haul & Disposal Dirt   |
| 2            | Column Set                   | Building Construction | 6/2/2022   | 6/2/2022 | 5             | 1        | Column Set/Concrete Pour               |
| 3            | Build & Set Structure        | Building Construction | 6/7/2022   | 6/7/2022 | 5             | 1        | Set Top Column / Build & Set Structure |
| 4            | Build & Set Digital Displays | Building Construction | 6/8/2022   | 6/8/2022 | 5             | 1        | Build & Set Digital Displays           |

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 0.5

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating –

#### OffRoad Equipment

| Phase Name                   | Offroad Equipment Type   | Amount | Usage Hours | Horse Power | Load Factor |
|------------------------------|--------------------------|--------|-------------|-------------|-------------|
| Drill Footing                | Excavators               | 1      | 8.00        | 158         | 0.38        |
| Drill Footing                | Off-Highway Trucks       | 1      | 2.00        | 402         | 0.38        |
| Drill Footing                | Skid Steer Loaders       | 1      | 8.00        | 65          | 0.37        |
| Column Set                   | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Column Set                   | Cement and Mortar Mixers | 1      | 4.00        | 80          | 0.56        |
| Column Set                   | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Column Set                   | Pumps                    | 1      | 4.00        | 84          | 0.74        |
| Build & Set Structure        | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Build & Set Structure        | Air Compressors          | 1      | 8.00        | 78          | 0.48        |
| Build & Set Structure        | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Build & Set Digital Displays | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Build & Set Digital Displays | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Drill Footing                | Crawler Tractors         | 1      | 0.00        | 212         | 0.43        |

**Trips and VMT**

| Phase Name                   | Offroad Equipment Count | Worker Trip Number | Vendor Trip Number | Hauling Trip Number | Worker Trip Length | Vendor Trip Length | Hauling Trip Length | Worker Vehicle Class | Vendor Vehicle Class | Hauling Vehicle Class |
|------------------------------|-------------------------|--------------------|--------------------|---------------------|--------------------|--------------------|---------------------|----------------------|----------------------|-----------------------|
| Drill Footing                | 4                       | 8.00               | 0.00               | 12.00               | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Column Set                   | 4                       | 10.00              | 0.00               | 12.00               | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Build & Set Structure        | 3                       | 10.00              | 0.00               | 8.00                | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Build & Set Digital Displays | 2                       | 10.00              | 0.00               | 8.00                | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |

**3.1 Mitigation Measures Construction**

Water Exposed Area

### 3.2 Drill Footing - 2022

#### Unmitigated Construction On-Site

|               | ROG           | NOx           | CO            | SO2           | Fugitive PM10 | Exhaust PM10  | PM10 Total    | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total   | Bio- CO2 | NBio- CO2         | Total CO2         | CH4           | N2O | CO2e              |
|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|----------------|---------------|---------------|----------|-------------------|-------------------|---------------|-----|-------------------|
| Category      | lb/day        |               |               |               |               |               |               |                |               |               | lb/day   |                   |                   |               |     |                   |
| Fugitive Dust |               |               |               |               | 0.5303        | 0.0000        | 0.5303        | 0.0573         | 0.0000        | 0.0573        |          |                   | 0.0000            |               |     | 0.0000            |
| Off-Road      | 0.4041        | 3.7090        | 5.4820        | 0.0105        |               | 0.1569        | 0.1569        |                | 0.1444        | 0.1444        |          | 1,020.1529        | 1,020.1529        | 0.3299        |     | 1,028.4013        |
| <b>Total</b>  | <b>0.4041</b> | <b>3.7090</b> | <b>5.4820</b> | <b>0.0105</b> | <b>0.5303</b> | <b>0.1569</b> | <b>0.6872</b> | <b>0.0573</b>  | <b>0.1444</b> | <b>0.2016</b> |          | <b>1,020.1529</b> | <b>1,020.1529</b> | <b>0.3299</b> |     | <b>1,028.4013</b> |

#### Unmitigated Construction Off-Site

|              | ROG           | NOx           | CO            | SO2                | Fugitive PM10 | Exhaust PM10  | PM10 Total    | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total   | Bio- CO2 | NBio- CO2       | Total CO2       | CH4           | N2O           | CO2e            |
|--------------|---------------|---------------|---------------|--------------------|---------------|---------------|---------------|----------------|---------------|---------------|----------|-----------------|-----------------|---------------|---------------|-----------------|
| Category     | lb/day        |               |               |                    |               |               |               |                |               |               | lb/day   |                 |                 |               |               |                 |
| Hauling      | 0.0425        | 1.8111        | 0.4391        | 7.1300e-003        | 0.2095        | 0.0153        | 0.2248        | 0.0574         | 0.0147        | 0.0721        |          | 787.5499        | 787.5499        | 0.0503        | 0.1253        | 826.1453        |
| Vendor       | 0.0000        | 0.0000        | 0.0000        | 0.0000             | 0.0000        | 0.0000        | 0.0000        | 0.0000         | 0.0000        | 0.0000        |          | 0.0000          | 0.0000          | 0.0000        | 0.0000        | 0.0000          |
| Worker       | 0.0247        | 0.0160        | 0.2221        | 5.8000e-004        | 0.0657        | 3.8000e-004   | 0.0661        | 0.0174         | 3.5000e-004   | 0.0178        |          | 58.5551         | 58.5551         | 1.8600e-003   | 1.6200e-003   | 59.0832         |
| <b>Total</b> | <b>0.0673</b> | <b>1.8271</b> | <b>0.6612</b> | <b>7.7100e-003</b> | <b>0.2752</b> | <b>0.0157</b> | <b>0.2909</b> | <b>0.0748</b>  | <b>0.0150</b> | <b>0.0898</b> |          | <b>846.1050</b> | <b>846.1050</b> | <b>0.0522</b> | <b>0.1269</b> | <b>885.2284</b> |

Mitigated Construction On-Site

|               | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O | CO2e       |
|---------------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-----|------------|
| Category      | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |     |            |
| Fugitive Dust |        |        |        |        | 0.2068        | 0.0000       | 0.2068     | 0.0223         | 0.0000        | 0.0223      |          |            | 0.0000     |        |     | 0.0000     |
| Off-Road      | 0.4041 | 3.7090 | 5.4820 | 0.0105 |               | 0.1569       | 0.1569     |                | 0.1444        | 0.1444      | 0.0000   | 1,020.1529 | 1,020.1529 | 0.3299 |     | 1,028.4013 |
| Total         | 0.4041 | 3.7090 | 5.4820 | 0.0105 | 0.2068        | 0.1569       | 0.3637     | 0.0223         | 0.1444        | 0.1667      | 0.0000   | 1,020.1529 | 1,020.1529 | 0.3299 |     | 1,028.4013 |

Mitigated Construction Off-Site

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |             |             |          |
| Hauling  | 0.0425 | 1.8111 | 0.4391 | 7.1300e-003 | 0.2095        | 0.0153       | 0.2248     | 0.0574         | 0.0147        | 0.0721      |          | 787.5499  | 787.5499  | 0.0503      | 0.1253      | 826.1453 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000      | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000   |
| Worker   | 0.0247 | 0.0160 | 0.2221 | 5.8000e-004 | 0.0657        | 3.8000e-004  | 0.0661     | 0.0174         | 3.5000e-004   | 0.0178      |          | 58.5551   | 58.5551   | 1.8600e-003 | 1.6200e-003 | 59.0832  |
| Total    | 0.0673 | 1.8271 | 0.6612 | 7.7100e-003 | 0.2752        | 0.0157       | 0.2909     | 0.0748         | 0.0150        | 0.0898      |          | 846.1050  | 846.1050  | 0.0522      | 0.1269      | 885.2284 |

3.3 Column Set - 2022

Unmitigated Construction On-Site

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O | CO2e       |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-----|------------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |     |            |
| Off-Road | 0.5850 | 6.2290 | 4.8523 | 0.0107 |               | 0.2620       | 0.2620     |                | 0.2472        | 0.2472      |          | 1,032.9675 | 1,032.9675 | 0.2492 |     | 1,039.1982 |
| Total    | 0.5850 | 6.2290 | 4.8523 | 0.0107 |               | 0.2620       | 0.2620     |                | 0.2472        | 0.2472      |          | 1,032.9675 | 1,032.9675 | 0.2492 |     | 1,039.1982 |

Unmitigated Construction Off-Site

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |             |             |          |
| Hauling  | 0.0425 | 1.8111 | 0.4391 | 7.1300e-003 | 0.2095        | 0.0153       | 0.2248     | 0.0574         | 0.0147        | 0.0721      |          | 787.5499  | 787.5499  | 0.0503      | 0.1253      | 826.1453 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000      | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000   |
| Worker   | 0.0309 | 0.0200 | 0.2776 | 7.2000e-004 | 0.0822        | 4.7000e-004  | 0.0826     | 0.0218         | 4.3000e-004   | 0.0222      |          | 73.1939   | 73.1939   | 2.3300e-003 | 2.0200e-003 | 73.8540  |
| Total    | 0.0735 | 1.8311 | 0.7167 | 7.8500e-003 | 0.2916        | 0.0158       | 0.3074     | 0.0792         | 0.0151        | 0.0943      |          | 860.7438  | 860.7438  | 0.0526      | 0.1273      | 899.9992 |

**Mitigated Construction On-Site**

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O | CO2e       |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-----|------------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |     |            |
| Off-Road | 0.5850 | 6.2290 | 4.8523 | 0.0107 |               | 0.2620       | 0.2620     |                | 0.2472        | 0.2472      | 0.0000   | 1,032.9675 | 1,032.9675 | 0.2492 |     | 1,039.1982 |
| Total    | 0.5850 | 6.2290 | 4.8523 | 0.0107 |               | 0.2620       | 0.2620     |                | 0.2472        | 0.2472      | 0.0000   | 1,032.9675 | 1,032.9675 | 0.2492 |     | 1,039.1982 |

**Mitigated Construction Off-Site**

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |             |             |          |
| Hauling  | 0.0425 | 1.8111 | 0.4391 | 7.1300e-003 | 0.2095        | 0.0153       | 0.2248     | 0.0574         | 0.0147        | 0.0721      |          | 787.5499  | 787.5499  | 0.0503      | 0.1253      | 826.1453 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000      | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000   |
| Worker   | 0.0309 | 0.0200 | 0.2776 | 7.2000e-004 | 0.0822        | 4.7000e-004  | 0.0826     | 0.0218         | 4.3000e-004   | 0.0222      |          | 73.1939   | 73.1939   | 2.3300e-003 | 2.0200e-003 | 73.8540  |
| Total    | 0.0735 | 1.8311 | 0.7167 | 7.8500e-003 | 0.2916        | 0.0158       | 0.3074     | 0.0792         | 0.0151        | 0.0943      |          | 860.7438  | 860.7438  | 0.0526      | 0.1273      | 899.9992 |

3.4 Build & Set Structure - 2022

Unmitigated Construction On-Site

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O | CO2e       |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-----|------------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |     |            |
| Off-Road | 0.6818 | 6.6225 | 5.4044 | 0.0114 |               | 0.2931       | 0.2931     |                | 0.2784        | 0.2784      |          | 1,096.7143 | 1,096.7143 | 0.2578 |     | 1,103.1584 |
| Total    | 0.6818 | 6.6225 | 5.4044 | 0.0114 |               | 0.2931       | 0.2931     |                | 0.2784        | 0.2784      |          | 1,096.7143 | 1,096.7143 | 0.2578 |     | 1,103.1584 |

Unmitigated Construction Off-Site

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |             |             |          |
| Hauling  | 0.0284 | 1.2074 | 0.2928 | 4.7500e-003 | 0.1397        | 0.0102       | 0.1499     | 0.0383         | 9.7800e-003   | 0.0480      |          | 525.0333  | 525.0333  | 0.0335      | 0.0835      | 550.7635 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000      | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000   |
| Worker   | 0.0309 | 0.0200 | 0.2776 | 7.2000e-004 | 0.0822        | 4.7000e-004  | 0.0826     | 0.0218         | 4.3000e-004   | 0.0222      |          | 73.1939   | 73.1939   | 2.3300e-003 | 2.0200e-003 | 73.8540  |
| Total    | 0.0593 | 1.2274 | 0.5704 | 5.4700e-003 | 0.2218        | 0.0107       | 0.2325     | 0.0600         | 0.0102        | 0.0703      |          | 598.2272  | 598.2272  | 0.0359      | 0.0856      | 624.6175 |



**Mitigated Construction On-Site**

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O | CO2e       |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-----|------------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |     |            |
| Off-Road | 0.6818 | 6.6225 | 5.4044 | 0.0114 |               | 0.2931       | 0.2931     |                | 0.2784        | 0.2784      | 0.0000   | 1,096.7143 | 1,096.7143 | 0.2578 |     | 1,103.1584 |
| Total    | 0.6818 | 6.6225 | 5.4044 | 0.0114 |               | 0.2931       | 0.2931     |                | 0.2784        | 0.2784      | 0.0000   | 1,096.7143 | 1,096.7143 | 0.2578 |     | 1,103.1584 |

**Mitigated Construction Off-Site**

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |             |             |          |
| Hauling  | 0.0284 | 1.2074 | 0.2928 | 4.7500e-003 | 0.1397        | 0.0102       | 0.1499     | 0.0383         | 9.7800e-003   | 0.0480      |          | 525.0333  | 525.0333  | 0.0335      | 0.0835      | 550.7635 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000      | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000   |
| Worker   | 0.0309 | 0.0200 | 0.2776 | 7.2000e-004 | 0.0822        | 4.7000e-004  | 0.0826     | 0.0218         | 4.3000e-004   | 0.0222      |          | 73.1939   | 73.1939   | 2.3300e-003 | 2.0200e-003 | 73.8540  |
| Total    | 0.0593 | 1.2274 | 0.5704 | 5.4700e-003 | 0.2218        | 0.0107       | 0.2325     | 0.0600         | 0.0102        | 0.0703      |          | 598.2272  | 598.2272  | 0.0359      | 0.0856      | 624.6175 |

3.5 Build & Set Digital Displays - 2022

Unmitigated Construction On-Site

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|-----|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |        |     |          |
| Off-Road | 0.4091 | 4.7446 | 2.9863 | 7.4500e-003 |               | 0.1841       | 0.1841     |                | 0.1694        | 0.1694      |          | 721.4502  | 721.4502  | 0.2333 |     | 727.2835 |
| Total    | 0.4091 | 4.7446 | 2.9863 | 7.4500e-003 |               | 0.1841       | 0.1841     |                | 0.1694        | 0.1694      |          | 721.4502  | 721.4502  | 0.2333 |     | 727.2835 |

Unmitigated Construction Off-Site

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |             |             |          |
| Hauling  | 0.0284 | 1.2074 | 0.2928 | 4.7500e-003 | 0.1397        | 0.0102       | 0.1499     | 0.0383         | 9.7800e-003   | 0.0480      |          | 525.0333  | 525.0333  | 0.0335      | 0.0835      | 550.7635 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000      | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000   |
| Worker   | 0.0309 | 0.0200 | 0.2776 | 7.2000e-004 | 0.0822        | 4.7000e-004  | 0.0826     | 0.0218         | 4.3000e-004   | 0.0222      |          | 73.1939   | 73.1939   | 2.3300e-003 | 2.0200e-003 | 73.8540  |
| Total    | 0.0593 | 1.2274 | 0.5704 | 5.4700e-003 | 0.2218        | 0.0107       | 0.2325     | 0.0600         | 0.0102        | 0.0703      |          | 598.2272  | 598.2272  | 0.0359      | 0.0856      | 624.6175 |

Mitigated Construction On-Site

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|-----|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |        |     |          |
| Off-Road | 0.4091 | 4.7446 | 2.9863 | 7.4500e-003 |               | 0.1841       | 0.1841     |                | 0.1694        | 0.1694      | 0.0000   | 721.4502  | 721.4502  | 0.2333 |     | 727.2835 |
| Total    | 0.4091 | 4.7446 | 2.9863 | 7.4500e-003 |               | 0.1841       | 0.1841     |                | 0.1694        | 0.1694      | 0.0000   | 721.4502  | 721.4502  | 0.2333 |     | 727.2835 |

Mitigated Construction Off-Site

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |             |             |          |
| Hauling  | 0.0284 | 1.2074 | 0.2928 | 4.7500e-003 | 0.1397        | 0.0102       | 0.1499     | 0.0383         | 9.7800e-003   | 0.0480      |          | 525.0333  | 525.0333  | 0.0335      | 0.0835      | 550.7635 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000      | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000   |
| Worker   | 0.0309 | 0.0200 | 0.2776 | 7.2000e-004 | 0.0822        | 4.7000e-004  | 0.0826     | 0.0218         | 4.3000e-004   | 0.0222      |          | 73.1939   | 73.1939   | 2.3300e-003 | 2.0200e-003 | 73.8540  |
| Total    | 0.0593 | 1.2274 | 0.5704 | 5.4700e-003 | 0.2218        | 0.0107       | 0.2325     | 0.0600         | 0.0102        | 0.0703      |          | 598.2272  | 598.2272  | 0.0359      | 0.0856      | 624.6175 |

---

## Oxnard Billboard MND - Ventura County, Winter

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied****Oxnard Billboard MND**  
**Ventura County, Winter****1.0 Project Characteristics****1.1 Land Usage**

| Land Uses               | Size | Metric            | Lot Acreage | Floor Surface Area | Population |
|-------------------------|------|-------------------|-------------|--------------------|------------|
| User Defined Commercial | 1.00 | User Defined Unit | 0.25        | 1.00               | 0          |

**1.2 Other Project Characteristics**

|                                 |                            |                                 |       |                                  |       |
|---------------------------------|----------------------------|---------------------------------|-------|----------------------------------|-------|
| <b>Urbanization</b>             | Urban                      | <b>Wind Speed (m/s)</b>         | 2.6   | <b>Precipitation Freq (Days)</b> | 31    |
| <b>Climate Zone</b>             | 8                          |                                 |       | <b>Operational Year</b>          | 2022  |
| <b>Utility Company</b>          | Southern California Edison |                                 |       |                                  |       |
| <b>CO2 Intensity (lb/MW hr)</b> | 390.98                     | <b>CH4 Intensity (lb/MW hr)</b> | 0.033 | <b>N2O Intensity (lb/MW hr)</b>  | 0.004 |

**1.3 User Entered Comments & Non-Default Data**

Project Characteristics - Oxnard Billboard Ordinance - MND - Typical Installation

Land Use - Default Lot size of 11,000 sq ft (Range: 1,000 - 15,000)

Sq Ft = 1 is a unity rate for 1 Billboard for Operational Energy

Construction Phase - From Billboard Installation Schedule

1 Day for each phase. (5-7 days between Column Set and Build)

Off-road Equipment - Typical Construction Eqpt

Off-road Equipment - From Installation Schedule

Off-road Equipment - Truck Mounted Cement Mixer 80 HP for typical 10 CY Concrete Mixing Truck - uses Power Take-off from Truck Engine

-runs continuously during Unloading (1 hr per truck)

Off-road Equipment - Off-Highway Trucks included to include On-site Maneuvering and Idle time for Dump Trucks; Crawler Tractor included (but set to 0) to activate fugitive dust calcs

Trips and VMT - Haul Trips for Column Set based on Pieces of Eqpt (4) using CalEEMod methodology =  $4 \times 1.25 = 5$

Build & Set Structures and Displays also assume 5 workers per day

Grading - Fugitive dust emissions

Vehicle Emission Factors -

Vehicle Emission Factors -

Vehicle Emission Factors -

Consumer Products - No Consumer Products used as part of Operations

Area Coating - No Coatings

Landscape Equipment - No Landscape Operations

Energy Use - 54,000 kw-hr per year Avg Billboard Energy Usage

| Table Name            | Column Name                  | Default Value | New Value        |
|-----------------------|------------------------------|---------------|------------------|
| tblAreaCoating        | Area_Nonresidential_Exterior | 1             | 0                |
| tblAreaCoating        | Area_Nonresidential_Interior | 2             | 0                |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 2.00          | 1.00             |
| tblConsumerProducts   | ROG_EF                       | 2.14E-05      | 0                |
| tblEnergyUse          | T24E                         | 0.00          | 54,000.00        |
| tblGrading            | AcresOfGrading               | 0.00          | 0.50             |
| tblLandscapeEquipment | NumberSummerDays             | 180           | 0                |
| tblLandUse            | LandUseSquareFeet            | 0.00          | 1.00             |
| tblLandUse            | LotAcreage                   | 0.00          | 0.25             |
| tblOffRoadEquipment   | HorsePower                   | 9.00          | 80.00            |
| tblOffRoadEquipment   | LoadFactor                   | 0.43          | 0.43             |
| tblOffRoadEquipment   | OffRoadEquipmentType         |               | Crawler Tractors |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |

### Unmitigated Construction

|         | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O         | CO2e       |
|---------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-------------|------------|
| Year    | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |             |            |
| 2022    | 0.6818 | 6.6225 | 5.7539 | 0.0114 | 0.6124        | 0.2931       | 0.7698     | 0.0790         | 0.2784        | 0.2784      | 0.0000   | 1,096.7143 | 1,096.7143 | 0.3325 | 2.2500e-003 | 1,103.1584 |
| Maximum | 0.6818 | 6.6225 | 5.7539 | 0.0114 | 0.6124        | 0.2931       | 0.7698     | 0.0790         | 0.2784        | 0.2784      | 0.0000   | 1,096.7143 | 1,096.7143 | 0.3325 | 2.2500e-003 | 1,103.1584 |

|         | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O         | CO2e       |
|---------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-------------|------------|
| Year    | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |             |            |
| 2022    | 0.6818 | 6.6225 | 5.7539 | 0.0114 | 0.2890        | 0.2931       | 0.4463     | 0.0441         | 0.2784        | 0.2784      | 0.0000   | 1,096.7143 | 1,096.7143 | 0.3325 | 2.2500e-003 | 1,103.1584 |
| Maximum | 0.6818 | 6.6225 | 5.7539 | 0.0114 | 0.2890        | 0.2931       | 0.4463     | 0.0441         | 0.2784        | 0.2784      | 0.0000   | 1,096.7143 | 1,096.7143 | 0.3325 | 2.2500e-003 | 1,103.1584 |

[illegible]

### 3.0 Construction Detail

#### Construction Phase

| Phase Number | Phase Name                   | Phase Type            | Start Date | End Date | Num Days Week | Num Days | Phase Description                      |
|--------------|------------------------------|-----------------------|------------|----------|---------------|----------|----------------------------------------|
| 1            | Drill Footing                | Grading               | 6/1/2022   | 6/1/2022 | 5             | 1        | Drill Footing / Haul & Disposal Dirt   |
| 2            | Column Set                   | Building Construction | 6/2/2022   | 6/2/2022 | 5             | 1        | Column Set/Concrete Pour               |
| 3            | Build & Set Structure        | Building Construction | 6/7/2022   | 6/7/2022 | 5             | 1        | Set Top Column / Build & Set Structure |
| 4            | Build & Set Digital Displays | Building Construction | 6/8/2022   | 6/8/2022 | 5             | 1        | Build & Set Digital Displays           |

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 0.5

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating –

#### OffRoad Equipment

| Phase Name                   | Offroad Equipment Type   | Amount | Usage Hours | Horse Power | Load Factor |
|------------------------------|--------------------------|--------|-------------|-------------|-------------|
| Drill Footing                | Excavators               | 1      | 8.00        | 158         | 0.38        |
| Drill Footing                | Off-Highway Trucks       | 1      | 2.00        | 402         | 0.38        |
| Drill Footing                | Skid Steer Loaders       | 1      | 8.00        | 65          | 0.37        |
| Column Set                   | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Column Set                   | Cement and Mortar Mixers | 1      | 4.00        | 80          | 0.56        |
| Column Set                   | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Column Set                   | Pumps                    | 1      | 4.00        | 84          | 0.74        |
| Build & Set Structure        | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Build & Set Structure        | Air Compressors          | 1      | 8.00        | 78          | 0.48        |
| Build & Set Structure        | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Build & Set Digital Displays | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Build & Set Digital Displays | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Drill Footing                | Crawler Tractors         | 1      | 0.00        | 212         | 0.43        |

**Trips and VMT**

| Phase Name                   | Offroad Equipment Count | Worker Trip Number | Vendor Trip Number | Hauling Trip Number | Worker Trip Length | Vendor Trip Length | Hauling Trip Length | Worker Vehicle Class | Vendor Vehicle Class | Hauling Vehicle Class |
|------------------------------|-------------------------|--------------------|--------------------|---------------------|--------------------|--------------------|---------------------|----------------------|----------------------|-----------------------|
| Drill Footing                | 4                       | 10.00              | 0.00               | 0.00                | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Column Set                   | 4                       | 0.00               | 0.00               | 0.00                | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Build & Set Structure        | 3                       | 0.00               | 0.00               | 0.00                | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Build & Set Digital Displays | 2                       | 0.00               | 0.00               | 0.00                | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |

**3.1 Mitigation Measures Construction**

Water Exposed Area



### 3.2 Drill Footing - 2022

#### Unmitigated Construction On-Site

|               | ROG           | NOx           | CO            | SO2           | Fugitive PM10 | Exhaust PM10  | PM10 Total    | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total   | Bio- CO2 | NBio- CO2         | Total CO2         | CH4           | N2O | CO2e              |
|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|----------------|---------------|---------------|----------|-------------------|-------------------|---------------|-----|-------------------|
| Category      | lb/day        |               |               |               |               |               |               |                |               |               | lb/day   |                   |                   |               |     |                   |
| Fugitive Dust |               |               |               |               | 0.5303        | 0.0000        | 0.5303        | 0.0573         | 0.0000        | 0.0573        |          |                   | 0.0000            |               |     | 0.0000            |
| Off-Road      | 0.4041        | 3.7090        | 5.4820        | 0.0105        |               | 0.1569        | 0.1569        |                | 0.1444        | 0.1444        |          | 1,020.1529        | 1,020.1529        | 0.3299        |     | 1,028.4013        |
| <b>Total</b>  | <b>0.4041</b> | <b>3.7090</b> | <b>5.4820</b> | <b>0.0105</b> | <b>0.5303</b> | <b>0.1569</b> | <b>0.6872</b> | <b>0.0573</b>  | <b>0.1444</b> | <b>0.2016</b> |          | <b>1,020.1529</b> | <b>1,020.1529</b> | <b>0.3299</b> |     | <b>1,028.4013</b> |

#### Unmitigated Construction Off-Site

|              | ROG           | NOx           | CO            | SO2                | Fugitive PM10 | Exhaust PM10       | PM10 Total    | Fugitive PM2.5 | Exhaust PM2.5      | PM2.5 Total   | Bio- CO2 | NBio- CO2      | Total CO2      | CH4                | N2O                | CO2e           |
|--------------|---------------|---------------|---------------|--------------------|---------------|--------------------|---------------|----------------|--------------------|---------------|----------|----------------|----------------|--------------------|--------------------|----------------|
| Category     | lb/day        |               |               |                    |               |                    |               |                |                    |               | lb/day   |                |                |                    |                    |                |
| Hauling      | 0.0000        | 0.0000        | 0.0000        | 0.0000             | 0.0000        | 0.0000             | 0.0000        | 0.0000         | 0.0000             | 0.0000        |          | 0.0000         | 0.0000         | 0.0000             | 0.0000             | 0.0000         |
| Vendor       | 0.0000        | 0.0000        | 0.0000        | 0.0000             | 0.0000        | 0.0000             | 0.0000        | 0.0000         | 0.0000             | 0.0000        |          | 0.0000         | 0.0000         | 0.0000             | 0.0000             | 0.0000         |
| Worker       | 0.0333        | 0.0234        | 0.2719        | 6.9000e-004        | 0.0822        | 4.7000e-004        | 0.0826        | 0.0218         | 4.3000e-004        | 0.0222        |          | 70.0187        | 70.0187        | 2.5300e-003        | 2.2500e-003        | 70.7514        |
| <b>Total</b> | <b>0.0333</b> | <b>0.0234</b> | <b>0.2719</b> | <b>6.9000e-004</b> | <b>0.0822</b> | <b>4.7000e-004</b> | <b>0.0826</b> | <b>0.0218</b>  | <b>4.3000e-004</b> | <b>0.0222</b> |          | <b>70.0187</b> | <b>70.0187</b> | <b>2.5300e-003</b> | <b>2.2500e-003</b> | <b>70.7514</b> |

**Mitigated Construction On-Site**

|               | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O | CO2e       |
|---------------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-----|------------|
| Category      | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |     |            |
| Fugitive Dust |        |        |        |        | 0.2068        | 0.0000       | 0.2068     | 0.0223         | 0.0000        | 0.0223      |          |            | 0.0000     |        |     | 0.0000     |
| Off-Road      | 0.4041 | 3.7090 | 5.4820 | 0.0105 |               | 0.1569       | 0.1569     |                | 0.1444        | 0.1444      | 0.0000   | 1,020.1529 | 1,020.1529 | 0.3299 |     | 1,028.4013 |
| Total         | 0.4041 | 3.7090 | 5.4820 | 0.0105 | 0.2068        | 0.1569       | 0.3637     | 0.0223         | 0.1444        | 0.1667      | 0.0000   | 1,020.1529 | 1,020.1529 | 0.3299 |     | 1,028.4013 |

**Mitigated Construction Off-Site**

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e    |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|---------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |             |             |         |
| Hauling  | 0.0000 | 0.0000 | 0.0000 | 0.0000      | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000  |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000      | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000  |
| Worker   | 0.0333 | 0.0234 | 0.2719 | 6.9000e-004 | 0.0822        | 4.7000e-004  | 0.0826     | 0.0218         | 4.3000e-004   | 0.0222      |          | 70.0187   | 70.0187   | 2.5300e-003 | 2.2500e-003 | 70.7514 |
| Total    | 0.0333 | 0.0234 | 0.2719 | 6.9000e-004 | 0.0822        | 4.7000e-004  | 0.0826     | 0.0218         | 4.3000e-004   | 0.0222      |          | 70.0187   | 70.0187   | 2.5300e-003 | 2.2500e-003 | 70.7514 |

3.3 Column Set - 2022

Unmitigated Construction On-Site

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O | CO2e       |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-----|------------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |     |            |
| Off-Road | 0.5850 | 6.2290 | 4.8523 | 0.0107 |               | 0.2620       | 0.2620     |                | 0.2472        | 0.2472      |          | 1,032.9675 | 1,032.9675 | 0.2492 |     | 1,039.1982 |
| Total    | 0.5850 | 6.2290 | 4.8523 | 0.0107 |               | 0.2620       | 0.2620     |                | 0.2472        | 0.2472      |          | 1,032.9675 | 1,032.9675 | 0.2492 |     | 1,039.1982 |

Unmitigated Construction Off-Site

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |           |           |        |        |        |
| Hauling  | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Worker   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total    | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

**Mitigated Construction On-Site**

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O | CO2e       |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-----|------------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |     |            |
| Off-Road | 0.5850 | 6.2290 | 4.8523 | 0.0107 |               | 0.2620       | 0.2620     |                | 0.2472        | 0.2472      | 0.0000   | 1,032.9675 | 1,032.9675 | 0.2492 |     | 1,039.1982 |
| Total    | 0.5850 | 6.2290 | 4.8523 | 0.0107 |               | 0.2620       | 0.2620     |                | 0.2472        | 0.2472      | 0.0000   | 1,032.9675 | 1,032.9675 | 0.2492 |     | 1,039.1982 |

**Mitigated Construction Off-Site**

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |           |           |        |        |        |
| Hauling  | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Worker   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total    | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

3.4 Build & Set Structure - 2022

Unmitigated Construction On-Site

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O | CO2e       |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-----|------------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |     |            |
| Off-Road | 0.6818 | 6.6225 | 5.4044 | 0.0114 |               | 0.2931       | 0.2931     |                | 0.2784        | 0.2784      |          | 1,096.7143 | 1,096.7143 | 0.2578 |     | 1,103.1584 |
| Total    | 0.6818 | 6.6225 | 5.4044 | 0.0114 |               | 0.2931       | 0.2931     |                | 0.2784        | 0.2784      |          | 1,096.7143 | 1,096.7143 | 0.2578 |     | 1,103.1584 |

Unmitigated Construction Off-Site

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |           |           |        |        |        |
| Hauling  | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Worker   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total    | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

Mitigated Construction On-Site

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2  | Total CO2  | CH4    | N2O | CO2e       |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|------------|------------|--------|-----|------------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |            |            |        |     |            |
| Off-Road | 0.6818 | 6.6225 | 5.4044 | 0.0114 |               | 0.2931       | 0.2931     |                | 0.2784        | 0.2784      | 0.0000   | 1,096.7143 | 1,096.7143 | 0.2578 |     | 1,103.1584 |
| Total    | 0.6818 | 6.6225 | 5.4044 | 0.0114 |               | 0.2931       | 0.2931     |                | 0.2784        | 0.2784      | 0.0000   | 1,096.7143 | 1,096.7143 | 0.2578 |     | 1,103.1584 |

Mitigated Construction Off-Site

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |           |           |        |        |        |
| Hauling  | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Worker   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total    | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

3.5 Build & Set Digital Displays - 2022

Unmitigated Construction On-Site

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|-----|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |        |     |          |
| Off-Road | 0.4091 | 4.7446 | 2.9863 | 7.4500e-003 |               | 0.1841       | 0.1841     |                | 0.1694        | 0.1694      |          | 721.4502  | 721.4502  | 0.2333 |     | 727.2835 |
| Total    | 0.4091 | 4.7446 | 2.9863 | 7.4500e-003 |               | 0.1841       | 0.1841     |                | 0.1694        | 0.1694      |          | 721.4502  | 721.4502  | 0.2333 |     | 727.2835 |

Unmitigated Construction Off-Site

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |           |           |        |        |        |
| Hauling  | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Worker   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total    | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

**Mitigated Construction On-Site**

|          | ROG    | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O | CO2e     |
|----------|--------|--------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|-----|----------|
| Category | lb/day |        |        |             |               |              |            |                |               |             | lb/day   |           |           |        |     |          |
| Off-Road | 0.4091 | 4.7446 | 2.9863 | 7.4500e-003 |               | 0.1841       | 0.1841     |                | 0.1694        | 0.1694      | 0.0000   | 721.4502  | 721.4502  | 0.2333 |     | 727.2835 |
| Total    | 0.4091 | 4.7446 | 2.9863 | 7.4500e-003 |               | 0.1841       | 0.1841     |                | 0.1694        | 0.1694      | 0.0000   | 721.4502  | 721.4502  | 0.2333 |     | 727.2835 |

**Mitigated Construction Off-Site**

|          | ROG    | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|----------|--------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| Category | lb/day |        |        |        |               |              |            |                |               |             | lb/day   |           |           |        |        |        |
| Hauling  | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Vendor   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Worker   | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total    | 0.0000 | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      |          | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |





# Appendix E

## **Biological Site Visit Field Map**







# Appendix F

## **Greenhouse Gas Assumptions and Modeling**



Ventura Road Electronic Billboard MND  
Greenhouse Gas Assumptions and Modeling

Location: Oxnard, Ventura County CA  
CEC Forecasting Climate Zone: 8  
Utility: SCE

Construction Schedule

| Phase                                  | Start Date | Completion Date | Work Days | Notes                                                           | Total Haul Trucks - round trip |
|----------------------------------------|------------|-----------------|-----------|-----------------------------------------------------------------|--------------------------------|
| Drill Footing / Haul & Disposal Dirt   | 6/6/2022   | 6/7/2022        | 1         | 1 flat-bed truck<br>5 super 10 dump                             | 6                              |
| Column Set / Concrete Pour             | 6/6/2022   | 6/7/2022        | 1         | 4 concrete mixing trucks<br>90 ton crane<br>hireach crane truck | 6                              |
| Set Top Column / Build & Set Structure | 6/8/2022   | 6/8/2022        | 1         | 2 48ft flatbed trailer<br>275 ton crane<br>hireach crane truck  | 4                              |
| Build & Set Digital Displays           | 6/9/2022   | 6/9/2022        | 1         | 2 48ft flatbed trailer<br>90 ton crane<br>hireach crane truck   | 4                              |

Construction Trips

| Phase                                  | # Workers/Day <sup>1</sup> | # Worker Trips/Day (one-way) <sup>2</sup> | # Vendor Trips/Day (one-way) | # Haul Truck Trips Total |
|----------------------------------------|----------------------------|-------------------------------------------|------------------------------|--------------------------|
| Drill Footing / Haul & Disposal Dirt   | 4                          | 8                                         | 0                            | 12                       |
| Column Set / Concrete Pour             | 5                          | 10                                        | 0                            | 12                       |
| Set Top Column / Build & Set Structure | 5                          | 10                                        | 0                            | 8                        |
| Build & Set Digital Displays           | 5                          | 10                                        | 0                            | 8                        |



**Construction By SubPhase**

| Phase                                  | Equipment Type     | # | Engine hp | Hrs/day |
|----------------------------------------|--------------------|---|-----------|---------|
| Drill Footing / Haul & Disposal Dirt   |                    |   |           |         |
|                                        | Excavators         | 1 | 188       | 8       |
|                                        | Skid Steer Loaders | 1 | 405       | 8       |
|                                        | Off-Highway Truck  | 1 | 75        | 2       |
| Column Set / Concrete Pour             |                    |   |           |         |
|                                        | Aerial Lift        | 1 | 63        | 8       |
|                                        | Crane              | 1 | 231       | 8       |
|                                        | Concrete Mixer*    | 1 | 80        | 4       |
| Set Top Column / Build & Set Structure | Concrete Pump      | 1 | 84        | 4       |
|                                        |                    |   |           |         |
|                                        | Aerial Lift        | 1 | 63        | 8       |
|                                        | Crane              | 1 | 231       | 8       |
| Build & Set Digital Displays           | Air Compressor     | 1 | 78        | 8       |
|                                        |                    |   |           |         |
|                                        | Aerial Lift        | 1 | 63        | 8       |
|                                        | Crane              | 2 | 231       | 8       |

All Equipment specified as part of typical construction equipment phasing for projects

CalEEmod default horsepower and load defaults typical of construction equipment with exception noted below.

