

# *IMPACTS FOUND TO BE LESS THAN SIGNIFICANT*

## **INTRODUCTION**

In addition to the environmental impact categories analyzed in detail in this Final EIR, the City of Camarillo has determined that the development and operation of the proposed project would not result in potentially significant impacts to the environmental impact topics listed below. Section 15128 of the CEQA Guidelines states:

*“An EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR. Such a statement may be contained in an attached copy of an Initial Study.”*

The Initial Study prepared for the proposed project is provided as Appendix A to this EIR. The following discussions provide a summary of the conclusions of the Initial Study for the environmental impact categories that are not analyzed in detail in this EIR.

## **AESTHETICS**

The proposed project would not have a substantial adverse effect on a scenic vista. The impact of the project would be less than significant.

The proposed project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. No impact would occur.

The proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings. The impact of the project would be less than significant.

Construction of the proposed project could create a new source of substantial light or glare which could adversely affect day or nighttime views in the area. The following mitigation measure is recommended to ensure that the proposed project does not result in significant impacts related to construction-related nighttime lighting:

A-1 To avoid potential significant impacts to adjacent roadways, the project developer shall include in contract specifications that temporary construction lighting shall be shielded from the adjacent

highway and roadways. This shall include permanent and temporary lighting provided within the new hotel and commercial buildings.

## **AGRICULTURE AND FORESTRY RESOURCES**

The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. No impact would occur.

The project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. No impact would occur.

The project would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)). No impact would occur.

The project would not result in the loss of forest land or conversion of forest land to non-forest use. No impact would occur.

The project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. No impact would occur.

## **AIR QUALITY**

The project would not conflict with or obstruct implementation of the 2016 Air Quality Management Plan. The impact of the project would be less than significant.

Implementation of the proposed project would generate new sources of air pollutants during project construction activities. These emissions would cause a significant impact if all appropriate emissions control measures recommended by the Ventura County Air Pollution Control District (VCAPCD) are not implemented. The daily operational emissions generated by the project would exceed the thresholds of significance recommended by the VCAPCD. The following measures are recommended to reduce the potential emissions associated with construction activities to the maximum extent feasible:

AQ-1 All developers of new buildings at the project site shall implement fugitive dust control measures throughout all phases of construction. The project developers shall include in construction contracts the control measures required and recommended by the VCAPCD at the time of development. Examples of the types of measures currently required and recommended include the following:

- Minimize the area disturbed on a daily basis by clearing, grading, earthmoving, and/or excavation operations.
- Pre-grading/excavation activities shall include watering the area to be graded or excavated before the commencement of grading or excavation operations. Application of water should penetrate sufficiently to minimize fugitive dust during these activities.
- All trucks shall be required to cover their loads as required by California Vehicle Code §23114.
- All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary.
- Material stockpiles shall be enclosed, covered, stabilized, or otherwise treated, to prevent blowing fugitive dust offsite.
- Graded and/or excavated inactive areas of the construction site shall be monitored by a City-designated monitor at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally-safe control materials, shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area should be seeded and watered until grass growth is evident, or periodically treated with environmentally-safe dust suppressants, to prevent excessive fugitive dust.
- Signs shall be posted on-site limiting on-site traffic to 15 miles per hour or less.
- During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by on-site activities and operations from being a nuisance or hazard, either off-site or on-site. The site superintendent/supervisor shall use his/her discretion in conjunction with the VCAPCD in determining when winds are excessive.
- Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.
- Personnel involved in grading operations, including contractors and subcontractors should be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.

AQ-2 All developers of new buildings at the project site shall implement and agree to enforce measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project site throughout the project construction phases. The project developer shall include in construction contracts the control measures required and recommended by the VCAPCD at the time of development. Examples of the types of measures currently required and recommended include the following:

- Maintain all construction equipment in good condition and in proper tune in accordance with manufacturer's specifications.
- Limit truck and equipment idling time to five minutes or less.
- Minimize the number of vehicles and equipment operating at the same time during the smog season (May through October).
- Use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), or electric, to the extent feasible.

The daily operational emissions generated by the proposed project would exceed the thresholds of significance recommended by the VCAPCD. The following measures are recommended to reduce the potential emissions associated with operational activities to a less than significant level:

AQ-3 All developers of new buildings at the project site shall include in construction and building management contracts the following requirements or measures shown to be equally effective:

- Use solar or low-emission water heaters in new buildings.
- Require that commercial landscapers providing services at the common areas of project site use electric or battery-powered equipment, or other internal combustion equipment that is either certified by the California Air Resources Board or is three years old or less at the time of use, to the extent that such equipment is reasonably available and competitively priced in Ventura County (meaning that the equipment can be easily purchased at stores in Ventura County and the cost of the equipment is not more than 20 percent greater than the cost of standard equipment).