\*Concrete Mixer included to include Hydraulic pump for truck mounted mixer utilizing Power Take-Off mode of concrete trucks during unloading/delivery (1 hr per truck)

On-road + Off-Road  
Construction Impacts  
total Construction  
ammortized (30-yrs)

| Construction Impacts |          |          |      |
|----------------------|----------|----------|------|
| MT/yr                |          |          |      |
| CO2                  | CH4      | N2O      | CO2e |
| 3.07                 | 0.0006   | 0.0002   | 3.14 |
| 0.10                 | 0.000019 | 6.33E-06 | 0.10 |

Billboard Electricity Use

|                           |          | Operational Impacts                |        |        |        |
|---------------------------|----------|------------------------------------|--------|--------|--------|
|                           |          | Energy Intensity Factor (lb/MW-hr) |        |        |        |
|                           |          | CO2                                | CH4    | N2O    | CO2e   |
|                           |          | 390.98                             | 0.03   | 0.004  | 393.00 |
|                           |          | MT/yr                              |        |        |        |
| Billboard Electricity Use | kw-hr/yr | CO2                                | CH4    | N2O    | CO2e   |
|                           | 54000    | 9.5767                             | 0.0008 | 0.0001 | 9.6261 |

Total GHG Contribution

| MT/yr |          |          |      |
|-------|----------|----------|------|
| CO2   | CH4      | N2O      | CO2e |
| 9.58  | 8.10E-04 | 1.00E-04 | 9.63 |
| 0.10  | 1.90E-05 | 6.33E-06 | 0.10 |
| 9.68  | 8.29E-04 | 1.06E-04 | 9.73 |

Operational Energy  
Amortized Construction

## Oxnard Billboard MND - Ventura County, Annual

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied****Oxnard Billboard MND****Ventura County, Annual****1.0 Project Characteristics****1.1 Land Usage**

| Land Uses               | Size | Metric            | Lot Acreage | Floor Surface Area | Population |
|-------------------------|------|-------------------|-------------|--------------------|------------|
| User Defined Commercial | 1.00 | User Defined Unit | 0.25        | 1.00               | 0          |

**1.2 Other Project Characteristics**

|                                |                            |                                |       |                                  |       |
|--------------------------------|----------------------------|--------------------------------|-------|----------------------------------|-------|
| <b>Urbanization</b>            | Urban                      | <b>Wind Speed (m/s)</b>        | 2.6   | <b>Precipitation Freq (Days)</b> | 31    |
| <b>Climate Zone</b>            | 8                          |                                |       | <b>Operational Year</b>          | 2022  |
| <b>Utility Company</b>         | Southern California Edison |                                |       |                                  |       |
| <b>CO2 Intensity (lb/MWhr)</b> | 390.98                     | <b>CH4 Intensity (lb/MWhr)</b> | 0.033 | <b>N2O Intensity (lb/MWhr)</b>   | 0.004 |

**1.3 User Entered Comments & Non-Default Data**

Project Characteristics - Oxnard Billboard Ordinance - MND - Typical Installation

Land Use - Default Lot size of 11,000 sq ft (Range: 1,000 - 15,000)

Sq Ft = 1 is a unity rate for 1 Billboard for Operational Energy

Construction Phase - From Billboard Installation Schedule

1 Day for each phase. (5-7 days between Column Set and Build)

Off-road Equipment - Typical Construction Eqpt

Off-road Equipment - From Installation Schedule

Off-road Equipment - Truck Mounted Cement Mixer 80 HP for typical 10 CY Concrete Mixing Truck - uses Power Take-off from Truck Engine

-runs continuously during Unloading (1 hr per truck)

Off-road Equipment - Off-Highway Trucks included to include On-site Maneuvering and Idle time for Dump Trucks; Crawler Tractor included (but set to 0) to activate fugitive dust calcs

Trips and VMT - Haul Trips for Column Set based on Pieces of Eqpt (4) using CalEEMod methodology =  $4 \times 1.25 = 5$

Build & Set Structures and Displays also assume 5 workers per day

Grading - Fugitive dust emissions

Vehicle Emission Factors -

Vehicle Emission Factors -

Vehicle Emission Factors -

Consumer Products - No Consumer Products used as part of Operations

Area Coating - No Coatings

Landscape Equipment - No Landscape Operations

Energy Use - 54,000 kw-hr per year Avg Billboard Energy Usage

| Table Name            | Column Name                  | Default Value | New Value        |
|-----------------------|------------------------------|---------------|------------------|
| tblAreaCoating        | Area_Nonresidential_Exterior | 1             | 0                |
| tblAreaCoating        | Area_Nonresidential_Interior | 2             | 0                |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 2.00          | 1.00             |
| tblConsumerProducts   | ROG_EF                       | 2.14E-05      | 0                |
| tblEnergyUse          | T24E                         | 0.00          | 54,000.00        |
| tblGrading            | AcresOfGrading               | 0.00          | 0.50             |
| tblLandscapeEquipment | NumberSummerDays             | 180           | 0                |
| tblLandUse            | LandUseSquareFeet            | 0.00          | 1.00             |
| tblLandUse            | LotAcreage                   | 0.00          | 0.25             |
| tblOffRoadEquipment   | HorsePower                   | 9.00          | 80.00            |
| tblOffRoadEquipment   | LoadFactor                   | 0.43          | 0.43             |
| tblOffRoadEquipment   | OffRoadEquipmentType         |               | Crawler Tractors |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 12.00            |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 12.00            |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 8.00             |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 8.00             |
| tblTripsAndVMT        | WorkerTripNumber             | 10.00         | 8.00             |
| tblTripsAndVMT        | WorkerTripNumber             | 0.00          | 10.00            |
| tblTripsAndVMT        | WorkerTripNumber             | 0.00          | 10.00            |

|                |                  |      |       |
|----------------|------------------|------|-------|
| tblTripsAndVMT | WorkerTripNumber | 0.00 | 10.00 |
|----------------|------------------|------|-------|

2.0 Emissions Summary

2.1 Overall Construction

Unmitigated Construction

|         | ROG         | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|---------|-------------|--------|--------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Year    | tons/yr     |        |        |             |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| 2022    | 1.1700e-003 | 0.0138 | 0.0106 | 3.0000e-005 | 7.6000e-004   | 4.7000e-004  | 1.2400e-003 | 1.6000e-004    | 4.4000e-004   | 6.1000e-004 | 0.0000   | 3.0685    | 3.0685    | 5.7000e-004 | 1.9000e-004 | 3.1402 |
| Maximum | 1.1700e-003 | 0.0138 | 0.0106 | 3.0000e-005 | 7.6000e-004   | 4.7000e-004  | 1.2400e-003 | 1.6000e-004    | 4.4000e-004   | 6.1000e-004 | 0.0000   | 3.0685    | 3.0685    | 5.7000e-004 | 1.9000e-004 | 3.1402 |

Mitigated Construction

|         | ROG         | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|---------|-------------|--------|--------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Year    | tons/yr     |        |        |             |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| 2022    | 1.1700e-003 | 0.0138 | 0.0106 | 3.0000e-005 | 6.0000e-004   | 4.7000e-004  | 1.0700e-003 | 1.5000e-004    | 4.4000e-004   | 5.9000e-004 | 0.0000   | 3.0685    | 3.0685    | 5.7000e-004 | 1.9000e-004 | 3.1402 |
| Maximum | 1.1700e-003 | 0.0138 | 0.0106 | 3.0000e-005 | 6.0000e-004   | 4.7000e-004  | 1.0700e-003 | 1.5000e-004    | 4.4000e-004   | 5.9000e-004 | 0.0000   | 3.0685    | 3.0685    | 5.7000e-004 | 1.9000e-004 | 3.1402 |

|                   | ROG  | NOx  | CO   | SO2  | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio-CO2 | Total CO2 | CH4  | N2O  | CO2e |
|-------------------|------|------|------|------|---------------|--------------|------------|----------------|---------------|-------------|----------|----------|-----------|------|------|------|
| Percent Reduction | 0.00 | 0.00 | 0.00 | 0.00 | 21.05         | 0.00         | 13.71      | 6.25           | 0.00          | 3.28        | 0.00     | 0.00     | 0.00      | 0.00 | 0.00 | 0.00 |

| Quarter | Start Date | End Date | Maximum Unmitigated ROG + NOX (tons/quarter) | Maximum Mitigated ROG + NOX (tons/quarter) |
|---------|------------|----------|----------------------------------------------|--------------------------------------------|
| 1       | 6-6-2022   | 9-5-2022 | 0.0054                                       | 0.0054                                     |
|         |            | Highest  | 0.0054                                       | 0.0054                                     |

2.2 Overall Operational  
Unmitigated Operational

|          | ROG     | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|---------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr |        |        |        |               |              |            |                |               |             | MT/yr    |           |           |             |             |        |
| Area     | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Energy   | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 9.5767    | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |
| Mobile   | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Waste    |         |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Water    |         |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Total    | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 9.5767    | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |

**Mitigated Operational**

|          | ROG     | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|---------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr |        |        |        |               |              |            |                |               |             | MT/yr    |           |           |             |             |        |
| Area     | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Energy   | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 9.5767    | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |
| Mobile   | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Waste    |         |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Water    |         |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Total    | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 9.5767    | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |

|                   | ROG  | NOx  | CO   | SO2  | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4  | N2O  | CO2e |
|-------------------|------|------|------|------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|------|------|------|
| Percent Reduction | 0.00 | 0.00 | 0.00 | 0.00 | 0.00          | 0.00         | 0.00       | 0.00           | 0.00          | 0.00        | 0.00     | 0.00      | 0.00      | 0.00 | 0.00 | 0.00 |

**3.0 Construction Detail**

**Construction Phase**

| Phase Number | Phase Name                   | Phase Type            | Start Date | End Date | Num Days Week | Num Days | Phase Description                      |
|--------------|------------------------------|-----------------------|------------|----------|---------------|----------|----------------------------------------|
| 1            | Drill Footing                | Grading               | 6/1/2022   | 6/1/2022 | 5             | 1        | Drill Footing / Haul & Disposal Dirt   |
| 2            | Column Set                   | Building Construction | 6/2/2022   | 6/2/2022 | 5             | 1        | Column Set/Concrete Pour               |
| 3            | Build & Set Structure        | Building Construction | 6/7/2022   | 6/7/2022 | 5             | 1        | Set Top Column / Build & Set Structure |
| 4            | Build & Set Digital Displays | Building Construction | 6/8/2022   | 6/8/2022 | 5             | 1        | Build & Set Digital Displays           |

**Acres of Grading (Site Preparation Phase): 0**

**Acres of Grading (Grading Phase): 0.5**

**Acres of Paving: 0**

**Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating –**

**OffRoad Equipment**

| Phase Name                   | Offroad Equipment Type   | Amount | Usage Hours | Horse Power | Load Factor |
|------------------------------|--------------------------|--------|-------------|-------------|-------------|
| Drill Footing                | Excavators               | 1      | 8.00        | 158         | 0.38        |
| Drill Footing                | Off-Highway Trucks       | 1      | 2.00        | 402         | 0.38        |
| Drill Footing                | Skid Steer Loaders       | 1      | 8.00        | 65          | 0.37        |
| Column Set                   | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Column Set                   | Cement and Mortar Mixers | 1      | 4.00        | 80          | 0.56        |
| Column Set                   | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Column Set                   | Pumps                    | 1      | 4.00        | 84          | 0.74        |
| Build & Set Structure        | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Build & Set Structure        | Air Compressors          | 1      | 8.00        | 78          | 0.48        |
| Build & Set Structure        | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Build & Set Digital Displays | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Build & Set Digital Displays | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Drill Footing                | Crawler Tractors         | 1      | 0.00        | 212         | 0.43        |

**Trips and VMT**

| Phase Name                   | Offroad Equipment Count | Worker Trip Number | Vendor Trip Number | Hauling Trip Number | Worker Trip Length | Vendor Trip Length | Hauling Trip Length | Worker Vehicle Class | Vendor Vehicle Class | Hauling Vehicle Class |
|------------------------------|-------------------------|--------------------|--------------------|---------------------|--------------------|--------------------|---------------------|----------------------|----------------------|-----------------------|
| Drill Footing                | 4                       | 8.00               | 0.00               | 12.00               | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Column Set                   | 4                       | 10.00              | 0.00               | 12.00               | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Build & Set Structure        | 3                       | 10.00              | 0.00               | 8.00                | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Build & Set Digital Displays | 2                       | 10.00              | 0.00               | 8.00                | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |

**3.1 Mitigation Measures Construction**

Water Exposed Area



### 3.2 Drill Footing - 2022

#### Unmitigated Construction On-Site

|               | ROG                | NOx                | CO                 | SO2                | Fugitive PM10      | Exhaust PM10       | PM10 Total         | Fugitive PM2.5     | Exhaust PM2.5      | PM2.5 Total        | Bio- CO2      | NBio- CO2     | Total CO2     | CH4                | N2O           | CO2e          |
|---------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|---------------|---------------|---------------|--------------------|---------------|---------------|
| Category      | tons/yr            |                    |                    |                    |                    |                    |                    |                    |                    |                    | MT/yr         |               |               |                    |               |               |
| Fugitive Dust |                    |                    |                    |                    | 2.7000e-004        | 0.0000             | 2.7000e-004        | 3.0000e-005        | 0.0000             | 3.0000e-005        | 0.0000        | 0.0000        | 0.0000        | 0.0000             | 0.0000        | 0.0000        |
| Off-Road      | 2.0000e-004        | 1.8500e-003        | 2.7400e-003        | 1.0000e-005        |                    | 8.0000e-005        | 8.0000e-005        |                    | 7.0000e-005        | 7.0000e-005        | 0.0000        | 0.4627        | 0.4627        | 1.5000e-004        | 0.0000        | 0.4665        |
| <b>Total</b>  | <b>2.0000e-004</b> | <b>1.8500e-003</b> | <b>2.7400e-003</b> | <b>1.0000e-005</b> | <b>2.7000e-004</b> | <b>8.0000e-005</b> | <b>3.5000e-004</b> | <b>3.0000e-005</b> | <b>7.0000e-005</b> | <b>1.0000e-004</b> | <b>0.0000</b> | <b>0.4627</b> | <b>0.4627</b> | <b>1.5000e-004</b> | <b>0.0000</b> | <b>0.4665</b> |

#### Unmitigated Construction Off-Site

|              | ROG                | NOx                | CO                 | SO2           | Fugitive PM10      | Exhaust PM10       | PM10 Total         | Fugitive PM2.5     | Exhaust PM2.5      | PM2.5 Total        | Bio- CO2      | NBio- CO2     | Total CO2     | CH4                | N2O                | CO2e          |
|--------------|--------------------|--------------------|--------------------|---------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|---------------|---------------|---------------|--------------------|--------------------|---------------|
| Category     | tons/yr            |                    |                    |               |                    |                    |                    |                    |                    |                    | MT/yr         |               |               |                    |                    |               |
| Hauling      | 2.0000e-005        | 9.4000e-004        | 2.2000e-004        | 0.0000        | 1.0000e-004        | 1.0000e-005        | 1.1000e-004        | 3.0000e-005        | 1.0000e-005        | 4.0000e-005        | 0.0000        | 0.3573        | 0.3573        | 2.0000e-005        | 6.0000e-005        | 0.3748        |
| Vendor       | 0.0000             | 0.0000             | 0.0000             | 0.0000        | 0.0000             | 0.0000             | 0.0000             | 0.0000             | 0.0000             | 0.0000             | 0.0000        | 0.0000        | 0.0000        | 0.0000             | 0.0000             | 0.0000        |
| Worker       | 1.0000e-005        | 1.0000e-005        | 1.1000e-004        | 0.0000        | 3.0000e-005        | 0.0000             | 3.0000e-005        | 1.0000e-005        | 0.0000             | 1.0000e-005        | 0.0000        | 0.0256        | 0.0256        | 0.0000             | 0.0000             | 0.0259        |
| <b>Total</b> | <b>3.0000e-005</b> | <b>9.5000e-004</b> | <b>3.3000e-004</b> | <b>0.0000</b> | <b>1.3000e-004</b> | <b>1.0000e-005</b> | <b>1.4000e-004</b> | <b>4.0000e-005</b> | <b>1.0000e-005</b> | <b>5.0000e-005</b> | <b>0.0000</b> | <b>0.3829</b> | <b>0.3829</b> | <b>2.0000e-005</b> | <b>6.0000e-005</b> | <b>0.4006</b> |

Mitigated Construction On-Site

|               | ROG         | NOx         | CO          | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|---------------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category      | tons/yr     |             |             |             |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Fugitive Dust |             |             |             |             | 1.0000e-004   | 0.0000       | 1.0000e-004 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000 | 0.0000 |
| Off-Road      | 2.0000e-004 | 1.8500e-003 | 2.7400e-003 | 1.0000e-005 |               | 8.0000e-005  | 8.0000e-005 |                | 7.0000e-005   | 7.0000e-005 | 0.0000   | 0.4627    | 0.4627    | 1.5000e-004 | 0.0000 | 0.4665 |
| Total         | 2.0000e-004 | 1.8500e-003 | 2.7400e-003 | 1.0000e-005 | 1.0000e-004   | 8.0000e-005  | 1.8000e-004 | 1.0000e-005    | 7.0000e-005   | 8.0000e-005 | 0.0000   | 0.4627    | 0.4627    | 1.5000e-004 | 0.0000 | 0.4665 |

Mitigated Construction Off-Site

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 2.0000e-005 | 9.4000e-004 | 2.2000e-004 | 0.0000 | 1.0000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 1.0000e-005   | 4.0000e-005 | 0.0000   | 0.3573    | 0.3573    | 2.0000e-005 | 6.0000e-005 | 0.3748 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 1.0000e-005 | 1.0000e-005 | 1.1000e-004 | 0.0000 | 3.0000e-005   | 0.0000       | 3.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0256    | 0.0256    | 0.0000      | 0.0000      | 0.0259 |
| Total    | 3.0000e-005 | 9.5000e-004 | 3.3000e-004 | 0.0000 | 1.3000e-004   | 1.0000e-005  | 1.4000e-004 | 4.0000e-005    | 1.0000e-005   | 5.0000e-005 | 0.0000   | 0.3829    | 0.3829    | 2.0000e-005 | 6.0000e-005 | 0.4006 |

3.3 Column Set - 2022

Unmitigated Construction On-Site

|          | ROG         | NOx         | CO          | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |             |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 2.9000e-004 | 3.1100e-003 | 2.4300e-003 | 1.0000e-005 |               | 1.3000e-004  | 1.3000e-004 |                | 1.2000e-004   | 1.2000e-004 | 0.0000   | 0.4686    | 0.4686    | 1.1000e-004 | 0.0000 | 0.4714 |
| Total    | 2.9000e-004 | 3.1100e-003 | 2.4300e-003 | 1.0000e-005 |               | 1.3000e-004  | 1.3000e-004 |                | 1.2000e-004   | 1.2000e-004 | 0.0000   | 0.4686    | 0.4686    | 1.1000e-004 | 0.0000 | 0.4714 |

Unmitigated Construction Off-Site

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 2.0000e-005 | 9.4000e-004 | 2.2000e-004 | 0.0000 | 1.0000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 1.0000e-005   | 4.0000e-005 | 0.0000   | 0.3573    | 0.3573    | 2.0000e-005 | 6.0000e-005 | 0.3748 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 4.0000e-005 | 9.5000e-004 | 3.5000e-004 | 0.0000 | 1.4000e-004   | 1.0000e-005  | 1.5000e-004 | 4.0000e-005    | 1.0000e-005   | 5.0000e-005 | 0.0000   | 0.3893    | 0.3893    | 2.0000e-005 | 6.0000e-005 | 0.4071 |

**Mitigated Construction On-Site**

|          | ROG         | NOx         | CO          | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |             |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 2.9000e-004 | 3.1100e-003 | 2.4300e-003 | 1.0000e-005 |               | 1.3000e-004  | 1.3000e-004 |                | 1.2000e-004   | 1.2000e-004 | 0.0000   | 0.4686    | 0.4686    | 1.1000e-004 | 0.0000 | 0.4714 |
| Total    | 2.9000e-004 | 3.1100e-003 | 2.4300e-003 | 1.0000e-005 |               | 1.3000e-004  | 1.3000e-004 |                | 1.2000e-004   | 1.2000e-004 | 0.0000   | 0.4686    | 0.4686    | 1.1000e-004 | 0.0000 | 0.4714 |

**Mitigated Construction Off-Site**

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 2.0000e-005 | 9.4000e-004 | 2.2000e-004 | 0.0000 | 1.0000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 1.0000e-005   | 4.0000e-005 | 0.0000   | 0.3573    | 0.3573    | 2.0000e-005 | 6.0000e-005 | 0.3748 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 4.0000e-005 | 9.5000e-004 | 3.5000e-004 | 0.0000 | 1.4000e-004   | 1.0000e-005  | 1.5000e-004 | 4.0000e-005    | 1.0000e-005   | 5.0000e-005 | 0.0000   | 0.3893    | 0.3893    | 2.0000e-005 | 6.0000e-005 | 0.4071 |

3.4 Build & Set Structure - 2022

Unmitigated Construction On-Site

|          | ROG         | NOx         | CO          | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |             |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 3.4000e-004 | 3.3100e-003 | 2.7000e-003 | 1.0000e-005 |               | 1.5000e-004  | 1.5000e-004 |                | 1.4000e-004   | 1.4000e-004 | 0.0000   | 0.4975    | 0.4975    | 1.2000e-004 | 0.0000 | 0.5004 |
| Total    | 3.4000e-004 | 3.3100e-003 | 2.7000e-003 | 1.0000e-005 |               | 1.5000e-004  | 1.5000e-004 |                | 1.4000e-004   | 1.4000e-004 | 0.0000   | 0.4975    | 0.4975    | 1.2000e-004 | 0.0000 | 0.5004 |

Unmitigated Construction Off-Site

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 1.0000e-005 | 6.3000e-004 | 1.5000e-004 | 0.0000 | 7.0000e-005   | 1.0000e-005  | 7.0000e-005 | 2.0000e-005    | 0.0000        | 2.0000e-005 | 0.0000   | 0.2382    | 0.2382    | 2.0000e-005 | 4.0000e-005 | 0.2499 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 3.0000e-005 | 6.4000e-004 | 2.8000e-004 | 0.0000 | 1.1000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 0.0000        | 3.0000e-005 | 0.0000   | 0.2702    | 0.2702    | 2.0000e-005 | 4.0000e-005 | 0.2822 |

**Mitigated Construction On-Site**

|          | ROG         | NOx         | CO          | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |             |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 3.4000e-004 | 3.3100e-003 | 2.7000e-003 | 1.0000e-005 |               | 1.5000e-004  | 1.5000e-004 |                | 1.4000e-004   | 1.4000e-004 | 0.0000   | 0.4975    | 0.4975    | 1.2000e-004 | 0.0000 | 0.5004 |
| Total    | 3.4000e-004 | 3.3100e-003 | 2.7000e-003 | 1.0000e-005 |               | 1.5000e-004  | 1.5000e-004 |                | 1.4000e-004   | 1.4000e-004 | 0.0000   | 0.4975    | 0.4975    | 1.2000e-004 | 0.0000 | 0.5004 |

**Mitigated Construction Off-Site**

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 1.0000e-005 | 6.3000e-004 | 1.5000e-004 | 0.0000 | 7.0000e-005   | 1.0000e-005  | 7.0000e-005 | 2.0000e-005    | 0.0000        | 2.0000e-005 | 0.0000   | 0.2382    | 0.2382    | 2.0000e-005 | 4.0000e-005 | 0.2499 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 3.0000e-005 | 6.4000e-004 | 2.8000e-004 | 0.0000 | 1.1000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 0.0000        | 3.0000e-005 | 0.0000   | 0.2702    | 0.2702    | 2.0000e-005 | 4.0000e-005 | 0.2822 |

3.5 Build & Set Digital Displays - 2022

Unmitigated Construction On-Site

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 2.0000e-004 | 2.3700e-003 | 1.4900e-003 | 0.0000 |               | 9.0000e-005  | 9.0000e-005 |                | 8.0000e-005   | 8.0000e-005 | 0.0000   | 0.3272    | 0.3272    | 1.1000e-004 | 0.0000 | 0.3299 |
| Total    | 2.0000e-004 | 2.3700e-003 | 1.4900e-003 | 0.0000 |               | 9.0000e-005  | 9.0000e-005 |                | 8.0000e-005   | 8.0000e-005 | 0.0000   | 0.3272    | 0.3272    | 1.1000e-004 | 0.0000 | 0.3299 |

Unmitigated Construction Off-Site

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 1.0000e-005 | 6.3000e-004 | 1.5000e-004 | 0.0000 | 7.0000e-005   | 1.0000e-005  | 7.0000e-005 | 2.0000e-005    | 0.0000        | 2.0000e-005 | 0.0000   | 0.2382    | 0.2382    | 2.0000e-005 | 4.0000e-005 | 0.2499 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 3.0000e-005 | 6.4000e-004 | 2.8000e-004 | 0.0000 | 1.1000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 0.0000        | 3.0000e-005 | 0.0000   | 0.2702    | 0.2702    | 2.0000e-005 | 4.0000e-005 | 0.2822 |

**Mitigated Construction On-Site**

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 2.0000e-004 | 2.3700e-003 | 1.4900e-003 | 0.0000 |               | 9.0000e-005  | 9.0000e-005 |                | 8.0000e-005   | 8.0000e-005 | 0.0000   | 0.3272    | 0.3272    | 1.1000e-004 | 0.0000 | 0.3299 |
| Total    | 2.0000e-004 | 2.3700e-003 | 1.4900e-003 | 0.0000 |               | 9.0000e-005  | 9.0000e-005 |                | 8.0000e-005   | 8.0000e-005 | 0.0000   | 0.3272    | 0.3272    | 1.1000e-004 | 0.0000 | 0.3299 |

**Mitigated Construction Off-Site**

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 1.0000e-005 | 6.3000e-004 | 1.5000e-004 | 0.0000 | 7.0000e-005   | 1.0000e-005  | 7.0000e-005 | 2.0000e-005    | 0.0000        | 2.0000e-005 | 0.0000   | 0.2382    | 0.2382    | 2.0000e-005 | 4.0000e-005 | 0.2499 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 3.0000e-005 | 6.4000e-004 | 2.8000e-004 | 0.0000 | 1.1000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 0.0000        | 3.0000e-005 | 0.0000   | 0.2702    | 0.2702    | 2.0000e-005 | 4.0000e-005 | 0.2822 |



4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

|             | ROG     | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|-------------|---------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| Category    | tons/yr |        |        |        |               |              |            |                |               |             | MT/yr    |           |           |        |        |        |
| Mitigated   | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Unmitigated | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

4.2 Trip Summary Information

| Land Use                | Average Daily Trip Rate |          |        | Unmitigated | Mitigated  |
|-------------------------|-------------------------|----------|--------|-------------|------------|
|                         | Weekday                 | Saturday | Sunday | Annual VMT  | Annual VMT |
| User Defined Commercial | 0.00                    | 0.00     | 0.00   |             |            |
| Total                   | 0.00                    | 0.00     | 0.00   |             |            |

4.3 Trip Type Information

| Land Use                | Miles      |            |             | Trip %     |            |             | Trip Purpose % |          |         |
|-------------------------|------------|------------|-------------|------------|------------|-------------|----------------|----------|---------|
|                         | H-W or C-W | H-S or C-C | H-O or C-NW | H-W or C-W | H-S or C-C | H-O or C-NW | Primary        | Diverted | Pass-by |
| User Defined Commercial | 9.50       | 7.30       | 7.30        | 0.00       | 0.00       | 0.00        | 0              | 0        | 0       |

4.4 Fleet Mix

| Land Use                | LDA      | LDT1     | LDT2     | MDV      | LHD1     | LHD2     | MHD      | HHD      | OBUS     | UBUS     | MCY      | SBUS     | MH     |
|-------------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|--------|
| User Defined Commercial | 0.537638 | 0.058030 | 0.174616 | 0.137192 | 0.028458 | 0.007596 | 0.011602 | 0.006026 | 0.000704 | 0.000394 | 0.029425 | 0.000660 | 0.0076 |

[illegible]

### Unmitigated

[illegible]

Mitigated

|                         | NaturalGas Use | ROG     | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|-------------------------|----------------|---------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| Land Use                | kBTU/yr        | tons/yr |        |        |        |               |              |            |                |               |             | MT/yr    |           |           |        |        |        |
| User Defined Commercial | 0              | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                   |                | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

5.3 Energy by Land Use - Electricity

Unmitigated

|                         | Electricity Use | Total CO2 | CH4         | N2O         | CO2e   |
|-------------------------|-----------------|-----------|-------------|-------------|--------|
| Land Use                | kWh/yr          | MT/yr     |             |             |        |
| User Defined Commercial | 54000           | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |
| Total                   |                 | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |

Mitigated

|                         | Electricity Use | Total CO2 | CH4         | N2O         | CO2e   |
|-------------------------|-----------------|-----------|-------------|-------------|--------|
| Land Use                | kWh/yr          | MT/yr     |             |             |        |
| User Defined Commercial | 54000           | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |
| Total                   |                 | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |

## 6.0 Area Detail

## 6.1 Mitigation Measures Area

[illegible]

## 6.2 Area by SubCategory

### Unmitigated

[illegible]

Mitigated

|                       | ROG     | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|-----------------------|---------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| SubCategory           | tons/yr |        |        |        |               |              |            |                |               |             | MT/yr    |           |           |        |        |        |
| Architectural Coating | 0.0000  |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Consumer Products     | 0.0000  |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Landscaping           | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                 | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

7.0 Water Detail

7.1 Mitigation Measures Water

|             | Total CO2 | CH4    | N2O    | CO2e   |
|-------------|-----------|--------|--------|--------|
| Category    | MT/yr     |        |        |        |
| Mitigated   | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Unmitigated | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

7.2 Water by Land Use

Unmitigated

|                         |       |           |        |        |        |
|-------------------------|-------|-----------|--------|--------|--------|
| Indoor/Outdoor Use      |       | Total CO2 | CH4    | N2O    | CO2e   |
| Land Use                | Mgal  | MT/yr     |        |        |        |
| User Defined Commercial | 0 / 0 | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                   |       | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

Mitigated

|                         |       |           |        |        |        |
|-------------------------|-------|-----------|--------|--------|--------|
| Indoor/Outdoor Use      |       | Total CO2 | CH4    | N2O    | CO2e   |
| Land Use                | Mgal  | MT/yr     |        |        |        |
| User Defined Commercial | 0 / 0 | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                   |       | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

|             |           |        |        |        |
|-------------|-----------|--------|--------|--------|
|             | Total CO2 | CH4    | N2O    | CO2e   |
|             | MT/yr     |        |        |        |
| Mitigated   | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Unmitigated | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

8.2 Waste by Land Use

Unmitigated

|                         |                |           |        |        |        |
|-------------------------|----------------|-----------|--------|--------|--------|
|                         | Waste Disposed | Total CO2 | CH4    | N2O    | CO2e   |
| Land Use                | tons           | MT/yr     |        |        |        |
| User Defined Commercial | 0              | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                   |                | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

Mitigated

|                         |                |           |        |        |        |
|-------------------------|----------------|-----------|--------|--------|--------|
|                         | Waste Disposed | Total CO2 | CH4    | N2O    | CO2e   |
| Land Use                | tons           | MT/yr     |        |        |        |
| User Defined Commercial | 0              | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                   |                | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

9.0 Operational Offroad

|                |        |           |           |             |             |           |
|----------------|--------|-----------|-----------|-------------|-------------|-----------|
| Equipment Type | Number | Hours/Day | Days/Year | Horse Power | Load Factor | Fuel Type |
|----------------|--------|-----------|-----------|-------------|-------------|-----------|

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

|                |        |           |            |             |             |           |
|----------------|--------|-----------|------------|-------------|-------------|-----------|
| Equipment Type | Number | Hours/Day | Hours/Year | Horse Power | Load Factor | Fuel Type |
|----------------|--------|-----------|------------|-------------|-------------|-----------|

Boilers

|                |        |                |                 |               |           |
|----------------|--------|----------------|-----------------|---------------|-----------|
| Equipment Type | Number | Heat Input/Day | Heat Input/Year | Boiler Rating | Fuel Type |
|----------------|--------|----------------|-----------------|---------------|-----------|

User Defined Equipment

|                |        |
|----------------|--------|
| Equipment Type | Number |
|----------------|--------|

11.0 Vegetation





# Appendix G

## **Energy Assumptions and Modeling**



## Ventura Road Electronic Billboard MND Energy Assumptions and Data

Location: Oxnard, Ventura County CA  
 CEC Forecasting Climate Zone: 8  
 Utility: SCE

### Construction Schedule

| Phase                                  | Start Date | Completion Date | Work Days | Notes                                                           | Total Haul Trucks - round trip |
|----------------------------------------|------------|-----------------|-----------|-----------------------------------------------------------------|--------------------------------|
| Drill Footing / Haul & Disposal Dirt   | 6/6/2022   | 6/7/2022        | 1         | 1 flat-bed truck<br>5 super 10 dump                             | 6                              |
| Column Set / Concrete Pour             | 6/6/2022   | 6/7/2022        | 1         | 4 concrete mixing trucks<br>90 ton crane<br>hireach crane truck | 6                              |
| Set Top Column / Build & Set Structure | 6/8/2022   | 6/8/2022        | 1         | 2 48ft flatbed trailer<br>275 ton crane<br>hireach crane truck  | 4                              |
| Build & Set Digital Displays           | 6/9/2022   | 6/9/2022        | 1         | 2 48ft flatbed trailer<br>90 ton crane<br>hireach crane truck   | 4                              |

### Construction Trips

| Phase                                  | # Workers/Day <sup>1</sup> | # Worker Trips/Day (one-way) <sup>2</sup> | # Vendor Trips/Day (one-way) | # Haul Truck Trips Total |
|----------------------------------------|----------------------------|-------------------------------------------|------------------------------|--------------------------|
| Drill Footing / Haul & Disposal Dirt   | 4                          | 8                                         | 0                            | 12                       |
| Column Set / Concrete Pour             | 5                          | 10                                        | 0                            | 12                       |
| Set Top Column / Build & Set Structure | 5                          | 10                                        | 0                            | 8                        |
| Build & Set Digital Displays           | 5                          | 10                                        | 0                            | 8                        |

**Construction By SubPhase**

| Phase                                  | Equipment Type     | # | Engine hp | Hrs/day |
|----------------------------------------|--------------------|---|-----------|---------|
| Drill Footing / Haul & Disposal Dirt   |                    |   |           |         |
|                                        | Excavators         | 1 | 188       | 8       |
|                                        | Skid Steer Loaders | 1 | 405       | 8       |
|                                        | Off-Highway Truck  | 1 | 75        | 2       |
| Column Set / Concrete Pour             |                    |   |           |         |
|                                        | Aerial Lift        | 1 | 63        | 8       |
|                                        | Crane              | 1 | 231       | 8       |
|                                        | Concrete Mixer*    | 1 | 80        | 4       |
|                                        | Concrete Pump      | 1 | 84        | 4       |
| Set Top Column / Build & Set Structure |                    |   |           |         |
|                                        | Aerial Lift        | 1 | 63        | 8       |
|                                        | Crane              | 1 | 231       | 8       |
|                                        | Air Compressor     | 1 | 78        | 8       |
| Build & Set Digital Displays           |                    |   |           |         |
|                                        | Aerial Lift        | 1 | 63        | 8       |
|                                        | Crane              | 2 | 231       | 8       |

All Equipment specified as part of typical construction equipment phasing for projects

CalEEmod default horsepower and load defaults typical of construction equipment with exception noted below.

\*Concrete Mixer included to include Hydraulic pump for truck mounted mixer utilizing Power Take-Off mode of concrete trucks during unloading/delivery (1 hr per truck)

| Construction Phase           | Equipment                | Number | Hours/Day | HP  | Load | Days                 | Total hp-hr |
|------------------------------|--------------------------|--------|-----------|-----|------|----------------------|-------------|
| Drill Footing                | Excavators               | 1      | 8         | 158 | 0.38 | 1                    | 480         |
| Drill Footing                | Off-Highway Trucks       | 1      | 2         | 402 | 0.38 | 1                    | 306         |
| Drill Footing                | Skid Steer Loaders       | 1      | 8         | 65  | 0.37 | 1                    | 192         |
| Column Set                   | Aerial Lifts             | 1      | 8         | 63  | 0.31 | 1                    | 156         |
| Column Set                   | Cement and Mortar Mixers | 1      | 4         | 80  | 0.56 | 1                    | 179         |
| Column Set                   | Cranes                   | 1      | 8         | 231 | 0.29 | 1                    | 536         |
| Column Set                   | Pumps                    | 1      | 4         | 84  | 0.74 | 1                    | 249         |
| Build & Set Structure        | Aerial Lifts             | 1      | 8         | 63  | 0.31 | 1                    | 156         |
| Build & Set Structure        | Air Compressors          | 1      | 8         | 78  | 0.48 | 1                    | 300         |
| Build & Set Structure        | Cranes                   | 1      | 8         | 231 | 0.29 | 1                    | 536         |
| Build & Set Digital Displays | Aerial Lifts             | 1      | 8         | 63  | 0.31 | 1                    | 156         |
| Build & Set Digital Displays | Cranes                   | 1      | 8         | 231 | 0.29 | 1                    | 536         |
|                              |                          |        |           |     |      | <b>Total &gt;100</b> | 2,394       |
|                              |                          |        |           |     |      | <b>Total &lt;100</b> | 1,388       |

**Oxnard Buildboard Ordinance MND**  
**Construction Energy Analysis**

**Off-Road Equipment**

| Construction Phase<br>& Trip Type       | Vehicle<br>Class | Vehicle Fuel | Trip Number | Trip Length<br>(mi) | Total<br>VMT | Phase Emissions<br>CO2(MT) | Fuel Equivalency<br>(MT CO2/gal) | Fuel Consumption<br>Gallons |
|-----------------------------------------|------------------|--------------|-------------|---------------------|--------------|----------------------------|----------------------------------|-----------------------------|
| <b>Drill Footing</b>                    |                  |              |             |                     |              |                            |                                  |                             |
| Worker                                  | HHDT             | Diesel       | 12          | 20                  | 240          | 0.357                      | 10.181E-03                       | 35.10                       |
| Vendor                                  | HHDT             | Diesel       | 0           | 7.3                 | 0            | 0.000                      | 10.180E-03                       | 0.00                        |
| Haul                                    | LDA_Mix          | Gasoline     | 8           | 10.8                | 86.4         | 0.026                      | 8.887E-03                        | 2.88                        |
| <b>Column Set</b>                       |                  |              |             |                     |              |                            |                                  |                             |
| Worker                                  | HHDT             | Diesel       | 12          | 20                  | 240          | 0.357                      | 10.181E-03                       | 35.10                       |
| Vendor                                  | HHDT             | Diesel       | 0           | 7.3                 | 0            | 0.000                      | 10.180E-03                       | 0.00                        |
| Haul                                    | LDA_Mix          | Gasoline     | 10          | 10.8                | 108          | 0.032                      | 8.887E-03                        | 3.60                        |
| <b>Build &amp; Set Structure</b>        |                  |              |             |                     |              |                            |                                  |                             |
| Worker                                  | HHDT             | Diesel       | 8           | 20                  | 160          | 0.238                      | 10.181E-03                       | 23.40                       |
| Vendor                                  | HHDT             | Diesel       | 0           | 7.3                 | 0            | 0.000                      | 10.180E-03                       | 0.00                        |
| Haul                                    | LDA_Mix          | Gasoline     | 10          | 10.8                | 108          | 0.032                      | 8.887E-03                        | 3.60                        |
| <b>Build &amp; Set Digital Displays</b> |                  |              |             |                     |              |                            |                                  |                             |
| Worker                                  | HHDT             | Diesel       | 8           | 20                  | 160          | 0.238                      | 10.181E-03                       | 23.40                       |
| Vendor                                  | HHDT             | Diesel       | 0           | 7.3                 | 0            | 0.000                      | 10.180E-03                       | 0.00                        |
| Haul                                    | LDA_Mix          | Gasoline     | 10          | 10.8                | 108          | 0.032                      | 8.887E-03                        | 3.60                        |
|                                         |                  |              |             |                     |              |                            | <b>Diesel</b>                    | <b>117.0</b>                |
|                                         |                  |              |             |                     |              |                            | <b>Gasoline</b>                  | <b>13.7</b>                 |

Calculated CalEEMod CO2e emissions include EMFAC estimate emissions from start and idle modes as well as running mode fuel consumption based on fuel equivalencies to determine total fuel consumption including these modes.

Fuel Equivalency Factors (US EPA, IPCC)

<https://www.epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references>

[IPCC \(2006\). 2006 IPCC Guidelines for National Greenhouse Gas Inventories. Volume 2 \(Energy\). Intergovernmental Panel on Climate Change, Geneva, Switzerland](#)

Gasoline =  $8.887 \times 10^{-3}$  metric tons CO2/gallon of gasoline

Diesel =  $10.180 \times 10^{-3}$  metric tons CO2/gallon of diesel

## Oxnard Billboard MND - Ventura County, Annual

**EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied****Oxnard Billboard MND****Ventura County, Annual****1.0 Project Characteristics****1.1 Land Usage**

| Land Uses               | Size | Metric            | Lot Acreage | Floor Surface Area | Population |
|-------------------------|------|-------------------|-------------|--------------------|------------|
| User Defined Commercial | 1.00 | User Defined Unit | 0.25        | 1.00               | 0          |

**1.2 Other Project Characteristics**

|                                |                            |                                |       |                                  |       |
|--------------------------------|----------------------------|--------------------------------|-------|----------------------------------|-------|
| <b>Urbanization</b>            | Urban                      | <b>Wind Speed (m/s)</b>        | 2.6   | <b>Precipitation Freq (Days)</b> | 31    |
| <b>Climate Zone</b>            | 8                          |                                |       | <b>Operational Year</b>          | 2022  |
| <b>Utility Company</b>         | Southern California Edison |                                |       |                                  |       |
| <b>CO2 Intensity (lb/MWhr)</b> | 390.98                     | <b>CH4 Intensity (lb/MWhr)</b> | 0.033 | <b>N2O Intensity (lb/MWhr)</b>   | 0.004 |

**1.3 User Entered Comments & Non-Default Data**

Project Characteristics - Oxnard Billboard Ordinance - MND - Typical Installation

Land Use - Default Lot size of 11,000 sq ft (Range: 1,000 - 15,000)

Sq Ft = 1 is a unity rate for 1 Billboard for Operational Energy

Construction Phase - From Billboard Installation Schedule

1 Day for each phase. (5-7 days between Column Set and Build)

Off-road Equipment - Typical Construction Eqpt

Off-road Equipment - From Installation Schedule

Off-road Equipment - Truck Mounted Cement Mixer 80 HP for typical 10 CY Concrete Mixing Truck - uses Power Take-off from Truck Engine

-runs continuously during Unloading (1 hr per truck)

Off-road Equipment - Off-Highway Trucks included to include On-site Maneuvering and Idle time for Dump Trucks; Crawler Tractor included (but set to 0) to activate fugitive dust calcs

Trips and VMT - Haul Trips for Column Set based on Pieces of Eqpt (4) using CalEEMod methodology =  $4 \times 1.25 = 5$

Build & Set Structures and Displays also assume 5 workers per day

Grading - Fugitive dust emissions



Vehicle Emission Factors -

Vehicle Emission Factors -

Vehicle Emission Factors -

Consumer Products - No Consumer Products used as part of Operations

Area Coating - No Coatings

Landscape Equipment - No Landscape Operations

Energy Use - 54,000 kw-hr per year Avg Billboard Energy Usage

| Table Name            | Column Name                  | Default Value | New Value        |
|-----------------------|------------------------------|---------------|------------------|
| tblAreaCoating        | Area_Nonresidential_Exterior | 1             | 0                |
| tblAreaCoating        | Area_Nonresidential_Interior | 2             | 0                |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 100.00        | 1.00             |
| tblConstructionPhase  | NumDays                      | 2.00          | 1.00             |
| tblConsumerProducts   | ROG_EF                       | 2.14E-05      | 0                |
| tblEnergyUse          | T24E                         | 0.00          | 54,000.00        |
| tblGrading            | AcresOfGrading               | 0.00          | 0.50             |
| tblLandscapeEquipment | NumberSummerDays             | 180           | 0                |
| tblLandUse            | LandUseSquareFeet            | 0.00          | 1.00             |
| tblLandUse            | LotAcreage                   | 0.00          | 0.25             |
| tblOffRoadEquipment   | HorsePower                   | 9.00          | 80.00            |
| tblOffRoadEquipment   | LoadFactor                   | 0.43          | 0.43             |
| tblOffRoadEquipment   | OffRoadEquipmentType         |               | Crawler Tractors |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblOffRoadEquipment   | UsageHours                   | 4.00          | 8.00             |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 12.00            |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 12.00            |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 8.00             |
| tblTripsAndVMT        | HaulingTripNumber            | 0.00          | 8.00             |
| tblTripsAndVMT        | WorkerTripNumber             | 10.00         | 8.00             |
| tblTripsAndVMT        | WorkerTripNumber             | 0.00          | 10.00            |
| tblTripsAndVMT        | WorkerTripNumber             | 0.00          | 10.00            |

|                |                  |      |       |
|----------------|------------------|------|-------|
| tblTripsAndVMT | WorkerTripNumber | 0.00 | 10.00 |
|----------------|------------------|------|-------|

2.0 Emissions Summary

2.1 Overall Construction

Unmitigated Construction

|         | ROG         | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|---------|-------------|--------|--------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Year    | tons/yr     |        |        |             |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| 2022    | 1.1700e-003 | 0.0138 | 0.0106 | 3.0000e-005 | 7.6000e-004   | 4.7000e-004  | 1.2400e-003 | 1.6000e-004    | 4.4000e-004   | 6.1000e-004 | 0.0000   | 3.0685    | 3.0685    | 5.7000e-004 | 1.9000e-004 | 3.1402 |
| Maximum | 1.1700e-003 | 0.0138 | 0.0106 | 3.0000e-005 | 7.6000e-004   | 4.7000e-004  | 1.2400e-003 | 1.6000e-004    | 4.4000e-004   | 6.1000e-004 | 0.0000   | 3.0685    | 3.0685    | 5.7000e-004 | 1.9000e-004 | 3.1402 |

Mitigated Construction

|         | ROG         | NOx    | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|---------|-------------|--------|--------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Year    | tons/yr     |        |        |             |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| 2022    | 1.1700e-003 | 0.0138 | 0.0106 | 3.0000e-005 | 6.0000e-004   | 4.7000e-004  | 1.0700e-003 | 1.5000e-004    | 4.4000e-004   | 5.9000e-004 | 0.0000   | 3.0685    | 3.0685    | 5.7000e-004 | 1.9000e-004 | 3.1402 |
| Maximum | 1.1700e-003 | 0.0138 | 0.0106 | 3.0000e-005 | 6.0000e-004   | 4.7000e-004  | 1.0700e-003 | 1.5000e-004    | 4.4000e-004   | 5.9000e-004 | 0.0000   | 3.0685    | 3.0685    | 5.7000e-004 | 1.9000e-004 | 3.1402 |

|                   | ROG  | NOx  | CO   | SO2  | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio-CO2 | Total CO2 | CH4  | N2O  | CO2e |
|-------------------|------|------|------|------|---------------|--------------|------------|----------------|---------------|-------------|----------|----------|-----------|------|------|------|
| Percent Reduction | 0.00 | 0.00 | 0.00 | 0.00 | 21.05         | 0.00         | 13.71      | 6.25           | 0.00          | 3.28        | 0.00     | 0.00     | 0.00      | 0.00 | 0.00 | 0.00 |

| Quarter | Start Date | End Date | Maximum Unmitigated ROG + NOX (tons/quarter) | Maximum Mitigated ROG + NOX (tons/quarter) |
|---------|------------|----------|----------------------------------------------|--------------------------------------------|
| 1       | 6-6-2022   | 9-5-2022 | 0.0054                                       | 0.0054                                     |
|         |            | Highest  | 0.0054                                       | 0.0054                                     |

2.2 Overall Operational  
Unmitigated Operational

|          | ROG     | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|---------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr |        |        |        |               |              |            |                |               |             | MT/yr    |           |           |             |             |        |
| Area     | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Energy   | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 9.5767    | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |
| Mobile   | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Waste    |         |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Water    |         |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Total    | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 9.5767    | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |

**Mitigated Operational**

|          | ROG     | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|---------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr |        |        |        |               |              |            |                |               |             | MT/yr    |           |           |             |             |        |
| Area     | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Energy   | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 9.5767    | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |
| Mobile   | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Waste    |         |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Water    |         |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Total    | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 9.5767    | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |

|                   | ROG  | NOx  | CO   | SO2  | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4  | N2O  | CO2e |
|-------------------|------|------|------|------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|------|------|------|
| Percent Reduction | 0.00 | 0.00 | 0.00 | 0.00 | 0.00          | 0.00         | 0.00       | 0.00           | 0.00          | 0.00        | 0.00     | 0.00      | 0.00      | 0.00 | 0.00 | 0.00 |

**3.0 Construction Detail**

**Construction Phase**

| Phase Number | Phase Name                   | Phase Type            | Start Date | End Date | Num Days Week | Num Days | Phase Description                      |
|--------------|------------------------------|-----------------------|------------|----------|---------------|----------|----------------------------------------|
| 1            | Drill Footing                | Grading               | 6/1/2022   | 6/1/2022 | 5             | 1        | Drill Footing / Haul & Disposal Dirt   |
| 2            | Column Set                   | Building Construction | 6/2/2022   | 6/2/2022 | 5             | 1        | Column Set/Concrete Pour               |
| 3            | Build & Set Structure        | Building Construction | 6/7/2022   | 6/7/2022 | 5             | 1        | Set Top Column / Build & Set Structure |
| 4            | Build & Set Digital Displays | Building Construction | 6/8/2022   | 6/8/2022 | 5             | 1        | Build & Set Digital Displays           |

**Acres of Grading (Site Preparation Phase): 0**

**Acres of Grading (Grading Phase): 0.5**

**Acres of Paving: 0**

**Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating –**

**OffRoad Equipment**

| Phase Name                   | Offroad Equipment Type   | Amount | Usage Hours | Horse Power | Load Factor |
|------------------------------|--------------------------|--------|-------------|-------------|-------------|
| Drill Footing                | Excavators               | 1      | 8.00        | 158         | 0.38        |
| Drill Footing                | Off-Highway Trucks       | 1      | 2.00        | 402         | 0.38        |
| Drill Footing                | Skid Steer Loaders       | 1      | 8.00        | 65          | 0.37        |
| Column Set                   | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Column Set                   | Cement and Mortar Mixers | 1      | 4.00        | 80          | 0.56        |
| Column Set                   | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Column Set                   | Pumps                    | 1      | 4.00        | 84          | 0.74        |
| Build & Set Structure        | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Build & Set Structure        | Air Compressors          | 1      | 8.00        | 78          | 0.48        |
| Build & Set Structure        | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Build & Set Digital Displays | Aerial Lifts             | 1      | 8.00        | 63          | 0.31        |
| Build & Set Digital Displays | Cranes                   | 1      | 8.00        | 231         | 0.29        |
| Drill Footing                | Crawler Tractors         | 1      | 0.00        | 212         | 0.43        |

**Trips and VMT**

| Phase Name                   | Offroad Equipment Count | Worker Trip Number | Vendor Trip Number | Hauling Trip Number | Worker Trip Length | Vendor Trip Length | Hauling Trip Length | Worker Vehicle Class | Vendor Vehicle Class | Hauling Vehicle Class |
|------------------------------|-------------------------|--------------------|--------------------|---------------------|--------------------|--------------------|---------------------|----------------------|----------------------|-----------------------|
| Drill Footing                | 4                       | 8.00               | 0.00               | 12.00               | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Column Set                   | 4                       | 10.00              | 0.00               | 12.00               | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Build & Set Structure        | 3                       | 10.00              | 0.00               | 8.00                | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |
| Build & Set Digital Displays | 2                       | 10.00              | 0.00               | 8.00                | 10.80              | 7.30               | 20.00               | LD_Mix               | HDT_Mix              | HHDT                  |

**3.1 Mitigation Measures Construction**

Water Exposed Area

### 3.2 Drill Footing - 2022

#### Unmitigated Construction On-Site

|               | ROG                | NOx                | CO                 | SO2                | Fugitive PM10      | Exhaust PM10       | PM10 Total         | Fugitive PM2.5     | Exhaust PM2.5      | PM2.5 Total        | Bio- CO2      | NBio- CO2     | Total CO2     | CH4                | N2O           | CO2e          |
|---------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|---------------|---------------|---------------|--------------------|---------------|---------------|
| Category      | tons/yr            |                    |                    |                    |                    |                    |                    |                    |                    |                    | MT/yr         |               |               |                    |               |               |
| Fugitive Dust |                    |                    |                    |                    | 2.7000e-004        | 0.0000             | 2.7000e-004        | 3.0000e-005        | 0.0000             | 3.0000e-005        | 0.0000        | 0.0000        | 0.0000        | 0.0000             | 0.0000        | 0.0000        |
| Off-Road      | 2.0000e-004        | 1.8500e-003        | 2.7400e-003        | 1.0000e-005        |                    | 8.0000e-005        | 8.0000e-005        |                    | 7.0000e-005        | 7.0000e-005        | 0.0000        | 0.4627        | 0.4627        | 1.5000e-004        | 0.0000        | 0.4665        |
| <b>Total</b>  | <b>2.0000e-004</b> | <b>1.8500e-003</b> | <b>2.7400e-003</b> | <b>1.0000e-005</b> | <b>2.7000e-004</b> | <b>8.0000e-005</b> | <b>3.5000e-004</b> | <b>3.0000e-005</b> | <b>7.0000e-005</b> | <b>1.0000e-004</b> | <b>0.0000</b> | <b>0.4627</b> | <b>0.4627</b> | <b>1.5000e-004</b> | <b>0.0000</b> | <b>0.4665</b> |

#### Unmitigated Construction Off-Site

|              | ROG                | NOx                | CO                 | SO2           | Fugitive PM10      | Exhaust PM10       | PM10 Total         | Fugitive PM2.5     | Exhaust PM2.5      | PM2.5 Total        | Bio- CO2      | NBio- CO2     | Total CO2     | CH4                | N2O                | CO2e          |
|--------------|--------------------|--------------------|--------------------|---------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|---------------|---------------|---------------|--------------------|--------------------|---------------|
| Category     | tons/yr            |                    |                    |               |                    |                    |                    |                    |                    |                    | MT/yr         |               |               |                    |                    |               |
| Hauling      | 2.0000e-005        | 9.4000e-004        | 2.2000e-004        | 0.0000        | 1.0000e-004        | 1.0000e-005        | 1.1000e-004        | 3.0000e-005        | 1.0000e-005        | 4.0000e-005        | 0.0000        | 0.3573        | 0.3573        | 2.0000e-005        | 6.0000e-005        | 0.3748        |
| Vendor       | 0.0000             | 0.0000             | 0.0000             | 0.0000        | 0.0000             | 0.0000             | 0.0000             | 0.0000             | 0.0000             | 0.0000             | 0.0000        | 0.0000        | 0.0000        | 0.0000             | 0.0000             | 0.0000        |
| Worker       | 1.0000e-005        | 1.0000e-005        | 1.1000e-004        | 0.0000        | 3.0000e-005        | 0.0000             | 3.0000e-005        | 1.0000e-005        | 0.0000             | 1.0000e-005        | 0.0000        | 0.0256        | 0.0256        | 0.0000             | 0.0000             | 0.0259        |
| <b>Total</b> | <b>3.0000e-005</b> | <b>9.5000e-004</b> | <b>3.3000e-004</b> | <b>0.0000</b> | <b>1.3000e-004</b> | <b>1.0000e-005</b> | <b>1.4000e-004</b> | <b>4.0000e-005</b> | <b>1.0000e-005</b> | <b>5.0000e-005</b> | <b>0.0000</b> | <b>0.3829</b> | <b>0.3829</b> | <b>2.0000e-005</b> | <b>6.0000e-005</b> | <b>0.4006</b> |

Mitigated Construction On-Site

|               | ROG         | NOx         | CO          | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|---------------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category      | tons/yr     |             |             |             |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Fugitive Dust |             |             |             |             | 1.0000e-004   | 0.0000       | 1.0000e-004 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000 | 0.0000 |
| Off-Road      | 2.0000e-004 | 1.8500e-003 | 2.7400e-003 | 1.0000e-005 |               | 8.0000e-005  | 8.0000e-005 |                | 7.0000e-005   | 7.0000e-005 | 0.0000   | 0.4627    | 0.4627    | 1.5000e-004 | 0.0000 | 0.4665 |
| Total         | 2.0000e-004 | 1.8500e-003 | 2.7400e-003 | 1.0000e-005 | 1.0000e-004   | 8.0000e-005  | 1.8000e-004 | 1.0000e-005    | 7.0000e-005   | 8.0000e-005 | 0.0000   | 0.4627    | 0.4627    | 1.5000e-004 | 0.0000 | 0.4665 |

Mitigated Construction Off-Site

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 2.0000e-005 | 9.4000e-004 | 2.2000e-004 | 0.0000 | 1.0000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 1.0000e-005   | 4.0000e-005 | 0.0000   | 0.3573    | 0.3573    | 2.0000e-005 | 6.0000e-005 | 0.3748 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 1.0000e-005 | 1.0000e-005 | 1.1000e-004 | 0.0000 | 3.0000e-005   | 0.0000       | 3.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0256    | 0.0256    | 0.0000      | 0.0000      | 0.0259 |
| Total    | 3.0000e-005 | 9.5000e-004 | 3.3000e-004 | 0.0000 | 1.3000e-004   | 1.0000e-005  | 1.4000e-004 | 4.0000e-005    | 1.0000e-005   | 5.0000e-005 | 0.0000   | 0.3829    | 0.3829    | 2.0000e-005 | 6.0000e-005 | 0.4006 |

3.3 Column Set - 2022

Unmitigated Construction On-Site

|          | ROG         | NOx         | CO          | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |             |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 2.9000e-004 | 3.1100e-003 | 2.4300e-003 | 1.0000e-005 |               | 1.3000e-004  | 1.3000e-004 |                | 1.2000e-004   | 1.2000e-004 | 0.0000   | 0.4686    | 0.4686    | 1.1000e-004 | 0.0000 | 0.4714 |
| Total    | 2.9000e-004 | 3.1100e-003 | 2.4300e-003 | 1.0000e-005 |               | 1.3000e-004  | 1.3000e-004 |                | 1.2000e-004   | 1.2000e-004 | 0.0000   | 0.4686    | 0.4686    | 1.1000e-004 | 0.0000 | 0.4714 |

Unmitigated Construction Off-Site

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 2.0000e-005 | 9.4000e-004 | 2.2000e-004 | 0.0000 | 1.0000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 1.0000e-005   | 4.0000e-005 | 0.0000   | 0.3573    | 0.3573    | 2.0000e-005 | 6.0000e-005 | 0.3748 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 4.0000e-005 | 9.5000e-004 | 3.5000e-004 | 0.0000 | 1.4000e-004   | 1.0000e-005  | 1.5000e-004 | 4.0000e-005    | 1.0000e-005   | 5.0000e-005 | 0.0000   | 0.3893    | 0.3893    | 2.0000e-005 | 6.0000e-005 | 0.4071 |



**Mitigated Construction On-Site**

|          | ROG         | NOx         | CO          | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |             |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 2.9000e-004 | 3.1100e-003 | 2.4300e-003 | 1.0000e-005 |               | 1.3000e-004  | 1.3000e-004 |                | 1.2000e-004   | 1.2000e-004 | 0.0000   | 0.4686    | 0.4686    | 1.1000e-004 | 0.0000 | 0.4714 |
| Total    | 2.9000e-004 | 3.1100e-003 | 2.4300e-003 | 1.0000e-005 |               | 1.3000e-004  | 1.3000e-004 |                | 1.2000e-004   | 1.2000e-004 | 0.0000   | 0.4686    | 0.4686    | 1.1000e-004 | 0.0000 | 0.4714 |

**Mitigated Construction Off-Site**

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 2.0000e-005 | 9.4000e-004 | 2.2000e-004 | 0.0000 | 1.0000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 1.0000e-005   | 4.0000e-005 | 0.0000   | 0.3573    | 0.3573    | 2.0000e-005 | 6.0000e-005 | 0.3748 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 4.0000e-005 | 9.5000e-004 | 3.5000e-004 | 0.0000 | 1.4000e-004   | 1.0000e-005  | 1.5000e-004 | 4.0000e-005    | 1.0000e-005   | 5.0000e-005 | 0.0000   | 0.3893    | 0.3893    | 2.0000e-005 | 6.0000e-005 | 0.4071 |

3.4 Build & Set Structure - 2022

Unmitigated Construction On-Site

|          | ROG         | NOx         | CO          | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |             |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 3.4000e-004 | 3.3100e-003 | 2.7000e-003 | 1.0000e-005 |               | 1.5000e-004  | 1.5000e-004 |                | 1.4000e-004   | 1.4000e-004 | 0.0000   | 0.4975    | 0.4975    | 1.2000e-004 | 0.0000 | 0.5004 |
| Total    | 3.4000e-004 | 3.3100e-003 | 2.7000e-003 | 1.0000e-005 |               | 1.5000e-004  | 1.5000e-004 |                | 1.4000e-004   | 1.4000e-004 | 0.0000   | 0.4975    | 0.4975    | 1.2000e-004 | 0.0000 | 0.5004 |

Unmitigated Construction Off-Site

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 1.0000e-005 | 6.3000e-004 | 1.5000e-004 | 0.0000 | 7.0000e-005   | 1.0000e-005  | 7.0000e-005 | 2.0000e-005    | 0.0000        | 2.0000e-005 | 0.0000   | 0.2382    | 0.2382    | 2.0000e-005 | 4.0000e-005 | 0.2499 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 3.0000e-005 | 6.4000e-004 | 2.8000e-004 | 0.0000 | 1.1000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 0.0000        | 3.0000e-005 | 0.0000   | 0.2702    | 0.2702    | 2.0000e-005 | 4.0000e-005 | 0.2822 |

**Mitigated Construction On-Site**

|          | ROG         | NOx         | CO          | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |             |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 3.4000e-004 | 3.3100e-003 | 2.7000e-003 | 1.0000e-005 |               | 1.5000e-004  | 1.5000e-004 |                | 1.4000e-004   | 1.4000e-004 | 0.0000   | 0.4975    | 0.4975    | 1.2000e-004 | 0.0000 | 0.5004 |
| Total    | 3.4000e-004 | 3.3100e-003 | 2.7000e-003 | 1.0000e-005 |               | 1.5000e-004  | 1.5000e-004 |                | 1.4000e-004   | 1.4000e-004 | 0.0000   | 0.4975    | 0.4975    | 1.2000e-004 | 0.0000 | 0.5004 |

**Mitigated Construction Off-Site**

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 1.0000e-005 | 6.3000e-004 | 1.5000e-004 | 0.0000 | 7.0000e-005   | 1.0000e-005  | 7.0000e-005 | 2.0000e-005    | 0.0000        | 2.0000e-005 | 0.0000   | 0.2382    | 0.2382    | 2.0000e-005 | 4.0000e-005 | 0.2499 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 3.0000e-005 | 6.4000e-004 | 2.8000e-004 | 0.0000 | 1.1000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 0.0000        | 3.0000e-005 | 0.0000   | 0.2702    | 0.2702    | 2.0000e-005 | 4.0000e-005 | 0.2822 |

3.5 Build & Set Digital Displays - 2022

Unmitigated Construction On-Site

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 2.0000e-004 | 2.3700e-003 | 1.4900e-003 | 0.0000 |               | 9.0000e-005  | 9.0000e-005 |                | 8.0000e-005   | 8.0000e-005 | 0.0000   | 0.3272    | 0.3272    | 1.1000e-004 | 0.0000 | 0.3299 |
| Total    | 2.0000e-004 | 2.3700e-003 | 1.4900e-003 | 0.0000 |               | 9.0000e-005  | 9.0000e-005 |                | 8.0000e-005   | 8.0000e-005 | 0.0000   | 0.3272    | 0.3272    | 1.1000e-004 | 0.0000 | 0.3299 |

Unmitigated Construction Off-Site

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 1.0000e-005 | 6.3000e-004 | 1.5000e-004 | 0.0000 | 7.0000e-005   | 1.0000e-005  | 7.0000e-005 | 2.0000e-005    | 0.0000        | 2.0000e-005 | 0.0000   | 0.2382    | 0.2382    | 2.0000e-005 | 4.0000e-005 | 0.2499 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 3.0000e-005 | 6.4000e-004 | 2.8000e-004 | 0.0000 | 1.1000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 0.0000        | 3.0000e-005 | 0.0000   | 0.2702    | 0.2702    | 2.0000e-005 | 4.0000e-005 | 0.2822 |

**Mitigated Construction On-Site**

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O    | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|--------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |        |        |
| Off-Road | 2.0000e-004 | 2.3700e-003 | 1.4900e-003 | 0.0000 |               | 9.0000e-005  | 9.0000e-005 |                | 8.0000e-005   | 8.0000e-005 | 0.0000   | 0.3272    | 0.3272    | 1.1000e-004 | 0.0000 | 0.3299 |
| Total    | 2.0000e-004 | 2.3700e-003 | 1.4900e-003 | 0.0000 |               | 9.0000e-005  | 9.0000e-005 |                | 8.0000e-005   | 8.0000e-005 | 0.0000   | 0.3272    | 0.3272    | 1.1000e-004 | 0.0000 | 0.3299 |

**Mitigated Construction Off-Site**

|          | ROG         | NOx         | CO          | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total  | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|----------|-------------|-------------|-------------|--------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category | tons/yr     |             |             |        |               |              |             |                |               |             | MT/yr    |           |           |             |             |        |
| Hauling  | 1.0000e-005 | 6.3000e-004 | 1.5000e-004 | 0.0000 | 7.0000e-005   | 1.0000e-005  | 7.0000e-005 | 2.0000e-005    | 0.0000        | 2.0000e-005 | 0.0000   | 0.2382    | 0.2382    | 2.0000e-005 | 4.0000e-005 | 0.2499 |
| Vendor   | 0.0000      | 0.0000      | 0.0000      | 0.0000 | 0.0000        | 0.0000       | 0.0000      | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000      | 0.0000      | 0.0000 |
| Worker   | 2.0000e-005 | 1.0000e-005 | 1.3000e-004 | 0.0000 | 4.0000e-005   | 0.0000       | 4.0000e-005 | 1.0000e-005    | 0.0000        | 1.0000e-005 | 0.0000   | 0.0320    | 0.0320    | 0.0000      | 0.0000      | 0.0323 |
| Total    | 3.0000e-005 | 6.4000e-004 | 2.8000e-004 | 0.0000 | 1.1000e-004   | 1.0000e-005  | 1.1000e-004 | 3.0000e-005    | 0.0000        | 3.0000e-005 | 0.0000   | 0.2702    | 0.2702    | 2.0000e-005 | 4.0000e-005 | 0.2822 |

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

|             | ROG     | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|-------------|---------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| Category    | tons/yr |        |        |        |               |              |            |                |               |             | MT/yr    |           |           |        |        |        |
| Mitigated   | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Unmitigated | 0.0000  | 0.0000 | 0.0000 | 0.0000 | 0.0000        | 0.0000       | 0.0000     | 0.0000         | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