AQ-4 Prior to the issuance of a zoning clearance, the developers of new buildings at the project site shall implement measures to reduce vehicle trips in the vicinity of the project site or pay a total of \$119,848 to the City TDM fund to reduce vehicle trips and associated air pollutant emissions.

The daily operational emissions generated by the proposed project would exceed the thresholds of significance recommended by the VCAPCD and, therefore, would generate a cumulatively considerable net increase of criteria pollutants. Implementation of mitigation measures AQ-3 and AQ-4 would reduce the cumulative air quality impacts of the proposed project to a less than significant level.

The project would not expose sensitive receptors to substantial pollutant concentrations. The impact of the project would be less than significant.

The project would not create objectionable odors affecting a substantial number of people. The impact of the project would be less than significant.

## **BIOLOGICAL RESOURCES**

Construction of the project could have a substantial adverse effect, either directly or through habitat modification, 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. The following mitigation measure is recommended to ensure that the proposed project does not result in significant impacts related to nesting birds:

BR-1 To avoid potential significant impacts to nesting birds, including migratory birds and raptors, one of the following shall be implemented by the developers of the proposed project:

- Conduct tree removal associated with construction from September 1st through January 31st, when birds are not nesting.

OR...

- Conduct pre-construction surveys for nesting birds if tree removal is initiated during the nesting season with results of the survey provided to the Department of Community Development. A qualified wildlife biologist shall conduct weekly pre-removal bird surveys no more than 30 days prior to tree removal to provide confirmation on the presence or absence of active nests in the affected trees. The last survey should be conducted no more than three days prior to the tree removal. If active nests are encountered, removal of the affected trees shall be deferred until the young birds have fledged and there is no evidence of a second attempt at nesting. A minimum buffer of 300 feet (500 feet for raptor nests) or as determined by a qualified biologist shall be maintained during construction depending on the species and location. A copy of the buffer plan shall be provided to the Department of Community Development prior to fencing. The perimeter of the nest-setback zone shall be fenced or adequately demarcated with staked flagging at 20-foot intervals, and construction personnel and activities restricted from the area. Construction personnel should be instructed on the sensitivity of the area. A survey report by the qualified biologist documenting and verifying compliance with the mitigation and with applicable state and federal regulations protecting birds shall be submitted to the Department of Community Development prior to the issuance of a grading permit. The qualified biologist shall serve as a construction monitor during those periods when

construction activities would occur near active nest areas to ensure that no inadvertent impacts on these nests would occur.

The project would not 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. No impact would occur.

The project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. No impact would occur.

The project would not 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. No impact would occur.

The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. No impact would occur.

The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. No impact would occur.

## **CULTURAL RESOURCES**

The project would not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5. No impact would occur.

There is a remote possibility that archeological resources may exist below the ground surface and that these resources could be encountered during site grading and trenching.. The following measure is recommended to ensure that the project does not result in significant impacts to previously undiscovered archaeological resources:

CR-1 The project developers shall include in construction contracts the requirement that construction activities be halted if any archaeological materials are encountered during the course of project development. The services of a professional archaeologist shall be secured by contacting the Center for Public Archaeology – California State University Fullerton, or a member of the Society of Professional Archaeologists (SOPA) or a SOPA-qualified archaeologist to assess the resources and evaluate the impact.

In the event that cultural resources are discovered, the handling will differ depending on the nature of the artifacts. However, it is understood that all artifacts with the exception of human remains and related grave goods or sacred objects belong to the property owner. All artifacts

discovered at the development site shall be inventoried and analyzed by the professional archaeologist. In the event that the archaeologist identifies resources of a prehistoric or Native American origin, a Native American observer of Chumash origin shall be retained to accompany the archaeologist for the duration of the grading phase to help analyze the Native American artifacts for identification as everyday life and/or religious or sacred items, cultural affiliation, temporal placement, and function, as deemed possible. All items found in association with Native American human remains will be considered grave goods or sacred in origin and subject to special handling pursuant to State law. The remainder of the Native American artifact assemblage will be inventoried, analyzed, and prepared in a manner for reburial at the project site and/or curation, and the archaeological consultant will deliver the materials to an accredited curation facility approved by the City of Camarillo within a reasonable amount of time.

Nonnative American artifacts will be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. Subsequent to analysis and reporting, these artifacts will be subjected to curation or returned to the property owner, as deemed appropriate.

A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered artifacts. The report and inventory, when submitted to the City of Camarillo Department of Community Development and the UCLA Archaeological Information Center, will signify completion of the program to mitigate impacts to archaeological and/or cultural resources.

There is a very remote possibility that paleontological resources may exist below the ground surface, and that these resources could be encountered during site grading and trenching.. The following measure is recommended to ensure that the project does not result in significant impacts to previously undiscovered paleontological resources:

CR-2 The project developer shall include in construction contracts the requirement that the project be halted if any paleontological materials are encountered during the course of project development. The services of a paleontologist shall be secured by contacting the Center for Public Paleontology, which can be found at the following universities; USC, UCLA, California State University at Los Angeles, or California State University at Long Beach, to assess the resources and evaluate the impact. Copies of the paleontological survey, study, or report shall be submitted to the Department of Community Development.