4.2 Trip Summary Information

| Land Use                | Average Daily Trip Rate |          |        | Unmitigated | Mitigated  |
|-------------------------|-------------------------|----------|--------|-------------|------------|
|                         | Weekday                 | Saturday | Sunday | Annual VMT  | Annual VMT |
| User Defined Commercial | 0.00                    | 0.00     | 0.00   |             |            |
| Total                   | 0.00                    | 0.00     | 0.00   |             |            |

4.3 Trip Type Information

| Land Use                | Miles      |            |             | Trip %     |            |             | Trip Purpose % |          |         |
|-------------------------|------------|------------|-------------|------------|------------|-------------|----------------|----------|---------|
|                         | H-W or C-W | H-S or C-C | H-O or C-NW | H-W or C-W | H-S or C-C | H-O or C-NW | Primary        | Diverted | Pass-by |
| User Defined Commercial | 9.50       | 7.30       | 7.30        | 0.00       | 0.00       | 0.00        | 0              | 0        | 0       |

4.4 Fleet Mix

| Land Use                | LDA      | LDT1     | LDT2     | MDV      | LHD1     | LHD2     | MHD      | HHD      | OBUS     | UBUS     | MCY      | SBUS     | MH     |
|-------------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|--------|
| User Defined Commercial | 0.537638 | 0.058030 | 0.174616 | 0.137192 | 0.028458 | 0.007596 | 0.011602 | 0.006026 | 0.000704 | 0.000394 | 0.029425 | 0.000660 | 0.0076 |

[illegible]

**Unmitigated**

[illegible]

Mitigated

|                         | NaturalGas Use | ROG     | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|-------------------------|----------------|---------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| Land Use                | kBTU/yr        | tons/yr |        |        |        |               |              |            |                |               |             | MT/yr    |           |           |        |        |        |
| User Defined Commercial | 0              | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                   |                | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

5.3 Energy by Land Use - Electricity

Unmitigated

|                         | Electricity Use | Total CO2 | CH4         | N2O         | CO2e   |
|-------------------------|-----------------|-----------|-------------|-------------|--------|
| Land Use                | kWh/yr          | MT/yr     |             |             |        |
| User Defined Commercial | 54000           | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |
| Total                   |                 | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |

Mitigated

|                         | Electricity Use | Total CO2 | CH4         | N2O         | CO2e   |
|-------------------------|-----------------|-----------|-------------|-------------|--------|
| Land Use                | kWh/yr          | MT/yr     |             |             |        |
| User Defined Commercial | 54000           | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |
| Total                   |                 | 9.5767    | 8.1000e-004 | 1.0000e-004 | 9.6261 |



## 6.0 Area Detail

## 6.1 Mitigation Measures Area

[illegible]

## 6.2 Area by SubCategory

### Unmitigated

[illegible]

Mitigated

|                       | ROG     | NOx    | CO     | SO2    | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4    | N2O    | CO2e   |
|-----------------------|---------|--------|--------|--------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|--------|--------|--------|
| SubCategory           | tons/yr |        |        |        |               |              |            |                |               |             | MT/yr    |           |           |        |        |        |
| Architectural Coating | 0.0000  |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Consumer Products     | 0.0000  |        |        |        |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Landscaping           | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                 | 0.0000  | 0.0000 | 0.0000 | 0.0000 |               | 0.0000       | 0.0000     |                | 0.0000        | 0.0000      | 0.0000   | 0.0000    | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

7.0 Water Detail

7.1 Mitigation Measures Water

|             | Total CO2 | CH4    | N2O    | CO2e   |
|-------------|-----------|--------|--------|--------|
| Category    | MT/yr     |        |        |        |
| Mitigated   | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Unmitigated | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

7.2 Water by Land Use

Unmitigated

|                         |       |           |        |        |        |
|-------------------------|-------|-----------|--------|--------|--------|
| Indoor/Outdoor Use      |       | Total CO2 | CH4    | N2O    | CO2e   |
| Land Use                | Mgal  | MT/yr     |        |        |        |
| User Defined Commercial | 0 / 0 | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                   |       | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

Mitigated

|                         |       |           |        |        |        |
|-------------------------|-------|-----------|--------|--------|--------|
| Indoor/Outdoor Use      |       | Total CO2 | CH4    | N2O    | CO2e   |
| Land Use                | Mgal  | MT/yr     |        |        |        |
| User Defined Commercial | 0 / 0 | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                   |       | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

|             |           |        |        |        |
|-------------|-----------|--------|--------|--------|
|             | Total CO2 | CH4    | N2O    | CO2e   |
|             | MT/yr     |        |        |        |
| Mitigated   | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Unmitigated | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

8.2 Waste by Land Use

Unmitigated

|                         |                |           |        |        |        |
|-------------------------|----------------|-----------|--------|--------|--------|
|                         | Waste Disposed | Total CO2 | CH4    | N2O    | CO2e   |
| Land Use                | tons           | MT/yr     |        |        |        |
| User Defined Commercial | 0              | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                   |                | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

Mitigated

|                         |                |           |        |        |        |
|-------------------------|----------------|-----------|--------|--------|--------|
|                         | Waste Disposed | Total CO2 | CH4    | N2O    | CO2e   |
| Land Use                | tons           | MT/yr     |        |        |        |
| User Defined Commercial | 0              | 0.0000    | 0.0000 | 0.0000 | 0.0000 |
| Total                   |                | 0.0000    | 0.0000 | 0.0000 | 0.0000 |

9.0 Operational Offroad

|                |        |           |           |             |             |           |
|----------------|--------|-----------|-----------|-------------|-------------|-----------|
| Equipment Type | Number | Hours/Day | Days/Year | Horse Power | Load Factor | Fuel Type |
|----------------|--------|-----------|-----------|-------------|-------------|-----------|

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

|                |        |           |            |             |             |           |
|----------------|--------|-----------|------------|-------------|-------------|-----------|
| Equipment Type | Number | Hours/Day | Hours/Year | Horse Power | Load Factor | Fuel Type |
|----------------|--------|-----------|------------|-------------|-------------|-----------|

Boilers

|                |        |                |                 |               |           |
|----------------|--------|----------------|-----------------|---------------|-----------|
| Equipment Type | Number | Heat Input/Day | Heat Input/Year | Boiler Rating | Fuel Type |
|----------------|--------|----------------|-----------------|---------------|-----------|

User Defined Equipment

|                |        |
|----------------|--------|
| Equipment Type | Number |
|----------------|--------|

11.0 Vegetation

# **ATTACHMENT D**

## **GENERAL PLAN CONSISTENCY CHART**

# ATTACHMENT D - City of Oxnard 2030 General Plan Consistency Analysis

## Ventura Road Electronic Billboard Project

January 19, 2023 Planning Commission

**Level I:** Direct Applicability to a Proposed Policy, Project or Program

**Level II:** Related or Indirect Applicability to the Proposed Policy, Project, or Program

**Level III:** No or Distance Applicability to the Proposed Policy, Project, or Program.

All policies not listed are designated as Level III are deemed consistent with the 2030 General Plan.

General Plan Chapter Abbreviations Chapter:

SC: Sustainable Community 2

CD: Community Development 3

ICS: Infrastructure and Community Services 4

ER: Environmental Resources 5

SH: Safety and Hazards 6

MC: Military Compatibility 7

HE: 2021-2029 Housing Element 8

| 2030 General Plan    |                                                                                                                                                                                                                                                  | Level I | Level II | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy CD-3.1</b> | <b><i>Neighborhood Preservation</i></b><br>Protect existing residential neighborhoods from the encroachment of incompatible activities and land uses as determined through environmental review and/or determination by the Planning Commission. | X       |          | The project has been designed to be consistent with proposed development standards and applicable mitigation measures. These include separation requirements from residential uses and limitations on illumination levels. Based on the Photometric Analysis provided the light levels at the existing multifamily residential uses and the current multifamily uses that are currently being processed would be 0.1 fc or less. Because the light level would be less than 0.5 fc, the Project would result in a less than significant lighting impact on the existing and future adjacent residential uses. |
| <b>Policy CD-4.1</b> | <b><i>Mitigate Land Use Conflicts</i></b><br>Mitigate conflicts between commercial and other land uses, especially residential and recreational uses.                                                                                            | X       |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

|                      |                                                                                                                                                                                                                                                                                                                                                                                |   |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy CD-8.5</b> | <b>Impact Mitigation</b><br>Ensure that new development avoids or mitigates impacts on air quality, traffic congestion, noise, and environmental resources to the maximum extent feasible.                                                                                                                                                                                     | X |   | All mitigation measures from the MND will be included as conditions of approval                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Policy CD-9.1</b> | <b>Neighborhood Identity</b><br>Recognize, preserve, and improve the visual identity and character of existing neighborhoods. Infill development shall respect historic structures and be of compatible scale and character with historic areas.                                                                                                                               |   | X | The proposed site is located within a designated Urban Village which contains other urban uses compatible with large scale advertisement. Also, as the sign is located along the freeway corridor which contains other similar signage including the Collection sign, the Auto Center sign, and the esplanade sign.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Policy CD-9.3</b> | <b>Gateway Enhancement</b><br>Designate major entryways as gateways into the City. The City shall use landscaping, decorative lighting, signage and/or other streetscape design techniques to enhance the City's identity, sense of place, and provide visual emphasis to the streetscapes to the City.                                                                        |   | X | Northbound views of the Project area from U.S. 101 consist of urban development and background views include a portion of the Coastal Mountain Range. Southbound motorists' who approach Ventura Road from the U.S. 101 bridge over the Santa Clara River Basin include urbanized views in the Project area. Northbound and southbound motorists' views of the proposed electronic billboard would add another typical view of an urban landscape (i.e., billboards and Caltrans signs) that occurs along U.S. 101 outside of the Santa Clara River Basin views obtained by motorists traveling on the U.S. 101 bridge. Due to the urbanized setting of the Project area, Project impacts on northbound motorists' views that include an urban landscape as well as partial distant views of the Coastal Mountain Range would not be considered a substantial adverse effect on a scenic vista. Southbound motorists' views also include an urban landscape and minimal background views of the hills of Point Mugu State Park. The southbound motorists' views would be minimally impacted with the implementation of the proposed electronic billboard, and the impact would not be considered a substantial |
| <b>Policy CD-9.4</b> | <b>View Corridor Preservation</b><br>Ensure all public and private investments positively contribute to the overall character of the City by minimizing impacts on important view corridors by creating edge treatments along greenbelt areas and a landscaped buffer corridor of at least 30 feet along designated scenic corridors and other major transportation corridors. |   | X |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |



|                       |                                                                                                                                                                                                                                                          |   |   |                                                                                                                                      |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|--------------------------------------------------------------------------------------------------------------------------------------|
|                       |                                                                                                                                                                                                                                                          |   |   | adverse effect on a scenic vista.                                                                                                    |
| <b>Policy CD-11.3</b> | <b>Protect and Enhance Cultural Resources</b><br>Ensure that new public and private investment protects and enhances Oxnard's existing cultural resources, traditional neighborhoods, and historic districts, to the extent feasible.                    |   | X | The project includes mitigations, which have been included in the conditions, to protect potential cultural resources                |
| <b>Policy CD-14.2</b> | <b>Development Advisory Committee (DAC) Function</b><br>Continue to require that a staff Development Advisory Committee review new development projects for consistency with the City's development policies and appropriateness for the proposed sites. | X |   | Project was reviewed by the Development Advisory Committee on two occasions and the current plan reflects the input provided by DAC. |

|                        |                                                                                                                                                                                                        |  |   |                                                                                                                                           |
|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|-------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy ICS-17.5</b> | <b>Undergrounding of Utility Lines</b><br>Require undergrounding of utility lines in new development, except where it is not feasible due to electrical transmission load or other operational issues. |  | X | All equipment for the operation of the sign will be contained within the pole and the electrical service to the sign will be underground. |
|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|-------------------------------------------------------------------------------------------------------------------------------------------|

|                      |                                                                                                                                                                                                                                                                                                                                                       |   |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy ER-1.1</b> | <b>Protect Oxnard's Natural and Cultural Resources</b><br>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. | X |  | The project is adjacent to the Santa Clara River therefore the Environmental document studied the potential impact on the adjacent resources. The illuminance impacts on natural areas were based on recommendations from the International Commission on Illumination (CIE). The CIE identifies impacts on natural areas as an illuminance of 0.2 foot-candle (fc) or greater (CIE, 2003). Therefore, due to the absence of a current local illumination standard impact on natural areas, a significant light impact on adjacent natural areas and associated species |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |   |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy ER-2.2</b> | <b><i>Designation and Protection of Sensitive Habitat Areas</i></b><br>Evaluate existing and potential sensitive habitat areas (Environmentally Sensitive Habitat Area in the Coastal Zone – ESHA) as resource protection or open space land uses, including but not limited to: 1) Ormond Beach wetlands and upland areas, 2) Santa Clara River estuary and riverbed, 3) Edison Canal and harbor-related habitat areas, and 4) various dune habitat areas. | X |   | <p>would occur if light levels are 0.2 fc or greater. Based on the Photometric Analysis provided and the Biological Site Visit Field Map, the sensitive willow riparian habitat area is located approximately 135 feet west of the Project site (i.e., west of the access road within the Santa Clara River Basin) and would result in an illumination of less than 0.2 fc. Because the light level would be less than 0.2 fc, the Project would result in a less than significant lighting impact on the existing sensitive willow riparian habitat area or associated species. Therefore, due to the relatively low illuminance resulting from the proposed electronic billboard, the project would not have a significant impact on the natural resources with the lighting restrictions placed on the project. The project is located outside of the formal river therefore there would be no direct construction impacts to the Santa Clara River.</p> <p>Lastly, with regard to construction noise impacts. Mitigations have been incorporated to require pre construction nesting bird surveys if construction takes place during nesting season.</p> |
| <b>Policy ER-2.4</b> | <b><i>Design Review Process</i></b><br>Use the environmental and design review process to protect designated sensitive habitat, and promote open space.                                                                                                                                                                                                                                                                                                     | X |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Policy ER-3.1</b> | <b><i>Preservation of Riparian Habitat</i></b><br>Require the preservation and enhancement of the riparian habitat along the Santa Clara River, Edison Canal, the McGrath Lake vicinity, and within the Ormond Beach wetlands.                                                                                                                                                                                                                              |   | X |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Policy ER-3.2</b> | <b><i>Review of Development Proposals</i></b><br>Review development proposals in accordance with applicable Federal, State, and local statutes protecting special-status species and jurisdictional wetlands and be open to requiring greater protection.                                                                                                                                                                                                   | X |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Policy ER-4.5</b> | <b><i>Planning in Sensitive Areas</i></b><br>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.                                                                                                                                                                                                                           | X |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

|                      |                                                                                                                                                                                                                                                                                                                                                                                               |   |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy ER-6.1</b> | <b><i>Incorporate Views in New Development</i></b><br>Preserve important public views and viewsheds by ensuring that the scale, bulk and setback of new development does not significantly impede or disrupt them and ensure that important vistas and view corridors are enhanced. Require development to provide physical breaks to allow views into these vistas and view corridors.       |   | X | This policy includes the incorporation of views in new development. This policy requires development to provide physical breaks to allow views into scenic vistas and view corridors. Because the proposed Project includes a free-standing electronic billboard, the implementation of the Project would not conflict with this policy because motorists would briefly view the proposed billboard as they travel along U.S. 101. Therefore, the Project would be consistent with this policy.                                                                                                                                                                                                                                                                              |
| <b>Policy ER-6.2</b> | <b><i>Protect and Enhance Major Scenic Resources</i></b><br>Protect and enhance the scenic resources of the beaches, Channel Island Harbor, windrows, farmland, the Channel Islands, and surrounding mountains.                                                                                                                                                                               | X |   | Motorists traveling northbound along U.S. 101 would have a background view of the Coastal Mountain Range as well as partial views of the vegetation located within the Santa Clara River Basin; however, this background view would be bordered by foreground urban development for northbound U.S. 101 motorists. For southbound U.S. 101 motorists, the vegetation within the Santa Clara River provides a foreground view; however, this foreground view also includes urban development as the motorists' travel toward Ventura Road. Therefore, the addition of the proposed electronic billboard would not substantially impact the background views of the Coastal Mountain Range and Santa Clara River Basin or the foreground views of the Santa Clara River Basin. |
| <b>Policy ER-6.5</b> | <b><i>Control of Lighting and Glare</i></b><br>Require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward and, where public safety would not be compromised, encourage the use of low-pressure sodium lighting for all outdoor light fixtures. | X |   | The proposed electronic billboard would utilize energy efficient light emitting diode (LED) technology, which is recognized by the U.S. Department of Energy as the most energy efficient lighting technology. The lighting of the proposed electronic billboard would be designed to allow the message on the display visible to passing motorists. The digital LED billboard technology allows sign brightness to be adjusted automatically depending on ambient weather conditions. The display, for example, would be brighter in the daytime than at night-time and                                                                                                                                                                                                     |

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                          |   |   |                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                       |                                                                                                                                                                                                                                                                                                                                                                                                                          |   |   | responds to changes in the ambient light conditions. The proposed electronic billboard would require a California Department of Transportation Outdoor Advertising Act Permit from Caltrans. The proposed billboard would comply with the brightness requirements outlined in the Outdoor Advertising Act in that the illumination shall not be of such brilliance or so positioned as to cause a hazardous condition on adjacent highways. |
| <b>Policy ER-11.1</b> | <b>Archaeological Resource Surveys</b><br>Continue to require a qualified archaeologist to perform a cultural resources study prior to project approval. Inspection for surface evidence of archaeological deposits, and archaeological monitoring during grading should be required in areas where significant cultural resources have been identified or are expected to occur.                                        | X |   | No archaeological artifacts were found in the vicinity of the Project site during the Phase 1 survey. However, the MND includes mitigation measures (CUL-1 and CUL-2) for monitoring and collecting, if necessary, any discovered archaeological and paleontological resources.                                                                                                                                                             |
| <b>Policy ER-11.2</b> | <b>Mitigating the Impact of New Development on Cultural Resources</b><br>Ensure that alternatives are considered, including planning construction to avoid archeological sites, deeding archaeological sites into permanent conservation easements, and planning parks, greenspace or other open space to incorporate archaeological sites in the event that development threatens significant archaeological resources. | X |   |                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Policy ER-11.3</b> | <b>Development Applicants to Conduct Research</b><br>Continue to require project applicants to have a qualified archaeologist conduct a record search at the South Central Coast Information Center located at California State University Fullerton and other appropriate historical repositories, conduct field surveys where appropriate, and prepare technical                                                       |   | X |                                                                                                                                                                                                                                                                                                                                                                                                                                             |

|                        |                                                                                                                                                                                                                                                                                                                                                                             |   |   |                                                                                                                                                  |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|--------------------------------------------------------------------------------------------------------------------------------------------------|
|                        | reports, where appropriate, meeting California Office of Historic Preservation Standards (Archaeological Resource Management Reports) prior to project approval.                                                                                                                                                                                                            |   |   |                                                                                                                                                  |
| <b>Policy ER-11.6</b>  | <b>Identification of Archaeological Resources</b><br>In the event that archaeological/paleontological resources are discovered during site excavation, continue to require that grading and construction work on the project site is suspended until the significance of the features can be determined by a qualified archaeologist/paleontologist.                        | X |   |                                                                                                                                                  |
| <b>Policy ER-14.4</b>  | <b>Emission Control Devices</b><br>Require all construction equipment to be maintained and tuned to meet appropriate EPA, CARB, and VCAPCD emissions requirements and when new emission control devices or operational modifications are found to be effective, such devices or operational modifications are required on construction equipment.                           | X |   | Conditions have been included to require maintenance of equipment pursuant to manufacture specifications and minimization of dust on site.       |
| <b>Policy ER-14.6</b>  | <b>Minimizing Dust and Air Emissions through Permitting Requirements</b><br>Continue to require mitigation measures as a condition of obtaining building or use permits to minimize dust and air emissions impacts from construction.                                                                                                                                       | X |   |                                                                                                                                                  |
| <b>Policy ER-14.12</b> | <b>Use VCAPCD Air Quality Assessment Guidelines</b><br>Use the VCAPCD Air Quality Assessment Guidelines and recommended analytical tools for determining and mitigating project air quality impacts and related thresholds of significance for use in environmental documents. The City shall continue to cooperate with the VCAPCD in the review of development proposals. |   | X | Project environmental analysis was prepared in compliance with APCD guidelines. Comments from APCD have been incorporated into the final IS/MND. |

|                      |                                                                                                                                                                                                                                                                                                    |   |   |                                                                                                  |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|--------------------------------------------------------------------------------------------------|
| <b>Policy SH-1.1</b> | <b>Minimize Liquefaction Risk</b><br>Ensure that structures for human occupancy are only constructed or placed on a potential liquefaction site if the approved geological report shows that an acceptable hazard risk would be created and/or required mitigation measures are met.               |   | X | The project would be developed in compliance with all applicable state and local building codes. |
| <b>Policy SH-1.3</b> | <b>Building Code Standards</b><br>Require that all new buildings and alterations to existing buildings be built according to the seismic requirements adopted within the most current City of Oxnard Building Code, or its adopted equivalent.                                                     | X |   |                                                                                                  |
| <b>Policy SH-1.4</b> | <b>Soil, Geologic, and Structural Evaluation Reports</b><br>Require that adequate soils, and geologic and structural evaluation reports be prepared by registered soils engineers, engineering geologists, and/or structural engineers, as appropriate, for applicable development.                | X |   |                                                                                                  |
| <b>Policy SH-1.5</b> | <b>Required Geologic Reports</b><br>Continue to require the submission of a geological report for proposed development located in a potential liquefaction area.                                                                                                                                   |   | X |                                                                                                  |
| <b>Policy SH-1.7</b> | <b>Soil Investigations</b><br>Continue to require a complete site-specific soils investigation that addresses liquefaction and compressible soil characteristics and identifies construction techniques or other mitigation measures to prevent significant impacts upon the proposed development. |   | X |                                                                                                  |

|                      |                                                                                                                                                                                                                                                                                                                                    |  |   |                                                                          |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|--------------------------------------------------------------------------|
| <b>Policy SH-1.8</b> | <b>Mitigating Seismic Hazards</b><br>Where necessary, utilize the expert mitigation measures such as those identified in Special Publication 117: Guidelines for Analyzing and Mitigating Seismic Hazards in California (prepared by the Southern California Earthquake Center) to minimize risk associated with seismic activity. |  | X |                                                                          |
| <b>Policy SH-6.2</b> | <b>Limiting Construction Activities</b> Continue to limit construction activities to the hours of 7 am to 7pm, Monday through Saturday. No construction shall occur after hours, on Sundays, or national holidays without permission from the City.                                                                                |  | X | Project has been conditioned to comply with the City Construction hours. |

# **ATTACHMENT E**

## **ZONING COMPLIANCE TABLE**



## Attachment E

### Zoning Code Consistency Table For Ventura Road Electronic Billboard Project

| Development Standard           | Oxnard City Code Citation | Standard                                                                                                                                                                                                                                                                                                                                                   | Proposed Project                                                                                                                                                                                  | Complies? |
|--------------------------------|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| Location                       | Section 16-609            | Freeway Adjacent Digital Display Billboards may only be erected on City of Oxnard owned property or Right of Way, in any non-residential zones located within four hundred (400) feet of the freeway right-of-way for US Highway 101. The total number of Freeway Adjacent Digital Display Billboard shall not exceed a total of five (5) within the City. | This project is within 400 feet of the freeway. The project is one of two proposed billboards. No other billboards currently exist.                                                               | Yes       |
| Distance from residential uses | Section 16-609            | 100 feet from the property line of any residentially zoned parcel, as measured from the border of the Digital Display billboard face, or the base of the digital display billboard structure, whichever is closest to the residentially zoned parcel.                                                                                                      | While the parcel is not residentially zoned the closest parcel which allows for residential is approximately 160 feet east. (Location of Fore Apartments Project)                                 | Yes       |
| Height                         | Section 16-609            | Fifty-five (55) feet as measured from the pavement level of US Highway 101 to the bottom of the digital display. The maximum height to the top of the Freeway Adjacent Digital Display Billboard shall not exceed eighty (80) feet as measured from the pavement level of US Highway 101.                                                                  | The sign is approximately 50 feet from the pavement of the US Highway 101 to the bottom of the sign face. The top of the billboard would be approximately 65 feet in height above US Highway 101. | Yes       |
| Size and                       | Section                   | Fourteen (14) feet in height and                                                                                                                                                                                                                                                                                                                           | The proposed                                                                                                                                                                                      | Yes       |

|               |                |                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                            |                     |
|---------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| Spacing       | 16-609         | forty-eight (48) feet in width, with the area of each face not to exceed an overall maximum amount of eight hundred and fifty (850) square feet, including border and trim. Each Freeway Adjacent Digital Display Billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet.                                  | screen is Fourteen (14) feet in height and forty-eight (48) feet in width. The overall sign face is approximately 703 square feet. The closest proposed Freeway Adjacent Digital Display Billboard is approximately 4,000 feet to the east |                     |
| Design        | Section 16-609 | All freeway adjacent digital display billboards shall either be double faced or include covered backs or facings.                                                                                                                                                                                                                                                   | The proposed sign is double-sided                                                                                                                                                                                                          | Yes                 |
| Orientation   | Section 16-609 | Each Freeway Adjacent Digital Display Billboard must be oriented primarily for viewing from the adjacent freeway.                                                                                                                                                                                                                                                   | The sign is oriented for viewing by motorist on HWY 101                                                                                                                                                                                    | Yes                 |
| Brightness    | Section 16-609 | Shall not exceed 0.3 foot-candles over ambient levels at a distance of 250 feet in any direction. All Freeway Adjacent Digital Display Billboards shall comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5. | Based on lighting studies the project shall comply. Conditions shall require confirmation after construction.                                                                                                                              | Yes, as conditioned |
| Display cycle | Section 16-609 | A Freeway Adjacent Digital Display Billboard may show a series of still images, each displayed for at least eight (8) seconds. The still images may not move or present the appearance of motion and may not use flashing or blinking lights or any other means not providing constant illumination. Transition or blank screen time between                        | Project shall comply in accordance with conditions of approval.                                                                                                                                                                            | Yes, as conditioned |

|                                                                                                |                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                 |                     |
|------------------------------------------------------------------------------------------------|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|---------------------|
|                                                                                                |                | one still image and the next may not exceed one (1) second.                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                 |                     |
| Compliance with law                                                                            | Section 16-609 | The owner of the Freeway Adjacent Digital Display Billboard must comply with all applicable federal, state, and local laws, including the Highway Beautification Act of 1965 (23 United States Code Section 131), the Outdoor Advertising Act (California Business and Professions Code Section 5200 et seq.), and this Article IX, when constructing, operating, improving, maintaining, repairing, and removing the Freeway Adjacent Digital Display Billboard. | Project shall comply in accordance with conditions of approval. | Yes, as conditioned |
| Source: Oxnard City Code, Chapter 16, Zoning Code (Subject to proposed amendment PZ 20-580-06) |                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                 |                     |

# **ATTACHMENT F**

**DRAFT PLANNING COMMISSION RESOLUTION RECOMMENDING  
ADOPTION OF MITIGATED NEGATIVE DECLARATION (MND) 22-03**

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL ADOPT A MITIGATED NEGATIVE DECLARATION 22-03 TO ALLOW FOR THE CONSTRUCTION AND OPERATION OF AN ELECTRONIC BILLBOARD AND ASSOCIATED SITE IMPROVEMENTS, A DEVELOPMENT AGREEMENT, AND STREET VACATION ON AN APPROXIMATELY 1,000-SQUARE FOOT UNDEVELOPED SITE LOCATED ON THE NORTH SIDE OF THE U.S. 101 AND IMMEDIATELY WEST OF VENTURA ROAD IN THE NORTHERN PORTION OF THE CITY OF OXNARD. (APN: N/A). FILED BY LARS SKUGSTAD, 1111 BROADWAY, SUITE 1515, OAKLAND, CA 94607 (THE “APPLICANT”) ON BEHALF OF THE CITY OF OXNARD (THE “PROPERTY OWNER”).

WHEREAS, on October 15, 2020, Lars Skugstad (the “Applicant” and/or “Permittee”) submitted a request to approve Planning and Zoning Permit Nos. 20-500-06 (Special Use Permit), 20-670-05 (Development Agreement), and 21-660-03 (Street Vacation) to allow for the installation and operation of an electronic billboard on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard. The Special Use Permit allows for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products. The top of the billboard would be approximately 80 feet in height above the ground, and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width. The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development. The proposed Street Vacation would vacate the existing right-of-way to the City of Oxnard (“Project”); and

WHEREAS, the City is the lead agency for purposes of the project pursuant to Public Resources Code section 21067; and

WHEREAS, the City determined that the Project and its associated actions are subject to the environmental review requirements of the California Environmental Quality Act (“CEQA”); and

Whereas, the Development Advisory Committee (DAC) reviewed the plans on November 18, 2020 and provided conditions of approval for the project; and

WHEREAS, the project applicant mailed notices to all property owners within the RiverPark neighborhood and presented the project at the December 20, 2021 Community Workshop; and

WHEREAS, Pursuant to provisions of the California Environmental Quality Act and CEQA Guidelines, Section 15063, and following an Initial Study and environmental assessment of possible adverse impacts, the project will not have a significant effect on the environment because of the inclusion of certain mitigation measures for which lessened potential adverse impacts to a level of less than significant. Therefore, the Planning Division has prepared a Mitigated Negative Declaration with mitigation measures and

monitoring program in accordance with the provisions of CEQA, including, without limitation CEQA Guidelines Sections 15070, 15071, 15072, and 15073, which have been incorporated as conditions; and

WHEREAS, a Notice of Intent to Adopt an Initial Study and Draft Mitigated Negative Declaration (IS-MND) for the Project was published and posted on June 30, 2022, at the State Office of Planning and Research (OPR) website and at the Ventura County Recorder's Office pursuant to CEQA Guidelines Sections 15072 and 15073; and

WHEREAS, the public comment period on the DEIR ran for thirty (30) days commencing on June 30, 2022 and ending on July 29, 2022; and

WHEREAS, after the close of the comment period on the IS/MND, the IS/MND was modified as set forth in Chapter 4 of the Response to Comment document; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, the City has prepared Final IS/MND 22-03 containing all comments received on the Draft IS/MND 22-03, written responses to all substantive comments, and necessary changes to the text of the Draft IS/MND 22-03; and

WHEREAS, on January 19, 2023, the Planning Commission of the City of Oxnard conducted a duly noticed public hearing, and received and reviewed all written and oral evidence related to the Final IS/MND 22-03; and

WHEREAS, the Planning Commission finds after due study and deliberation that the public interest and general welfare require the adoption of the Final IS/MND 22-03; and

WHEREAS, the comments of the Commissioners, agencies, interested groups, and members of the public have received adequate responses; and

WHEREAS, the Applicant agrees as a condition of this Resolution that at its own expense, to indemnify and defend the City of Oxnard and its agents, officers and employees from and against any claims, actions or proceedings to attack, set aside, void or annul the approval of this Resolution or any actions or proceedings, acts or determinations taken, done or made before the approval of this Resolution that were part of the approval process.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends that the City Council adopt an Final IS/MND 22-03, attached to the staff report and incorporated by reference.

**SECTION 1.** The Recitals above are true and correct and incorporated herein by this reference.

**SECTION 2.** The Final IS/MND has been completed in compliance with the California Environmental Quality Act (California Public Resources Code Section 21000 – 21189).

**SECTION 3.** The Final IS/MND was presented to the Planning Commission, which, at a hearing before the public, reviewed and considered the information contained

in the Mitigated Negative Declaration/Initial Study prior to making a recommendation to the City Council regarding the Project and its associated development entitlements.

**SECTION 4.** 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 pursuant to CEQA Guidelines §15074, the Final MND reflects the City's independent judgment and analysis. The Planning Commission has independently reviewed and analyzed the Final IS/MND 22-03 prepared for the Project. The Final IS/MND 22-03 is an accurate and complete statement of the potential environmental impacts of the project. The Final IS/MND 22-03 was prepared under the direction of the City of Oxnard Planning Division and reflects its independent judgment and analysis of the environmental impacts.

**SECTION 5.** The Planning Commission hereby adopts and recommends to the City Council the adoption of the Final IS/MND 22-03, set forth attached hereto and incorporated herein by reference, and based thereon and on the Record as a whole, the Planning Commission hereby finds and recommends that the City Council find that all potentially significant environmental effects of the Project its associated development entitlement actions have been reduced to a less-than-significant level in that all significant environmental effects have been eliminated or substantially lessened as set forth in the IS-MND. Based upon the foregoing, the Planning Commission finds, determines, and recommends that the City Council find and determine that the Project and its associated actions will not have a significant effect upon the environment.

**SECTION 6.** The Planning Commission hereby recommends the City Council adopt the mitigation measures set forth in the Final IS/MND 22-03 and its accompanying Mitigation, Monitoring, and Reporting Program ("MMRP"), pursuant to Public Resources Code Section 21081.6, which is a program design to ensure compliance with the mitigation measures imposed to avoid or substantially lessen the significant effects identified in the Mitigated Negative Declaration/Initial Study and said mitigation measures are described in the MMRP included therein and incorporated herein by reference.

**SECTION 7.** The Planning Commission hereby recommends that the City Council approve the resolution adopting Final IS/MND 22-03, attached to the staff report and incorporated by reference.

**SECTION 8.** The Secretary shall certify the adoption of this Resolution.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 19th day of January, 2023, by the following vote:

---

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 19th day of January, 2023, and carried by the following vote:

AYES:            Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

---

Joe Pearson II, Secretary



# **ATTACHMENT G**

**DRAFT PLANNING COMMISSION RESOLUTION RECOMMENDING  
APPROVAL OF PZ PERMIT No. 20-670-05 (DEVELOPMENT  
AGREEMENT)**

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT AND LEASE OF PROPERTY (PLANNING AND ZONING PERMIT NO. 20-670-05) WITH OUTFRONT FOSTER INTERSTATE, LCC REGARDING PROPERTY LOCATED ON THE NORTH SIDE OF THE U.S. 101 AND IMMEDIATELY WEST OF VENTURA ROAD IN THE NORTHERN PORTION OF THE CITY OF OXNARD. (APN: N/A). FILED BY LARS SKUGSTAD, 1111 BROADWAY, SUITE 1515, OAKLAND, CA 94607 (THE “APPLICANT”) ON BEHALF OF THE CITY OF OXNARD (THE “PROPERTY OWNER”).

WHEREAS, on October 15, 2020, Lars Skugstad (the “Applicant” and/or “Permittee”) submitted a request to approve Planning and Zoning Permit Nos. 20-500-06 (Special Use Permit), 20-670-05 (Development Agreement), and 21-660-03 (Street Vacation) to allow for the installation and operation of an electronic billboard on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard; and

WHEREAS, the Planning Commission of the City of Oxnard (“**Planning Commission**”) has considered an application for Planning and Zoning Permit No. 20-670-05 (“**Project**”), a Development Agreement and Lease of Property between the CITY OF OXNARD, a municipal corporation of the State of California (the “City”) and OUTFRONT FOSTER INTERSTATE LLC, a Delaware limited liability company (“OFI”) (collectively referred to “Applicant” or “Developer” in the record of proceedings); and

WHEREAS, the Development Agreement and Lease of Property (DA) shall allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard. The agreement also outlines the required public benefits to be provided by the future development, including fiscal benefits to the City. The proposed DA is included in Exhibit A to this Resolution; and

WHEREAS, on January 19, 2023, the Planning Commission of the City of Oxnard (“**Planning Commission**”) conducted a duly noticed public hearing where written and oral comments were received and reviewed to consider an application for a Development Agreement and Lease of Property (PZ 20-670-05) in accordance with Chapter 16-575 of the Oxnard City Code; and

WHEREAS, the Planning Commission finds, after due study, deliberation and a duly noticed public hearing on January 19, 2023, and received and reviewed written and oral comments, presented by staff and the Applicant with a series of questions, and that the project meets the criteria set out in California Government Code 65864 through 65869.5; and

WHEREAS, the City of Oxnard as the Lead Agency, prepared a Mitigated Negative Declaration (MND) in accordance with CEQA and the CEQA Guidelines. The MND identified and discussed potential impacts, mitigation measures, monitoring requirements,

and residual impacts for identified subject areas. The MND found that the implementation of the proposed Project would result in potentially significant impacts associated with biological resources, cultural resources, and noise on wildlife species. Mitigation measures have been required to reduce each potentially significant impact to less than significant. The mitigation measures that have been required within the MND would reduce potential significant impacts. These measures include: (BIO-1 and BIO-2) conducting a pre-construction survey for active bird nests and conducting focused protocol nest survey for least Bell's vireo, and (CR-1 and CR-2) monitoring and collecting, if necessary, any discovered archaeological and paleontological resources. After the implementation of the required mitigation measures, the potential significant impacts would be reduced to less than significant. No remaining significant impacts would occur. With respect to Aesthetics, although less than significant lighting impacts would occur, the MND includes mitigation measures that are recommended to further reduce less than significant light impacts. These measures include: (AES-1 and AES-2) allowing for remote shut off in the event of malfunction and conducting illumination level verification tests; and

WHEREAS, pursuant to CEQA Guidelines §15074, the Final MND reflects the City's independent judgment and analysis. The Planning Commission has independently reviewed and analyzed the Final IS/MND 22-03 prepared for the Project. The Final IS/MND 22-03 is an accurate and complete statement of the potential environmental impacts of the project. The Final IS/MND 22-03 was prepared under the direction of the City of Oxnard Planning Division and reflects its independent judgment and analysis of the environmental impacts.

WHEREAS, the Commission considered Final IS/MND 22-03 prior to making recommendations on the Project; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the proposed Development Agreement and Lease of Property is consistent with the 2030 General Plan; and

WHEREAS, the pursuit of the Development Agreement and Lease of Property is a reasonable exercise of the City's police powers to ensure the continued health, safety, and welfare of the public by providing public benefits for the residents of the City of Oxnard; and

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

1. As outlined in Section 6(b) and Attachment F of the Planning Commission Staff report, the proposed Development Agreement and Lease of Property is in conformance with the 2030 General Plan and other adopted policies of the City of Oxnard;
2. As determined in the Final IS/MND 22-03, the proposed Development Agreement and Lease of Property will not adversely affect or be materially detrimental to adjacent land

uses, buildings or structures or to the public health, safety or general welfare;

3. As outlined in Section 6(c - e) of the Planning Commission Staff report, the proposed Development Agreement and Lease of Property in association with the related projects conforms to adopted City standards and constitutes good City planning.

WHEREAS, the Applicant agrees that at its own expense, to indemnify and defend the City of Oxnard and its agents, officers and employees from and against any claims, actions or proceedings to attack, set aside, void or annul the approval of this resolution or any actions or proceedings, acts or determinations taken, done or made before the approval of this resolution that were part of the approval process.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard recommends that the City Council (i) adopt an ordinance approving Planning and Zoning Permit No. 20-670-05 (Development Agreement), Exhibit A, hereto attached.

**SECTION 1.** The Recitals above are true and correct and incorporated into the operative provisions of this Resolution by this reference.

**SECTION 2.** The Planning Commission finds that the Development Agreement and Lease of Property is internally consistent with all other provisions of the City of Oxnard 2030 General Plan.

**SECTION 3.** The Planning Commission finds that the Development Agreement and Lease of Property will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

**SECTION 4.** The Planning Commission finds that the project site associated with the Development Agreement and Lease of Property is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

**SECTION 5.** The Planning Commission determines that the development that would be authorized for the project site by the proposed Development Agreement and Lease of Property is the best use for the subject project site.

**SECTION 6.** The Planning Commission determines that the Development Agreement is in the best interests and welfare of the City and its residents.

**SECTION 7.** In recommending adoption of this ordinance for the Development Agreement and Lease of Property, the Planning Commission finds and determines the project is in compliance

with the California Environmental Quality Act because Final MND No. 22-03 was considered by the Planning Commission at the public hearing for the Development Agreement. The Final MND No. 22-03 was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA, Public resources Code §§ 21000, et seq.), the regulations promulgated thereunder (14 California Code of Regulations, §15000, et seq., CEQA Guidelines), and the City's Environmental Review Guidelines. The City of Oxnard is the Lead Agency. With implementation of the MND No. 22-03 mitigation measures, there is no substantial evidence that the proposed project will have a significant effect upon the environment.

**SECTION 8.** The Planning Commission hereby recommends that the City Council adopt the ordinance approving the Development Agreement and Lease of Property.

**SECTION 9.** The Secretary shall certify the adoption of this Resolution.

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 19th day of January 2023 by the following vote:

---

Daniel Chavez, Jr, Chair

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioners:

---

Joe Pearson II, Secretary

*Development Agreement (PZ 20-670-05)*  
*Planning Commission Hearing Date: January 19, 2023*  
*Resolution No. 2023- XX*  
*Page 5 of 5*

## **EXHIBIT A**

### **DEVELOPMENT AGREEMENT**

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY SUBJECT TO ENA

City-owned property and right-of-way on the north side of U.S. Highway 101 between Santa Clara River and Rose Avenue.

EXHIBIT "B"

LEGAL DESCRIPTION OF PROPERTY



B  
**EXHIBIT "A"**

DESCRIPTION

A VARIABLE WIDTH LEASE AREA FOR ALL THAT PORTION OF LAND IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, BEING A PORTION OF PROPERTY AS DESCRIBED IN THE RELINQUISHMENT TO THE COUNTY OF VENTURA, AS RECORDED IN BOOK 1518, AT PAGES 81 THROUGH 84 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDS, AND PER THE EFFECT OF ORDINANCE NO. 746, ANNEXATION 61-11, ADOPTED FEBRUARY 20, 1962, PURPORTEDLY TO BECOME EFFECTIVE MARCH 22, 1962, PURPORTING TO ANNEX THE SUBJECT LAND INTO THE CITY OF OXNARD, STATE OF CALIFORNIA, PURSUANT TO THE TERMS COVENANTS, CONDITIONS AND PROVISIONS CONTAINED THEREIN, THE LEASE AREA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE WESTERLY TERMINUS OF A TANGENT LINE BEARING NORTH 82°02'39" EAST, HAVING A DISTANCE OF 245.42 FEET, ALSO BEING THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 780.00 FEET, AS SHOWN ON TRACT NO. 4434, RECORDED IN MAP BOOK 114, PAGES 62 THROUGH 66, IN THE OFFICE OF SAID COUNTY RECORDER; THENCE LEAVING SAID TANGENT LINE, SOUTH 59°48'46" WEST, A DISTANCE OF 851.86 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1,054.96 FEET AND A RADIAL LINE BEARING NORTH 52°46'55" WEST, SAID BEGINNING OF CURVE BEING THE **POINT OF BEGINNING**; THENCE, SOUTHWESTERLY ALONG SAID CURVATURE,

1. THROUGH A CENTRAL ANGLE OF 03°04'15", AN ARC DISTANCE OF 56.54 FEET; THENCE,
2. NORTH 66°28'23" WEST, A DISTANCE OF 25.28 FEET, TO THE NORTHWESTERLY LINE OF RELINQUISHMENT OF STATE HIGHWAY TO VENTURA COUNTY PER BOOK 1518, PAGE 81 OF OFFICIAL RECORDS OF SAID COUNTY RECORDER, BEING A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 140.00 FEET AND A RADIAL LINE TO SAID CURVATURE BEARING NORTH 57°26'00" WEST; THENCE NORTHEASTERLY ALONG SAID CURVATURE,
3. THROUGH A CENTRAL ANGLE OF 24°31'24", AN ARC DISTANCE OF 59.92 FEET, TO THE INTERSECTION WITH A LINE BEARING NORTH 65°58'23" WEST FROM THE POINT OF BEGINNING; THENCE, ALONG SAID LINE,
4. SOUTH 65°58'23" EAST, A DISTANCE OF 15.59 FEET, TO THE POINT OF BEGINNING.

ALL AS SHOWN ON EXHIBIT "B", AND BY REFERENCE HEREIN, MADE A PART HEREOF.

*Chris Nelson*

CHRIS NELSON, PLS 6385

DATED: JUNE 14, 2021



LEASE AREA  
1,244.5 ± SQ. FT

## EXHIBIT 'B'



SCALE: 1" = 10'



DATED: 06/09/2021

POINT OF COMMENCEMENT  
BEGINNING CURVE  
 $\Delta=30^{\circ}07'01''$   $R=780.00'$   
 $T=209.85'$   $L=410.00'$   
TO BEGINNING CURVE PER TRACT  
NO. 4334, M.B. 114, PAGES 62-66  
 $N82^{\circ}02'39''E$  245.42'  
CENTERLINE PER TRACT NO.  
4334, M.B. 114, PAGES 62-66  
E/L VARIES

NORTH VENTURA ROAD

IDENTICAL

POINT OF BEGINNING

NORTHWESTERLY LINE OF RELINQUISHMENT  
OF STATE HIGHWAY TO VENTURA COUNTY  
PER BOOK 1518, PAGE 81, O.R.  
 $L=59.92'$   
 $R=140.00'$   
 $\Delta=24^{\circ}31'24''$

VARIABLE WIDTH LEASE AREA

RELINQUISHMENT OF STATE HIGHWAY TO VENTURA COUNTY PER BOOK 1518, PAGE 81, O.R.  
AND ANNEXATION TO THE CITY OF OXNARD PER ORDINANCE NO. 746, ANNEXATION 61-11,  
ADOPTED 2/20/1962 AND PURPORTED TO BECOME EFFECTIVE 3/22/1962  
 $\Delta=03^{\circ}04'15''$   
CURB FACE  
 $R=1,054.96'$   
 $L=56.54'$

SOUTHEASTERLY LINE OF RELINQUISHMENT OF STATE  
HIGHWAY TO VENTURA COUNTY PER BOOK 1518,  
PAGE 81, O.R.

VENTURA FREEWAY  
U.S. HIGHWAY NO. 101

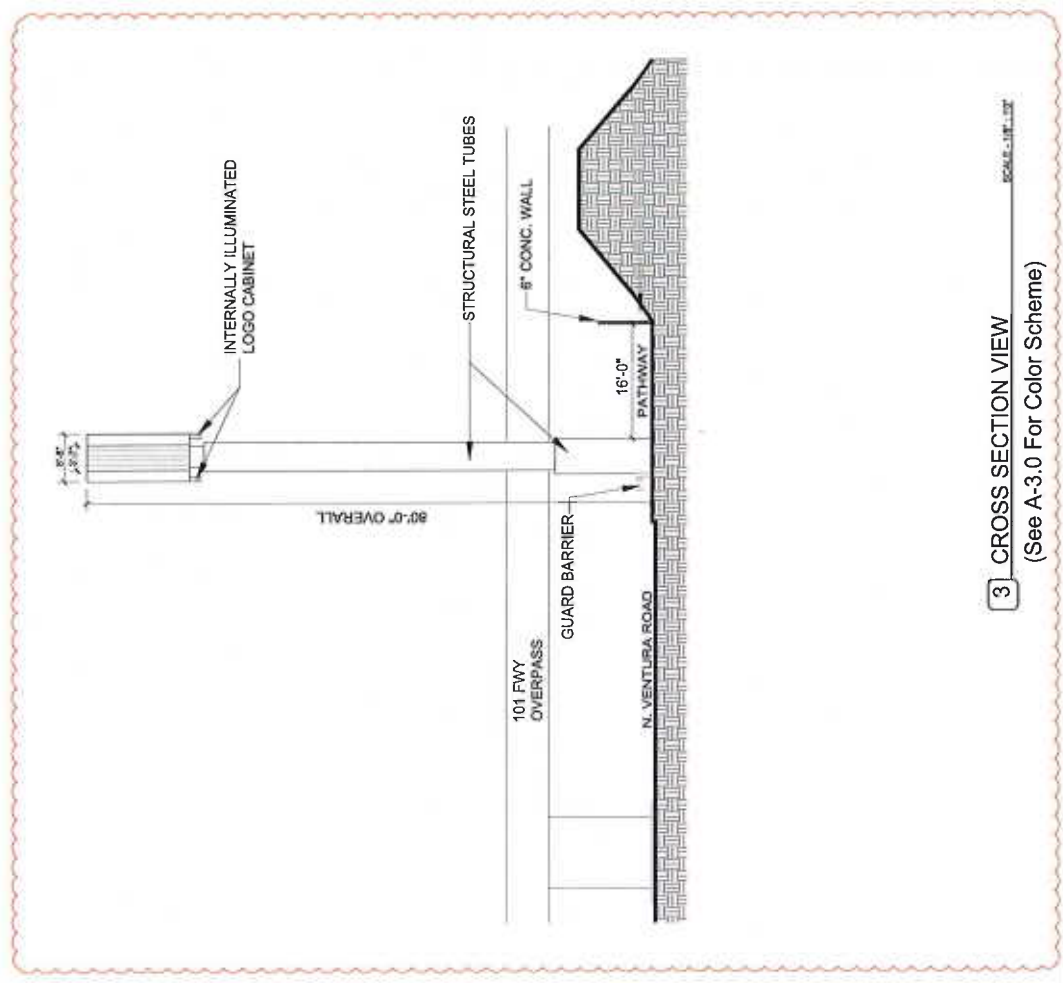
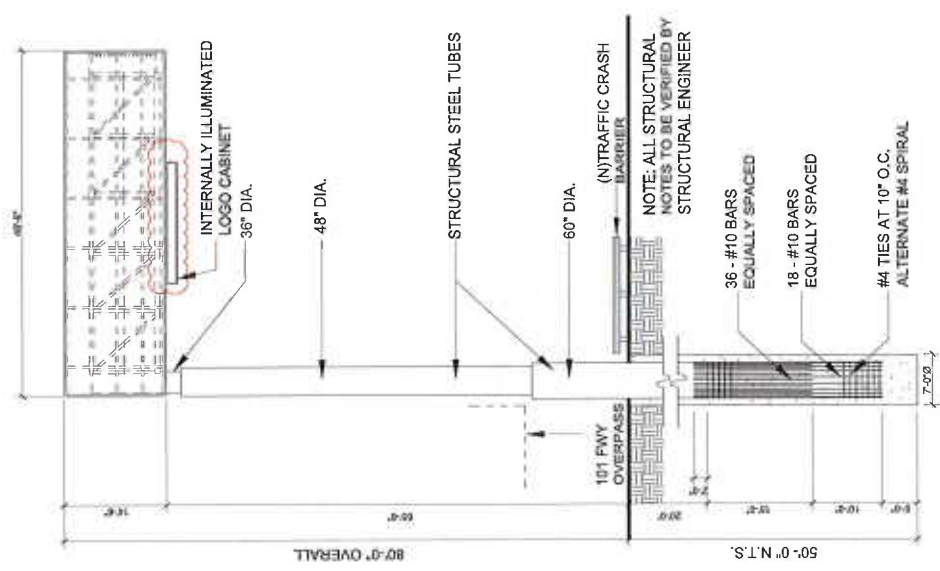
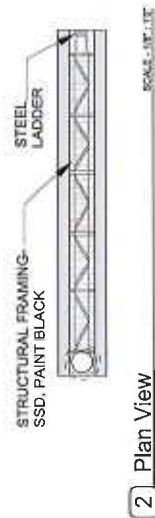
NORTHEASTERLY LINE OF FREEWAY OVERPASS

EXHIBIT "C"

BILLBOARD





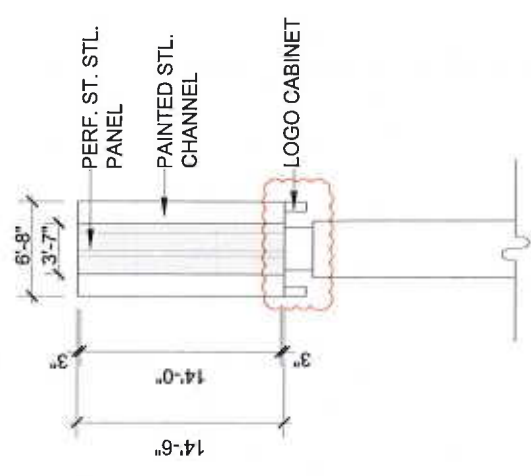
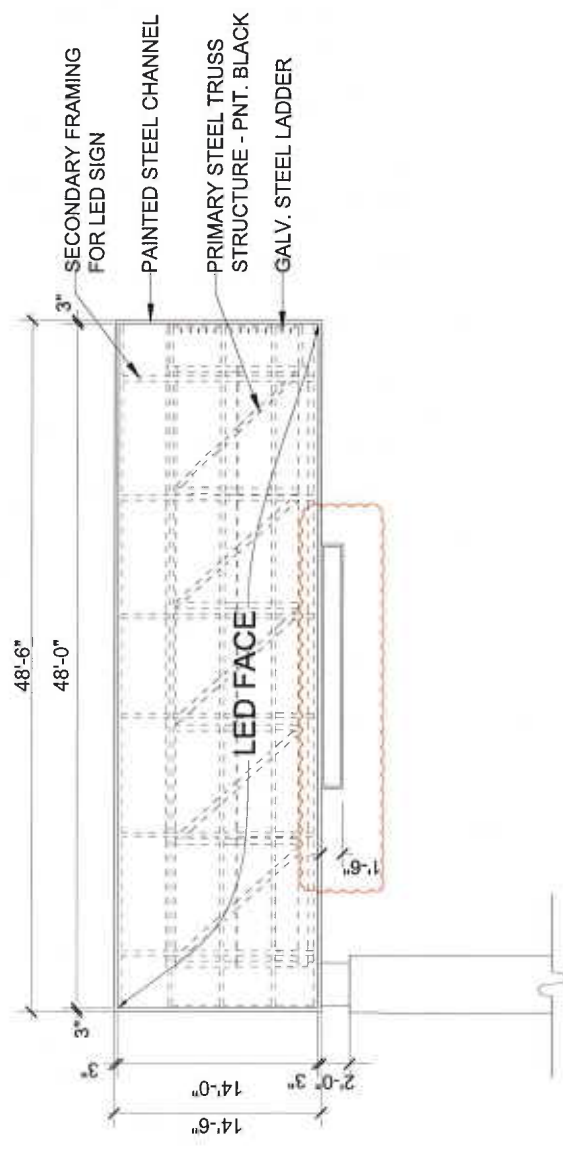
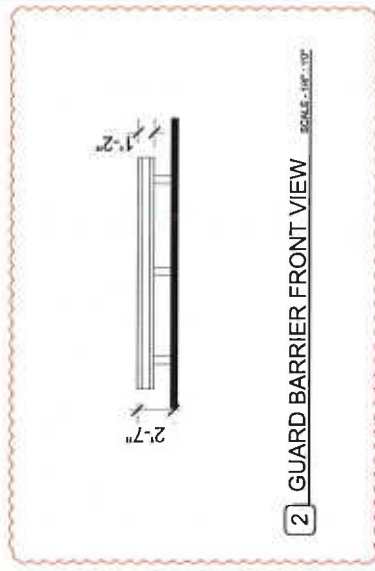


(See A-3.0 For Color Scheme)



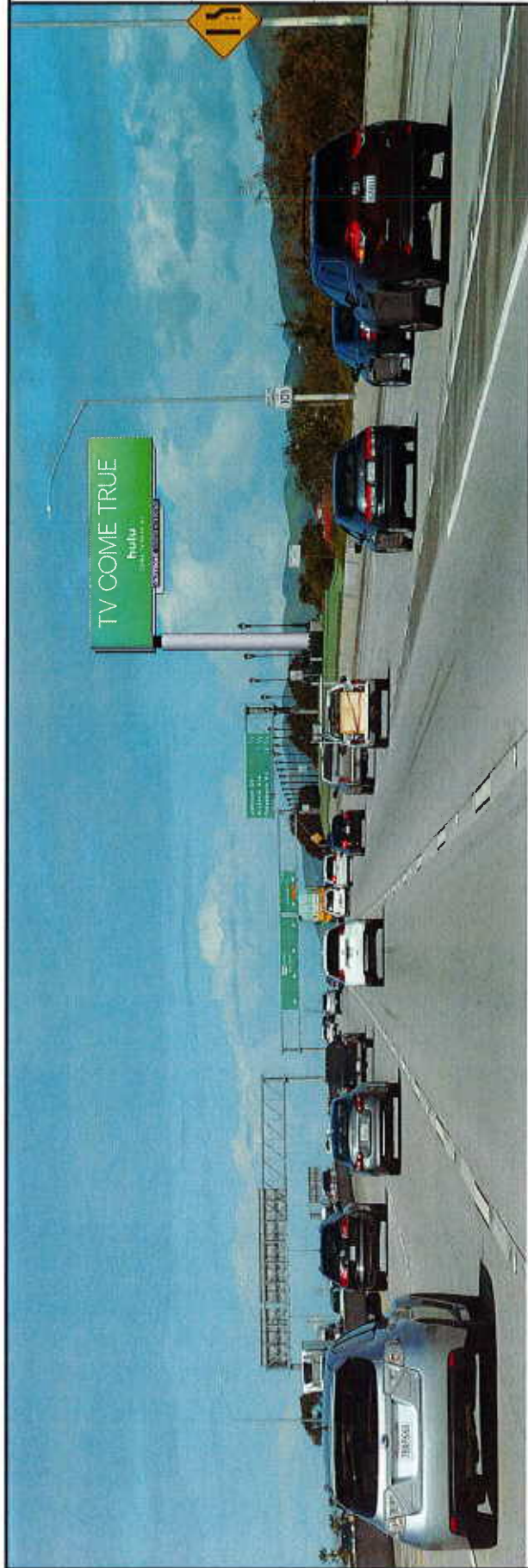
|            |          |
|------------|----------|
| DATE       | 8/6/2008 |
| DRAWN BY   |          |
| CHECKED BY |          |
| DATE       | 12/11    |

ALL DRAWINGS ARE THE PROPERTY OF IB+A. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF IB+A.



[illegible]





2 View From Northbound On U.S.101



1 View From Southbound On U.S.101

**ib+a**  
architecture  
177 East Street,  
San Francisco, CA 94108  
Tel: (415) 512-8800  
Fax: (415) 512-8803  
www.ibadepc.com

**OXNARD  
SIGNAGE  
PROJECT**  
APN: 138-0-150-148  
Oxnard,  
California

**OUTFRONT  
FOSTER  
INTERSTATE**

FOR SITE PERMIT ONLY



**RENDERINGS**

|             |           |
|-------------|-----------|
| DATE        | 8/10/2020 |
| PROJECT     |           |
| DESIGNED BY |           |
| ENGINEER BY |           |
| DATE        | 10/15     |

**A-4.0**

All drawings and renderings are the property of the architect and shall remain confidential. No part of this drawing may be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the architect.



RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

City of Oxnard  
305 West Third Street  
Oxnard, California 93030  
Attention: City Clerk

---

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

## **DEVELOPMENT AGREEMENT AND LEASE OF REAL PROPERTY**

THIS DEVELOPMENT AGREEMENT AND LEASE OF REAL PROPERTY ("Agreement") is made in Ventura County, California as of \_\_\_\_\_, 2023 by and between the CITY OF OXNARD, a municipal corporation of the State of California ("City") and OUTFRONT FOSTER INTERSTATE LLC, a Delaware limited liability company ("OFI"). The City or OFI may be referred to individually as a "Party" and collectively as the "Parties."

### RECITALS

A. The City and OFI entered into that certain Exclusive Negotiation Agreement ("ENA") on June 19, 2019 regarding the lease of certain City property for freeway oriented digital billboards ("ENA Property"), which consists of that certain real property in the City of Oxnard, County of Ventura more particularly described in **Exhibit A** attached hereto and incorporated herein by this reference.

B. The City and OFI have entered into a First Amendment to the ENA dated November 13, 2019, a Second Amendment to the ENA, dated May 28, 2020, a Third Amendment to the ENA dated November 17, 2020, a Fourth Amendment to the ENA dated June 17, 2021, a Fifth Amendment to the ENA dated December 14, 2021, a Sixth Amendment to the ENA dated June 7, 2022 and a Seventh Amendment to the ENA dated December 6, 2022. As of the date of this Agreement, the ENA is still in full force and effect and OFI retains exclusive rights relating to the Property. Based upon the ENA, OFI has a legal or equitable interest in the ENA Property during the term of the ENA.

C. City is authorized, pursuant to Government Code sections 65864 through 65869.5 (the "Development Agreement Statute") and City Council Resolution No. 10,488, to enter into binding development agreements with persons or entities with legal or equitable interests in real property located within the City in order to vest certain rights in the person or entity with the legal or equitable interest in such property.

D. City and OFI each mutually desire to enter into this Agreement to permit and ensure that a portion of the ENA Property, which consists of that certain real property in the City of Oxnard, County of Ventura more particularly described in **Exhibit B** attached hereto and incorporated herein by this reference ("Property"), is developed with a double-sided freeway oriented digital billboard (hereafter, the "Project"), and that such billboard is developed strictly

in accordance with the provisions of this Agreement, the Project Approvals (defined below), and associated entitlements.

E. The City has determined that it is in the best interests of City, and for the common benefit of the citizens residing in City, to enter into this Agreement with OFI for the construction, operation, maintenance, and repair of the Billboard (as that term is defined below) on the Property, subject to (i) OFI obtaining specific entitlements and approvals from Caltrans and the City, including a Specific Plan amendment and a Special Use Permit; and (ii) OFI agreeing to fully comply with all of the provisions of this Agreement, including the payment of specific financial considerations that are in the public interests.

F. To comply with the California Environmental Quality Act ("CEQA"), on \_\_\_\_\_, 2023, at a duly noticed public hearing, the Oxnard Planning Commission ("Planning Commission") certified the \_\_\_\_\_ (SCH # \_\_\_\_\_), as described more fully in Resolution \_\_\_\_\_, adopted a Mitigation, Monitoring, and Reporting Plan, and made the required CEQA findings.

G. On \_\_\_\_\_, 2023, at a duly noticed public hearing, the Planning Commission approved a Special Use Permit for the Project, contingent on City Council approval of this Agreement. At the same public hearing, the Planning Commission recommended that the City Council approve this Agreement by ordinance.

H. On \_\_\_\_\_, 2023, the Oxnard City Council ("City Council"), having received the Planning Commission's recommendation, held a duly noticed public hearing and introduced the ordinance to approve this Agreement. On \_\_\_\_\_, 2023 the City Council adopted Ordinance \_\_\_\_\_ approving the Agreement.

I. The Planning Commission of the City (the "Planning Commission") and City Council have each given notice of their intention to consider this Agreement, have each conducted the required public hearings thereon, and have each found that the provisions of this Agreement are consistent with the City of Oxnard General Plan for development within the City, City zoning ordinances, and the Specific Plan. The City Council has also specifically considered the impacts and benefits of the Project upon the welfare of the residents of the City and the surrounding region. The City Council has determined that this Agreement is beneficial to the residents of the City and is consistent with the present public health, safety and welfare needs of the residents of the City and the surrounding region.

NOW, THEREFORE, in consideration of the foregoing Recitals which are hereby incorporated into the operative provisions of this Agreement by this reference and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the City and OFI agree as follows:

### AGREEMENT

1. **Definitions.** For purposes of this Agreement, unless a different meaning is clearly required, the following terms will have the following meanings and be capitalized throughout this Agreement:

1.1 “Annual Net Revenue” means all income actually received by OFI in connection with the sale of advertising space on the Billboard (net of any commissions paid by OFI to advertising agencies, not to exceed 16-2/3%). For the purposes hereof, any income described in this definition will not include the value of any in kind usage of the Billboard by the City.

1.2 “Applicable Rules” means the rules, regulations and official policies of the City which were in force as of the Effective Date (as defined below), including, but not limited to, the General Plan, the Specific Plan (as defined below) and entitlements for the Project including, but not limited to, the Special Use Permit.

1.3 “Billboard” shall mean that double-sided freeway-oriented digital billboard contemplated to be developed on the Property pursuant to the Applicable Rules. OFI shall be responsible for the construction, operation, maintenance, and repair of the Billboard, subject to the terms and conditions of this Agreement.

1.4 “Caltrans Permits” means all permits and approvals, if any, that OFI must obtain from Caltrans and subsequently assign to the City to construct, operate, maintain, and repair the Billboard in accordance with this Agreement.

1.5 “City Council” shall mean the City Council of the City.

1.6 “City Manager” shall mean the City Manager of the City.

1.7 “Effective Date” means the date on which the ordinance approving this Agreement, as required by Government Code section 65867.5, becomes effective.

1.8 “General Plan” means the City of Oxnard 2030 General Plan adopted in October of 2011 and updated in December of 2016.

1.9 “Hazardous Materials” means any and all pollutants, wastes, flammables, explosives, radioactive materials, hazardous or toxic materials, hazardous or toxic wastes, hazardous or toxic substances, carcinogenic materials or contaminants and all other materials governed, monitored, or regulated by any Federal, State or local Law or regulation, including the Comprehensive Environmental Response, Compensation and Liability Act, the Hazardous Substances Account Act, and/or the Resources Conservation and Recovery Act, together with asbestos, asbestos-containing materials, hydrocarbons, polychlorinated biphenyl (“PCB”) or PCB-containing materials, petroleum, gasoline, petroleum products, crude oil or any fraction, product or by product thereof.

1.10 “Hazardous Materials Laws” means all laws, codes, rules, orders, ordinances, directives, regulations, permits, or other requirements of federal, state, county, municipal or governmental authorities having jurisdiction, now in force or which may hereafter be in force concerning the management, use, generation, storage, transportation, presence, discharge or disposal of Hazardous Materials.

1.11 “MAG” or “Minimum Annual Guarantee” has the definition given such term in Section 7.1(a).

1.12 “Off-site Outdoor Advertising Sign” means a general outdoor advertising sign that directs attention to a business, profession, commodity, service or entertainment which is conducted, sold or offered at a location other than on the same lot or parcel upon which the sign is located.

1.13 “Operational” refers to the time when the Billboard is fully capable, legally and functionally, of displaying advertising on the digital display.

1.14 “Operational Date” is the date when the Billboard is Operational.

1.15 “Periodic Review” shall have the meaning assigned to such term in Section 36.

1.16 “Planning Commission” shall mean the Planning Commission of the City.

1.17 “Rent” means the MAG described in Section 7.1 and, as applicable, Percentage Rent described in Section 7.2.

1.18 “Project Approvals” shall mean and refer to the Special Use Permit approved on \_\_\_\_\_.

2. **Initial Term.** The “Initial Term” of this Agreement will begin on the Operational Date and will expire on the thirtieth (30<sup>th</sup>) year anniversary thereof. The Parties acknowledge that Government Code section 65868.5 requires the City to record this Agreement with the Ventura County Recorder’s Office no later than ten (10) days after the Parties enter into this Agreement and that the burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the Parties hereto, subject to the assignment provisions in Section 37.5 below.

3. **Tolling for Third Party Lawsuit.** If any third party files a lawsuit to challenge this Agreement, the City’s CEQA determination made in connection with its consideration of this Agreement and/or the Project Approvals (each, a “Third-Party Lawsuit”), OFI may request that the Initial Term be tolled during the pendency of the Third-Party Lawsuit by providing a written notice (“Tolling Notice”) to City within thirty (30) days after the commencement of the Third-Party Lawsuit, and said request shall be granted by City. The tolling of the Initial Term shall automatically begin upon City’s receipt of the Tolling Notice, and it shall end on the earliest of the following to occur: (A) the date on which a court issues a final judgment in the Third-Party Lawsuit and the expiration of all appeal period(s) following that judgment; (B) the date the Third-Party Lawsuit is dismissed; or (C) three (3) years from the date of issuance of the Tolling Notice.

4. **Tolling for Initiative or Referendum.** If the subject of an initiative or referendum petition would overturn, set aside, or substantially modify this Agreement, the other Project Approvals, or otherwise substantially impair the development of the Project, the Initial Term of this Agreement shall be tolled under this Section 4. The Term shall be automatically tolled beginning on the date that the initiative or referendum petition is submitted to the Ventura County elections official for signature verification, and ending on the date the last of the following occurs: (A) the date the County elections official determines the petition does not

include a sufficient number of signatures; (B) the date the measure is voted on by the Council; or (C) the date of the election on the measure, if placed on the ballot. Notwithstanding any language in Sections 3 and 4 to the contrary, the total length of extension of the Initial Term shall not exceed three (3) years from the date the initiative or referendum petition is submitted to the Ventura County elections official for signature verification.

5. **Implementation and Development of the Project.**

5.1 **Permitted Uses.** OFI agrees that Property shall only be developed in accordance with this Agreement and the Project Approvals.

5.2 **Subsequent Action and Approval.** The City agrees not to unreasonably withhold, condition or delay any action or approval by the City which may be required by the Project subsequent to the execution of this Agreement.

6. **Vested Right to Develop the Project.** Subject to Section 9 below and the Applicable Rules, the City hereby grants to OFI the vested right to develop the Project on the Property in accordance with this Agreement and the Project Approvals. Other than the Project Approvals and this Development Agreement, development of the Project as described in this Agreement shall require no further discretionary approvals by the City. City and OFI intend to cause all development rights which may be required to develop the Project in accordance with the Project Approvals to be deemed vested in OFI for the Initial Term to the greatest extent permitted by law.

7. **Rent.**

7.1 **Rent.** Rent, as set forth in this provision, shall commence on the Operational Date.

(a) **Minimum Annual Guarantee (MAG).** Each year, OFI shall pay City the Minimum Annual Guarantee (the "MAG") in the initial amount of \$150,000 per year, starting on the Operational Date, in accordance with the terms set forth in this Section.

| <b><u>Term</u></b> | <b><u>Rent</u></b> |
|--------------------|--------------------|
| <u>Years 1-30</u>  | <u>\$150,000</u>   |

(b) **Manner of Payment.** An annual prorated share of the MAG is due and payable on a calendar quarter basis, commencing within forty-five (45) days of the Operational Date and within ten (10) days following the beginning of each calendar quarter occurring thereafter without notice, demand, offset or deduction. OFI shall remit the MAG to City at the address designated by City in writing to OFI for the payment of Rent. For any portion of the Initial Term that is less than a full calendar quarter, the MAG shall be prorated based on

the number of days occurring during such calendar quarter and actual number of days in such calendar quarter.