The project would not disturb any human remains, including those interred outside of formal cemeteries. The impact of the project would be less than significant.

## **GEOLOGY AND SOILS**

The proposed project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. The impact of the project would be less than significant.

The proposed project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. The impact of the project would be less than significant.

The proposed project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. The impact of the project would be less than significant.

The proposed project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides. No impact would occur.

The proposed project would not result in substantial soil erosion or the loss of topsoil. The impact of the project would be less than significant.

The proposed project would not 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 onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse. The impact of the project would be less than significant.

The proposed project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property. No impact would occur.

The proposed project would not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water. No impact would occur.

## **GREENHOUSE GAS EMISSIONS**

The proposed project would generate greenhouse gas emissions, but these emissions would not have a significant effect on the environment. The impact of the project would be less than significant.

The project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The impact of the project would be less than significant.



## HAZARDS AND HAZARDOUS MATERIALS

Construction-related impacts could occur if the soils at the site have residual levels of organochlorine pesticides (OCPs) from previous agricultural activities. The following mitigation measure is required to ensure that the potential construction-related impacts associated with the potential use of hazardous materials would be less than significant:

HHM-1 The project developer shall have the soil at the site tested for organochlorine pesticides (OCPs) prior to the issuance of grading permits for the project. Only soils meeting the DTSC guidance levels shall be used at the project site.

The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter-mile of an existing or proposed school. No impact would occur.

The project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment. No impact would occur.

The project site is not within the vicinity of a private airstrip and would not result in a safety hazard for people residing or working in the project area. No impact would occur.

The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The impact of the project would be less than significant.

The project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. No impact would occur.

## HYDROLOGY AND WATER QUALITY

The project would not violate any water quality standards or waste discharge requirements. The impact of the project would be less than significant.

The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation onsite or offsite. The impact of the project would be less than significant.

The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding onsite or offsite. The impact of the project would be less than significant.

The project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of pollutant runoff. The impact of the project would be less than significant.

The project would not otherwise substantially degrade water quality. No impact would occur.

The project would not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. The impact of the project would be less than significant.

The project would not place within a 100-year flood hazard area structures which would impede or redirect flood flows. The impact of the project would be less than significant.

The project would not 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. The impact of the project would be less than significant.

The project would not be subject to potential inundation by seiche, tsunami, or mudflow. No impact would occur.

## **LAND USE AND PLANNING**

The project would not physically divide an established community. No impact would occur.

The project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. The impact of the project would be less than significant.

The project would not conflict with any applicable habitat conservation plan or natural community conservation plan. No impact would occur.

## **MINERAL RESOURCES**

The project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. No impact would occur.

The project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. No impact would occur.

## **NOISE**

The project would not result in the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. The impact of the project would be less than significant.

Construction and operation of the project would not result in the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels. The impact of the project would be less than significant.

Operation of the project would not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. The impact of the project would be less than significant.

Construction of the project would not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. The impact of the project would be less than significant.

The project site is not within the vicinity of a private airstrip and would the project expose people residing or working in the project area to excessive noise levels. No impact would occur.

## **POPULATION AND HOUSING**

The project would not induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through the extension of roads or other infrastructure). No impact would occur.

The project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. No impact would occur.

The project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. No impact would occur.

## **PUBLIC SERVICES**

The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection. The impact of the project would be less than significant.

The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection. The impact of the project would be less than significant.

The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools. The impact of the project would be less than significant.

The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for parks. No impact would occur.

The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for other public facilities. No impact would occur.

## **RECREATION**

The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. No impact would occur.

The project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. No impact would occur.

## **TRANSPORTATION/TRAFFIC**

The project would not result in a change in air traffic patterns, including either an increase in traffic levels or change in location that results in substantial safety risks. No impact would occur.

The project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). The impact of the project would be less than significant.

The project would not result in inadequate emergency access. The impact of the project would be less than significant.

The project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. The impact of the project would be less than significant.

## **TRIBAL CULTURAL RESOURCES**

The project would not cause a substantial adverse change in the significance of a tribal cultural resources, 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 for listing 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). No impact would occur.

The project could cause a substantial adverse change in the significance of a tribal cultural resources, 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. In applying the 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. Implementation of mitigation measure CR-1 would ensure that any impacts to previously undiscovered archaeological resources would be reduced to a less than significant level.

## **UTILITIES AND SERVICE SYSTEMS**

The project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. The impact of the project would be less than significant.

The project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. The impact of the project would be less than significant.

## Impacts Found to be Less Than Significant

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The project would not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. The impact of the project would be less than significant.

The project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments. The impact of the project would be less than significant.

The project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. The impact of the project would be less than significant.

The project would comply with federal, state, and local statutes and regulations related to solid waste. The impact of the project would be less than significant.