(i) Late Charge. If OFI fails to pay any installment of MAG within ten (10) calendar days after the same is due and payable, such unpaid amount will be subject to a late payment charge equal to five percent (5%) of the unpaid amount in each instance; provided, however, OFI shall not be assessed with the foregoing late payment charge with respect to the first (1<sup>st</sup>) late payment in any consecutive twelve (12) month period unless and until OFI fails to make such payment to City within three (3) business days after written notice from City that it failed to receive such amounts within the time period set forth above. Following the first (1<sup>st</sup>) late payment in any calendar year, no notice by City shall be required for purposes of collecting a late payment charge. The late payment charge has been agreed upon by City and OFI, after negotiation, as a reasonable estimate of the additional administrative costs and detriment that City will incur as a result of any such failure by OFI, the actual costs thereof being extremely difficult—if not impossible—to determine. The late payment charge constitutes liquidated damages to compensate City for its damages resulting from such failure to pay, and OFI shall promptly pay such charge to City together with any unpaid interest

(ii) Default Interest. If any MAG is not paid within ten (10) calendar days following the due date, such unpaid amount will bear simple interest at the rate of 10% per year or the maximum permitted by law, whichever is lower (“Default Rate”) from the due date until paid. However, interest will not be payable on late charges incurred by OFI, nor on any amounts on which late charges are paid by OFI to the extent this interest would cause the total interest to be in excess of that which an individual is lawfully permitted to charge. Payment of interest will not excuse or cure any default by OFI.

(iii) Application of Payments. All payments received by City from OFI will be applied to the oldest obligation owed by OFI to City. No designation by OFI, either in a separate writing, on a check or money order, or otherwise will modify this Article 5 or have any force or effect.

## 7.2 Additional Consideration

(a) Percentage Rent. To the extent that the MAG for the 12-month period commencing on the Operational Date or anniversary of the Operational Date (“Agreement Year”) during the Initial Term is less than 30% of the Annual Net Revenue for that Agreement Year (the difference being referred to herein as “Percentage Rent”), OFI shall pay to City, in addition to the MAG, within thirty (30) days after the end of the relevant Agreement Year, and to the extent applicable, the Percentage Rent.

(i) Reports. OFI shall furnish to City an annual statement of Annual Net Revenue within thirty (30) days after the end of each Agreement Year. Such statement shall be in a form acceptable to City. Each statement shall be signed and certified to be correct by a duly authorized officer of OFI. OFI shall keep and make available at its local office at \_\_\_\_\_ complete and materially accurate books of account, records, cash receipts and other pertinent data, in accordance with good accounting practices and in a form approved by City, showing the Annual Net Revenue, including without limitation,

materially accurate records of every sale and other transaction made for any advertising display on the Billboard and any commissions paid by OFI pursuant to this Agreement. Such books of account, records, cash receipts and other pertinent data shall be kept for a period of no less than four (4) years after the end of each Agreement Year. The receipt by City of any statement, or any payment of Percentage Rent for any period, will not bind City as to the correctness of the statement or payment.

(ii) Inspection and Audit. City, at its sole option, will be entitled, at any time and from time to time during the Initial Term and during normal business hours and with prior written notice to OFI, to inspect, examine, copy and audit OFI's books, records and cash receipts as related to Annual Net Revenue. OFI shall cooperate fully with City and City's agents in making the examination. City, at its option, will also be entitled once during each Agreement Year and once after the termination of this Agreement, to cause an independent audit of such records to be performed by a certified public accountant designated by City, provided such accountant is not paid on a contingency fee basis. The audit will be conducted during usual business hours at OFI's office located at \_\_\_\_\_, unless another location is mutually agreed upon. If the audit shows that there is a deficiency in the payment of any Percentage Rent, then OFI shall promptly upon notice pay the deficiency to City which payment will not require any penalty or other late fee. City will pay the costs of the audit unless the audit shows that OFI understated Annual Net Revenue by more than three percent (3%) in which case OFI will pay all reasonable out-of-pocket costs paid to third party consultants and incurred by City in connection with the audit.

(b) City Usage. To the extent that commercial advertising time on the Billboard is unsold and available, City shall have the right to use 12.5% out of the total inventory of 16 spots (8 spots per face) or 2 total spots for the Billboard (such usage "City Usage"). Content displayed on the Billboard in connection with City Usage shall be displayed (subject to the terms of this Agreement) during the operation of the Billboard in increments, at the times of day and otherwise in the same manner as the commercial advertising displayed by OFI on the Billboard. Subject to the terms of this Agreement, City may use such time to promote any purpose that City, in its sole discretion determines best serves the needs of the City and residents, including but not limited to advertising City events and programs. City will submit "camera ready" artwork to OFI, at no cost to OFI, for display purposes. City agrees that for any City Usage City will provide OFI with prior written notice of its desire for City Usage, City will provide OFI with the copy or text of such messages not less than ten (10) business days prior to the date such messages are to appear on the Billboard, and City Usage shall be limited to messages for the civic and public purposes described in this Section and will not be used directly or indirectly for any types of messaging or advertising which OFI would otherwise be able to sell to third parties in the ordinary course of OFI's business. City represents and warrants that all advertising materials and content supplied by City to OFI for display in connection with City Usage, (i) are owned or duly licensed by City and do not infringe or misappropriate the rights of any other person or entity, (ii) comply with all applicable federal, state, and local laws, rules and regulations and any industry codes or rules by which the parties may be bound and do not contain any obscene, libelous, slanderous or otherwise defamatory materials or refer in an offensive manner to the gender, race or ethnicity of any individual or group; (iii) are not false; and (iv) do not infringe upon any copyright, trademark or other intellectual property or privacy right of any third party. City hereby agrees to indemnify, defend and save harmless OFI against

any and all claims, liabilities, losses, damages, fees and expenses arising out of or in connection with the City Usage, including but not limited to any claim for defamation, or infringement of any copyright, trademark, or other intellectual property or privacy right and reasonable attorneys' fees and expenses incurred in defending any such claims.

(c) Emergency Notifications. Without any offset in the City Usage described above and at no cost to the City and as further consideration for the use and occupancy of Property, Outfront shall make the Billboard available to Caltrans and the California Highway Patrol for purposes of "Amber Alerts" and for emergency or disaster notifications by local, state or federal agencies.

(d) Discount for Oxnard Auto Dealers and Oxnard Chamber of Commerce Members. For the Initial Term of this Agreement, Oxnard Auto Dealers and members of the Oxnard Chamber of Commerce shall receive a ten percent (10%) discount from the rates to advertise on the Billboard.

8. Advertising. The Billboard is not intended to provide a general public forum for purposes of communication, but rather to make use of property held by the City in a proprietary capacity in order to generate revenue. Except for any advertising or messages displayed on the Billboard at the request of the City (subject to the terms of this Agreement), all advertising to be displayed on the Billboard shall be strictly "commercial advertising." As used in this Agreement, "commercial advertising" means advertising for a commercial or industrial business, product, good, service, or other commercial or industrial activity for a commercial or industrial purpose. In addition to the general limitation on Billboard advertising to strictly commercial advertising, OFI may not display any message that: is inherently false, misleading, or libelous (i.e., speech that is incapable of being presented in a manner that is not misleading); promotes the sale or use of firearms or tobacco products, whether directly or indirectly; promotes adult entertainment, products, conventions, events, or websites; contains "obscene matter," as that term is defined in local, California or federal law, including but not limited to any statements or words of an obscene, indecent or immoral character, or any picture or illustration of any human figure in such detail as to offend public morals or decency or any other matter or thing of an obscene, indecent or immoral character; contains any "political advertising," which means advertising that promotes or opposes any candidate for public office or promotes or opposes a ballot measure, referendum, bond issue, or any federal, state or local legislation, regulation, or other discretionary action; contains language that presents a clear-and-present danger of causing riot, disorder, or other imminent threat to public safety, peace, or order. OFI shall, within 48 hours after written demand from City, at OFI's risk and expense, remove any advertising material or message that does not comply with the advertising criteria set forth in this Section, and which is not being disputed by OFI. If OFI fails to promptly cause the removal of such advertising, City may (but is not required to), without further process of law, cause the removal of the advertising. OFI shall reimburse City's costs of such actions upon demand and will bear the risk of any damage to the Billboard resulting from such actions. City may exercise such remedies without prejudice to any other remedies it may be entitled to exercise under this Agreement, at law or in equity. OFI agrees to ensure that businesses or organizations located within the City or residents of the City will be able to purchase advertising on the Billboard in such manner and at such rates as offered to businesses, organizations or persons located or



residing outside of the City and that it will not permit any exclusivity contracts or arrangements with advertisers that would violate this covenant.

9. **Subsequent Applicable Rules.** Rules, regulations and official policies of the City, including but not limited to the General Plan, the Specific Plan, zoning and other development regulations adopted after the Effective Date of this Agreement (“Subsequent Applicable Rules”) shall not be applicable to or binding upon the Project unless they are otherwise expressly allowed by this Agreement or are consented to in writing by OFI. The City shall not require OFI to obtain any approvals or permits for the development of the Project other than those permits or approvals which are required by the Applicable Rules. This Agreement will bind the City to the terms and obligations specified in this Agreement.

10. **No Conflicting Enactments.** The City shall not enact rules, regulation, ordinances or other measures which limit or control the development of any part of the Project which is inconsistent or in conflict with this Agreement.

11. **Moratorium or Initiative Measures.** OFI and the City intend that no moratorium or other limitation (whether relating to the rate, timing or sequence of the development of the Project and whether enacted by initiative or otherwise) affecting building permits or other entitlements shall apply to the Project to the extent such moratorium or other limitation is inconsistent with or conflicts with this Agreement.

12. **Legal Challenges.** City agrees to cooperate with OFI in all reasonable manners in order to keep this Agreement in full force and effect. Notwithstanding the preceding sentence, in the event of any legal action instituted by a third party or other government entity or official challenging the validity of this Agreement, the City and OFI agree to cooperate in defending such action, with OFI to indemnify the City pursuant to this Agreement. In the event of any litigation challenging the effectiveness of this Agreement or any portion thereof, this Agreement shall remain in full force and effect while such litigation, including any appellate review, is pending, unless a court of competent jurisdiction orders otherwise.

13. **Events of Default; Early Termination.**

13.1 **Defaults by OFI.** OFI will be in default under this Agreement (“Default”) upon occurrence of any of the following:

(a) OFI is at any time late in the payment of Rent or any other monetary sum called for by this Agreement and fails to make payment within thirty (30) days following a written notice to cure from City to OFI; or

(b) OFI fails to keep and perform any of its other covenants or agreements contained in this Agreement and such failure continues for more than thirty (30) days after a written notice to cure from City to OFI specifying, the obligation which OFI has failed to perform. Where it will reasonably take OFI more than thirty (30) days, as calculated from receipt of written notice from the City to cure the default and come into compliance with applicable covenants or agreements, the 30-day period shall be extended for a reasonable time to allow OFI to come in to compliance and OFI shall be in Default under this Agreement if it has

failed to commence such cure within such 30-day period and has failed to diligently pursue completion of such cure; or

(c) After receipt of a written notice to cure from the City, OFI fails to cure within thirty (30) days and abandons and ceases to use the Property OFI; or

(d) The Billboard is not Operational by the one (1) year anniversary of the later of: (i) OFI's receipt of approval from Caltrans for the Caltrans Permits, and (ii) OFI's receipt of all other approvals, permits and entitlements and associated CEQA review from the City and any other relevant responsible agencies for construction and other work related to the Billboard. The one (1) year anniversary shall, however, be tolled in the event of the filing of third party lawsuits, initiatives, or referenda, as specified in Sections 3 and 4.

13.2 City's Remedies for Default by OFI. Upon the occurrence and during the continuance of any Default identified in Section 13.1, in addition to any and all other rights or remedies of City hereunder, City will have the sole option to exercise the following rights and remedies:

(a) City may terminate this Agreement if OFI is in default and fails to cure as provided in Section 13.1(a)-(c), or is in default as provided in Section 13.1(d), including any applicable tolling period.

(b) Except as provided in subdivision (c) below, in the event of a default by OFI, City shall have the right to: (i) bring any proceeding in the nature of specific performance, injunctive relief, declaratory relief, or mandamus and/or; (ii) bring any action to compensate City for OFI's specific obligations to the City pursuant to this Agreement.

(c) In the event that a third party lawsuit, referendum, or initiative has been filed that triggers the tolling provisions in Sections 3 and 4 and such lawsuit, referendum, or initiative has not been resolved, dismissed, terminated, or otherwise completed within the three (3) year tolling period, the City's sole remedy for OFI's failure to make the Billboard Operational as provided in Section 13.1(d), shall be to terminate this Agreement.

13.3 City Remedies Cumulative. Each right and remedy of City provided for herein will be cumulative and will not preclude City from exercising any other rights or remedies provided for in this Agreement. No payment by OFI of a lesser amount than the Rent nor any endorsement on any check or letter accompanying any check or payment of Rent will be deemed an accord and satisfaction of full payment of Rent; and City may accept such payment without prejudice to City's right to recover the balance of such Rent or to pursue other remedies.

13.4 Default by City. City will not be in default under this Agreement unless City fails to perform obligations required of City within thirty (30) days after written notice is delivered by OFI to City specifying the obligation which City has failed to perform; provided, however, that if the nature of City's obligation is such that more than thirty (30) days are required for performance, then City will not be in default if City commences performance within such 30-day period and thereafter diligently prosecutes the same to completion. All obligations of City hereunder will be construed as covenants, not conditions.

13.5 OFI's Remedies for Default by City. Upon the occurrence and during the continuance of any Default by City identified in Section 13.4, OFI will have the sole option to exercise the following rights and remedies:

(a) OFI may terminate this Agreement if City is in default and fails to cure as provided in Section 13.4.

(b) In the event of a default by City, OFI shall have the right to: (i) bring any proceeding in the nature of specific performance, injunctive relief, declaratory relief, or mandamus and/or; (ii) bring any action to compensate OFI for City's specific obligations to OFI pursuant to this Agreement.

13.6 OFI Remedies Cumulative. Each right and remedy of OFI provided herein will be cumulative and will not preclude OFI from exercising any other rights or remedies provided for in this Agreement.

13.7 OFI's Early Termination Rights. OFI may terminate this Agreement effective 30 days after OFI gives the City written notice of termination, if any of the following circumstances occur:

(a) The view of the Billboard's display area from the portion of U.S. 101 adjacent to the Property is materially obstructed, and OFI did not cause the obstruction.

(b) OFI cannot safely use the Property to renovate, operate, maintain, repair, or improve the Billboard because of a non-remediable condition, and OFI did not cause the condition.

(c) There is a material diversion of traffic from, or a material reduction or change in the directional flow of traffic on, the portion of U.S. 101 adjacent to the Property, and the diversion or disruption continues uninterrupted for at least six (6) consecutive months.

(d) Through no fault of its own, OFI cannot obtain or maintain the governmental permits required to construct, operate, maintain, and repair the Billboard, including the Caltrans Permits and City permits, or there is a legal challenge to such permits and approvals, including, but not limited to, any challenges under CEQA, and OFI elects, in its sole discretion, not to oppose such challenges, OFI may withdraw its applications for approval and terminate this Agreement.

(e) Use of the Billboard for its intended purpose is prevented or limited by law, or OFI is required by any court or other governmental entity, for reasons other than eminent domain, to remove the Billboard from the Property.

(f) The City is in default of this Agreement, and said default is not timely cured.

13.8 Consequential and Punitive Damages. Anything in this Agreement to the contrary notwithstanding, neither City nor OFI shall be liable to each other under or in connection with this Agreement for any consequential or punitive damages and each party

waives, to the full extent permitted by applicable laws, any claim for consequential or punitive damages, and any claim for loss of business or profits.

14. **Insurance.**

14.1 **Types of Policies.** During the Initial Term and, if OFI is removing the Billboard, during OFI's removal of the Billboard, at no cost to City except as otherwise contemplated by this Agreement, OFI shall procure and maintain the forms and amounts of insurance covering OFI's possession and use of the Property set forth below ("OFI's Insurance"). OFI's Insurance shall be primary to and not contributing with any other insurance, self-insurance or joint self-insurance maintained by City, and shall name the City as an additional insured.

14.2 **Commercial General Liability Insurance.** A policy of commercial general liability insurance (occurrence form) having a limit of Two Million Dollars (\$2,000,000) per occurrence and Four Million Dollars (\$4,000,000) annual aggregate, providing coverage for blanket contractual liability (including OFI's indemnification obligations under this Agreement), products and completed operations liability, broad form property damage, and bodily injury (including wrongful death) and advertising injury coverage.

14.3 **Workers' Compensation and Employer's Liability Insurance.** Workers' compensation insurance, if required by law, which complies with all applicable state statutes and regulatory requirements, and employer's liability insurance coverage in statutory amounts. OFI shall also require any contractor utilized to perform any services or work at the Property pursuant to this Agreement to maintain such workers' compensation insurance and provide proof of such insurance prior to commencing any services or work at the Property.

14.4 **Other Insurance.** Any other form or forms of insurance as City may reasonably require from time to time, in form, amounts and for insurance risks against which a prudent OFI would protect itself, but only to the extent such risks and amounts are available in the insurance market at commercially reasonable costs.

15. **City's Right to Enter and Inspect the Property.** City and its authorized representatives will have the right to enter upon and inspect the Property at reasonable times (and on no less than forty-eight (48) hours' notice) to determine OFI's compliance with this Agreement.

16. **Notification of Incidents.** OFI shall endeavor to notify City within forty-eight (48) hours after OFI has actual knowledge of the occurrence of any accident or event on or about the Billboard, the Property, any portion thereof, or any improvements thereon and which OFI actually determines could give rise to a claim against City, City's insurance, OFI, or OFI's Insurance, except that OFI will not be so obligated with respect to any accident or event which could give rise to a claim under OFI's workers' compensation insurance. OFI's notice shall be accompanied by a copy of any report(s) relating to such accident or event.

17. **Nonexclusive Easements.** The City reserves the right for itself and others in the future to establish nonexclusive utility easements (including easements for construction, maintenance, repair, replacement and reconstruction) over, under, through or on the Property in

locations that will not interfere with OFI's use of the Property as contemplated by this Agreement. Under no circumstances shall the City permit the construction of any improvement on the Property, or adjacent City-owned properties, that will obstruct views of the Billboard from US 101. OFI will not be required to maintain or repair the utility easements unless OFI has caused the need to repair.

18. **Expiration of Agreement; Holding Over.** This Agreement will expire at the end of the Initial Term. If OFI holds over on the Property after the expiration of the Initial Term with the consent of City, such holding over will be construed to be only a tenancy from month to month, subject to all the covenants, conditions and obligations contained in this Agreement that applied at the expiration of the Initial Term. If OFI does hold over on the Property after the Initial Term, then OFI agrees to pay City as monthly rental an amount which is equal to 1/12th of the annual Rent paid by OFI to City during the last year of the Initial Term.

19. **Condition of Property.** The Property and all improvements thereon, are being leased to OFI in its current, existing, "AS IS" condition. City makes no representations or warranties of any kind, express or implied, written or oral, about any of the following: the physical condition of the Property; the suitability of the Property for OFI's anticipated use; any limitations on OFI's use of the Property; the costs of conducting OFI's business on the Property; or the condition of the soils or ground waters of the Property. By taking possession of the Property, OFI accepts the Property "AS IS" and acknowledges that the Property are satisfactory for OFI's purposes. OFI has ascertained the condition of the Property through its own independent investigation and has relied solely on that independent investigation when entering into this Agreement.

20. **Permitted Uses.** Subject to any City Usage, OFI has the exclusive right to display an Off-site Outdoor Advertising Sign on the Property consistent with **Exhibit C**. City will not authorize any other Off-site Outdoor Advertising Signs on the Property. OFI's right to construct an Off-site Outdoor Advertising Sign on the Property includes the right to the following uses: constructing, operating, maintaining, and repairing, the Billboard, and any utilities installed in connection with the Billboard; installing and maintaining utility wires, poles, cables, conduits, and pipes over or under the Property from the nearest accessible public right-of-way that support the permitted operations of the Billboard; and all rights of ingress and egress over the Property that OFI needs to access the Billboard. Subject to the City's sole and absolute discretion as property owner, as well as the regulator through any generally applicable permit process, OFI may sublease the Property for telecommunications facilities on the Billboard with the written approval of the City and with any such revenue considered part of Annual Net Revenues. Such telecommunications facilities shall be "stealth;" not affect the aesthetic or structural integrity of the Billboard in the City's discretion.

21. **Prohibited Uses.** Hazardous Substances. Neither OFI nor any of OFI's representatives or agents may use, handle, store, transport, treat, generate, release or dispose of any Hazardous Materials anywhere in, on, under or about the Property, the Billboard, or any improvements thereon. Notwithstanding the foregoing, OFI may use, handle, store, transport, treat, generate, release or dispose of any Hazardous Materials in such limited amounts as are customarily used to construct, operate, maintain, or repair the Billboard in accordance with this Agreement, and so long as OFI is at all times in full compliance with all applicable

environmental laws. OFI shall cause any and all Hazardous Materials brought onto, used, generated, handled, treated, stored, released or discharged by OFI or its authorized representatives on or under the Billboard, the Property, or any improvements thereon to be removed therefrom and transported for disposal in accordance with applicable laws, including Hazardous Materials Laws. City will have the right to enter the Property, or any improvements thereon, from time to time to conduct tests, inspections and surveys concerning Hazardous Materials and to monitor OFI's compliance with its obligations concerning Hazardous Materials and Hazardous Materials Laws (the City agrees that all such testing, inspections, surveys and monitoring will be at the City's expense unless the results of such testing, inspections, surveys or monitoring demonstrate that, with respect to OFI's use, handling, storage, transportation, treatment, generation, release or disposal of Hazardous Materials in, on, under or about the Property, the Billboard, or any improvements thereon, OFI has violated its obligations contained in this Section. OFI shall promptly notify City in writing upon its actual knowledge of: (a) any release or discharge of any Hazardous Material by OFI or its authorized representatives; (b) any voluntary clean-up or removal action instituted or proposed by OFI, (c) any enforcement, clean-up, removal or other governmental or regulatory action instituted or threatened against OFI, or (d) any claim made or threatened by any person against OFI, the Billboard, the Property, or any improvements thereon relating to Hazardous Materials or Hazardous Materials Laws. OFI shall also supply to City as promptly as possible, and in any event within five (5) business days after OFI receives or sends same, copies of all claims, reports, complaints, notices, warnings or asserted violations relating in any way to the Billboard, the Property, any portion thereof, or any improvements thereon or OFI's use thereof and concerning Hazardous Materials or Hazardous Materials Laws. In the event OFI institutes a cleanup or removal action, OFI shall provide copies of all work plans and subsequent reports submitted to the governmental agency with jurisdiction to City in a timely manner.

22. **Unlawful Activities.** OFI may not use or permit the Property to be used in any way that violates this Agreement or any valid and applicable statute, ordinance, regulation, rule, or order of any federal, state, or local governmental entity (including City). OFI may not maintain or commit, or permit the maintenance or commission of, any public or private nuisance as defined by any law applicable to the Property. OFI hereby waives any rights to compensation it may have if a court finds that the Billboard constitutes a public or private nuisance under any valid and applicable federal, state, or local law and for that reason orders OFI to remove or modify the Billboard.

23. **Encumbrances.** OFI may not encumber the Property or any part of the Property or the Billboard or any part of the Billboard, for any purpose, without City's prior written consent, which City may withhold for any reason. OFI shall keep the Property and the Billboard free of all liens and other encumbrances other than those, if any, to which City consents.

24. **Construction and Operation of Billboard.** Subject to any required permits and approvals, OFI shall construct, operate, maintain and repair the Billboard on the Property in accordance with the provisions of this Agreement. Upon completion of the Billboard, OFI shall provide City with a complete set of as-built drawings.

25. **Permitting Costs.** OFI will bear the costs associated with obtaining the Caltrans Permits and costs related to all other permitting and entitlements which are required for the

construction and operation of the Billboard, including obtaining any Project Approvals (as defined in Section 1.18), for the construction, operation, maintenance, and repair of the Billboard and the Property and any environmental review of the Property.

26. **Plans and Specifications.** At no cost to City, OFI shall prepare complete plans and specifications for the construction of the Billboard consistent with **Exhibit C** to this Agreement, working closely with City to develop plans and specifications that are mutually acceptable (the “Plans”). OFI shall submit the Plans to City for final approval, which City will not unreasonably withhold, condition or delay. The Billboard shall be designed to comply with all applicable state, county, and City codes and regulations.

27. **Caltrans Permits.** OFI is responsible for ensuring that the Billboard complies with all requirements of California’s Outdoor Advertising Act and Regulations if Caltrans determines that the Property fall within the scope of such law. As soon as practicable after the Effective Date, OFI shall apply for the Caltrans Permits, or, if necessary, engage in discussions with Caltrans to negotiate a Billboard Relocation Agreement that is mutually agreeable to both OFI and Caltrans which will permit OFI to seek all Caltrans Permits required in connection with the construction and operation of the Billboard contemplated by this Agreement. OFI agrees that upon request by the City, OFI will provide updates and any reasonably requested documentation relating to the negotiations with Caltrans for the Caltrans Permits and any status on the issuance of the Caltrans Permits. During the Initial Term, OFI shall perform all obligations under the Caltrans Permits at no cost to City. OFI shall have twelve (12) months from the Effective Date to obtain the Caltrans Permits, which period shall be subject to the three (3) year tolling period provided in Sections 3 and 4 in the event of a third party lawsuit, initiative, or referendum. If OFI has not received the Caltrans Permits at the end of such twelve (12) month period in addition to any tolling period as provided in Sections 3 and 4, and provided that OFI has diligently pursued the Caltrans Permits, City must provide OFI an extension of an additional six (6) months to obtain the Caltrans Permits. If, following such additional six (6) month extension period, OFI is still unable to obtain the Caltrans Permits, either the City or OFI can agree to another extension of time or terminate this Agreement.

28. **[Reserved]**

29. **Construction.** OFI shall begin design process and permitting process for the Billboard as soon as practicable after the Effective Date and shall diligently pursue construction to completion without unnecessary interruption so that the Billboard is Operational by the date established in Section 13.1(d). OFI will be excused, however, for any delays in beginning or completing construction that are caused by a Force Majeure Event, as defined in Section 33. OFI shall use reasonable diligence to avoid such delays and to resume work as promptly as possible after such a delay.

30. **Prevailing Wages.** The parties agree that any “construction, alteration, demolition, installation, or repair work” (“Improvement Work”) shall comply with applicable prevailing wage policies as set forth in California Labor Code section 1720 et seq., any applicable federal law and applicable regulations thereto (“Prevailing Wage Laws”). OFI shall defend, indemnify and hold harmless City and its officers, officials, employees, volunteers and

agents from any claims arising out of or in any way connected to OFI's obligations regarding compliance with Prevailing Wage Laws.

31. **Maintenance.** OFI shall be responsible for all the on-going repair, maintenance, installation, and operation costs of the Billboard, and related improvements on the Property at no cost to the City. OFI shall also be responsible for the prompt removal of any graffiti from the Billboard within forty-eight (48) hours of receiving notice of the graffiti.

32. **Damage or Destruction to the Billboard.** This Agreement will continue in full effect if the Billboard is substantially damaged or destroyed in whole or part by any cause whether or not covered by the fire-and-casualty insurance OFI maintains, subject to the following:

32.1 The Rent thereafter due under this Agreement will abate from the date of the casualty until the repair or replacement of the Billboard is completed.

32.2 The City and OFI will mutually agree upon the repair or replacement of the Billboard, which such repair or replacement will use any proceeds of insurance maintained by the City or otherwise at the expense of the City. In connection with any election to repair the casualty, OFI and the City will promptly apply for, and diligently pursue the issuance of, any permits or approvals needed to repair or replace the Billboard. Within thirty (30) days after obtaining the necessary permits and approvals, the party which will perform such repair or replacement will begin work to repair or replace the Billboard and diligently pursue the completion thereof.

32.3 In the event of any damage or destruction which is covered by insurance, the City will promptly make proof of loss and proceed promptly to collect, or cause to be collected, all valid claims which the City may have against insurers or others based upon any such damage or destruction. Except as otherwise provided above, amounts received on account of any losses pursuant to insurance policies shall be used and expended for the purpose of fully repairing or reconstructing the portions of the Billboard which has been destroyed or damaged.

32.4 Notwithstanding anything herein to the contrary, if (a) the cost to repair or replace the damage or destruction of the Billboard exceeds 50% of its fair-market value immediately before it is damaged or destroyed; and (b) the damage or destruction occurs during the last five (5) years of the Initial Term, then the City may terminate this Agreement upon written notice to OFI without penalty.

33. **Force Majeure** As used in this Agreement "Force Majeure Events" and "Pandemic Events" have the following meaning:

33.1 "Force Majeure Events" mean, collectively: (1) governmental preemption or governmental shutdowns of business in connection with a national emergency, (2) work stoppages or other delays due to pandemics or other unforeseen circumstances, (3) conditions that prevent or delay construction and which are affected by war, pandemic, civil unrest or other international, national, state or municipal emergency or other cause, (4) act of



God, (5) Pandemic Events (as hereinafter defined) or (6) any other cause, similar or dissimilar, beyond the reasonable control of either party; and

33.2 **“Pandemic Events”** shall mean (1) governmental shutdowns of business in Ventura County in connection with the occurrence of a pandemic or other public health emergency, or (2) the issuance of “shelter-in-place” orders affecting Ventura County by one or more governmental authorities due to the occurrence of a pandemic or other public health emergency.

34. **Utilities.** At no cost to City, OFI shall provide and pay for all utility connections, utility equipment, and utility service required to construct, operate, maintain, repair, improve, or reposition the Billboard throughout the Initial Term (provided that City will pay for all such costs and expenses in connection with the construction and operation of the City’s Telecommunication Facilities, if applicable). OFI shall coordinate with City and the applicable utility companies for utility tie-ins and electrical power sources that OFI may need to construct and operate the Billboard.

35. **Removal of Billboard.** OFI shall be responsible for the removal of the Billboard, and other improvements from the Property and restore the Property to its condition immediately prior to the date that City delivered control of the Property to OFI (reasonable wear and tear, damage or destruction by the acts of God beyond the control of OFI, and damage caused by parties other than OFI (and its employees and contractors) excepted), at the expiration of the Initial Term of this Agreement, unless the City waives OFI’s removal obligation in writing. In the event this Agreement is otherwise terminated or cancelled prior to the expiration of the Initial Term, OFI shall remove the Billboard and other improvements installed by OFI from the Property and restore the Property to its condition immediately prior to the date that City delivered control of the Property to OFI (reasonable wear and tear, damage or destruction by the acts of God beyond the control of OFI, and damage caused by parties other than OFI (and its employees and contractors) excepted), unless the City waives OFI’s removal obligation in writing. Notwithstanding the above, OFI shall not be required to remove those portions of the Billboard and other improvements made by OFI on the Property that are more than eighteen (18) inches below grade. OFI shall cause the removal as required under this Section within thirty (30) days from the end of the Initial Term or from the date of early termination, whichever the case may be. If OFI does not timely remove the Billboard and other improvements as required by this Section, City may, but shall not be required to, remove or cause the removal of the Billboard and other improvements on the Property at OFI’s expense. OFI shall reimburse City within thirty (30) days of receipt of an itemized accounting of the cost for such removal and the restoration of the Property to its state immediately prior to the installation of the Billboard. City and OFI acknowledge and agree that OFI and its assigns shall be the exclusive owner and operator of the Billboard, and that all equipment comprising the Billboard shall remain the personal property of OFI and its assigns and shall not become fixtures of the Property. City shall have no right, title or interest in the Billboard or any component of the Billboard, notwithstanding the manner in which the Billboard is or may be physically attached, mounted or adhered to the Property.

36. **Taxes.** OFI shall pay without abatement, deduction, or offset any income taxes or possessory interest taxes levied on or assessed against the Billboard located on the Property, OFI’s equipment, fixtures, and personal property located on or in the Property, which are directly

attributable to this Agreement or OFI's use of the Property, whether belonging, owned, or chargeable against the City. OFI shall make all such payments directly to the charging authority prior to delinquency and before any fine, interest, or penalty becomes due or is imposed for OFI's non-payment. Following prior request by City, OFI shall provide City with proof of payment of such tax.

37. **Compliance Review.**

37.1 **Periodic Review.** Pursuant to Government Code section 65865.1, the City Manager shall, not less than once in every twelve (12) months, review the Project and this Agreement to ascertain whether or not OFI is in full compliance with the terms of this Agreement (the "Periodic Review").

37.2 **Review Procedure.** During a Periodic Review, OFI shall provide information reasonably requested by the City Manager that the Project is being developed in good faith compliance with the terms of this Agreement. Upon completion of a Periodic Review, the City Manager shall submit a report to the City Council setting forth the City Manager's findings. If, as a result of a Periodic Review, the City Council finds and determines on the basis of substantial evidence that OFI has not complied in good faith with the terms or conditions of this Agreement, the City shall issue a written "Notice of Noncompliance" to OFI specifying the grounds therefore and all facts demonstrating such noncompliance. OFI's failure to cure the alleged non-compliance within ninety (90) days after receipt of the notice, or, if such noncompliance is not capable of being cured within ninety (90) days, OFI's failure to initiate all actions required to cure such noncompliance within ninety (90) days after receipt of the notice, shall constitute a default under this Agreement on the part of OFI and shall constitute grounds for the termination of this Agreement by the City as provided for below.

37.3 **Termination or Modification for Non-Compliance.** Pursuant to Government Code Section 65865.1, if the City Council finds and determines, on the basis of substantial evidence, that OFI has not complied in good faith with the terms or conditions of this Agreement, the City Council may modify or terminate this Agreement. Any action by the City with respect to the termination or modification of this Agreement shall comply with the notice and public hearing requirements of Government Code section 65865.1 in addition to any other notice required by law. Additionally, the City shall give OFI written notice of its intention to terminate or modify this Agreement and shall grant OFI a reasonable opportunity to be heard on the matter and to oppose such termination or modification by the City.

37.4 **Modification. Amendment or Cancellation by Mutual Consent.** Pursuant to Government Code section 65868, this Agreement may be amended or canceled, in whole or in part, by mutual written consent of the City and OFI or their successors in interest. Public notice of the parties' intention to amend or cancel any portion of this Agreement shall be given in the manner provided by Government Code section 65867. Any amendment to the Agreement shall be subject to the provisions of Government Code section 65867.5.

37.5 **Inurement and Assignment.** This Agreement shall inure to the benefit of and bind the successors and assigns of the City and OFI and may be assigned by either the City or OFI to any party or parties pursuant to the requirements of this Section. The specific rights

and obligations of this Agreement shall be deemed covenants running with the land that concern and affect the Property. Prior to OFI's assignment of any rights, duties or obligations under this Agreement, OFI shall present such information to the City as will reasonably demonstrate to the City's satisfaction that the proposed assignee (the "**Assignee**") has the financial ability and experience to fulfill those specific rights, duties and obligations under the Agreement that the Assignee will assume. The City shall have the right to approve the proposed Assignee, provided that the City's approval may not be unreasonably withheld. Because this Agreement is a statutory Development Agreement, if City staff determine that they can recommend approval of the proposed Assignee, a public hearing before the Planning Commission and City Council will be necessary to approve the proposed amendment to this Agreement. If the City does not approve the Assignee, the City shall deliver notice to OFI of the reasons for the City's disapproval of the Assignee. Once such approved assignment or succession has occurred and the Assignee has agreed to accept the applicable obligations under this Agreement, OFI shall be released from its obligations under this Agreement assumed by the Assignee with respect to the Property, or portion thereof, so transferred. Notwithstanding anything herein to the contrary, OFI shall not be required to obtain the City's written consent prior to effecting a transfer of all or a portion of OFI's interests to OFI member agencies Foster Interstate, LLC and Outfront Media, LLC.

38. **Monetary Damages.** OFI and the City acknowledge that neither the City nor OFI would have entered into this Agreement if either were liable for monetary damages under or with respect to this Agreement or the application thereof. Both the City and OFI agree and recognize that, as a practical matter, it may not be possible to determine an amount of monetary damages which would adequately compensate OFI for its investment of time and financial resources in planning to arrive at the kind, location, intensity of use, and improvements for the Project, nor to calculate the consideration the City would require to enter into this Agreement to justify such exposure. Therefore, the City and OFI agree that neither shall be liable for monetary damages under or with respect to this Agreement or the application thereof and the City and OFI covenant not to sue for or claim any monetary damages for the breach of any provision of this Agreement. This foregoing waiver shall not be deemed to apply to any fees, payments, reimbursements or other monetary amounts specifically required to be paid by OFI to the City pursuant to this Agreement.

39. **Specific Performance.** OFI has invested significant time and resources and performed extensive planning and processing of the Project in agreeing to the terms of this Agreement and will be investing even more significant time and resources in implementing the Project in reliance upon the terms of this Agreement and it is not possible to determine the amount of monetary damages that would adequately compensate OFI for such efforts. Damages would not be an adequate remedy if City fails to carry out its obligations under this Agreement, and that OFI shall have the right to seek and obtain specific performance as a remedy for any breach of this Agreement. The City's remedy to terminate or amend this Agreement in the event of OFI's uncured breach shall be sufficient in most circumstances.

40. **Administration of Agreement and Resolution of Disputes.** OFI shall at all times have the right to appeal to the City Council any decision or determination made by any employee, agent or other representative of the City concerning the Project or the interpretation and administration of this Agreement. All City Council decisions or determinations regarding

the Project or the administration of this Agreement shall also be subject to judicial review pursuant to Code of Civil Procedure section 1094.5, provided that, pursuant to Code of Civil Procedure section 1094.6, any such action must be filed in a court of competent jurisdiction not later than ninety (90) days after the date on which the City Council's decision becomes final.

41. **Recordation of this Agreement.** Pursuant to Government Code section 65868.5, the City Clerk shall record a copy of this Agreement in the Official Records of Ventura County within ten (10) days after the mutual execution of this Agreement.

42. **Constructive Notice and Acceptance.** Every person or entity who now or hereafter owns or acquires any right, title or interest in or to any portion of the Property is, and shall be, conclusively deemed to have consented and agreed to every provision contained herein, whether or not any reference to this Agreement is contained in the instrument by which such person acquired an interest in the Property.

43. **No Third-Party Beneficiaries.** This Agreement is made and entered into for the sole protection and benefit of the City, OFI and their respective successors and assigns. No other person or entity shall have any right of action based upon any provision of this Agreement.

44. **Miscellaneous.**

44.1 **Notices.** All notices, requests, demands, and other communications required or permitted under this Agreement shall be in writing and shall be (as elected by the person giving such notice) (i) hand delivered by messenger or courier service, (ii) by overnight delivery (including Federal Express), or (iii) by United States mail (postage prepaid), registered or certified, return receipt requested, addressed to the addresses set forth below. Each notice shall be deemed delivered (1) on the date delivered if by personal delivery, (2) on the date of delivery by the overnight delivery service if by overnight delivery, or (3) seventy-two (72) hours after deposit in the United States mail (postage prepaid) if by registered or certified mail. By giving to the other parties at least fifteen (15) days' written notice, the parties to this Agreement and their respective successors and assigns shall have the right from time to time and at any time during the term of this Agreement to change their respective addresses and each shall have the right to specify as its address any other address.

**If to City:** City of Oxnard  
300 West Third Street  
Oxnard, California 93030  
Attention: City Manager

*with a copy to:* City of Oxnard  
214 South C Street  
Oxnard, California 93030  
Attention: Community Development Director  
Tel. No.: (805) 385 7877  
Fax No.: (805) 385 7854

*with a copy to:* City of Oxnard  
300 West Third Street  
Oxnard, California 93030  
Attention: City Attorney

**If to OFI:** Outfront Foster Interstate LLC  
1111 Broadway, Suite 1515  
Oakland, CA 94607  
Attn: John B. Foster, President  
Fax: (415) 832-7080

*with a copy to:* Outfront Media LLC  
405 Lexington Avenue, 17th Floor  
New York, NY 10174  
Attn: General Counsel

*with a copy to:* Miller Starr Regalia  
1331 North California Boulevard, Fifth Floor  
Walnut Creek, CA 94596  
Attn: Anthony Leones  
Tel: (925) 941-3261  
Fax: (925) 933-4126  
Email: tony.leones@msrlegal.com

*with a copy to:* Wendel Rosen LLP  
1111 Broadway, 24th Floor  
Oakland, CA 94607  
Attn: Matt Dambrov  
Tel: (510) 834-6600  
Fax: (510) 834-1928  
Email: mdambrov@wendel.com

44.2 Severability. If any part of this Agreement is declared invalid for any reason, such invalidity shall not affect the validity of the remainder of the Agreement. The other parts of this Agreement shall remain in effect as if this Agreement had been executed without the invalid part. The City and OFI intend and desire that the remaining parts of this Agreement continue to be effective without any part or parts that have been declared invalid.

44.3 Entire Agreement; Conflicts. This Agreement represents the entire agreement between the City and OFI with respect to the subject matter hereof and supersedes all prior agreements and understandings, whether oral or written, between the City and OFI with respect to the matters contained in this Agreement. Should any or all of the provisions of this Agreement be found to be in conflict with any other provision or provisions found in the Applicable Rules or the Subsequent Applicable Rules, then the provisions of this Agreement shall govern and prevail.

44.4 Further Assurances. The City and OFI agree to perform, from time to time, such further acts and to execute and deliver such further instruments reasonably necessary to effect the intents and purposes of this Agreement, provided that the intended obligations of the City and OFI are not thereby modified.

44.5 Negation of Agency. The City and OFI acknowledge that, in entering into and performing under this Agreement, each is acting as an independent entity and not as an agent of the other in any respect. Nothing contained herein or in any document executed in connection herewith shall be construed as making the City and OFI joint venturers, partners or employer/employee.

44.6 Attorneys' Fees. In the event of any claim, dispute or controversy arising out of or relating to this Agreement, including an action for declaratory relief, the prevailing party in such action or proceeding shall be entitled to recover its court costs and reasonable out of pocket expenses not limited to taxable costs, including, but not limited to telephone calls, photocopies, expert witness, travel, and reasonable attorneys' fees and costs to be fixed by the court. Such recovery shall include, but not limited to, court costs, out of pocket expenses and attorneys' fees on appeal, if any. The court shall determine who is the "prevailing party," whether or not the dispute or controversy proceeds to final judgment. If the City or OFI is reasonably required to incur such out of pocket expenses and attorneys' fees as a result of any claim arising out of or concerning this Agreement or any right or obligation derived hereunder, then the prevailing party shall be entitled to recover such reasonable out of pocket expenses and attorneys' fees whether or not an action is filed.

44.7 Waiver. No waiver of any provision of this Agreement shall be effective unless in writing and signed by a duly authorized representative of the party against whom enforcement of a waiver is sought.

44.8 Estoppel Certificates. Within thirty (30) days following the receipt by City of a written request by OFI, the City shall execute and deliver to the requesting OFI a statement (an "estoppel certificate") certifying that (i) either this Agreement is unmodified and in full force and effect or there have been specified (date and nature) modifications to the Agreement, but it remains in full force and effect as modified; and (ii) either there are no known current uncured defaults under this Agreement or that the City alleges that specified (date and nature) defaults exist. The estoppel certificate shall also provide any other reasonable information requested. The failure to timely deliver a requested estoppel certificate shall constitute a conclusive presumption that this Agreement is in full force and effect without modification, except as may be represented by the requesting OFI, and that there are no uncured defaults in the performance of the requesting OFI, except as may be represented by the requesting OFI. The requesting OFI shall pay to City all reasonable administrative costs incurred by City in connection with the issuance of estoppel certificates under this Section prior to City's issuance of such certificates. Any such certificate may be and is intended to be relied upon by any person, including, but not limited to, the other Party, potential purchasers or lessees of all or any part of the Property, lenders or potential lenders.

44.9 Section Headings. The section headings contained in this Agreement are for convenience and identification only and shall not be deemed to limit or define the contents to which they relate.

44.10 Relationship of the Parties; Not Third-Party Beneficiaries. This Agreement does not create any relationship or association between City and OFI other than that of landlord and tenant, and it is expressly understood and agreed that City does not in any way nor for any purpose become a partner of OFI or a joint venturer with OFI in the conduct of OFI's business or otherwise; nor does this Agreement create between City and OFI the relationship of principal and agent. The parties do not intend to create any third-party beneficiaries to the Agreement.

44.11 Time of Essence. Time is of the essence of this Agreement, and all performances required hereunder shall be completed within the time periods specified. Any failure of performance shall be deemed as a material breach of this Agreement.

44.12 Counterparts. This Agreement and any modifications hereto may be executed in any number of counterparts with the same force and effect as if executed in the form of a single document.

#### 45. Indemnification.

45.1 Definitions. For the purposes of this Section, the following definitions will apply:

(a) "Person" is to be interpreted broadly and includes OFI and OFI's directors, officers, employees, contractors, and agents; and City and City's elected officials, officers, employees, contractors, and agents.

(b) "Liabilities" means all liabilities, claims, demands, damages, and costs (including reasonable attorneys' fees and litigation costs through final resolution on appeal) that arise directly or indirectly from OFI's possession or use of the Property.

(c) "Occurrence" means (A) the death of, or injury to, any person; and (B) damage to, or destruction of, any real property, personal property (including intellectual property), or the environment (broadly interpreted to include the air, soil, soil vapor, surface water, groundwater, flora, and fauna on or about the Property).

45.2 General Indemnity. Except to the extent claims are caused by the negligence or willful misconduct of the City and its employees, agents and contractors, and not waived by OFI, OFI shall indemnify, protect, defend, and hold harmless City and its elected officials, officers, employees, volunteers, lenders, agents, and representatives and each of their successors and assigns from and against any and all third party claims, judgments, causes of action, damages, penalties, costs, liabilities, and expenses, including all reasonable out-of-pocket costs, attorneys' fees, expenses and liabilities incurred in the defense of any such claim or any action or proceeding brought thereon, arising at any time during or after the Initial Term as a result (directly or indirectly) of or in connection with (a) any OFI default under this Agreement (including in the performance or non-performance of any obligation on OFI's part to be

performed under the terms of this Agreement); (b) OFI's performance of the design and construction of the Billboard; (c) OFI's or OFI's representatives or agents use of the Property, the Billboard, any portion thereof, or any improvements thereon, the conduct of OFI's business or any activity, work or thing done, permitted or suffered by OFI or its representatives or agents in or about the Property or any portion thereof, or any improvements thereon, except that with regard to the presence of Hazardous Materials, the Property or any improvements thereon, OFI will not be responsible for conditions that existed prior to the date that City delivers exclusive control of the Property to OFI and, whether prior to the Effective Date or not, were not caused by OFI or its authorized representatives; and (d) any negligent or willful act, error or omission of OFI or its representatives or agents in or about the Billboard, any portion thereof, or any improvements thereon (collectively, "Indemnification"). OFI shall provide such Indemnification by and through counsel reasonably approved by City. Without limiting the foregoing, OFI's obligation under this Section includes Liabilities arising from any of the following:

(a) Any Occurrence that is caused by, or related in any way to, a verbal or nonverbal display on the Billboard.

(b) OFI's failure to perform any provision of this Agreement due to no fault of City, to comply with any requirement of law applicable to OFI, or to fulfill any requirement imposed by any governmental entity (including City when acting as a government) on OFI or on OFI's use of the Property.

(c) Any claim that OFI's policies with respect to the allocation of advertising time violate any person's or persons' First Amendment rights.

(d) Any Occurrence caused or allegedly caused by (i) any condition of the Property created by OFI or by any Person on the Property with OFI's permission; or (ii) some act or omission on the Property by OFI or by any Person on the Property with OFI's permission.

OFI agrees that its obligation under this Section includes the reasonable costs of attorney fees incurred by City's City Attorney's Office to monitor and consult with OFI regarding the defense of any such Liabilities, including providing direction with regard to strategy, preparation of pleadings, settlement discussions, and attendance at court hearings, mediations, or other litigation related appearances. City will use its best efforts to avoid duplicative attorney work or appearances in order to keep litigation costs to a reasonable minimum. OFI further acknowledges and agrees that settlement of any Liabilities requires the consent of City. City agrees that its consent will not be unreasonably withheld provided that OFI is financially able (based on demonstrated assets) to fulfill its obligation to indemnify City for the costs of any such settlement as required under this Agreement

45.3 Hazardous Materials. Except to the extent caused by City's negligence or willful misconduct, caused by a third party or with regard to the presence of Hazardous Materials on the Property as of the date City delivers exclusive control of the Property to OFI, OFI shall indemnify, defend and hold City harmless from any claims, causes of action, liabilities, losses, damages, injunctions, suits, fines, penalties, costs or expenses (including attorneys' fees and expenses and consultant fees and expenses) caused or alleged to have been caused by OFI's use,



storage, handling, treatment, generation, discharge or release of Hazardous Materials in violation of OFI's obligations under this Agreement, whether such claims, causes of action or liabilities are first asserted during the Initial Term or thereafter, and including claims made against City with respect to bodily injury, death or property damage sustained by third parties caused or alleged to have been caused by OFI's use, storage, handling, treatment, generation, discharge or release of Hazardous Materials. For the purposes of clarification, the indemnity contained in this Section will be the sole indemnity OFI provides to the City with respect to Hazardous Materials and (b) OFI will not be responsible for nor indemnifies the City for any claims, causes of action, liabilities, losses, damages, injunctions, suits, fines, penalties, costs or expenses with respect to Hazardous Materials which do not directly result from OFI's use, storage, handling, treatment, generation, discharge or of Hazardous Materials in violation of OFI's obligations under this Agreement.

45.4 Survival. Each party's obligations under this Agreement will survive expiration or termination of this Agreement for a period of three (3) years following termination.

45.5 Reference of California Law. Unless expressly stated to the contrary, all references to statutes herein are to the California codes.

45.6 Interpretation of Agreement. The language in all parts of this Agreement shall in all cases be construed simply, as a whole and in accordance with its fair meaning and not strictly for or against any party. City and OFI acknowledge and agree that this Agreement has been prepared jointly by City and OFI and has been the subject of arm's length and careful negotiation over a considerable period of time, that each party has been given the opportunity to independently review this Agreement with legal counsel, and that each party has the requisite experience and sophistication to understand, interpret, and agree to the particular language of the provisions hereof. Accordingly, in the event of an ambiguity in or dispute regarding the interpretation of this Agreement, this Agreement shall not be interpreted or construed against the party preparing it, and instead other rules of interpretation and construction shall be utilized.

45.7 Institution of Legal Actions. In addition to any other rights or remedies, either party may institute legal action to cure, correct or remedy any default, to recover damages for any default, or to obtain any other remedy consistent with the purpose of this Agreement. Such legal actions must be instituted in the Superior Court of the County of Ventura, State of California or in the United States District Court for the Central District of California.

45.8 No Relocation Benefits. It is agreed that nothing contained in this Agreement shall give OFI any right to occupy the Property at any time after the expiration of the term of this Agreement or its termination. OFI agrees that, upon the expiration or termination of this Agreement, OFI's use of the Property for the location of a Billboard or this Agreement shall not entitle OFI to any relocation benefits from the City pursuant to any federal, state or local law and waives any such claim against the City.

IN WITNESS WHEREOF, the City and OFI hereto have each executed this Agreement as of the date first written above.

**CITY:**

CITY OF OXNARD, a California municipal corporation

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Rose Chaparro, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Stephen Fischer, City Attorney

**OUTFRONT FOSTER INTERSTATE LLC**

**By Its Members:**

FOSTER INTERSTATE LLC

By: \_\_\_\_\_

Print Name: John B. Foster

Title: Manager

OUTFRONT MEDIA, LLC

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

# **ATTACHMENT H**

**DRAFT PLANNING COMMISSION RESOLUTION RECOMMENDING  
APPROVAL OF PZ PERMIT NO. 21-660-03 (STREET VACATION)**

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD DETERMINING THAT THE CITY OF OXNARD'S PROPOSED VACATION OF APPROXIMATELY 1,000-SQUARE FEET OF UNDEVELOPED RIGHT OF WAY LOCATED ON THE NORTH SIDE OF THE U.S. 101 AND IMMEDIATELY WEST OF VENTURA ROAD IN THE NORTHERN PORTION OF THE CITY OF OXNARD. (APN: N/A) IS IN CONFORMANCE WITH THE OXNARD 2030 GENERAL PLAN PURSUANT TO SECTION 65402 OF THE GOVERNMENT CODE AND RECOMMENDING CITY COUNCIL ORDER THE VACATION. FILED BY LARS SKUGSTAD, 1111 BROADWAY, SUITE 1515, OAKLAND, CA 94607 (THE "APPLICANT") ON BEHALF OF THE CITY OF OXNARD (THE "PROPERTY OWNER").

WHEREAS, on October 15, 2020, Lars Skugstad (the "Applicant" and/or "Permittee" and/or "Developer") submitted a request to approve Planning and Zoning Permit Nos. 20-500-06 (Special Use Permit), 20-670-05 (Development Agreement), and 21-660-03 (Street Vacation) to allow for the installation and operation of an electronic billboard on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard. The Special Use Permit allows for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products. The top of the billboard would be approximately 80 feet in height above the ground, and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width. The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development. The proposed Street Vacation would vacate the existing right-of-way to the City of Oxnard ("Project"); and

WHEREAS, The Property, includes a approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard, as shown in Exhibit 1 of this resolution, and incorporated by reference; and

WHEREAS, The City of Oxnard is the owner of record of the right of way easement; and

WHEREAS, The 2030 General Plan in a comprehensive, long term plan that guides land use and physical development of land within the City of Oxnard and provides policy direction regarding land uses that are intended to serve the community; and

WHEREAS, Whenever a public agency proposes to acquire, dispose, vacate or abandon any real property, California Government Code Section 65402 requires a report on conformity with the General Plan; and

WHEREAS, The subject property is designated Commercial Regional (CR) by the City's 2030 General Plan and is zoned RiverPark Specific Plan (RPSP); and

WHEREAS, January 19, 2023, the City of Oxnard Planning Commission considered a Special Use Permit (PZ 20-500-06) for the Ventura Road Electronic Billboard Project, including a California Environmental Quality Act (CEQA) review for the physical development, and made findings of General Plan Consistency for the project at that time; and

WHEREAS, The proposed Project, include the right-of-way vacation, as documented in the staff report, would be consistent General Plan policies regarding the use of the site and would not adversely impact General Plan policies related to the provision of with the roadway dedication; and

WHEREAS, The vacation of this easement and the ultimate use of the parcel for a Electronic Billboard is consistent with the land use designation on the subject site, subject to City Councils approval of Ordinance Amendment (PZ 20-580-06) to allow for Freeway Adjacent Digital Display Billboards, Specific Plan Amendment (PZ 20-630-02) to allow Freeway Adjacent Digital Display Billboards pursuant to the Oxnard City Code, Development Agreement (PZ 20-670-05) to allow for the use of City Property, and a Street Vacation (21-660-03) to vacate the right of way. Future use of the parcel will be required to comply with all City codes and regulations; and

WHEREAS, on January 19, 2023, the Planning Commission considered the proposed vacation of real property located on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard in light of the Oxnard 2030 General Plan and the requirements of Government Code section 65402.

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

SECTION 1. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that after implementation of standard conditions and mitigation measures identified in the Final IS/MND 22-03, all potentially significant impacts associated with the proposed project would be reduced to less than significant levels.

SECTION 2. Based on the findings set forth herein, and 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 hereby determines that the proposed City's vacation of the subject right of way is in conformity with the Oxnard 2030 General Plan and recommend City Council order the vacation.

SECTION 3. The Secretary shall certify the adoption of this Resolution.

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 19th day of January 2023 by the following vote:

---

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 on the 19th day of January, 2023, and carried by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioners:

---

Joe Pearson II, Secretary

**EXHIBIT A**

**PROPERTY AREA EXHIBIT**

# EXHIBIT "A"

## DESCRIPTION

A VARIABLE WIDTH LEASE AREA FOR ALL THAT PORTION OF LAND IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, BEING A PORTION OF PROPERTY AS DESCRIBED IN THE RELINQUISHMENT TO THE COUNTY OF VENTURA, AS RECORDED IN BOOK 1518, AT PAGES 81 THROUGH 84 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDS, AND PER THE EFFECT OF ORDINANCE NO. 746, ANNEXATION 61-11, ADOPTED FEBRUARY 20, 1962, PURPORTEDLY TO BECOME EFFECTIVE MARCH 22, 1962, PURPORTING TO ANNEX THE SUBJECT LAND INTO THE CITY OF OXNARD, STATE OF CALIFORNIA, PURSUANT TO THE TERMS COVENANTS, CONDITIONS AND PROVISIONS CONTAINED THEREIN, THE LEASE AREA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE WESTERLY TERMINUS OF A TANGENT LINE BEARING NORTH 82°02'39" EAST, HAVING A DISTANCE OF 245.42 FEET, ALSO BEING THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 780.00 FEET, AS SHOWN ON TRACT NO. 4434, RECORDED IN MAP BOOK 114, PAGES 62 THROUGH 66, IN THE OFFICE OF SAID COUNTY RECORDER; THENCE LEAVING SAID TANGENT LINE, SOUTH 59°48'46" WEST, A DISTANCE OF 851.86 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1,054.96 FEET AND A RADIAL LINE BEARING NORTH 52°46'55" WEST, SAID BEGINNING OF CURVE BEING THE **POINT OF BEGINNING**; THENCE, SOUTHWESTERLY ALONG SAID CURVATURE,

1. THROUGH A CENTRAL ANGLE OF 03°04'15", AN ARC DISTANCE OF 56.54 FEET; THENCE,
2. NORTH 66°28'23" WEST, A DISTANCE OF 25.28 FEET, TO THE NORTHWESTERLY LINE OF RELINQUISHMENT OF STATE HIGHWAY TO VENTURA COUNTY PER BOOK 1518, PAGE 81 OF OFFICIAL RECORDS OF SAID COUNTY RECORDER, BEING A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 140.00 FEET AND A RADIAL LINE TO SAID CURVATURE BEARING NORTH 57°26'00" WEST; THENCE NORTHEASTERLY ALONG SAID CURVATURE,
3. THROUGH A CENTRAL ANGLE OF 24°31'24", AN ARC DISTANCE OF 59.92 FEET, TO THE INTERSECTION WITH A LINE BEARING NORTH 65°58'23" WEST FROM THE POINT OF BEGINNING; THENCE, ALONG SAID LINE,
4. SOUTH 65°58'23" EAST, A DISTANCE OF 15.59 FEET, TO THE POINT OF BEGINNING.

ALL AS SHOWN ON EXHIBIT "B", AND BY REFERENCE HEREIN, MADE A PART HEREOF.

*Chris Nelson*

CHRIS NELSON, PLS 6385  
DATED: JUNE 14, 2021







LEASE AREA  
1,244.5 ± SQ. FT

## EXHIBIT 'B'



SCALE: 1" = 10'



DATED: 06/09/2021

36.5'  
POINT OF COMMENCEMENT  
BEGINNING CURVE  
 $\Delta=30^{\circ}07'01''$   $R=780.00'$   
 $T=209.85'$   $L=410.00'$   
S59° 48' 46"W  
N82° 02' 39"E 245.42'  
TO BEGINNING CURVE PER TRACT  
NO. 4334, M.B. 114, PAGES 62-66  
CENTERLINE PER TRACT NO.  
4334, M.B. 114, PAGES 62-66  
C/L  
VARIES  
47.5'

NORTH VENTURA ROAD

IDENTICAL

NORTHWESTERLY LINE OF RELINQUISHMENT  
OF STATE HIGHWAY TO VENTURA COUNTY  
PER BOOK 1518, PAGE 81, O.R.  
 $L=59.92'$   
 $R=140.00'$   
 $\Delta=24^{\circ}31'24''$

VARIABLE WIDTH LEASE AREA

RELINQUISHMENT OF STATE HIGHWAY TO VENTURA COUNTY PER BOOK 1518, PAGE 81, O.R.  
AND ANNEXATION TO THE CITY OF OXNARD PER ORDINANCE NO. 746, ANNEXATION 61-11,  
ADOPTED 2/20/1962 AND PURPORTED TO BECOME EFFECTIVE 3/22/1962  
 $\Delta=03^{\circ}04'15''$   
CURB FACE  
 $R=1,054.96'$   
 $L=56.54'$

POINT OF BEGINNING

SOUTHEASTERLY LINE OF RELINQUISHMENT OF STATE  
HIGHWAY TO VENTURA COUNTY PER BOOK 1518,  
PAGE 81, O.R.

VENTURA FREEWAY  
U.S. HIGHWAY NO. 101

NORTHEASTERLY LINE OF FREEWAY OVERPASS

# **ATTACHMENT I**

**DRAFT PLANNING COMMISSION RESOLUTION APPROVING PZ  
PERMIT No. 20-500-06 (SPECIAL USE PERMIT)**

## RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 18-500-02 (SPECIAL USE PERMIT) TO ALLOW FOR THE INSTALLATION AND OPERATION OF AN FREEWAY ORIENTED ELECTRONIC BILLBOARD, LOCATED ON THE NORTH SIDE OF THE U.S. 101 AND IMMEDIATELY WEST OF VENTURA ROAD IN THE NORTHERN PORTION OF THE CITY OF OXNARD. (APN: N/A). FILED BY LARS SKUGSTAD, 1111 BROADWAY, SUITE 1515, OAKLAND, CA 94607 (THE “APPLICANT”) ON BEHALF OF THE CITY OF OXNARD (THE “PROPERTY OWNER”).

WHEREAS, on October 15, 2020, Lars Skugstad (the “Applicant” and/or “Permittee” and/or “Developer”) submitted a request to approve Planning and Zoning Permit Nos. 20-500-06 (Special Use Permit), 20-670-05 (Development Agreement), and 21-660-03 (Street Vacation) to allow for the installation and operation of an electronic billboard on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard. The Special Use Permit allows for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products. The top of the billboard would be approximately 80 feet in height above the ground, and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width. The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development. The proposed Street Vacation would vacate the existing right-of-way to the City of Oxnard (“Project”); and

WHEREAS, the City of Oxnard as the Lead Agency, has prepared Final IS/MND 22-03 in accordance with the requirements of the California Environmental Quality Act (CEQA, Public resources Code § 21000, et seq.), the regulations promulgated thereunder (14 California Code of Regulations, §15000, et seq., CEQA Guidelines), and the City’s Environmental Review Guidelines; and

WHEREAS, The Final IS/MND 22-03 identified and discussed potential impacts, mitigation measures, monitoring requirements, and residual impacts for identified subject areas. The Final IS/MND 22-03 found that the implementation of the proposed Project would result in potentially significant impacts associated with biological resources, cultural resources, and noise on wildlife species. Mitigation measures have been required to reduce each potentially significant impact to less than significant. The mitigation measures that have been required within the Final IS/MND 22-03 would reduce potential significant impacts. These measures include: (BIO-1 and BIO-2) conducting a pre-construction survey for active bird nests and conducting focused protocol nest survey for least Bell’s vireo, and (CR-1 and CR-2) monitoring and collecting, if necessary, any discovered archaeological and paleontological resources. After the implementation of the required mitigation measures, the potential significant impacts would be reduced to less than significant. No remaining

significant impacts would occur. With respect to Aesthetics, although less than significant lighting impacts would occur, the Final IS/MND 22-03 includes mitigation measures that are recommended to further reduce less than significant light impacts. These measures include: (AES-1 and AES-2) allowing for remote shut off in the event of malfunction and conducting illumination level verification tests; and

WHEREAS, pursuant to CEQA Guidelines §15074, the Final MND reflects the City's independent judgment and analysis. The Planning Commission has independently reviewed and analyzed the Final IS/MND 22-03 prepared for the Project. The Final IS/MND 22-03 is an accurate and complete statement of the potential environmental impacts of the project. The Final IS/MND 22-03 was prepared under the direction of the City of Oxnard Planning Division and reflects its independent judgment and analysis of the environmental impacts.

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Commission considered the proposed Final IS/MND 22-03 before making its recommendation, on the basis of the whole record before it finds, there is no substantial evidence that the project will have a significant effect on the environment, and recommends that the City Council adopt the Final IS/MND 22-03; and

WHEREAS, the Planning Commission is concurrently recommending the City Council approve a Development Agreement request that allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development (PZ 20-670-05), and a Street Vacation which would vacate the existing right-of-way to the City of Oxnard (PZ 21-660-03); and

Whereas, the Development Advisory Committee (DAC) reviewed the plans on November 18, 2020 and provided conditions of approval for the project; and

WHEREAS, the project applicant mailed notices to all property owners within the RiverPark neighborhood and presented the project at the December 20, 2021 Community Workshop; and

WHEREAS, on January 19, 2023, the Planning Commission of the City of Oxnard ("Planning Commission") conducted a duly noticed public hearing, and received and reviewed all written and oral evidence related to the proposed Project, in accordance with Sections 16-536 and 16-651 of the Oxnard City Code (OCC) and considered the Final IS/MND 22-03 pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, Sections 16-536 and 16-651 of the OCC authorize the Planning Commission to approve a Special Use Permit; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the project meets the criteria set out in Sections 16-536 and 16-651 of the OCC;

and

WHEREAS, the Commission considered Final IS/MND 22-03 prior to making recommendations on the Project; and

WHEREAS, the Project has been reviewed by the Development Advisory Committee (DAC) and the DAC has prepared conditions of approval that are incorporated within the recommended permits; and

WHEREAS, the Planning Commission finds that the Project conforms to the City of Oxnard 2030 General Plan elements thereof and the Oxnard City Code for the reasons set forth in the Planning Commission Staff Report; and

WHEREAS, the Planning Commission finds after due study and deliberation that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this Resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this development in particular.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVES PLANNING AND ZONING PERMIT NO. 20-500-06 (SPECIAL USE PERMIT), SUBJECT TO THE FOLLOWING FINDINGS AND CONDITIONS:

**SECTION 1.** The Recitals above are true and correct and incorporated herein by this reference.

**SECTION 2.** The Planning Commission finds that the Special Use Permit is internally consistent with all other provisions of the City of Oxnard 2030 General Plan if the City Council approves a Ordinance Amendment (PZ 20-580-06) to allow for Freeway Adjacent Digital Display Billboards, Specific Plan Amendment (PZ 20-630-02) to allow Freeway Adjacent Digital Display Billboards pursuant to the Oxnard City Code, Development Agreement (PZ 20-670-05) to allow for the use of City Property, and a Street Vacation (21-660-03) to vacate the right of way.

**SECTION 3.** The Planning Commission finds that the Special Use Permit will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

**SECTION 4.** Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Special Use Permit Staff Report and all attachments thereto, the Planning Commission finds:

- 1. The proposed use is in conformance with the General Plan and other adopted policies of the City of Oxnard.**

The Project site has 2030 General Plan land use designations of Commercial Regional (CR) and a zoning designation of RiverPark Specific Plan (RPSP). The proposed project includes the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products. As discussed in detail in the Planning Commission Staff Report (Sections 6 b, c, Attachment D, and Attachment E) the Project, as designed and conditioned, meets all applicable development standards. Therefore, the proposed project is in compliance with the 2030 General Plan and other adopted policies of the City of Oxnard and meets this Finding.

- 2. The nature, condition and development of adjacent uses, buildings and structures shall be considered, and no proposed Special Use Permit shall be granted if the approval body finds such use will adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.**

As described in the Staff Report, pursuant to the 2030 General Plan land use designation of Commercial Regional (CR) and a zoning designation of RiverPark Specific Plan (RPSP), the proposed use of the project site for a freeway oriented electronic billboard is, is an allowed use, subject to a Special Use Permit (OCC §16-609) (subject to approval of PZ 20-580-06). The surrounding uses are primarily characterized by urban development, with the exception of the adjacent Santa Clara River, as it is located within one of the the City's Urban Village area. The surrounding development includes commercial, mid to high rise office space, and high density residential. Construction activities, anticipated uses, and development design will be subject to standard construction requirements of the Building, Fire, and Traffic Codes. Also, the environmental impacts were analyzed under Final IS/MND 22-03. The Final IS/MND 22-03 found that the implementation of the proposed Project would result in potentially significant impacts associated with biological resources, cultural resources, and noise on wildlife species. Mitigation measures have been required to reduce each potentially significant impact to less than significant. The mitigation measures that have been required within the Final IS/MND 22-03 would reduce potential significant impacts. These measures include: (BIO-1 and BIO-2) conducting a pre-construction survey for active bird nests and conducting focused protocol nest survey for least Bell's vireo, and (CR-1 and CR-2) monitoring and collecting, if necessary, any discovered archaeological and paleontological resources. After the implementation of the required mitigation measures, the potential significant impacts would be reduced to less than significant. No remaining significant impacts would occur. With respect to Aesthetics, although less than significant lighting impacts would occur, the Final IS/MND 22-03 includes mitigation measures that are recommended to further reduce less than significant light impacts. These measures include: (AES-1 and AES-2) allowing for remote shut off in the event of malfunction and conducting illumination level verification tests. Therefore,

the proposed use and improvements, as conditioned, will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.

- 3. The site that is subject to the Special Use Permit shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and items which may be required by Section 16-532 (Conditions).**

As described in the Staff Report, the project as designed and conditioned meets the development standards for Freeway Oriented Electronic Billboards as described above in Finding Section 1(1). Pursuant to the Zoning Code, the Project has been designed to be consistent with the applicable development standards. As detailed in the Staff report, the project site is approximately 1,000 square feet which is adequate to accommodate the Billboard and the future multi-purpose path, should it move forward in the future. As such, the subject site is adequate in terms of size and as developed the development meets or exceeds City's design standards.

- 4. The site that is subject to the Special Use Permit shall be served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use will generate.**

As described in the Staff Report, the project site is directly adjacent to North Ventura Road right of way. The sign will be controlled remotely and will therefore require no onsite employee, therefore no parking is required. The operation of the Billboard will not generate any regular traffic, aside for the occasional maintenance. Therefore, the existing roadway will continue to be adequate. As described in the IS/MND, the project will have less than significant impacts to the City roadway network and roadway improvements are not required as a result of the project. Therefore, the site has sufficient access to streets and highways that are adequate in size and existing intersections adjacent to the project site will operate at acceptable levels of service.

- 5. The site that is subject to the Special Use Permit shall be provided with adequate sewerage, water, fire protection and storm drainage facilities.**

The project only includes the construction of an electronic billboard. As discussed in the MND, the project will have a minimal impact on City utilities, as the project will only require electrical service. Furthermore, the Project was reviewed by the Development Advisory Committee for adequate utilities and services. The project is not anticipated to result in any significant impacts to utilities and public services. Therefore, the site for the proposed use will be provided with adequate sewage, water, fire protection and storm drainage facilities.

**6. Complies with the requirements of Section 16-609 and Chapter 16 of the Oxnard City Code.**

As described in the Staff Report, the project as designed and conditioned meets the development standards for Freeway Oriented Electronic Billboards as described above in Finding Section 1(1). Pursuant to the Zoning Code, the Project has been designed to be consistent with the applicable development standards.

**7. Will not create a significant traffic or other public safety hazard.**

As described in the Staff Report, and as described above in Finding Section 1(4), the Project will not generate regular traffic, as there are no onsite employees. In accordance with Oxnard City Code and the project conditions, the Project must comply with all applicable federal, state, and local laws, including the Highway Beautification Act of 1965 (23 United States Code Section 131), the Outdoor Advertising Act (California Business and Professions Code Section 5200 et seq.), and this Article IX, when constructing, operating, improving, maintaining, repairing, and removing the Freeway Adjacent Digital Display Billboard. Conditions have also been added to regulate the display cycle, including limitations on the frequency of the image transitions, restrict the use of videos, flashing, blinking or any other means not providing constant illumination. The brightness has also been conditioned to comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5. Lastly, the Final IS/MND 22-03 includes mitigation measures that are recommended to further reduce less than significant light impacts. These measures include: (AES-1 and AES-2) allowing for remote shut off in the event of malfunction and conducting illumination level verification tests. Therefore, the proposed use, as conditioned and compliance with the federal, state, and local regulation, will not create a significant traffic or other public safety hazard.

**8. Will be of appropriate size, scale, and design for the area in which it will be located.**

As described in the Staff Report, the project as designed and conditioned meets the development standards for Freeway Oriented Electronic Billboards as described above in Finding Section 1(1). The project is directly adjacent to U.S. Highway 101, within an urban area as designated by the City's Urban Village designation, which includes a variety of urban uses including the high density residential, commercial, and mid to high rise office uses. Also, in compliance with the height standards the Projects maximum height directly corresponds with the height of the adjacent freeway to ensure the scale of the sign is appropriate as viewed from the freeway. Additionally, the Project was analyzed under Final IS/MND 22-03, and it was determined that with the appropriate mitigation all project impacts would be less than significant. These mitigations have been included in the project conditions. Therefore, the proposed use, as designed and conditioned, will be of appropriate size, scale, and design for the area in which it will be



located.

**9. Will be of high quality in appearance, design, and construction, and will be subject to conditions, as appropriate, governing its design and operation.**

The pole would extend approximately 65.5 feet above ground. The portion of the pole above ground would be painted primarily gray except for the upper 10.5 feet that would be painted black, and mostly covered by the sign face. The pole design has been kept simple with the gray color, to minimize the visual impact of the pole itself, and allow it to blend into the background. The top of the billboard would be approximately 80 feet in height above the ground and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width. The Project is also conditioned to maintain the pole and sign in good condition. A graffiti plan is required to ensure timely removal of any graffiti. The project is also conditioned to maintain the pole in a uniform color. Therefore, the proposed use, as designed and conditioned, will be of high quality in appearance, design, and construction.

**SECTION 5.** The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that after implementation of standard conditions and mitigation measures identified in the Final IS/MND 22-03, all potentially significant impacts associated with the proposed project would be reduced to less than significant levels.

**SECTION 6.** This Resolution shall not become effective unless and until the City of Oxnard City Council adopts the Final IS/MND 22-03 and approves the associated Ordinance Amendment (PZ No. 20-580-06), Specific Plan Amendment (PZ No. 20-630-02), Development Agreement (PZ 20-670-05), and a Street Vacation (21-660-03). If the City Council fails to approve any of these permits, then this Resolution shall become null and void and be of no further force and effect.

**SECTION 7.** Based on the findings set forth herein, the Planning Commission hereby approves Planning and Zoning Permit No. 20-500-06 (Special Use Permit), subject to the attached conditions of approval.

**SECTION 8.** The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of Oxnard City Code Section 16-545.

**SECTION 9.** The Secretary shall certify the adoption of this Resolution.

## CONDITIONS OF APPROVAL

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-1*) 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-1*).
2. This permit is granted for the plans dated January 19, 2023 (“the plans”) on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. 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*)
4. 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*)
5. 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)

6. 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)
7. 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)
8. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
9. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
10. 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)
11. 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)
12. 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)

#### **FIRE DEPARTMENT STANDARD CONDITIONS**

13. All structures on the project property shall conform to the minimum standards prescribed in Title 19 of the California Code of Regulations. (FD, F-5)
14. The project shall meet the minimum requirements of the “Fire Protection Planning Guide” published by the Fire Department. (FD, F-6)
15. Developer shall comply with Certified Unified Program Agency (CUPA) requirements regarding the storage, handling and generation of hazardous materials or waste. Prior to the issuance of building permits, Developer shall contact the CUPA division of the Fire Department to ensure that such requirements are followed. (FD, F-16)

#### **FIRE DEPARTMENT SPECIAL CONDITIONS**

16. Contractor shall ensure adequate fire and safety precautions are maintained on site at all times as prescribed in Chapter 33 of the California Fire Code.
17. All fires shall be immediately reported to the Oxnard Fire Department.

#### **PLANNING DIVISION STANDARD CONDITIONS**

18. Any application for a minor modification to the project shall be accompanied by four copies of plans reflecting the requested modification, together with applicable processing fees. (PL, *PL-2*)
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. Before the City issues building permits, Developer shall provide to the Planning Division Manager color photographic reductions (8 1/2" by 11") of full-size colored elevations and any other colored exhibit approved by the Planning Commission. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, *PL-4*)
21. 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. (B/DS, *PL-11*)
22. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-13*)
23. 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*).
24. 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*)
25. Construction activities shall be limited to the hours of 7 am to 7pm, Monday through Saturday. No construction shall occur after hours, on Sundays, or national holidays without permission from the City.

#### **PLANNING DIVISION SPECIAL CONDITIONS**

26. These conditions of approval impose specific fees, dedications, reservations and/or other exactions. Pursuant to Government Code Section 66020, the 90-day period in which the Developer or Applicant has to protest the imposed fees, dedications, reservations and/or other exactions has begun as of the date that the conditions of approval are approved. (PL)

27. Applicant shall submit a check made out to the City of Oxnard in the amount to be determined for payment of outstanding discretionary permit and environmental processing fees associated with the development project. Funds shall be deposited prior to issuance of a grading permit. Additional funds to be paid when hours or contract planner hours exceeds deposited amounts (PL).
28. Developer shall comply with the mitigation measures identified in the Mitigated Negative Declaration Nos. 22-01 and 22-03 for the project. (PL)
29. Developer shall ensure that all construction equipment is maintained and tuned to recommended manufacture's specifications. (PL)
30. 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. (PL)
31. 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 section 23114, with special attention to sub sections 23114(b)(2)(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. (B/DS, *PL-12*)
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. (PL)
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). (PL)
34. Developer shall remove any and all graffiti from any part of the sign structure within 48 hours of graffiti appearance. The surface of such affected areas shall be exactly matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. If the paint cannot be matched exactly, the entire structure shall be repainted. (PL)

35. 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 washable paint and sealers on the structure and the procedures and contact for removal of graffiti within 48 hours of appearance. (PL)
36. This permit is granted subject to the approval of Development Agreement (PZ 20-670-05) for the project property. (PL)
37. This permit is granted subject to the approval of Street Vacation (PZ 21-660-03) for the project property. (PL)
38. This permit is granted subject to the approval of Ordinance Amendment (PZ 20-580-06). (PL)
39. This permit is granted subject to the approval of Specific Plan Amendment (PZ 20-630-02). (PL)
40. All freeway adjacent digital display billboards shall either be double faced or include covered backs or facings. All interior equipment shall be screened from public view.
41. The Freeway Adjacent Digital Display Billboard shall not exceed 0.3 foot-candles over ambient levels at a distance of 250 feet in any direction. Illuminance can be measured by using a foot-candle meter held at a height of approximately five feet and aimed toward a sign consistent with the sign-to-viewer distance. The Freeway Adjacent Digital Display Billboard shall comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5.
42. Developer shall comply with all applicable federal, state, and local laws, including the Highway Beautification Act of 1965 (23 United States Code Section 131), the Outdoor Advertising Act (California Business and Professions Code Section 5200 et seq.), and the Oxnard City Code, when constructing, operating, improving, maintaining, repairing, and removing the Freeway Adjacent Digital Display Billboard.
43. The Freeway Adjacent Digital Display Billboard shall show a series of still images, each displayed for at least eight (8) seconds. The still images shall not move or present the appearance of motion and may not use flashing or blinking lights or any other means not providing constant illumination. Transition or blank screen time between one still image and the next may not exceed one (1) second.
44. The billboard shall include an operating mechanism that allows for the billboard display to be turned off or turned to all black remotely in the event of a malfunction or failure in any system or subsystem that results in the display wholly or partly appearing to flash.
45. Plans submitted by Developer with building permit applications shall show on the structure elevation sheets all exterior building materials and colors, including product and finish

manufacturer name, color name and number, and surface finish type (such as: stucco with sand finish, plaster with smooth finish) to be used in construction.

46. This permit shall automatically become null and void 36 months from the effective date of the Development Agreement (PZ No. 20-570-06) (30 days after the second reading of the Development Agreement is adopted), 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.
47. Developer shall deposit \$5,000 for mitigation monitoring and reporting associated with the development project (PZ No. 20-500-06). Such funds shall be deposited prior to building permit submission. Additional deposits shall be made to cover staff time required to monitor implementation of project conditions until the final inspection is granted for the development.

***Mitigated Negative Declaration 22-01 and 22-03 Mitigation Measures***

Developer shall comply with the mitigation measures identified in Final Mitigated Negative Declarations (MNDs) 22-01 and 22-03, associated with the Ordinance Amendment (PZ No. 20-580-06) and Special Use Permit (20-500-06), Development Agreement (20-670-05), and Street Vacation (21-660-03), respectively.

***Aesthetics***

48. Prior to permit issuance, developers shall demonstrate that light trespass illuminance of 0.5 fc or greater for urban areas and 0.2 fc or greater for natural areas shall not be exceeded. (AES-1)
49. Each proposed light emitting diode (LED) billboard shall include an operating mechanism (hardware or software controlled) that turns off the display or turns it to all black in the event of a malfunction or failure in any system or subsystem that results in the display wholly or partly appearing to flash. (AES-2)
50. Within 14 days of each electronic billboard being operational, annually, and as required by City staff (i.e., after maintenance, malfunctions, multiple complaints), Developer shall submit to the satisfaction of the Community Development Director the following information:
  - A third party test conducted after installation to verify that the electronic billboard complies with the requirements not to exceed 0.3 foot-candle above ambient light at 250 feet from the face of the electronic billboard or exceed the 0.5 foot-candle at any residential uses or 0.2 fc at natural areas. (AES-3)

***Air Quality***

51. Developer shall demonstrate that construction and operational activities associated with each electronic billboard would not exceed the VCAPCD thresholds of significance that include a maximum daily ROG (VOC) or NO<sub>x</sub> emissions above 25 pounds per day (lbs/day). (AQ-1)

*Biological Resources*

52. Construction activities involving vegetation removal as well as installation of the proposed billboard shall be conducted between September 16 and December 31, outside the nesting season for birds and raptors in the region. If vegetation removal or installation must occur during the nesting season (January 1 – September 15), a qualified biologist shall conduct a preconstruction survey for active nests within areas that will be subject to vegetation removal, construction noise, and/or ground disturbances, including a 500-foot buffer around existing trees and landscaped areas, to identify any potential active nests within seven days prior to work activities. Buffer distances can be adjusted at the discretion of the biologist based on the location of the nest, species, and surrounding land uses. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds.

If an active nest is observed during the pre-construction clearance survey, an adequate buffer determined by the City Approved qualified biologist shall be established around the active nest depending on sensitivity of the species and proximity to construction activity and impact areas. Onsite construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest or nesting activities. Construction activities shall be avoided within the buffer, unless otherwise approved by the City-approved monitoring biologist (e.g., vehicles could pass through buffer areas while jackhammering would be restricted). Buffers shall be clearly marked and defined to restrict certain activities where they could result in nest failure, and shall remain in place until nests are no longer active, as determined by the City-approved monitoring biologist. (Bio-1)

53. To avoid impacts to nesting least Bell's vireo, construction activities within 500 feet of suitable nesting habitat shall be timed to avoid the season when nests may be active for this species (March 15 to September 15). If avoidance of work activities within this time period is not feasible, a focused nest survey for least Bell's vireo shall be conducted within suitable nesting habitat the season prior to initiation of work activities, to determine their presence or absence within 500 feet of proposed work limits. In accordance with the USFWS survey protocol, eight focused surveys spaced a minimum of 10 days apart shall be conducted during the period of April 10 to July 31. The results shall be submitted in a report to the USFWS.

If the focused protocol nest surveys do not indicate the presence of least Bell's vireo, no further mitigation is required. A negative finding is considered valid until the following breeding season. Additional surveys shall be required each year that work is conducted in least Bell's vireo breeding habitat during the breeding season. If focused surveys indicate the presence of least Bell's vireo, a formal Endangered Species Act consultation with the USFWS shall occur prior to disturbance of this species or its habitat.

If occupied habitat and/or nesting individuals are determined to be present based on the focused survey, and work cannot be avoided during the nesting season, a preconstruction clearance survey shall be performed by a qualified City-approved biologist within 7 days prior to work activities to determine the approximate location of nesting territories within 500 feet



of work areas. Surveys shall be conducted by a biologist approved by the USFWS and CDFW for conducting least Bell's vireo nest surveys, or by a biologist with least Bell's vireo survey experience, so long as the nest is not approached and/or disturbed. If a nest is detected or active breeding is determined, work shall halt within 500 feet of the nesting territory, and the area shall be monitored on a weekly basis until a City-approved qualified biologist determines the nest is no longer active and the young have fledged.

### *Cultural Resources*

54. Prior to ground disturbance, the Applicant is required to retain a City-approved archaeologist and Native American Monitor. In the event that historic or archaeological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer of at least 50 feet shall be established around the find where construction activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside the buffer area. All historic and archaeological resources unearthed by construction activities associated with the proposed Program shall be evaluated by a qualified professional archaeologist who meets the U.S. Secretary of Interior's Professional Qualifications and Standards. Should the newly discovered artifacts be determined to be historic, Native American Tribes/Individuals shall be contacted and consulted and Native American construction monitoring shall be initiated. The Applicant and the City shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis. (CUL-1)
55. Prior to ground disturbance, the Applicant is required to retain a paleontologist for monitoring of ground disturbing activities. In the event that paleontological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find until it is assessed for scientific significance and collected. Monitoring shall include matrix screening for the presence of microfossils; however, monitoring is largely a visual inspection of sediment. (CUL-2)
56. A qualified archaeologist and Native American Monitor shall be present during construction-related ground disturbance activities in order to identify any unanticipated discovery of tribal cultural resources. The qualified archaeologist and Native American monitor may be different individuals or the same individual if the City determines that individual qualifies as both a qualified archaeologist and Native American monitor. All archaeological resources unearthed by construction activities shall be evaluated by the qualified archaeologist and Native American Monitor. If the resources are determined to be human remains, the coroner shall be notified, and if the human remains are Native American in origin, the coroner shall notify the NAHC as mandated by state law, who will then appoint a most likely descendent, who shall then coordinate with the landowner regarding treatment and curation of these resources. Typically, the most likely descendent will request reburial or

preservation for educational purposes. If a resource is determined by the qualified archaeologist to constitute a “historical resource” pursuant to CEQA Guidelines Section 15064.5(a) or a “unique archaeological resource” pursuant to PRC Section 21083.2(g), the qualified archaeologist shall coordinate with the Applicant and the City to develop a formal treatment plan that would serve to reduce impacts to the resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes. (CUL-3)

#### **DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS**

57. Developer shall pay plan check and processing Developer shall pay plan check and processing fees in effect at the time of construction plan submittal and shall pay development fees, encroachment permit fees, and other applicable fees in effect at permit issuance. (DS-1)
58. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the City Engineer issue a stop work order until such time as the graffiti is removed. (DS-20)
59. The conditions of this resolution shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, that may or may not be shown on the improvement plans. (DS-21)
60. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
61. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
62. Developer shall be responsible for and bear the cost of replacement of all existing survey monumentation (e.g., property corners) disturbed or destroyed during construction, and shall file appropriate records with the Ventura County Surveyor's Office. (DS-64)

#### **DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS**

63. Developer shall prepare and submit a complete survey topographic map showing all existing underground utilities and easements within 50-feet of the project area. (DS)

64. During plan check, a geotechnical engineering analysis from the project soils engineer evaluating the effects of the proposed sign footings on the existing underground utilities and levee shall be submitted to the City Engineer for review and approval. (DS)
65. Developer shall acquire approval and permits from the responsible agency for any underground utilities that need to be relocated. (DS)
66. Developer shall demonstrate to the satisfaction of the City Engineer that the placement of the sign within 6-inches to 12-inches of the property does not create any violations of the California Building Code in effect upon submittal of the building permit application. (DS)
67. Prior to building permit issuance, Developer shall demonstrate that the design of the billboard and all of its components in proximity to the state highway facilities does not violate any of the California Department of Transportation (Caltrans) requirements and standards. Developer shall coordinate and acquire the necessary permit imposed by Caltrans to construct the billboard sign. (DS)
68. Landscaping and land disturbance outside of the project area are not permitted without written approval by the affected property owner(s). (DS)
69. Prior to building permit issuance, Developer shall coordinate with Ventura County to ensure that the construction of the foundation for the billboard will not adversely affect the levee. (DS)
70. All flood-prone facilities constructed as part of the billboard shall be elevated above the flood 100-year base flood elevation. The billboard foundation shall be assumed to be submerged to the 100-year base flood elevation as part of the design parameters. (DS)
71. Construction of the billboard on public right-of-way is not permitted. The public right-of- way and public use for street purposes shall be vacated from the project site. Developer shall pay all fees associated with the hearing, right-of-way vacation document preparation, and review by the City. Prior to building permit issuance, Developer shall demonstrate that the underlying property is in fee ownership and free of restrictions. (DS)
72. The edge of the foundation of the sign shall be set back 18-inches or greater, as directed by the City Traffic Engineer, from the face of the curb with sufficient room for the crash barrier guardrail to be installed. The final design is subject to the review and approval of the City Traffic Engineer. (DS/TR)
73. The design of the billboard foundation shall not interfere with the Santa Clara River Trail Master Plan. (DS/TR)
74. Developer shall reconstruct all public facilities damaged by the project construction activities to the satisfaction of the City Engineer. (DS)
75. An erosion control plan shall be prepared as part of this project. (DS)

76. A letter shall be submitted to the City Engineer by the Developer confirming the entire project area is out of the floodway and a “no-rise” certification is not required. (DS)

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 19th day of January 2023 by the following vote:

---

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 on the 19th day of January, 2023, and carried by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioners:

---

Joe Pearson II, Secretary

# **ATTACHMENT J**

## **STAFF PRESENTATION**

# Ventura Road Electronic Billboard Project

Planning & Zoning Permit Nos. 20-500-06 (Special Use Permit), 20-670-05 (Development Agreement), and 21-660-03 (Street Vacation)

Joe Pearson II, Planning Manager

Planning Commission  
January 19, 2023

# Project Description

- A request for the following actions:
  - PZ 20-500-06 (Special Use Permit)
    - Allow for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products.
    - The top of the billboard would be approximately 80 feet in height above the ground, and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width.
    - The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width.

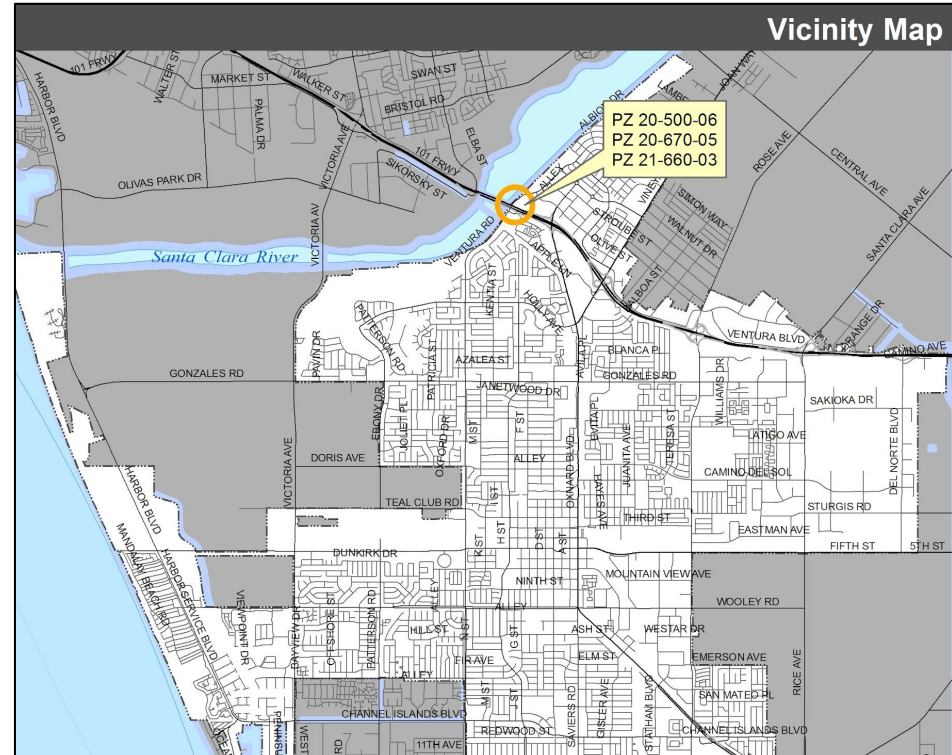
# Project Description (Cont.)

- A request for the following actions:
  - PZ 20-670-05 (Development Agreement)
    - Allow for for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development.
  - PZ 21-660-03 (Street Vacation)
    - The proposed Street Vacation would vacate the existing right-of-way to the City of Oxnard



# Project Location

**Subject Site:** North side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard.

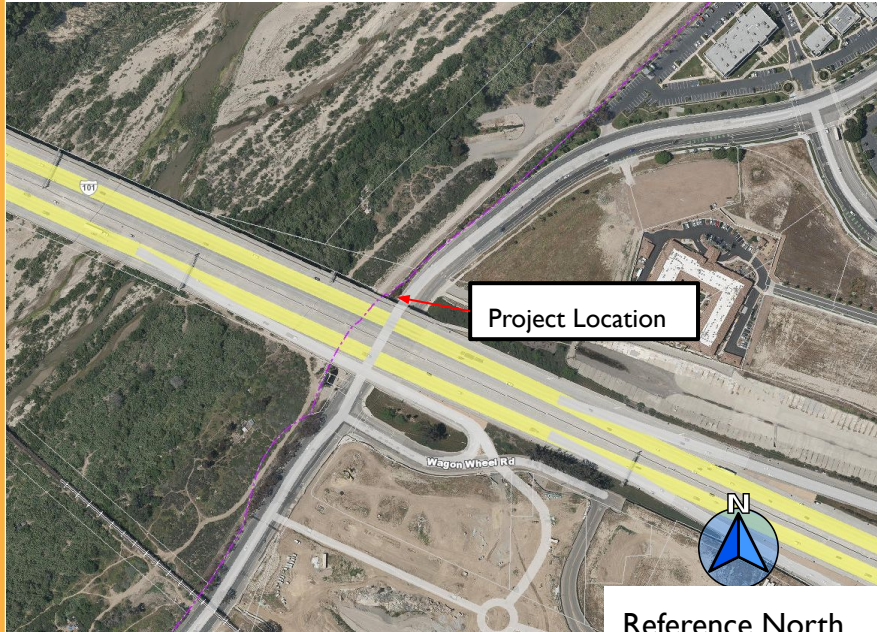


# Project Location



# Project Location

## Aerial-View



| LOCATION     | GENERAL PLAN          | ZONING                                                                      | EXISTING LAND USE                                        |
|--------------|-----------------------|-----------------------------------------------------------------------------|----------------------------------------------------------|
| Project Site | Commercial Regional   | The RiverPark Specific Plan (Commercial: Office)                            | Vacant                                                   |
| North        | Commercial Regional   | The RiverPark Specific Plan (Commercial: Office)                            | Light Industrial Development                             |
| South        | Highway 101/Easement  | Highway 101/The Village Specific Plan                                       | Highway 101/Residential                                  |
| East         | Commercial Regional   | The RiverPark Specific Plan (Residential: Very High or Commercial Regional) | Vacant (Approved Fore Apartments Project (PZ 19-200-16)) |
| West         | County Unincorporated | County Unincorporated                                                       | Santa Clara River                                        |

# Background - Exclusive Negotiation Agreements (ENA)

- On June 18, 2019, the City Council approved and authorized the Mayor to execute Exclusive Negotiation Agreements (ENAs) with Clear Channel Outdoor, LLC and another with Outfront Foster Interstate, LLC -- both for potential digital billboard sites.
- Under the terms of the ENAs, both companies were given the exclusive right to negotiate with the City for an initial six-month period, and two additional six-month terms if the projects were being diligently pursued by the parties.
- On June 7, 2022, the City Council determined that significant enough progress had been made to amend the ENAs, to grant another 6 months (until June 2023), as well as provided the City Manager with authority to extend the ENAs for two additional six-month terms if the projects are being diligently pursued by the parties.



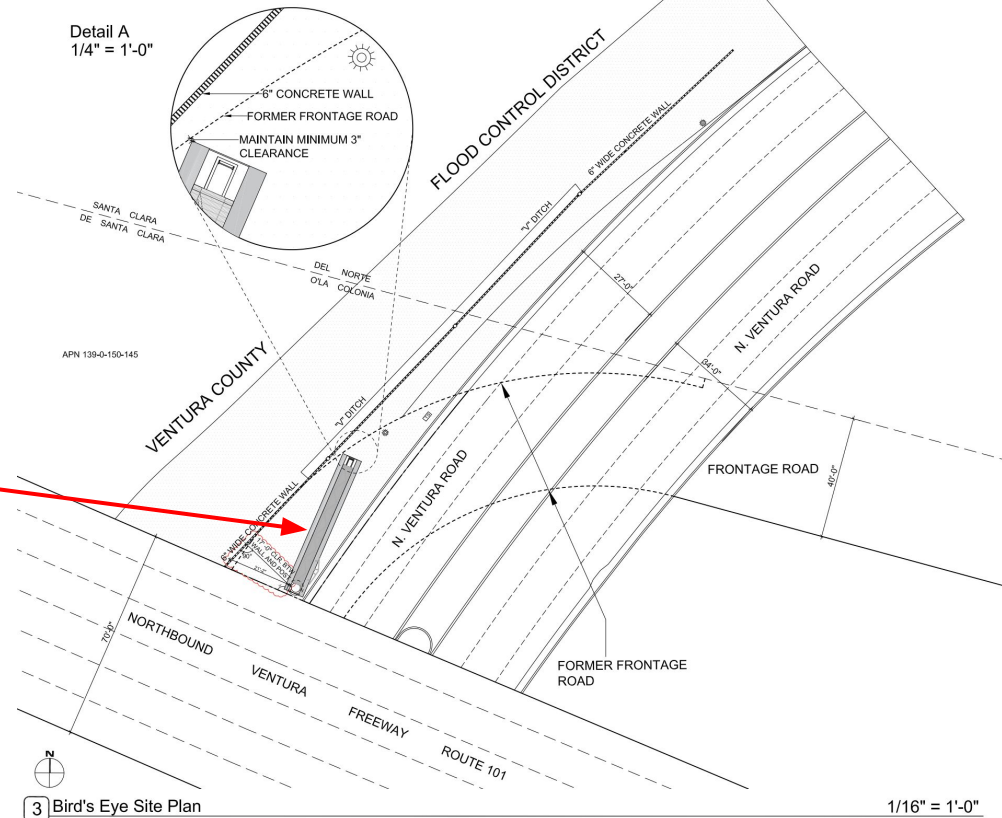
# Background - Code Amendment

- Concurrent with the process of this Project the City is processing amendments to Article IX. Advertising Signs of the Oxnard City Code to permit Freeway Adjacent Digital Display Billboards on parcels designated as commercial, industrial, or public facilities within 400 feet of the U.S. 101 right-of-way within the City of Oxnard and a amendment to the RiverPark Specific Plan to allow the sign in accordance with the Oxnard City Code.
- Each Freeway Adjacent Digital Display Billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet with a maximum of five (5) allowed in the City.

# Proposed Site Plan

## Proposed Site Plan

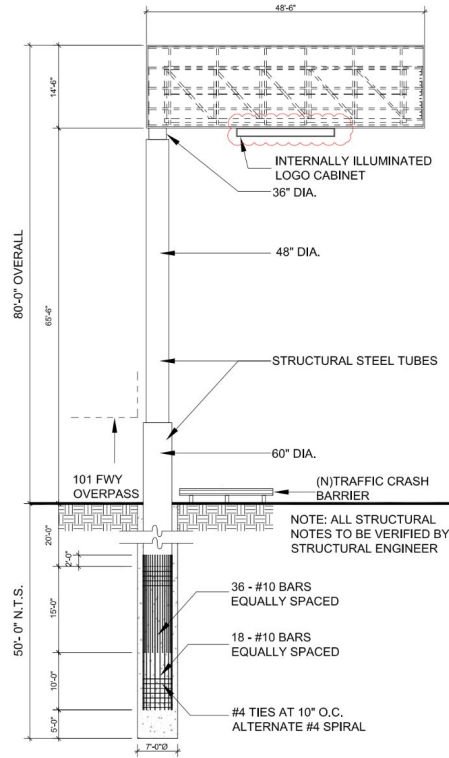
Proposed  
Sign



3 Bird's Eye Site Plan

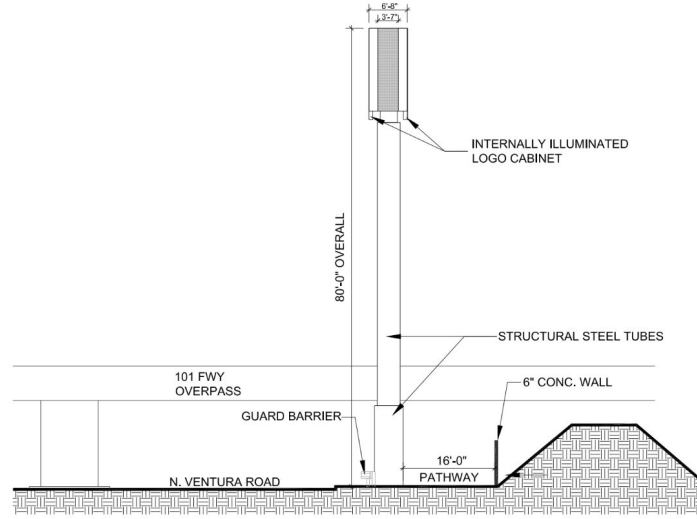
1/16" = 1'-0"

# Proposed Sign Elevations



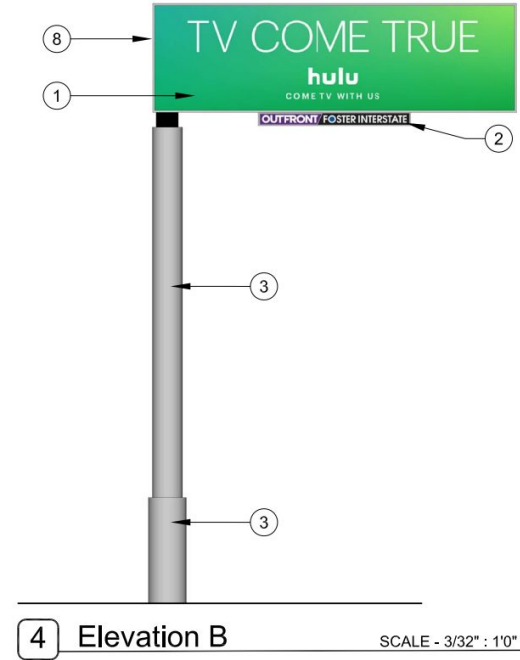
1 Overall Elevation

SCALE - 1/8" = 1'0"



3 CROSS SECTION VIEW

SCALE - 1/8" = 1'0"



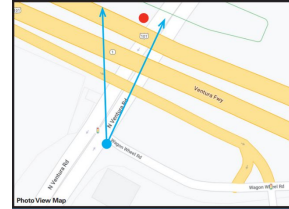
# Proposed Sign Renderings



2 View From Northbound On U.S. 101



4 View From Southbound On U.S. 101





# Development Agreement

- Provide public benefit in the form of monetary payments to the City.
- Allow for the use of City Property through a lease agreement.



# Applicable General Plan Policies

- Many policies are directly or indirectly applicable to the proposed project. Some of the key policies are:
  - Community Development Policy 3.1 & 4.1 - Land Use Conflicts
  - Community Development Policy 9.1, 9.3, & 9.4 - Neighborhood Identity Gateway Enhancement/View Corridor Preservation
  - Environmental Resource Policies 6.1, 6.2, and 6.5 - Views in New Development/Scenic Resources, Lighting and Glare
  - Community Development Policy 8.5 - Impact Mitigation

# Zoning Code Compliance

- As noted above the City is concurrently processing an Ordinance Amendment (PZ 20-580-06) to allow for Freeway Adjacent Digital Display Billboards, as currently being proposed. The proposed ordinance amendment includes development standards which will be applicable to all Freeway Adjacent Digital Display Billboards developed within the City.
- The proposed project has been designed to be consistent with the proposed ordinance, as further detailed in the Staff Report.

# Environmental Review

- An environmental consultant, under the supervision of Planning Division staff, prepared IS/MND which evaluated potential environmental impacts of the proposed Project. The IS/MND was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA).
- City prepared a Mitigated Negative Declaration (MND):
  - a. MND review period for 30 days (30 days required)
  - b. City received five comment letters
  - c. Comments and responses included in MND
  - d. Changes made to Draft MND for Final MND based on comments
- Final IS/MND includes a Mitigation Monitoring and Reporting Program:
  - a. Details process to implement required mitigation measures
  - b. After implementation of standard conditions and mitigation measures, all potentially significant impacts reduced to less than significant levels

# Environmental Review

- Final IS/MND identified the following:
  - Class 2 impacts (potentially significant by mitigable, mitigation required)
    - Biological Resources
    - Cultural and Tribal Cultural Resources
  - All other impact area were identified as Class 3 (less than significant)
    - Aesthetics included two recommended mitigations were incorporated
- Staff determined that there is no substantial evidence that the Project will have a significant effect on the environment.

- Notice of Community Workshop: December 20, 2021
  - Public notice signs were posted onsite.
  - Notifications were mailed to the RiverPark Neighborhood.
- Notice of PC hearing was provided:
  - Newspaper,
  - On-site posting; and
  - Mailed to property owners within 300 feet.
- To date, no public comments have been received.

## **Recommendation:** That the Planning Commission:

- a) Adopt a resolution recommending that the City Council adopt a Mitigated Negative Declaration (MND) 22-03; and
- b) Adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 20-670-05 (Development Agreement), and
- c) Adopt a resolution affirming that the City of Oxnard's proposed Vacation of real property consisting of an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard is in conformance with the City of Oxnard 2030 General Plan and recommending that the City Council order the proceed with the vacation, and
- d) Adopt a resolution Approving Planning and Zoning Permit No. 20-500-06 (Special Use Permit), subject to certain findings and conditions.



